



City of Santa Fe

AGENDA

REGULAR MEETING OF
THE MAYOR'S COMMITTEE ON
DISABILITY
OCTOBER 20, 2022
10:00 AM
ATTEND VIRTUALLY

PROCEDURES FOR THE MAYOR'S COMMITTEE ON DISABILITY MEETING

Internet: To join the Zoom meeting on the internet using a computer, laptop, smartphone, or tablet, use the following link: <https://santafenm.gov.zoom.us/j/88299575520?pwd=ZIVTSU5ObjJIOExVUEhvclg5bW9PQT09>

Passcode: 102673

Attendees should use the "Raise Hand" function to be recognized by the Chair to speak at the appropriate time.

Phone: To join the Zoom meeting using a phone, use the following phone numbers and Webinar ID: **US: 1 564 217 2000 US Meeting ID: 882 9957 5520 Passcode: 102673**

Phone attendees should press *9 to use the "Raise Hand" function to be recognized by the Chair to speak at the appropriate time.

The agenda and packet for the meeting will be posted at <https://santafe.primegov.com/public/portal>.

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **APPROVAL OF AGENDA**

4. **APPROVAL OF MINUTES**

- a. Minutes from the June 16, 2022 Meeting.

5. **PUBLIC COMMENTS (15 MINUTES TOTAL)**

- a. Public Comments from website

6. **ACTION ITEMS: DISCUSSION**

- a. Discussion on status of ADA Compliance in the City of Santa Fe (Kathlyne Gish and Eli Fresquez).
- b. Discussion of Appropriate City Placement for ADA Coordinator and Mayor's Committee on Disability (Aurore Bleck and Kathlyne Gish)
- c. Discussion of Updates on New City Website; The City Never Obtained Advising from the Mayor's Committee on Disability on Website Features and Accessibility; Continued Lack of ADA Compliant Information to Request Accommodations and More (Kathlyne Gish and Eli Fresquez)
- d. Discussion of Disability Employment Awareness Month and the City Employment Application and Portal (Kathlyne Gish and Eli Fresquez)

7. **OLD BUSINESS**

- A. Discussion re: Letter on Accommodations for a Stenographer/CART (Eli Fresquez)

B. Updates on Request to Appoint New MCD Member (Kathlyne Gish)

C. MCD Sub-Committee Reports

8. **MATTERS FROM STAFF**

a. A link to the video recording of this meeting will be added to the Meeting Minutes for this meeting.

9. **MATTERS FROM THE COMMITTEE**

10. **NEXT MEETING: Thursday, November 17, 2022**

11. **ADJOURN**

This venue is equipped with closed captions. Persons with disabilities in need of accommodations, contact the City Clerk's office at 955-6521, five (5) working days prior to meeting date.



MINUTES

REGULAR MEETING OF
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JUNE 16, 2022
10:00 AM
VIRTUAL MEETING

1. **CALL TO ORDER**
2. **ROLL CALL**

Members Present:

Member Aurore Bleck
Member Kendra Garcia
Member Kathlyne Gish
Member Pam Parfitt
Member Meriam Jawhar
Member Jose "Eli" Fresquez

Members Excused:

Member Hope Reed
Member Victor Hughes
Member Angelique Montoya-Chavez

Others Attending:

Tom Graham, ADA Coordinator
Carol Romero-Wirth, Attendee
Jamie Cassutt, Attendee

3. **APPROVAL OF AGENDA**

- 7a. Discussion of Bill 2022-9 on "Creating a New Section 1-9 SFCC 1987 to Allow Members to Attend Governing Body and City Council Standing Committee Meetings Remotely"; Disability Accessibility and Inclusion Aspects of Remote Committee and Board Meeting Attendance for Members; and Concerns Regarding Current Access Barriers to In-Person Only Participation for Advisory Committees and Boards (Kathlyne Gish, Councilor Jamie Cassutt, Councilor Carol Romero Wirth, Councilor Amanda Chavez)

Chair Gish introduced Councilor Jamie Cassutt and Councilor Carol Romero-Wirth.

