



Agenda

CITY CLERK'S OFFICE

DATE 11/8/11 TIME 1:38 pm

SEVEN BY Joe Lujan

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**MAYOR'S COMMITTEE ON DISABILITY
THURSDAY, NOVEMBER 17, 2011
10:00 A.M.
GENOVEVA CHAVEZ COMMUNITY CENTER
3221 RODEO RD.
CLASSROOM I**

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF THE AGENDA
4. APPROVAL OF MINUTES: OCTOBER 20, 2011
5. PUBLIC COMMENTS (15 MIN. TOTAL)
6. OLD BUSINESS
 - a) MCD SUB-COMMITTEE REPORTS
7. NEW BUSINESS
 - a) CHEMICAL SENSITIVITY DISCUSSION – FABIAN CHAVEZ
 - b) TRANSIT SURVEY COMMENTS BY MCD – MARY MCGINNIS
8. ITEMS FROM MEMBERS AND STAFF (3 MINUTES)
9. ADJOURN

NEXT MEETING JANUARY 19, 2012

PERSONS WITH DISABILITIES IN NEED OF ACCOMMODATIONS, CONTACT THE CITY CLERK'S OFFICE AT 955-6520, FIVE (5) WORKING DAYS PRIOR TO MEETING DATE.

THIS IS A FRAGRANCE FREE MEETING

****Please notify Ronda Villa, Chair at 570-9084 and/or Joe Lujan, ADA Coordinator/Liaison, at 955-4021 if you are unable to attend.**

**SUMMARY INDEX
CITY OF SANTA FE
MAYOR'S COMMITTEE ON DISABILITY**

NOVEMBER 17, 2011

ITEM	ACTION TAKEN	PAGE(S)
CALL TO ORDER		
ROLL CALL	Quorum	1
APPROVAL OF AGENDA	Approved	1
APPROVAL OF MINUTES August 18, 2011	Approved	1-2
PUBLIC COMMENTS	None	2
OLD BUSINESS		
a) MCD Sub-Committee Reports	Discussed	2-3
NEW BUSINESS		
a) Chemical Sensitivity Discussion – Fabian Chávez	Discussed	3-6
b) Transit Survey Comments By MCD – Mary McGinnis	Discussed	6-7
ITEMS FROM THE FLOOR/MEMBERS AND STAFF	None	7
ADJOURNMENT & Next Meeting	Adjourned 12:08 p.m. January 19, 2011	8

**MINUTES OF THE
MAYOR'S COMMITTEE ON DISABILITY
SANTA FE, NEW MEXICO**

NOVEMBER 17, 2011

A scheduled meeting of the Mayor's Committee on Disability was called to order by Ronda Villa, Chair, on this date at approximately 10:00 a.m. at Genoveva Chávez Community Center, 3221 Rodeo Road, Classroom 1, Santa Fe, New Mexico.

A quorum was indicated as follows:

Members Present:

Ronda Villa, Chair
Marcia Bowman, Vice Chair
Buddy Hayes
Margaret Kuhlen (arrived later)
Dee Martinez (arrived later)
Mary McGinnis (arrived later)
Dave McQuarie

Members Excused:

Nancy Pieters
Lois Simms

Members Absent:

Staff Present:

Joe Lujan, Staff Liaison

Others Present:

Dave Beffer, Parks Department
Fabian Chavez, Parks Department
Mike Wirtz, Multiple Chemical Sensitivity Task Force
Sylvia Williams, Multiple Chemical Sensitivity Task Force
Charmaine Clair, Stenographer

APPROVAL OF AGENDA:

Mr. McQuarie moved to approve the agenda as presented. Ms. Bowman seconded the motion and it passed by unanimous voice vote.

APPROVAL OF MINUTES –OCTOBER, 2011

Ms. Hayes absence was excused for the October meeting.

Page 3 under Media, second paragraph; Susan Abbott should be Susan Abod. The last line: "*Mary Charlotte was interested in doing something with*" for clarification should continue: "*...something with Susan Abod when her next movie is being released...*"

Page 5, item 5, last sentence "The vouchers are a benefit because less cash is handled was less frustrating for riders" should read "The vouchers are a benefit because less cash is handled which was less frustrating for riders."

Mr. McQuarie moved to approve the Minutes of October, 2011 as amended. Ms. Bowman seconded the motion and it passed by unanimous voice vote.

PUBLIC COMMENTS

Mike Wirtz said he is a representative of the Multiple Chemical Sensitivity Task Force of New Mexico. He had questions for Mr. Chávez to address in his presentation and asked: 1) how the IPM program is going in Santa Fe 2) were the businesses and individuals that adopt road medians up to speed on the IPM program of permissible weed control etc. and 3) is the Rail Yard area exempt from the IPM program.

