

COMMITTEE ON PERSONS WITH
DISABILITIES

MINUTES

February 21, 2019

After determining that a quorum was present, the Committee on Persons with Disabilities convened in a meeting on February 21, 2019 at 6:06 p.m. in the City Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT: Val Vera, Jessica Spears Williams, Rex King, Judy Thurmond, Henry Jason, Sonia Redwine, Beth Haswell-Kirkby, Alison Kelly, Val Morgan, Tammera Beckham

STAFF PRESENT: Marc Oliphant, Mario Canizares, Aaron Leal, Rachel Wood, Ryan Adams, Karisa Richards

Welcome from City staff and introduction of Committee members and support staff.

Receive nominations and hold an election for Chair and Vice Chair of the Committee on Persons with Disabilities.

Henry Jason and Val Vera were nominated for Chair. Alison Kelly seconded. Henry Jason received 6 out of 10 votes, Val Vera received 4 out of 10 votes. Henry Jason was voted Chair with a majority of the votes.

Val Vera and Sonia Redwine were nominated for Vice Chair. Tammera Beckham seconded. Val Vera was voted Vice Chair by a vote of 10-0.

Receive a report and hold a discussion regarding the policies and procedures governing City of Denton Boards and Commissions, including but not limited to the Texas Open Meetings Act and watching the Boards and Commissions Training Video.

Wood reminded board members that they have 90 days from their nominations to complete the Texas Open Meetings Act training. The training requires watching a video and printing a certificate of completion at the end that will be turned into the City Secretary's office. A link for the training was provided in the backup materials.

Committee members and staff watched the Boards and Commissions Training Video. The video is available on the City of Denton's website.

Wood let the committee know that a meeting or group of 6 or more members would constitute a quorum. She also let the committee know that the meeting agenda would be posted 72 hours prior to the meeting as required by the Texas Open Meetings Act.

Spears-Williams stated that several committee members were friends outside of the group and sometimes meet for coffee. She asked if 5 or more would be considered a quorum.

Leal stated that they could not discuss items of the committee or they would be in violation of the Texas Open Meetings Act.

Jason asked if posting the agenda 72 hours in advance of the meeting gave enough time for a hearing impaired person to be able to attend.

Wood stated that we have a service we can call to accommodate those types of needs. The 72 hours provides staff the time they would need to make arrangements before the meeting.

Jason asked if there would be enough time to provide services a day before the meeting. Wood responded that staff would need at least 2 days or 48 hours in order to have enough time to contact and schedule the service but that staff would make every effort to make accommodations.

Haswell-Kirkby asked how committee members would be able to brainstorm ideas for the group and future topics if they were not able to discuss outside of the meetings.

Canizares stated that there would be an item at the end of the agenda for committee members to bring up topics for future discussion and staff would put together a matrix of items to bring back to the committee. Items to be discussed would be brought back as work session items with backup, presentations, etc. for committee discussion.

Receive a report and hold a discussion regarding the scope and charge of the Committee on Persons with Disabilities as prescribed by City of Denton Resolution #18-1741.

Canizares gave a brief history of how the committee was started.

On September 25, 2018, staff presented to City Council in a Work Session seeking direction about the establishment of an advisory committee on persons with disabilities. At the Work Session, staff presented a brief history on a Citizens Committee that had been established in 2007 and supported by former Mayor, Perry McNeill. The Committee was an affiliate of the Texas Governor's Committee on People with Disabilities. The Citizens Committee was established by Resolution No. 2007-030.

The Committee's main principals were comprised of 8-10 individuals which met on a regular basis and the group was very active. Over a few years, the group of interested individuals grew to about 40+ people. The Committee sponsored and organized White Cane Day which is an annual event that educates the public about contributions made by the blind and visually impaired. The Committee also worked closely with DCTA personnel to discuss public transportation issues affecting disabled individuals. The Committee last met in October 2014 and no additional meetings have been scheduled over the past four years.

At the September 25, 2018, Work Session it was the consensus of City Council to establish an

11-person Council appointed committee. Based on the number of City capital projects and major programs that are being planned and are underway, the recommended scope of the Committee is to advise city staff on the following areas:

- Construction of new and repairing existing sidewalks, ramps, and crosswalk features;
- The creation of an ADA Transition Plan;
- The planning and development of an adaptive/handicap accessible park;
- Provide guidance on incorporating new or enhanced signage at City facilities;
- Advise on improvements for new and existing City facilities;
- Provide input on parking lot rehabilitation projects;
- Provide input for improving City operations; and
- Provide input for improving the operations of other entities.