Councilor Romero-Wirth gave a brief summary of the Bill. She said it was a pretty simple Bill and it did Pass. Basically, the old law stated that City meetings under the Open Meetings Act (OMA) could not be held remotely (by the City's rules) without being under an Emergency Proclamation. The City is now approaching the end of the Emergency Proclamation. OMA allows participants to attend remotely if their attendance would be considered difficult or impossible, but the City's rules did not allow this option. So this bill will allow remote attendance when there's not a declared emergency.



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Councilor Romero-Wirth gave an example from the recent Council Meeting last week, where She and Councilor Chavez were ill and attended the meeting remotely, which was the first hybrid session of the Governing Body.

Councilor Cassutt stated that she has also experienced this with committees she's involved with, where people are unwell or still at high risk and yet they have still been able to participate because of this Bill and the move to hybrid meetings. It really is about, how do we continue to provide safety to our community? Councilor Cassutt commented about the things we've learned from COVID-19 and what benefits we want to take from the experience moving forward. Remote participation from the public is one of the things that would be beneficial to these meetings and should be extended in perpetuity once the technical kinks are worked out for this to happen. Although this is not part of this Bill, it is related to increase access to the City operations.

Councilor Romero-Wirth said that, to be clear, the public is not allowed to attend these hybrid meetings virtually at this time and Councilor Cassutt agreed that the technical kinks have not been worked out yet for that to happen, but the City is working toward opening up this option to the public.

Chair Gish emphasized the importance that remote/hybrid meetings stay in place for inclusivity of many people with disabilities. She relayed her own personal experience of how remote meetings have benefited her, and particularly how Zoom has helped her to accessibly communicate with people. She sees these advisory boards and committees as an essential means for the community to be able to participate to voice their needs, also for the MCD to be able to become familiar with what they are going through so the the MCD can properly advise the City.

Member Parfitt said that because she is a lip reader, if the MCD meeting were to go hybrid and people in the chamber were wearing masks, she would not be able to understand everything that's going on. She also mentioned that the loop system in the council Chambers is so old that she can only sit in certain chairs in a specific position in order for it to be useful. The current loop system needs repair/replacement in order to be accessible for all users.

Councilor Romero-Wirth said that the City is working on and she does think that something will be coming about the community committees being able to access them in different ways. The 2 issues are OMA which states that participation by member must be difficult or impossible in order to attend remotely and then there are the resources at the City which require substantial upgrades to be effective. Some of that work has been done in response to COVID-19, but there are still others requiring repair or installation.

Chair Gish thanked the Councilors for their attendance and everything they are doing. She also invited them to reach out to the committee anytime they had questions or concerns.

Member Jawhar asked what is the definition of "difficult" or "impossible"?



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Councilor Romero-Wirth mentioned that those definitions are not very clear. She stated that it's pretty obvious that if someone has COVID-19, it is impossible for them to attend, but there could be other reasons as well. Less clear is the "difficult" interpretation that the State has not defined that phrase. The MCD has made the case that is is "difficult" to attend these meetings and she agreed that seems reasonable, but we don't know.

Chair Gish mentioned that she intends to write to the NM Attorney General regarding OMA and the inclusion of the ADA covering members of committees in addition to public participants.

Councilor Romero-Wirth also mentioned that the PrimeGov website also allows members off the community to provide their comments on the website that can be read into the record of the meeting. She agreed that whenever the Councilors hear from the public, it is helpful.

Councilor Cassutt and Councilor Romero-Wirth expressed their gratitude for being invited and hearing the concerns of the MCD.

Mr. Graham thanked the Councilors for coming and invited them to stay in the meeting if they wished or provided them with the opportunity to leave the meeting at this time.

Both Councilors had other meetings that they needed to attend and left the meeting.

MOTION: Member Bleck moved, seconded by Member Jawhar, to approve the alteration of the order of agenda as amended; to proceed immediately with Item 7(a) following the approval of the agenda and then reverting back to the original agenda order as submitted.

VOTE: The motion was approved on the following Roll Call vote:

For: Member Bleck, Member Garcia, Member Gish, Member Parfitt, Member Jawhar

Against: None

Abstain: None

4. APPROVAL OF MINUTES

a. May 19, 2022 Meeting Minutes

Chair Gish and Member Bleck identified several corrections that were made before the May 19, 2022 Minutes were signed and uploaded to the website.