Ms. Martinez entered at this time.

OLD BUSINESS

a) MCD Sub-Committee Reports

◦ Media – Marcia Bowman

Ms. Bowman said Susan Abod is trying to raise funds for her movie that deals with multiple chemical sensitivity (MCS.) She will forward information to Mr. Lujan to forward to the Committee.

Ms. Hayes said the Governor's proclamation for National Disability Employment Awareness was received. She heard nothing from the Mayor of Santa Fe and thought the Mayor's office should have written a letter to state if they would or would not support the proclamation.

Ms. Bowman explained that it was decided the proclamation would only be sent to Mayor Coss and Governor Martinez since MCD was the Committee for the Mayor of Santa Fe.

◦ Plan Review- Mr. McQuarie

Mr. McQuarie said one set of plans was reviewed and included in the Committee's packet but he hadn't signed the report. He asked to call the Committee's attention to three points: instead of "the *left* side" it should state passenger side. 2) He would strike "please." He never uses that in a regulation and 3) the Barrier Assessment Survey; a barrier assessment should be done before a plan review; otherwise they operated in the dark.

Mr. Lujan passed out an additional plan review that he prepared for an access road and parking lot facility for motorcycles and ATVs in La Tierra. (Exhibit 1) He said there were no comments by the subcommittee because the plan was for vehicle access only and this had no pedestrian amenities.

Mr. Lujan said he recommended designated accessible parking in both slots on the plans and if pedestrian amenities were constructed, they would be required to be accessible.

Mr. Lujan explained this was a compacted base course for an access road and parking. He said there were many comments about compacted base course etc., and the ADA does not call for a hard surface and compacted base course could meet the definition. He said this is not a designated trail.

- Transition plan – Lois Simms

Mr. Lujan provided an update in Ms. Simms absence. Melissa Byers from the Legal Division drafted a resolution that would adopt the Transition Plan. Portions of the Executive Summary and Self-Evaluation were attached with a cover sheet and would go to the Public Works Committee November 28; December 5 to the Finance Committee and December 14 to City Council.

The cover sheet has three exhibits and explained this is the first phase and how the city would implement the plan. The first exhibit is the resolution; the second is portions of the Executive Summary and Self Evaluation and the third exhibit, two samples of the Barrier Assessment Survey. The Executive Summary and Self Evaluation would be on-line in its entirety once adopted. The Barrier Assessment could be viewed in Mr. Lujan's office.

Mr. Lujan said this would not be a public hearing but MCD members were encouraged to be present to show support of the Transition Plan. He said the department division sections would not receive funding for their projects (including ADA improvements) until the new bond is approved.

Mr. Lujan hoped extra money would be sought for ADA improvements not associated with CIP projects and bond programs, like the \$300,000 in the last three bond cycles. A draft would be sent to the Committee electronically (67 pages) with the dates and times of the meetings.

Mr. McQuarie suggested the report to Finance and Public Works say a public hearing was held and include the questions and answers. He said currently there is no record.

Mr. Lujan explained that the final product Mr. Khambatta sent had the questions and answers included and is available to anyone and was referred to in the cover letter to Finance etc.

Mr. Lujan introduced and welcomed Dave Beffer, the City Facilities Director who replaced Martin Valdez and the new Finance Director, Dr. Melville Morgan who replaced Katherine Raveling. The MCD members were introduced to the guests.

Mr. Morgan said he appreciated the invitation. He said as a person with someone attached to him with disabilities, he was very much interested.

NEW BUSINESS

- Chemical Sensitivity Discussion (MCS) – Fabian Chavez

Mr. Chavez said he was invited to discuss MCS and stand for questions on how that relates to the IPM (Integrated Pest Maintenance) Ordinance in Santa Fe and the implementation and oversight.

Mr. Chavez passed out copies of the ordinance (Exhibit 2) and said he would use Mr. Wirtz's questions as a good segue. He explained that Parks has an IPM Manager on staff and originally he held the position.

He said one of the biggest issues was education; there are a lot of state and federal regulations that define chemicals and there is confusion. He said people were exposed in two ways and the most severe exposures were applicators because they dealt with the concentrated chemicals.

Ms. McGinnis entered at this time.

