



**COMMISSION ON DISABILITIES
MINUTES
Monday, March 14, 2011
6:00 PM**

*FIFTH FLOOR LARGE CONFERENCE ROOM, CITY HALL,
3900 MAIN STREET, RIVERSIDE, 92522
GENERAL SERVICES DEPARTMENT, 951-826-5427*

MISSION STATEMENT

“The mission of the Commission on Disabilities is to promote greater awareness of, respect for, and the total participation of individuals with disabilities into all aspects of life.”

CALL TO ORDER: 6:00 pm

PLEDGE OF ALLEGIANCE

1. Roll Call: Chairperson Donald Hawecker, Debbie Keller, James Stream, Gigi Welch, Lesley Robinson, Keith Nelson

ABSENT: Van Doren (unexcused), Werly, Lawyer, Nakama, Brewer,

Also present was: Human Resources Director Rhonda Strout, General Services Director Kris Martinez, Deputy Public Works Director Tom Boyd, Deputy Human Resources Director Jeremy Hammond, Deputy City Attorney Neil Okazaki, ADA Coordinator Monique Gordon.

2. **Introductions and Public Comment Period** - This is the portion of the meeting specifically set aside to invite your comments regarding any matter within the Commission’s jurisdiction. Individual audience participation is limited to 3 minutes.
3. Minutes for the meeting of February 14, 2011 and Minutes for the meeting of March 14, 2011

M/S Nelson/Robinson to approve the minutes as presented:

AYES: - 2 (Robinson, Hawecker); NOES – 0; ABSTAIN – 3 (Keller, Welch, Stream); ABSENT – 5 (Van Doren, Werly, Lawyer, Nakama, Brewer)

A quorum was not available to approve the minutes. The minutes will carry over to the April 11, 2011 meeting.

OLD BUSINESS

4. Proposed Municipal Code Amendments – Deputy City Attorney Neil Okazaki

Deputy City Attorney Neil Okazaki presented an item concerning revision of Vehicle Code Section 9.16.12 about leafletting on cars displaying a disabled placard. The COD discussed this issue and will review the revised, proposed language again before it is presented to City Council.

Vehicle Code language about Accessible vans parking in more than one space can be strengthened to emphasize the exception to the provisions that allow accessible vans to use more than one space under City vehicle code.

M/S Welch/Stream and unanimous to present a formal recommendation from COD to City Council.

AYES: - 6 (Robinson, Hawecker, Keller, Welch, Stream, Nelson); NOES – 0; ABSTAIN – 0; ABSENT – 5 (Van Doren, Werly, Lawyer, Nakama, Brewer)

5. Revised Draft Brochure-Universally Accessible Playground at Fairmount Park

M/S Stream/Robinson and unanimous to approve the brochure as presented.

AYES: - 6 (Robinson, Hawecker, Keller, Welch, Stream, Nelson); NOES – 0; ABSTAIN – 0; ABSENT – 5 (Van Doren, Werly, Lawyer, Nakama, Brewer)

6. Draft COD Annual Report to City Council for March 22, 2011

The COD reviewed the draft Council report and PowerPoint presentation and approved as presented.

M/S Stream/Nelson and unanimous to present the Council report as presented.

AYES: - 6 (Robinson, Hawecker, Keller, Welch, Stream, Nelson); NOES – 0; ABSTAIN – 0; ABSENT – 5 (Van Doren, Werly, Lawyer, Nakama, Brewer)

NEW BUSINESS

7. Public Works Projects Disability Access Update -Tom Boyd, Deputy Public Works Director

Deputy Public Works Director Tom Boyd came to update the COD on the status of Public Works projects related to Disability Access. History: in the late 1990s-2000, the City's Transition Plan noted more than 7,400 locations where there were sidewalks crossing the street with no curb ramps. In 2006, through a pavement management survey, 3300 locations still remained where curb-cuts were still needed. Since then, through annual programs and building projects, there are about 2,000 areas without curb ramps. At this point, the more difficult areas are left to complete. The most difficult aspect is that the sidewalks are old and the grades are too steep. The search for outside funds is a challenge but the CIP ramp program was increased this year since the economy has improved. The increase in funding should allow for a more rapid increase in the rate that the curb ramps are completed.

Each year SB821 funds from a State grant for pedestrian/bicycle improvements is available. Public Works will usually do a project in a neighborhood with a 50/50 split of State funds and CIP (City) funds. He noted that disability projects with matching funds are given priority for grant funding.

Sidewalk Repair Program: Public Works does about \$800k in sidewalk repairs. He noted that PW does take special requests on a special needs basis. The best way to get this done is to call 311 and make a request. The requests are routed directly to the Phillip Hannawi in the Public Works department so the request can be tracked.

In response to a request from Mr. Hawecker, Deputy Director Boyd submitted two lists of complete ADA access related projects – one showing a list of 253 projects completed in 2009-10 and a current list for 2010-11 showing 231 projects completed to date. Mr. Hawecker noted that the COD wanted to share the data with the public in order to show appreciation for the work done by Public Works concerning ADA accessibility.

Deputy Director Boyd noted that if a call is received and it is a matter of ADA access, it is likely that the project could jump to the top of the projects to be done. The calls tracked by 311 should all receive a follow-up response to note the proposed outcome of the request, even if the item is placed on a list of projects to be done in the future. There is a several year back log of sidewalk fixes that need to be done, but a temporary asphalt repair can usually be done right away.

He noted that Public Works was also in the last phase of retrofitting traffic signals with push buttons and the audible pedestrian-heads.