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MOTION: Member Parfitt moved, seconded by Member Garcia, to approve the Minutes from May 19, 2022 as amended.

VOTE: The motion was approved on the following Roll Call vote:

For: Member Bleck, Member Garcia, Member Gish, Member Parfitt, Member Jawhar, Member Fresquez

Against: None

Abstain: None

5. PUBLIC COMMENTS (15 MINUTES TOTAL)

a. Public Comments from website

No public comments were made on the website.

Chair Gish asked if there was a camera available for a driver to show that they have an ADA parking placard for use in the City garages, sin the booths are not manned at this time?

Vice Chair Garcia mentioned that the Violet Crown Theater will validate your parking ticket that the machine will read when leaving the garage and allow the driver to leave without paying. Mr. Graham stated that all City Offices will also validate parking tickets distributed from parking garages.

Member Jawhar mentioned that she had to pay for her parking while attending the Farmer's Market instead of being able to use her parking placard.

Mr. Graham offered to forward any questions submitted to him in the form of a question, to the Parking Division Director for a response.

No members of the public were in the Attendee Room.

6. PRESENTATIONS

a. None

7. ACTION ITEMS: DISCUSSION



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- b. Vote Regarding Continuing Inclusive Remote Meeting Attendance for Advisory Board and Committee Members (Kathlyne Gish)

Member Bleck expressed her fondness to stay remote.

Member Fresquez and Vice Chair Garcia expressed a desire to include a hybrid meeting model into the letter.

Member Parfitt expressed her concern for people wearing masks during hybrid meetings would create a barrier for her. She suggested that if hybrid meetings are included, so should CART services be included.

Through discussion, Chair Gish modified the language to read: "We, as the Mayor's Committee on Disability, support continuing accessible hybrid and/or completely virtual meetings for all committees and advisory boards to meet accommodation needs of committee and board members and attendees."

MOTION: Member Parfitt moved, seconded by Member Garcia, to approve the MCD supporting continuing inclusive meeting attendance for Advisory Boards and Committee Meetings as amended.

VOTE: The motion was approved on the following Roll Call vote:

For: Member Bleck, Member Garcia, Member Gish, Member Parfitt, Member Jawhar, Member Fresquez

Against: None

Abstain: None

- c. Letter Regarding Noise Ordinance, Related Concerns and Issues, and MCD Support for Enforcement (Pam Parfitt)

MOTION: Member Bleck moved, seconded by Member Garcia, to approve the Enforcement of the Noise Ordinance Letter as amended.

VOTE: The motion was approved on the following Roll Call vote:

For: Member Bleck, Member Garcia, Member Gish, Member Parfitt, Member Fresquez

Against: None

Abstain: None



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Mr. Graham apologized that Member Parfitt's Letter did not make it into the packet for this meeting. He explained that there was a problem with the Clerk's office stating that the file was corrupt and he resent it to them and they said it was okay, but apparently it only worked on the website and not in the pdf copy. For this reason, Chair Gish put the Letter on the screen and allowed everybody time to read the letter in its entirety.

Member Bleck appreciated the idea of adding different staff to take up the enforcement of the ordinance and relieving the police department of the burden.

Member Fresquez wanted to add clear direction of the responsibility falling on the City to provide this enforcement.

Member Parfitt suggested the language and where it could be added. She also suggested adding something about possibly adding to existing Parking Division staff duties to enforce this ordinance. Member Bleck and Member Parfitt worked out the language and where to place it.

Vice Chair Garcia suggested more professional language in a section referring to smoking.

Member Fresquez, Chair Gish and Member Bleck discussed and suggested the best way to relay the appropriate staff with the ability to enforce this ordinance.

Chair Gish then discussed the distribution of this letter. She suggested the Mayor, City Manager and Police Chief Joye and asked for any other recommendations.

Member Parfitt suggested sending it to all the City Council Members.

Mr. Graham suggested to add Kyra Ochoa, the Community Health and Safety Department Director and also asked Chair Gish to send a copy of the letter with the changes discussed to include with the meeting minutes.

