



COMMISSION ON DISABILITIES MINUTES Monday, April 13, 2009 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.”

State law restricts the Commission on Disabilities from taking action on an item unless it has been included on an agenda and posted at least 72 hours in advance of a meeting or unless the matter falls within one of the narrow exceptions. Consequently, any item not listed on this agenda will normally have to be delayed until the item can be made part of a posted agenda.

CALL TO ORDER: 6:00 pm

PLEDGE OF ALLEGIANCE

1. Roll Call: Chairperson Debbie Keller, Paul Van Doren, James Stream, Gigi Welch, Linda Garcia, Lesley Robinson, Donald Hawecker, Virginia Werly

Absent: Suzanne Puffer (excused), Jack Brewer (excused), Gene Brosious

Also present were City Attorney Gregory P. Priamos, General Services Director Kris Martinez, Deputy City Attorney Neil Okazaki, and 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.
 - a. Shamica Kelly, RCC sign language interpreting student who is working on her course practicum by participating as a volunteer interpreter.
 - b. Jennifer Brown, RCC sign language interpreting student working as a volunteer interpreter.
 - c. Mark Gomez, Inland Empire Health Plan Disability Committee representative. He noted that IEHP was very interested in knowing what is happening in the community concerning people with disabilities.
 - d. Chairperson Keller reported the resolution by Public Works of a concern presented by Mr. Knudsen at 6832 Nelson Avenue. There is a bus stop in front of his property and although there is a sidewalk on Magnolia, there is no sidewalk on Nelson. Wheelchairs must cross dirt to access the bus stop and this area was reported unsafe, especially since it is near the Community Access Center office building, where many disabled residences come for

resources and services. She reported that the area now has new curbs and sidewalk and the Public Works Department should be applauded for their responsiveness to community concerns.

- e. Chairperson Keller noted that Parks Director Nunez
- f. offered the services of his staff grant writer for submission of grant applications that may facilitate funding for future universally accessible playgrounds.
- g. Chairperson Keller noted that the 6th Annual Senior Conference was a success and thanked all those who participated. It was a wonderful opportunity to let the community know that the COD is available.
- h. Commissioner Van Doren reported to the COD on his attendance at the emergency response exercise held at the Riverside School for the Deaf. Practice simulations were conducted of emergency response for people requiring medication, those using wheelchairs, the site impaired and various other disabilities.
- i. Heather Davis shared a poem with the COD.

3. Minutes for the meeting of March 9, 2009

M/S Werly/Hawecker and unanimous to approve the minutes as presented.

AYES – 8 (Keller, Hawecker, Welch, Stream, Robinson, Garcia; Werly); NOES – 0; ABSTAIN – 0; ABSENT – 3 (Brosious, Puffer, Brewer).

NEW BUSINESS

1. Report from City Attorney Gregory P. Priamos on the February 18, 2009 California Assembly Human Services Committee Informational Hearing on the location of Residential Facilities for People with Disabilities and Children.
 - City Attorney Priamos wanted the COD to know that for several years, the City Attorney's office has been involved with the issue of residential location of facilities for people with disabilities and children. He noted that recently, he and Councilmember Adams had been asked to testify before the Assembly Committee on Human Services on this subject. The City of Riverside has an extensive program for dealing with property owners and the negative secondary effects of transitional housing. He was contacted concerning this issue because over the last 2-3 years, the City of Riverside has been on the cutting edge of transitional housing and had formed a transitional housing task force. The task force was designed to address the negative secondary effects that are caused by various forms of transitional housing.

City Attorney Priamos and Councilmember Adams traveled to Sacramento to provide the City's perspective. In attendance were:

- Federal and State agencies concerning fair housing laws
- State perspective on the issue provided by the Community Services and Supports Division of the Department of Developmental Service
- Department of Alcohol and Drug Programs
- Community Care Licensing Division of the Department of Social Services
- City of Riverside for the local Government perspective
- Inland Regional Center for a regional perspective.

As a rule, the City of Riverside does not try to regulate state licensed group homes out of existence. The City takes a very pragmatic view given that these homes (residents of 6 or less) are off limits to City

regulation. Some cities will take action against these homes in order to decrease the availability of group homes and some cities are currently involved in extensive litigation in an effort to decrease this housing. The League of California Cities asked Riverside to attend in order to provide a very moderate, thoughtful point of view for dealing with state-licensed group homes.

Mr. Priamos noted that state-licensed group homes of 6 or less cannot be regulated by local government except for public health and safety matters attendant to all single family residences. These residences must be treated like single family homes. If there is a state licensed facility for, say persons with developmental disabilities of 7 or more, then cities can require a conditional use permit that allows cities to put regulations/conditions on the use of that property. The conditional use permit can be used by cities to place very onerous conditions that will reduce the availability of transitional housing. Mr. Priamos was asked to share how the City of Riverside deals with state license requirements and his testimony was very well received although very different from what was expected.

The typical, expected response would have been hard-lined, which views these types of homes as not desirable and that they devalue property. A false-hysteria is often fostered. The City's perspective was different and unique. City Attorney Priamos is the father of a disabled child and has a unique view of accessibility and as the chief legal officer, he is responsible to address the negative secondary effects caused by transitional housing. The goal was a thoughtful approach, so he shared his experience concerning two different transitional housing locations.