Mr. Chavez said the next highest exposure was structural; exposure in buildings. He gave the GCC (Genoveva Chávez Center) as an example that a person is scheduled to spray whether pests were there or not. He said the city spent from \$19,000-\$20,000 for spraying and certain chemicals could be used in public places only if approved by the FDA (Food and Drug Administration) and the US Department of Agriculture and the State Department of New Mexico. The ordinance stated that a purchase of and/or application of a chemical must go through the Parks Department office.

Mr. Chavez explained exclusion and said if the reason the insects were there could be excluded that could be the way to make them go away. He said Mr. Baffer provides training in how to look for exclusion.

Mr. Chavez gave an example of cockroaches at the downtown library and said possibly they could be controlled without a chemical application by surveying the building; sealing the vents, entry points and openings etc. Worn door sweeps; mesh removed from kitchen drains, renovation and duct work or computer cables that created openings and sinks without caulking were areas where excluding the openings could usually get rid of the problem.

Mr. Chavez said the IPM ordinance addressed public property only and the biggest challenge is the education of building supervisors. The ordinance requires other reasonable methods be used before a chemical is used. Chemicals that were used must be the least toxic (derived by the length of time the chemical persists and the danger to other organisms.)

With herbicides/ pesticides use, signage is posted but they were used in very few situations and application required a certified staff person with approval. Currently the Parks Department has five staff members certified as pesticide applicators and three more were being trained.

Mr. Chavez talked about the Parks Department process for grounds keeping. In most cases they were maintained with mowing, watering and feeding and occasionally a park was closed for a one-time application to kill weeds. A notice was posted 24 hours in advance that states the type of chemical, the date(s) and length of use and a phone number. The park was then re-seeded and the soil returned to normal.

Mr. Chavez said the IPM Ordinance does not state chemicals can't be used and the city keeps detailed records on chemical applications.

Mr. Chavez said the city medians were maintained by cutting and mowing and herbicides were not used. He said as the city grew that would become more work without additional staff or money. He said private citizens who adopt medians were educated by Mr. Wood as to the permissible chemicals.

Mr. Chavez said on the question about the Rail Yard tenants; he would visit the businesses to ask for their MCS document that would show what is being used. He said if the building was privately owned and on city property, he could explain what is required for use. A property not on a city easement could do what they wanted.

Mr. Chavez talked about the difficulty for restaurants because of the many ways they could become infested. He said there were federal, state and sanitation regulations and it was a challenge without the use of chemicals. Parks was currently working on that. What the law defines as *reasonable* is looked at.

Mr. Chavez stood for questions at this time.

Ms. Kuhlen asked if he considered the impact is on the ground water when herbicides were used.

Mr. Chavez said absolutely and that was why the Parks Department researched pesticides. He said contaminated groundwater is usually due to repeated, high dose levels over many years; not one application sprayed once a year. He said there is a lot of misinformation out there.

Ms. Bowman said regarding fertilizers, many of them were chemical as well.

Mr. Chavez said fertilizers were not banned by the IPM Ordinance. He said fertilizers that include pesticides or herbicides are not stored. The only turf area that used a fungicide is the golf course and they would close and publish a notice in the parking lot and notify a list of people they had.

Ms. Kuhlen asked if diatomaceous earth is toxic.

Mr. Chavez said that certain forms are legal to use in certain applications. He talked about plague at one park and the process to control the disease. He said public health is the trump card that allows him to use certain tools but he had to follow regulations, the IPM policy and the label of the product.

Chair Villa said one reason the Committee wanted to know more about MCS was for the public meetings and spaces that belong to the city. She asked Mr. Chavez if he had input on the building materials, carpets, paint issues, etc.

Mr. Chavez said the IPM Ordinance addressed herbicides and some exceptions such as soaps and disinfectants etc. He suggested Ms. Villa talk with Mr. Beffer. He said more exposure came from chemicals from cleaners etc. than from herbicides and pesticides.

Ms. Kuhlen asked what the impact was for plants produced in a community garden where a lawn was previously maintained with chemicals.

Mr. Chavez said the community gardens in the parks had a garden council and members elected a spokesperson. He said collectively the group decided what chemicals could be used. As an example, Frenchy's Field would not allow traditional pesticides in the gardens.

Ms. Kuhlen said a community garden was discussed at the Franklin Miles Park. She asked if that was the park with the prairie dog problem (plague.)

Mr. Chavez confirmed it was. He said if the neighborhood wanted to do a garden, they should research properties that had a one-time application to decide whether they want to or not.

Mr. Chavez provided his contact number. He said both he and Mr. Wood could be called with questions. He added that Mr. Wood loved to do presentations.

a) Transit Survey Comments By MCD – Mary McGinnis EDIT

Ms. McGinnis passed around a draft she wrote of the MCD recommendations to respond to the Santa Fe Ride Survey.