Member Parfitt, Mr. Graham, Chair Gish and Member Fresquez discussed filing a complaint with the Department of Justice and how the ADA would apply to this sort of situation.

- d. Continued Discussion and Updates Regarding Notice for MCD Committee Membership (Kathlyne Gish)

MOTION: Member Bleck moved, seconded by Member Garcia, to approve forming a Subcommittee to assist Chair Gish with member selection for the open position of the MCD including Member Bleck and Vice Chair Garcia.

VOTE: The motion was approved on the following Roll Call vote:



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For: Member Bleck, Member Garcia, Member Gish, Member Parfitt, Member Fresquez

Against: None

Abstain: None

Chair Gish provided an update on the process for advertising the open position on the MCD. She informed the committee that we have received a handful of applications and the position will still be posted until the 20th that she is deciding how to select the best person for the committee needs.

Mr. Graham suggested that the MCD could form a Subcommittee to assist Chair Gish with the review of applications and selection of the best candidate to refer to the Mayor for his approval.

Chair Gish also mentioned that the website link to the Ordinance establishing the MCD was down for quite some time, but has now been fixed by Mr. Graham.

8. OLD BUSINESS

a. MCD Sub-Committee Reports

Member Bleck gave an update on the Transit Advisory Board, which is moving slowly on the start up because of member participation.

Member Fresquez advised that the Emergency Management meeting of the Core Advisory Group was canceled this month.

9. MATTERS FROM STAFF

a. A link to the video recording of this meeting will be added to the Meeting Minutes for this meeting

https://santafenm.gov.zoom.us/rec/share/B7ZOw4FcbENdw_THg8G829_mquWjaLhJKfrw12YbVg71Qh6s8zUdlCb9mu6lhDpp.djKpAJb9Dy1uCS1f
Passcode: =6bBZpy?

10. MATTERS FROM THE COMMITTEE



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Chair Gish stated that it is important that we remember that the Pandemic is not over and it is actually growing. We do need to maintain safety and well being of everybody in our community.

Member Parfitt asked about communications going forward and whether she should send correspondence to Mr. Graham (because this is his last meeting acting as the ADA Coordinator). Mr. Graham agreed to be copied on correspondence that he could forward to the appropriate personnel as necessary.

Chair Gish said that she would be doing that, since there has been no communication on Mr. Graham's replacement.

Mr. Graham stated that his replacement is the responsibility of the Public Works Director.

11. **NEXT MEETING: July 21 2022**
12. **ADJOURN**

This venue is equipped with closed captions. Persons with disabilities in need of accommodations, contact the City Clerk's office at 955-6521, five (5) working days prior to meeting date.

Adjourned at 11:48 AM

Liaison

Chair

ENFORCEMENT OF THE NOISE ORDINANCE

RECOMMENDATIONS FROM THE MAYOR'S COMMITTEE ON DISABILITY (MCD)

June 16, 2022

Mayor Alan M. Webber and City Manager John Blair,

When you protect our most vulnerable citizens you improve the life of all citizens in the City. People with disabilities such as PTSD, anxiety, panic disorder, and hearing loss are disproportionately affected by loud, hazardous noise levels that are being allowed to continue through lack of enforcement of the Noise Ordinance.

It is the responsibility of the City to enforce its own laws and ordinances, and the following recommendations are possible solutions that could go a long way in getting the current noise situation under control: through enforcement of the laws we already have, plus some minor changes to contracts with bands, and the Noise Ordinance itself.

ROAD NOISE

1. Purchase Sound Level Meters (SLMs) for law enforcement officers that record and print out time and decibel readings of suspected Noise Ordinance violators. Secure funding for these sophisticated devices that can be used to prove Noise Ordinance violations in court.
2. Educate the police force about the provisions in the current Noise Ordinance and instruct them in the proper use of SLM's. The current Noise Ordinance does not require a uniformed officer to use an SLM in order to stop and issue a citation to a driver suspected of violating the Ordinance. Therefore, hire Public Safety Aids, and use existing parking enforcement staff and any other suitable City staff to assist in issuing civil violation notices to drivers suspected of violating the Noise Ordinance which would then require them to have their vehicles inspected. Issue criminal violation citations and impose appropriate fines if the vehicle fails the inspection.
3. Educate the community about the upcoming plan to enforce the Noise Ordinance and warn offenders to get mufflers and exhaust systems fixed before fines are instituted. After the first warning a two hundred dollar (\$200) fine with a subsequent offense punishable by a fine not to exceed five hundred dollars (\$500) will be enforced. Vehicles such as the Ford Mustang GT with an active exhaust system that allows a driver to choose between four levels of noise production must drive in Quiet Exhaust or Normal mode within the City limits.
4. Enforce speeding and drag racing laws. Unnecessary noise is generated when these laws are not enforced.
5. Add funding and personnel to the existing Traffic Calming Program so that more communities requesting assistance can be served in a timely manner.