- a. A Ward 1 facility being run as a drug and alcohol treatment facility without a state license, which is against the law. The difficulty was getting the State Department of Drug and Alcohol Programs to cooperate by investigating and taking action against this facility for operating without a license or walk the facility through the process of getting a license. Typically, Riverside has State licensed group homes of 6 or less that are rarely a problem. When there is a problem, the State is held responsible until the problem is resolved. This approach has worked very effectively.
- b. The more frequent situation that arises is the neighborhood hysteria over the location of a State licensed facility without any negative secondary effects. The legitimate sober living homes, which are supported living environments for people recovering from drug and alcohol addictions, generally have no negative secondary effects. The state is responsible for making sure that the term of the license is upheld and the City holds the state accountable.

This information was explained to the Committee. The concerns with the City of Riverside were not the locations of the facilities, but in the generation of negative effects on the neighborhood and causing a disproportionate number of calls from the Police Department. The presentation was completed by asking the Committee for greater cooperation from the State agencies that licenses these facilities. Agencies need to respond and verify complaints against the licensees and assist the City with facilities that are operating without the proper State licenses. If the state agencies responsible monitor any complaints/problems, the negative secondary effects can be dealt with collectively.

In conclusion, the City of Riverside would not ask for, as other cities would, an overconcentration requirement. Overconcentration requirements are set by state law and unnecessary if there are no disproportionate calls for service. Other cities may request overconcentration requirements simply as a means to reduce the availability of transitional housing.

Mr. Priamos felt that this information would be helpful for the COD. The League for California Cities views the City of Riverside as the leader in dealing effectively with transitional housing. He has done presentations all over the state on this topic.

2. New Commission on Disabilities meeting time: 4 – 5:30 pm effective May 11, 2009.

General Services Director Kris Martinez noted that the City has been working hard to reduce expenses and come in line with the current economic climate. The General Services general fund budget has been reduced by about 53%. Because of the current economic climate, General Services is looking for ways to save money by either saving energy in the building, reducing staffing, and a variety of other different things as an organization. One of the cost reduction options is to reduce the security guard service staffing in City Hall, which is contractual staff. Currently, City Hall is open from 6 am to 9 pm, Monday through Friday which equates to a reduction in services from 6 am to midnight. An additional cost reduction proposal is to further reduce City Hall's availability from 7 am to 6 pm. So the COD meeting needs to be held earlier, at 4 pm to 5:30 pm so that City Hall can be vacated before 6 pm or move the meeting to another location and keep it at the same time. It is possible that City Hall could be open until 7 pm so the meeting could be 5-6:30 pm.

Chairperson Keller noted that if a change in meeting time or location were made, that the standing rules would need modification.

After some discussion, the COD decided to have the May 11, 2009 meeting at Riverside Police Department, Magnolia Station, 10540 Magnolia Avenue #B, Riverside, CA 92505 at 6 pm.

M/S Garcia/Welch to secure the RPD Magnolia Station meeting room for the May 11, 2009 COD meeting.

AYES – 8 (Keller, Hawecker, Welch, Stream, Robinson, Garcia; Werly); NOES – 0; ABSTAIN – 0; ABSENT – 3 (Brosious, Puffer, Brewer).

OLD BUSINESS

3. Update: Community Outreach - Disabled Disaster Preparedness and Sign-up Sheet (Keller)
 - Commissioner Stream committed to addressing the Grand Neighborhood Alliance which meets the first Thursday of the month.
 - Commissioner Werly committed to addressing the Historic Woods Streets Association which meets quarterly.
 - Chairperson Keller committed to addressing the Sycamore Highlands Community Action Group which meets the first Thursday of each month.
 - Commissioner Van Doren committed to addressing the Downtown Area Neighborhood Alliance (ada "DANA") which meets the second Wednesday of the month at Villegas Park.

Each commissioner will contact the various neighborhood groups to be added to agendas for scheduled meetings. Previously, the City's Fire and Police departments have expressed willingness to participate in these community meetings with the COD. Chairperson Keller will follow up with Fire and the RPD concerning their participation.

In response to Mr. Stream's question concerning what the topic of discussion should be at these community meetings, the response was that the COD can do a review of the scripted information available. Another purpose of these meetings is to hear the concerns of the community and report to the COD.

UPCOMING EVENTS

1. 3rd Annual Very Special Art Fair - Ramona High, April 16, 2009 from 9 am to 1 pm.

This item was noted by the COD.

FUTURE AGENDA ITEMS

1. Report: Barrier Removal Requests in Retail Establishments (Hawecker)

This item will be removed from the agenda. The establishment in question is no longer in business.

2. Discussion Item: Public Service Announcement concerning Proper Placement of Trash Containers in conjunction with Public Works Solid Waste Division

INFORMATIONAL ITEM

Performance Measurement from Code Enforcement concerning Sidewalk Obstruction by Trash Containers and Vehicles (standing report)

Date	Postcards Distributed by Code Enforcement
January 2008	70
February 2008	0
March 2008	0
April 2008	201
May 2008	0
June 2008	40
July 2008	20
August 2008	45
September 2008	135
October 2008	113
November 2008	14
December 2008	0
January 2008	0
February 2008	0
March 2008	0

ADJOURNMENT: 7:36 pm