

**CITY OF FRESNO
DISABILITY ADVISORY COMMISSION**

DEPARTMENT OF PUBLIC WORKS

APPROVED - MINUTES OF THE AUGUST 9, 2010 MEETING

DAC Commission Members Present: Michelle Bronson, Robert Hand (Chair), Jenelle Pitt, Mary Beth Randall, Ron Sheppard, Rachelle Taylor (Vice Chair), Dorothy Young, Carlos Duarte (*ex officio*)

Staff Present: Elizabeth Kunz, DAC Secretary

Call to Order

Call to Order and Self Introductions were made.

Approval of Minutes

Member Young motioned to approve the May minutes as written. The motion was seconded by Member Pitt, and carried.

Member Sheppard motioned to approve the June minutes as written. The motion was seconded by Member Pitt, and carried.

Member Reports and Comments

Member Pitt announced the Western Region Disability Conference, co-sponsored by the CSUF Rehabilitation Counseling Program. The conference will be November 2nd and 3rd of 2010. Individuals interested in the conference may contact Member Pitt at: jepitt@csufresno.edu.

Chair Hand announced Resources for Independence Central Valley's annual dinner, which will be held on October 1, 2010. He also stated that the City of Fresno acknowledged the 20th anniversary of the ADA with a proclamation naming July 26, 2010 "Americans with Disabilities Act Awareness Day." Chair Hand acknowledged Member Sheppard for accepting the proclamation before Council. Chair Hand stated that the September meeting would include the election of officers.

Member Randall joined the meeting and introduced herself.

Secretary's report: 20th Anniversary of the ADA, New Implementing Regulations and Advanced Notice of Proposed Rulemaking

Secretary Kunz gave an overview of the new regulations issued by the US Department of Justice for Titles II and III of the ADA, and four Advanced Notices of Proposed Rulemaking: 1) Accessibility of Web Information, 2) Movie Captioning and Video Description, 3) Accessibility of Next Generation 9-1-1, and 4) Equipment and Furniture.

Member Sheppard asked whether Section 508 of the Rehabilitation Act of 1973 applied just to Federal Agencies. Secretary Kunz indicated that she would research the question and report back to the Commission.

Member Taylor joined the meeting and introduced herself.

Unscheduled Communication

Mr. Martin Lopez, through interpreter Mr. Mario Rocha, addressed the commission about problems with the street and sidewalk, including sink holes or indentations, at the bus stops at Van Ness\Merced and Fulton\Thomas. Mr. Lopez indicated that City staff had promised to purchase him a digital camera so he could take pictures of broken infrastructure, but then he was later told that there was no money to purchase a camera.

Chair Hand stated that the DAC is a policy-making body and cannot address issues not on the agenda. Chair Hand requested that Secretary Kunz inform FAX about the concerns and ask them to report back to the DAC.

Member Sheppard stated issues with City staff should be handled through [Department] staff and the personnel office, and said that if the problem is a sink hole, the leak causing the problem could be at another location. Member Young asked whether Mr. Lopez had a computer. Mr. Lopez indicated that he had access to a computer.

Mr. Paul Kwiatkowski of MV Transportation addressed the Commission. He stated that the Fresno Area Express (FAX) staff are aware of the

infrastructure problems, and that they anticipated improving the sidewalk at Van Ness and Merced by the end of the month.

Scheduled Communication: Psychological Service Animal Awareness

Mr. Thomas Woolley gave a detailed presentation on Psychiatric Service Dogs and the Americans with Disabilities Act and suggestions to raise public awareness of the rights of individuals with psychiatric and other invisible disabilities using service dogs.

Member Young commended Mr. Woolley on his presentation. Mr. Woolley provided contact information for individuals who wanted more information on the topic.