NOISE FROM BANDS AT CITY-SPONSORED EVENTS

1. Change the wording in Santa Fe City contracts with bands stating that a maximum 90 dBA sound pressure level is permitted at public concerts. Currently, the contracts state that a band makes the decision about how loud they play.

The Noise Ordinance 10-2.4 (8) states that a maximum sound pressure level of 100 dBA is permitted but that signage must be posted warning that "SOUND LEVELS MAY CAUSE HEARING IMPAIRMENT" on signs at least 225 square inches at every entrance to a concert venue, which is not routinely done.

2. Issue citations and fine bands and those running the sound boards when bands exceed the dBA limits in their contracts. 10-2.4 (D) states that a first offense shall be punishable by a fine not to exceed two hundred dollars (\$200) with a subsequent offense punishable by a fine not to exceed five hundred dollars (\$500).

3. Consider vendors, artisans and business owners around the Plaza and other venues throughout the City where workers are subjected to unsafe sound pressure levels for hours at a time. They cannot interact with customers while using earplugs and can't avoid hearing loss and other health issues without having to quit their jobs. As an example, smokers once had the right to smoke anywhere and at any time at the expense of staff working on commercial aircraft and at restaurants and bars who were forced to inhale deadly second-hand smoke. Why should Plaza vendors and staff suffer health consequences from City-sponsored bands that are allowed to pollute the area with unsafe noise levels?

4. Follow Albuquerque's lead in changing the Noise Ordinance to permit a maximum sound pressure level of 90dBA everywhere in the City. Breweries and other venues hire bands and allow them to play at whatever level they choose. When you purchase tickets online there is no warning or indication of how loud the band will play. Workers in these venues are subjected to unsafe sound levels and have no way to protect their hearing when they interact with customers since earplugs interfere with effective communication.

5. Educate those in the entertainment industry, especially owners of venues hiring bands, soundboard technicians and concert goers about the dangers of hazardous noise levels on human health and hearing. Use public service announcements, newspaper articles and educational outreach programs to teach them about unsafe sound levels in their environment and how to protect themselves. A display of dBA levels would empower concert goers to protect their own hearing and that of their children.

Thank you,



Kathlyne Gish, Chair, on behalf of the Mayor's Committee on Disability

CC:

Police Chief Joye

Kyra Ochoa, Director of Community Health and Safety Department

Santa Fe City Council

SETTLEMENT AGREEMENT BETWEEN

THE UNITED STATES OF AMERICA

AND

SANTA FE, NEW MEXICO

DEPARTMENT OF JUSTICE COMPLIANCE REVIEW NUMBER 204-49-69

[Settlement Agreement](#) | [Department of Justice Press Releases](#)

BACKGROUND

A. SCOPE OF THE INVESTIGATION

The United States Department of Justice ("Department") initiated this matter as a compliance review of the City of Santa Fe, New Mexico ("City") under title II of the Americans with Disabilities Act of 1990 ("ADA"), 42 U.S.C. §§ 12131-12134, and the Department's implementing regulation, 28 C.F.R. Part 35. Because the City receives financial assistance from the Department of Justice, our review was also conducted under the authority of § 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, and the Department's implementing regulation, 28 C. F.R. Part 42, Subpart G.