On October 23, 2018, the City Council approved Resolution #18-1741 for the establishment of a Citizens Committee with Disabilities.

Haswell-Kirkby asked for an explanation of the ADA transition plan.

Canizares explained that by law, cities are required to create a transition plan to set aside certain amounts of funding to address ADA compliance issues throughout the city. Primarily facilities, ramps and sidewalks, and parks facilities. The other component is the operations from a human resources perspective, if someone does have a need for accommodation, that the city is appropriately making accommodations and meeting those needs as they arise. The City has hired a firm to make sure we are in compliance. They will let us know if we are in compliance and/or make recommendations on what we need to improve / give an estimate on the cost to become compliance. Which would be brought back to the City Council for approval.

Haswell-Kirkby asked if the ADA transition plan was available to read.

Canizares stated that it is in the process of being complete and once it is drafted, it would be brought to the committee to review. An estimate of the draft being completed is 4 to 5 months.

Spears Williams asked if the group needed to wait to bring up sidewalks and parks and focus on other items since the plan would address those items already.

Canizares stated that any issues that need to be addressed can be brought forth at any time.

Spears Williams asked if there could be clarification regarding entity operations vs city operations. For example, who is responsible for bus stops?

Canizares stated that it would be a combination of both. Bus stops would be a DCTA item but ramps and sidewalks to the bus stops would be a City item.

Spears Williams asked if a bus stop was not ADA compliant who would be responsible.

Canizares stated that the City would have to work together with DCTA.

Vera asked who would be responsible for taking the first step.

Canizares stated that the first step would be to contact staff liaison, Marc Oliphant who will then coordinate with DCTA.

Haswell-Kirkby asked if the plan includes the addition of an ADA compliance officer.

Canizares stated that would be part of the plan.

Henry asked if Marc Oliphant was the ADA coordinator.

Canizares stated that the City's current policy designates the following people as ADA coordinators. Dean Hartley, Facilities Manager – buildings and facilities owned and/or operated by the City of Denton, Todd Estes, City Engineer – public infrastructure, and Carla Romine, Director of Human Resources – employment-related matters.

Henry asked who the committee can go to for concerns about ADA law and questions.

Canizares stated that the committee can contact staff liaison, Marc Oliphant with any questions or issues and he will work with the appropriate staff to get the needed answers.

Henry stated that there are very knowledgeable committee members that staff can also work with.

Spears Williams asked if they e-mail questions, should the entire group be included.

Canizares stated that it would be best to e-mail questions to staff liaison, Marc Oliphant who could then share with the group so that there would be no risk of a quorum with a reply all situation.

Canizares stated that items like tours of facilities can be coordinated with the group and posted to comply with the Texas Open Meetings Act.

Spears Williams stated that Henry has several documents that would be beneficial to the committee and asked how they could be shared with the group.

Canizares stated that the items could be sent to city staff and they could provide them to the group. He also stated that he can get with our Public Communications office to create a webpage for the committee to use as a resource page.

Spears Williams stated that before the committee was established, the group had mentioned everyone going through ADA compliance training.

Canizares said that would be something that staff can set up and make sure is appropriately

posted.

Henry asked if applicable city staff could be included in the training.

Receive a report, hold a discussion, and have each Committee member draw to determine the duration of each member's initial term (one-year or two-year terms).

City of Denton Board and Committee members are appointed for a term of two (2) years. This is a new committee with all new members who will have their terms of service expire at the same time. In order to avoid a complete turnover of the committee in two (2) years' time, the committee will participate in a randomized drawing to determine which members will serve for one (1) year and which will serve for two (2) year terms. Those selected for a one (1) year term are eligible to be re-nominated to the committee for a two (2) year term at the conclusion of their initial term.

Oliphant drew names from a cup. The first four names drawn would have a (1) year term and the committee member not yet appointed would also have a (1) year term. The remaining members would have a (2) year term.

The names drawn for a (1) year term are as follows: Henry Jason, Beth Haswell-Kirkby, Tammera Beckham, Jessica Spears Williams, To Be Determined (not appointed yet)

(2) year terms are as follows: Val Vera, Rex King, Judy Thurmond, Sonia Redwine, Alison Kelly, Val Morgan

Committee members that have (1) year terms will have to be nominated again when their term expires.