Ms. Hayes asked for clarification on the policy recommendation that no-shows might be charged double for their next three trips.

Mr. McQuarie suggested that MCD recommend a policy be adopted for chronic no shows. He thought someone who once or twice a year was a no-show should not be treated the same as someone who was a no-show two or three times a week.

Ms. McGinnis said the survey had no information if people were chronic no-shows several times a week.

Mr. McQuarie said the survey would be on the TAB agenda and decisions would be made on December 6 at the meeting. He suggested Ms. McGinnis notify Jon Bulthuis of MCD's recommendations by December first.

Ms. Hayes said on the no-show issue, a person could have a condition that they wouldn't know day to day if they would use transportation to go out. She said if they couldn't go because they were ill (on the scheduled day) etc. that could be conceived as a chronic no-show although it was out of the person's control.

Ms. McGinnis said it is important to suggest there were two different types of no-shows. She gave an example of canceling Santa Fe Ride. She was told by the call taker it was a no-show when she called to cancel because she was canceling too late. She said she *did* call and it wasn't fair to be counted as a no show. She explained the time frame for cancellation notice to Santa Fe Ride is 2 hours before the ride.

Chair Villa suggested Ms. McGinnis use general formatting for the letter and a bulleted list with each sentence starting with an action verb. She suggested wording for the letter.

Mr. McQuarie added that MCD should recommend a policy regarding no-shows be adopted. He said currently there is none.

Chair Villa provided assistance on the reasons there could be no-shows, a definition of chronic etc.

Ms. McGinnis asked clarification in the minutes on Mr. Bulthuis comments that Santa Fe Ride would like to re-implement 24/7 services. She said there was something in the minutes about determining common factors that might affect wheelchair users. She said it would be difficult if someone who used wheelchairs

couldn't get a lift equipped vehicle in the middle of the night. Ms. McGinnis said she wasn't sure if that could be addressed in the letter.

Chair Villa suggested that at the end of the letter to include "per the October MCD meeting, reinstatement of 24/7 service is a high priority" and reiterate the comments that were made at the meeting.

Mr. McQuarie also wanted to see TAB adopt a policy regarding On-Demand riders. He explained reservations were supposed to be made the previous day but if Santa Fe Ride was called at the last minute they would provide On-Demand. He said there were rules and one was to expect up to a 90 minute delay but the person had to be ready immediately.

Mr. McQuarie said people using On-Demand service should be charged more; about 30% of riders traveled On-Demand and the other 70% suffered.

Ms. McGinnis said sometimes a person who made the reservation was not in a position to call three hours in advance. She told about trying to make an appointment for over a day and couldn't get through because the Santa Fe Ride phone lines were down.

Mr. Lujan said the agenda item had turned to recommendations to the program instead of the survey. He advised the Committee their comments could be directed to the TAB as well as Mr. Bulthuis, but the conversation was off subject.

Ms. Kuhlen moved that Ms. McGinnis be charged with sending the letter with consideration to include the comments offered. Ms. Hayes seconded the motion and it passed by unanimous voice vote.

Chair Villa said what was being done by the city was great with regard to MCS outdoors. She thought the Committee might have more questions once they read the ordinance in detail.

Ms. Bowman said she would be interested in having Mr. Beffer do a presentation on cleaning products etc.

Chair Villa said she would follow up on continuing the discussion with Mr. Beffer for the January meeting.

Chair Villa asked the Committee for topics to address for the next year. She said everyone could support the Transition Plan and she intends to write letters on behalf of MCD to encourage the resolution be passed or adopted and moved through quickly.

ITEMS FROM THE FLOOR

Mr. Lujan said everyone responded and except for Ms. Reed, could make the Christmas luncheon on December 15 at Joe's.

He said he requested Chair Villa write a letter to the Finance and Public Works Committees and City Council in regard to MCD support. He said that would show that MCD members are concerned with and support the Transition Plan. He urged the Committee members to identify themselves at the meeting as a member of the MCD and said he anticipated that the Transition Plan would pass with no problem.

NEXT MEETING: January 17, 2011

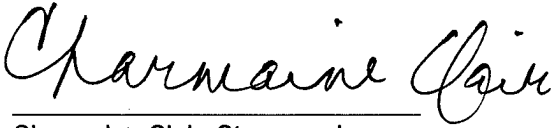
ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 12:08 p.m.

Approved by:

Ronda Villa, Vice Chair

Submitted by:



Charmaine Clair, Stenographer