The review was conducted by the Disability Rights Section (DRS) of the Department's Civil Rights Division and focused on the City's compliance with the following title II requirements:

- to conduct a self-evaluation of its services, policies, and practices by July 26, 1992 and make modifications necessary to comply with the Department's title II regulations (28 C.F.R. Part 35), 28 C.F.R. §35.105;
- to notify applicants, participants, beneficiaries, and other interested persons of their rights and the City's obligations under title II and the Department's regulations, 28 C.F.R. §35.106;
- to designate a responsible employee to coordinate its efforts to comply and carry out the City's ADA responsibilities, 28 C.F.R. § 35.107(a);

- to establish a grievance procedure for resolving complaints of violations of title II, 28 C.F.R. § 35.107(b);
- to operate each program, service, or activity so that, when viewed in its entirety, it is readily accessible to and usable by individuals with disabilities, 28 C.F.R. § 35.150, by:
 - delivery of services, programs, or activities in alternate ways, including, for example, redesign of equipment, reassignment of services, assignment of aides, home visits, or other methods of compliance or, if these methods are not effective in making the programs accessible,
 - physical changes to buildings (required to be made by January 26, 1995), in accordance with the Department's title II regulation, 28 C.F.R. § 35.151, and the ADA Standards for Accessible Design ("Standards") or the Uniform Federal Accessibility Standards ("UFAS");
 - to ensure that facilities for which construction or alteration was begun after January 26, 1992 are readily accessible to and usable by people with disabilities, in accordance with 1) the Department's title II regulation and 2) the Standards or UFAS, 28 C.F.R. §35.151;
 - to ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others, including furnishing auxiliary aids and services when necessary, 28 C.F.R. §35.160;
 - where the City communicates by telephone, to communicate through a teletypewriter (TTY), or other equally effective telecommunications system, with individuals who have hearing or speech impairments, 28 C.F.R. §35.161;
 - to provide direct access via TTY or computer to telephone emergency services, including 911 services, for persons who use TTY's and computer modems, 28 C.F.R. §35.162;
 - to provide information for interested persons with disabilities concerning the existence and location of the City's accessible services, activities, and facilities, 28 C.F.R. §35.163(a);
 - to provide signage at all inaccessible entrances to each of its facilities, directing users to an accessible entrance or to information about accessible facilities, 28 C.F.R. § 35.163(b).

The Department limited its program access review to those of the City's programs, services, and activities that operate in the following facilities: City Hall, Sweeney Convention Center, Main Library, Ft. Marcy Complex, Fire Station #1, Water Street Parking Lot, Teen Center, Monica Roybal Center, Police Station, Mary Esther Gonzalez Senior Center, New Vistas Early Childhood Center, Salvador Perez Park, Ragle Park, La Farge Library, Animal Control Office, Antonio C. Roybal Building, Street Cut Permit Office, Pasatiempo Senior Citizen Center, Municipal Court, Fire Station #7, Marty Sanchez Golf Course, La Familia Medical Center, Siringo Complex, Transit Building "C", Bicentennial Pool, La Comunidad de Los Niños, and Solid Waste Administration Office Building. Of those facilities, Municipal Court, Fire Station #7, Marty

Sanchez Golf Course, La Familia Medical Center, Siringo Complex and Transit Building "C" constitute new construction commenced after January 26, 1992. The following constitute alterations that commenced after January 26, 1992: Bicentennial Pool, La Comunidad de Los Niños, and the Solid Waste Administration Office Building.

B. JURISDICTION

1. The ADA applies to the City because it is a "public entity" as defined by title II. 42 U.S.C. § 12131(1).
2. The Department is authorized to conduct this compliance review under 42 U.S.C. § 12133 in order to determine the City's compliance with title II and the Department's implementing title II regulation, to issue findings and, where appropriate, to negotiate and secure a voluntary compliance agreement. Furthermore, the Attorney General is authorized, under 42 U.S.C. § 12133, to bring a civil action enforcing title II of the ADA should the Department fail to secure voluntary compliance.
3. The Department is authorized to conduct this compliance review under 28 C.F.R. Part 42, Subpart G, to determine the City's compliance with § 504 of the Rehabilitation Act of 1973, to issue findings, and, where appropriate, to negotiate and secure voluntary compliance agreements. Furthermore, the Attorney General is authorized, under 29 U.S.C. § 794 and 28 C.F.R. §§ 42.530, 42.108-110, to suspend or terminate financial assistance to the City provided by the Department of Justice should the Department fail to secure voluntary compliance pursuant to Subpart G or to bring a civil suit to enforce the rights of the United States under applicable federal, state, or local law.