Wood gave an overview of the boards and commissions nomination process. May of 2020 would be when the process starts for the (1) year term members.

Spears Williams asked if her e-mail would be open to the public information act.

Wood stated that all e-mail regarding board activity, via private or public e-mail is open to the public information act.

Hold a discussion and give staff direction regarding the establishment of meeting dates, times, locations, and frequency for future Committee on Persons with Disabilities meetings.

City of Denton Boards and Committees meet with varying frequency depending on work load and member schedules. In cooperation with city staff, the Committee on Persons with Disabilities is authorized to determine a schedule for future meeting dates, times, locations, and frequency.

Most city advisory committees and boards meet either monthly or every other month. Alternative schedules such as meeting monthly but taking a summer and winter break (not meet in December

or June-August) are also possible. Committees and boards typically designate a recurring date (i.e. second Tuesday of the month) for scheduling convenience. Although many boards and committees meet in the evening and at City Hall, other times and locations are possible.

City staff recommends that the Committee meet no more frequently than monthly but no less frequently than every-other month or six (6) times per year.

King motioned for the meetings to be held once a month on the third Thursday of the month at 6:00 pm. Spears Williams seconded. The motion carried unanimously.

Receive a report, hold a discussion, and give staff direction on potential future topics for the Committee.

City Staff has identified initial topics for future discussion by the committee:

- An ADA Transition Plan
- Right of Way Management Ordinance
- Facilities Management, Maintenance, and Capital Projects
- Parks & Recreation Maintenance and Capital Projects
- Sidewalk and Pedestrian Ramp Program

Canizares stated that there was an issue with the handicap accessible door not being unlocked for tonight's meeting. He stated he will get with our facilities manager to have the door unlocked for all future meetings.

Spears Williams said to also make sure that closed caption was on for all future videos.

Haswell-Kirkby mentioned that the number one complaint she has received from people has been the sidewalks all over town. Specifically the areas around the square and the civic center. Especially the area between TWU and Civic Center Park. Wheelchairs are not able to get through.

King mentioned that a disabled vet was recently unable to use the bus due to the stop not being wheelchair accessible.

Canizares said that we can work with DCTA on these issues and also have DCTA come speak to the board.

Spears Williams said that there is a list going around of noncompliant bus stops that she can provide to staff to be distributed to the committee.

Spears Williams mentioned that not having public transportation, specifically bus service on Sunday is a problem. She understands that it is also a DCTA issue but would like it on the agenda to discuss.

Haswell-Kirkby mentioned Denton Arts & Jazz fest having better parking for persons with

disabilities. The best thought would be to use the civic center lot for disabled and expectant mother parking.

Kelly mentioned having a quiet area for people with autism and maps with routes for people in a wheelchair.

The group would like this to include all City related public events.

King mentioned that disabled vets with the license plate (DV) designation have been receiving parking tickets for parking in handicap parking when their (DV) parking permit covers handicap parking.

Canizares stated that he would check into that with the Police Chief and make sure that he is aware.

Kelly mentioned having more opportunities for people with disabilities to volunteer for the City.

Henry mentioned that ADA specifically requires a public notice of what the committee is about and a general invite to come to the meetings. He has provide this item to staff.

Henry would like to have training for staff members and committee members.

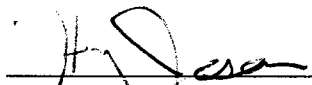
Kelly would like to mention education and outreach.

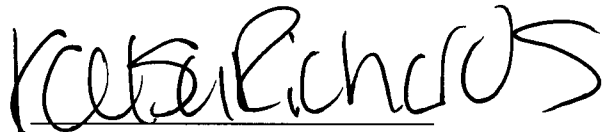
Canizares stated that issues brought forward will be put into a matrix so that committee members know when an item will be brought back to the committee.

Set Future Meeting Date.

The next committee meeting will be held on Thursday, March 21, 2019 at 6:00 pm.

With no further business, the meeting was adjourned at 8:32 p.m.


HENRY JASON
CHAIR
CITY OF DENTON, TEXAS


KARISA RICHARDS
RECORDING SECRETARY
CITY OF DENTON, TEXAS