Scheduled Communication: Amending Policy E-1-o of the 2025 Fresno General Plan as it relates to sidewalk requirements on private streets

Ms. Mary Savala identified herself as representing the League of Women Voters in Fresno, California. She indicated that she was aware that the DAC had voted to endorse the proposed amendment to Policy E-1-o of the 2025 Fresno General Plan as it relates to sidewalk requirements on private streets. Ms. Savala stated that she wished to provide additional information and ask the Commission to reconsider its position. Ms. Savala provided background on the City's attempts to develop a compromise with stakeholders including the late Dr. Ed Eames, the Building Industry Association, and the League of Women Voters. She stated that the League objects to the exception of requiring sidewalks on short streets in gated communities of less than 200 feet or 10 residential units, and exempting two developments with tentative approval at Copper River Ranch. Ms. Savala spoke to mitigation requirements triggered by both the General Plan and the Copper River Ranch developments.

Member Sheppard asked if Ms. Savala had anything in writing from the San Joaquin Air Quality Board that spoke to the effects of having two sidewalks, versus one sidewalk for mitigating poor air quality. Ms. Savala indicated that she did not have documentation from the Air Quality Board but that she felt sidewalks were accepted mitigation effort for air quality.

After some discussion with the Secretary, Chair Hand indicated that this item was listed as a Presentation on the DAC agenda, not as an action item. He asked Secretary Kunz when the issue of Policy E-1-o of the 2025

Fresno General Plan was returning to Council for action. Secretary Kunz stated that it was scheduled to go to Council on August 26, 2010. Chair Hand stated that the minutes would read that the following section of the policy was not considered or approved by the DAC:

- After the adoption of the 2025 Fresno General Plan, some planned developments were approved by the City of Fresno that had either no sidewalk, sidewalk on one side of the private street or sidewalks on both sides of the private street. The City of Fresno recognizes that developers may have prepared engineered infrastructure and other design improvement plans with the intent on developing projects as approved.

As such, in those cases where both a special permit and tentative (or vesting tentative) tract map which propose private street(s) have received final approval by the City of Fresno and all administrative appeal periods for those entitlements have expired, the developer shall be allowed to rely upon those prior approvals with regard to sidewalk requirements subject to the conditions of approval and associated exhibits for purposes of filing a final map. For the purpose of this policy, lots being further subdivided, or shown as outlots to be re-subdivided, shall be considered approved only when both the special permit and the tentative (or vesting tentative) tract map further subdividing those the lots or outlots are finally approved by the City of Fresno and all administrative appeal periods have expired.

Secretary Kunz stated that if this issue is not resolved at the August 26, 2010 City Council Meeting, she would place it as an action item on the September 13, 2010 DAC meeting.

Scheduled Communication: NorCal Mobility Services

Mr. Howard Levine of Norcal Mobility gave a presentation on the services offered by his firm to provide mobility solutions for persons with disabilities, including vehicles, durable medical equipment, ramps, scooters, lifts and elevators. Mr. Levine provided brochures for both the Commission Members and the public.

Member Taylor asked whether his firm serviced manual wheelchairs. Member Young asked whether his firm repairs accessible vehicles. Mr. Levine indicated that they have trusted vendors who provide such services, and identified his own service department staff in the audience. Member Sheppard asked how much of his clientele were families with children with disabilities. Mr. Levine answered that his clientele is roughly 50% families with children with disabilities. Mr. Levine spoke to his firm's involvement in the community, and efforts to secure funding for individuals who needed such assistance.

Presentation: Task Force to Review City's Website for Accessibility for Persons with Disabilities

Member Randall reported that the task force had reviewed the website and found some areas that should be reviewed for accessibility for individuals using screen readers, mainly in forms and applications. She indicated that the City staff has met with a resource at FSU to assist in resolving any problems. She stated that the website was generally accessible using various screen readers. Chair Hand stated that Scott Kupferman, of the Center for Disability Innovation at CSU Fresno provided the accessibility information. Chair Hand said that the task force was officially dissolved, but the DAC may ask the City for an update on its progress improving accessibility of its website in a few months.

Adjournment

There being no further business to bring before the Commission, Member Taylor motioned to adjourn the meeting, the motion was seconded by Member Young and carried.