C. ACTIONS TAKEN BY THE CITY

4. In March and April 1992, the City conducted a self-evaluation and developed a transition plan in July 1992. The transition plan was updated on January 26, 1993 and subsequent years. The documents show a thorough review and an understanding of the requirements of the ADA. Citizens with disabilities and organizations representing people with disabilities assisted the City with its ADA compliance efforts.
5. In the wake of its self-evaluation, the City took steps to bring its employment policies into compliance with title I of the ADA. Pre-employment medical or disability inquiries do not appear on its employment application. Its policies recognize the City's obligation not to discriminate against qualified individuals with disabilities in all aspects of hiring and employment and to reasonably accommodate applicants and employees with disabilities upon notice of need.
6. In May 1992, the ADA Compliance Steering Committee developed a Grievance procedure for dealing with complaints regarding ADA compliance. The grievance procedures require that complaints be investigated first by the ADA Coordinator and that the investigation take no longer than 30 days. Complainants who are not satisfied with the outcome of their investigation can request a hearing by the City Council.
7. All meetings of City government are open to the public and steps are taken to ensure that the meetings are held in locations accessible to persons with disabilities. All meeting lists and agendas state that a qualified sign language interpreter is available through the City Clerk's office upon 5 days notice of any official government meeting.

8. The City has focused on physical changes to its facilities in order to provide access to its programs services, and activities. It has, for example, renovated men's and women's restrooms, replaced elevators, installed automated entrance doors and compliant signage.

D. POLLING PLACES

9. The City's polling locations -- at the Sweeney Convention Center, Ft. Marcy Complex, Public School Administration Building, St. John's Methodist Church, Elks BPOE Lodge, Nava Elementary School, County 4-H Building, Municipal Court, Pinon Elementary School, Kearny Elementary School, and the Office of the City Clerk -- are readily accessible to and usable by persons with mobility impairments.

The parties to this Agreement are the United States of America and the City of Santa Fe, New Mexico. In order to avoid the burdens and expenses of an investigation and possible litigation, the parties hereby agree as follows:

REMEDIAL ACTION

10. In consideration of the terms of this Agreement as set forth below, the Attorney General agrees to refrain from filing a civil suit in this matter regarding paragraphs 11 - 52, except as provided in paragraphs 57 and 59.

11. The Parties agree that the technical requirements and, where appropriate, the scoping requirements of the ADA Standards for Accessible Design ("Standards") are used as a guide for determining whether a program or activity held in an existing facility is "readily accessible to and usable by" persons with disabilities, and for determining what changes are necessary to make this program or activity accessible if it continues to be provided in the existing facility in question. See 28 C.F.R. §§ 35.150(b)(1), 35.151. The Standards appear at 28 C.F.R. Part 36, Appendix A.

A. POLICIES AND PROCEDURES

12. Within 30 days of the effective date of this Agreement, the City will appoint an ADA Coordinator who is knowledgeable of the requirements of title II and the Department's implementing regulation or who will be trained in these areas within 60 days of appointment.

13. Within 90 days of the effective date of this Agreement, the City will distribute the attached Notice (Attachment A) to all department/division heads; publish the Notice in a newspaper of general circulation serving the City; post the Notice on its Internet Home Page; and post copies in conspicuous locations in its public buildings. It will refresh the posted copies, and update the ADA Coordinator information contained on the Notice, as necessary, for the life of the Agreement. Copies will also be provided to any person upon request.

14. Within 90 days of the effective date of this Agreement, the City will identify sources of qualified sign language interpreters and vendors that Braille documents, and will develop written procedures, with time frames, for fulfilling requests from the public for interpreters and documents in alternate formats (Braille, large print, cassette tapes, etc.)

15. The City will report to the Department within 180 days of the effective date of this Agreement the actions it has taken to comply with paragraphs 12-14.

16. Within one year of the effective date of this Agreement, the City will develop a method for providing information for interested persons with disabilities concerning the existence and location of the City's accessible services, activities, and services and submit its proposal to the Department in writing. The proposal, as approved by the Department, will be implemented no later than 18 months years from the effective date of the Agreement.