Deputy Director Boyd noted that it is important for the public to communicate with the department and if something is missed, let them know – quality public service is important to the Public Works Department

In response to a question from the COD concerning the policy of deciding priorities for ADA access work, Deputy Director Boyd noted that all of the arterial areas with sidewalks and major government and shopping centers were complete. Now Public Works is working from a large map that shows neighborhoods where they can complete a large scale project. The list priority could be changed if someone called to note that they were not able to travel around their neighborhood – then the entire neighborhood might be done. There are very few large scale projects left but Public Works often completes smaller path of travel projects when access calls are received – usually within 30 days.

The last few years, path of travel to schools has been the priority. Currently the budget is from transportation funds and the first portion is to resurface arterial highways, surface streets, curb and gutter repair, and ramp installations. Any funds that remain may go into street improvement projects. The transportation funds come from gas tax and ½ cent sales tax in Riverside County. There has been a reduction in these funds since 2009.

In response to a question concerning the types of ramps, Deputy Director Boyd noted that there were directional ramps where there are two ramps on a curb that go two different directions and the mid curb return ramp that leads directly to the street. There are pros and cons to each. The directional ramps do not fit well on curb returns. The other concern is that it is difficult to see a person in a wheel chair with the directional ramps. It is easier to enter the street with the mid curb return ramp. The City is deciding to put in the mid return ramps because the visibility makes it is safer.

In response to a question about the truncated domes, Deputy Director Boyd noted that the City follows a standard called UFAS and a ruling on the requirement has never been finalized. The ADAG and UFAS (Universal Federal Accessibility Standards). If you follow the ADAG standard, the truncated domes are used. UFAS says that truncated domes are not required. Some people like the truncated domes and some do not which is likely why the UFAS ruling has not been finalized. The State uses the ADAG standard and you do see the truncated domes in these right-of-ways and at railroad crossings.

Chairperson Hawecker thanked the Deputy Director for the work done by Public Works in the interest of the disabled community.

8. Proposed Reasonable Accommodation Policy - Rhonda Strout, Human Resources Director

Human Resources Director Rhonda Strout advised that there was a comprehensive City Human Resources Policy that covers all topics relative to the City's work force. Director Strout distributed a modified draft of the City's Reasonable Accommodation for Disabled Applicants and Employees. She noted that the changes are necessary in the policy and she wanted the COD's input on the matter.

She noted that Title II of the Genetic Information Nondiscrimination Act of 2008 (GINA), prohibits genetic information discrimination in employment and took effect on November 21, 2009. The GINA Act is the basis for the policy changes. After COD consideration, the City Attorney, the Human Resources Board and any other body that may provide valuable input into the proposed revisions would be asked to review the policy. After review by the aforementioned bodies, there will be a Union review and discussion about any impact to employees GINA may have. Once the unions approve, a public hearing is required for public comment. Once public comment is complete, the document is reviewed by City Council for final approval. Inclusion and lots of input is the goal for policy revisions.

The GINA Act is intended to protect Americans against discrimination based on their genetic information in regard to health insurance and employment. Genetic information cannot be considered in employment situations and the City will not request this information. She solicited questions from the COD.

In response to a question about a City request for medical history, Director Strout clarified that the City could ask for medical history but not genetic medical history. Family medical history cannot be discussed, only the medical history of the employee. All City employees and their families have access to medical, dental and life insurance and exclusion because of a medical condition is not lawful.

Deputy City Attorney Okazaki clarified that there is a lot of genetic information available these days along with the possibility of discrimination. The GINA Act makes it unlawful for someone to not be hired because of a genetic propensity for any specific disease based on family history.

M/S Nelson/Robinson and unanimous to approve the proposed GINA Act language in revision of the Human Resource Department's Reasonable Accommodation for Disabled Applicants and Employees.

AYES: 6 (Robinson, Nelson, Hawecker, Keller, Welch, Stream); NOES – 0; ABSTAIN – 0; ABSENT – 5 (Van Doren, Werly, Lawyer, Nakama, Brewer)

9. Subcommittee Meeting concerning Shane's Inspiration Program at Fairmount Park

Commissioner Stream summarized the joint subcommittee meeting with the Parks commission concerning the Play Date educational program developed by Shane's Inspiration. The first Play Date would be on May 21, 2011 at the Fairmount Park Universally Accessible playground. The ARC of Riverside will be the event facilitator and Bud's Tire and Wheel has agreed to be the first corporate sponsor. Promotional information will be provided at the VSAF5 concerning the Play Date.

10. Riverside Demographics - 9.1% Disabled in Riverside

This item will carry over to the meeting of April 11, 2011.

11. Effects of State budget cuts to Disabled Programs in Riverside

This item will carry over to the meeting of April 11, 2011.

COMMISSIONER COMMUNICATIONS

12. Brief reports on conferences, seminars, and meetings attended by COD members
13. Items for future COD consideration

UPCOMING EVENTS

14. Riverside's Model Deaf Community Committee (MDCC), third Wednesday of the month (March 16, 2011) at 4:00 pm in the 7th Floor Small Conference Room.
15. City Boards and Commission appreciation – Monday, March 21, 2011 at 5:00 pm at the La Sierra Senior Center. Dinner will be served.
16. 5th Very Special Art Fair – Thursday, March 24, 2011 at Ramona High School, 7675 Magnolia Avenue.
17. 19th Annual Airshow - March 26, 2011 - 9:00 AM to 4:00 PM Riverside Airport - 6951 Flight Road - Riverside, CA 92504
18. Mayor's Commission on Aging meets 1:00 p.m. the second Thursday of each month (April 14, 2011) in the Mayor's Ceremonial Room

ADJOURNMENT: 7:35 pm