

AMERICANS WITH DISABILITIES ACT ADVISORY COUNCIL MINUTES

Tuesday, November 6, 2018 - 5:30-7pm in City Council Committee Room
9th Floor, Suite 9081, One Civic Plaza NW, Albuquerque, NM

Members Present: Terri O'Hare, Karen Cushnyr, Daniel Strones Lisa McNiven

Members Absent: Sacheen Smith

City Staff Present: Patricia Padrino, ADA Coordinator, Adam Leuschel legal counsel, Patrick Montoya, DMD Director, Perry Hample, DMD ADA Coordinator, Martin Carrasco, road closures for CABQ,

Members of the Public: Michael Lawler, Kait Casaus, OT student UNM

Call to Order: Meeting had a quorum. Terri O'Hare called meeting to order at 5:30 pm.

Approval of Agenda and Minutes: Karen Cushnyr moved for the Agenda to be approved, Daniel Strones seconded. Agenda Approved. Lisa McNiven moved that the Minutes from the October 2, 2018 meeting be approved. Karen Cushnyr seconded. Minutes approved.

Introductions: Everyone present introduced themselves briefly

Public Comment: Michael Lawler spoke about raised curbing that has been installed at some intersection ramps and how it can be dangerous if riding a bike and not able to be seen. Martin Carrasco from DMD addressed this and offered to meet on site with Mr. Lawler to examine the curbing and consider safer solutions. Mr. Lawler also mentioned at Monzano Mesa Multi-generational center, a gentleman walked in with a dog that was not a service dog – and it sat on a chair while people were eating breakfast. He complained and was told that it could not be challenged. Terri O'Hare suggested he and Patricia as ADA Coordinator deal with this as a compliance issue.

Agenda Items

DMD Department Guests

Department of Municipal Development (DMD) Director Patrick Montoya, introduced the board to the divisions and functions of the DMD department. The city recently appointed an ADA Coordinator within DMD, Perry Hample. He will be responsible for issues that impact the disability community and involve ADA compliance within DMD managed facilities and roadways. DMD includes several departments. The Traffic Division is responsible for maintaining, building, enhancing, roads, medians, etc. Construction services is another component. The Security Division provides security for all city facilities. DMD also manages Parking. The Facilities Division manages and operates a little over 400 buildings

throughout the city. A new department is going to be created called the Assets Management Department overseeing facilities, and property management. It will deal with lighting within the city – be responsible for the contracts. Any light within the city boundary, including the ones on the interstates are managed by this department.

Martin Carrasco deals with two sections within DMD: construction management and construction coordination. CM builds and CC inspects and manages, deals with issues. For example, a sidewalk complaint does not usually get resolved immediately. If it is a regular sidewalk defect, they go through and do an inspection and then go through letters to owners to get the sidewalk fixed. This is to accommodate the owner because it is generally a big expense. If the city thinks it is responsible for the fix, based on the ordinance, they will fix it pretty quickly.

Traffic light activation request to DMD

Member Lisa McNiven described a dangerous intersection in front of the building she works in at 625 Silver Avenue. Months ago the city removed the traffic signals from Silver Avenue so all intersections in front of her building are now only controlled with stop signs. Since this change, two individuals using wheelchairs, accessing services in her building have been hit by cars while using the crosswalk. They required medical assistance and trips by ambulance to the hospital. Their outcomes were unknown to Lisa. There has also been a fatality reported at this same intersection.

This issue prompted the board members to request that DMD ‘resignalize’ the traffic lights (and remove the stop signs) at the intersection near this address. Apparently the stop signs are not adequate protection for vulnerable, low profile or disabled pedestrians in this location. The reasons this area requires the highest level of traffic protection for pedestrians are due to:

- At least 5 Agencies and nonprofit organizations at 625 Silver Avenue serve the disability community specifically, so a large percentage of visitors are pedestrians with various disabilities.
- Probably more people with various disabilities access this building in our city than any other building.
- Agencies include but are not limited to the DDPC, (the Developmental Disabilities Planning Council, NM GCD (the New Mexico Governor’s Commission on Disability), NMTAP (New Mexico Technology Assistance Program) Veteran’s organizations,

(serving Veterans with disabilities) and The New Mexico Self Advocacy Program among others.

- Visitors include D/deaf people, blind people, wheelchair and guide/service dog users, pedestrians with developmental and intellectual disabilities and people with TBI, (traumatic brain injury) among other disabilities.
- One Board member, Daniel Strones, has almost been hit there 3 times

The board's request for activating the traffic signals again was met with Director Montoya's response that Councilor Benton who represents that district prevented a similar action when a neighborhood group in this area had signals returned to operational and Councilor Benton replaced those signals with the stop signs again. Councilor Benton apparently has the ability to authorize (or not authorize) the request the ADA Board made of Director Montoya for signals. This same area was the subject of a 'Walkability Study' produced by a consultant for Councilor Benton who stressed bicycle access and made Silver Avenue a 'Bicycle Boulevard' and this is one reason behind Councilor Benton not wanting traffic signals along that portion of Silver Ave.

Some ideas such as HAWK signals, a reduction of on street parking and specific warning signs were discussed. The issues were costs for HAWK and warning signs that could indicate many kinds of diverse disabilities were not feasible. The board indicated it would continue to advocate to have this intersection returned to traffic signals due to the accidents and the high number of people with disabilities accessing this building for services.

A Mr. Tim Brown at DMD was also mentioned by Mr. Montoya as a contact to discuss this issue with.

A site visit for DMD staff and ADA Board members was discussed to review safety at the actual intersection.

New Board member Matthew Loehman was discussed and will be introduced at the December meeting.

Announcements from Members

Meeting with Tim Keller – the Board is wondering about the status of the requested meeting. Karen Cushnyr has headed this up, communicating with the Mayor’s Office. There will be additional outreach by other board members as needed. There has been no feedback to this request from the Mayor’s office. Lisa McNiven is not able to see what the Mayor is saying at press conferences because when he makes speeches there is no ASL and she cannot hear or see what he is saying. The board will advocate for more ASL interpreters for the Mayor’s press conferences.

There was discussion of members reapplying to their next board terms and the accessibility of the online application web forms. Adam Leuschel will follow up with IT and get back to the Board or Patricia.

Adjournment

Terri O’Hare had to leave at 6:30 to vote and Lisa McNiven continued the meeting as Vice Chair.

The meeting was adjourned at 6:40 pm.

Next Meeting: Tuesday, December 4, 2018

Chairperson: Terri O’Hare _____ Date _____