B. 9-1-1 SERVICES

17. The City operates a 9-1-1 emergency service at its Police Department. There are six call-takers in this Primary Service Answering Point, and one TTY. The City is obliged to provide persons with hearing or speech impairments direct access by TTY to the telephone emergency services that is as effective as that provided to voice telephone users.

18. The City will therefore acquire additional TTY equipment within 6 months of the effective date of this Agreement, so that each answering position has the capability to respond directly to callers on a TTY and make call-backs, and to ensure that backup equipment will be provided in case of an emergency or TTY malfunction.

19. The City will amend its written 9-1-1 procedures within 30 days of the effective date of this Agreement to ensure that 9-1-1 call takers are trained to recognize a "silent" open line as a potential TTY call and respond accordingly, that TTY calls are answered as quickly as other calls received, and are monitored for timing and accuracy, if other calls are monitored. The City will also continue to ensure that employees are trained and practiced in using a TTY to make and receive calls.

20. The City will ensure that correct TTY call taking procedures are incorporated into call takers' performance evaluations, and will amend its personnel policies to include written disciplinary procedures for call takers who fail to perform TTY call taking consistent with the training and procedures.

21. The City will report to the Department within 6 months of the effective date of this Agreement the actions it has taken to comply with paragraphs 17-20.

C. CITY COMMUNICATION

22. The City uses the TTY in the Police Department as its main vehicle for communicating to and with persons who have hearing or speech impairments in non-emergency settings. Effective immediately, it will reserve that TTY for telephone emergency services only.

23. Within 60 days of the effective date of this Agreement, the City will acquire and install additional TTY's for administrative calls, officially recognize the New Mexico telephone relay service as the means by which it communicates, or implement a system that combines both technologies.

24. Within 90 days of the effective date and for the life of this Agreement, the City will publicize its TTY numbers, if any, on the same basis as its voice numbers, through such means as the Notice that appears as Attachment A, official stationary, business cards, civic newsletters, the public telephone book, and the City's Home Page. If the City chooses to rely on the New Mexico telephone relay system alone, that number will be publicized in the same manner, in lieu of any TTY numbers.

D. PHYSICAL ALTERATIONS

25. Within one year of the effective date of this Agreement, the City will survey its public facilities. It will install signage at any inaccessible entrance to a facility, directing users to an accessible entrance or to information about other accessible facilities, and denote the accessible entrance by using the international symbol of accessibility. 28 C.F.R. § 35.163(b); Standards §§ 4.1.2(7)(c), 4.30.1, 4.30.2, 4.30.3, 4.30.5.

In order to ensure that the following facilities, for which construction commenced after January 26, 1992, are readily accessible to and usable by individuals with disabilities, the City will take the following actions:

26. The City shall complete the following alterations to the Municipal Court within 6 months of the effective date of this Agreement:

a. Women's Public Restroom

(1) The mirror is mounted so that the bottom edge of the reflecting surface is 43 inches above the floor. Provide a mirror in each room so that the bottom edge of its reflecting surface is not higher than 40 inches above the finish floor. §§ 4.1.3(11), 4.22.6, 4.19.6 & Fig. 31.

(2) The height of the side grab bar in the designated accessible stall is 37 inches above the finish floor. Provide a side grab bar that is 33 to 36 inches above the finish floor. §§ 4.1.3(11), 4.22.4., 4.17.6 & Fig. 30(d).

b. Men's Public Restroom

(1) The soap dispenser is mounted so that the control is located 58 inches above the finish floor. Reposition the dispenser so that its highest operable part is within reach ranges specified for a forward or side approach. §§ 4.1.3(11), 4.22.7, 4.27.3, 4.2.5 & Fig. 5(b), 4.2.6 & Fig. 6(b).

(2) The distance between the urinal partition and the accessible toilet stall door is 31 inches. Provide a 42 inch minimum width between the accessible stall door and the closest obstruction. §§ 4.1.3(11), 4.22.4, 4.17.5 & Fig. 30(a).

c. Men's and Women's Employee Restroom

(1) Each mirror is mounted so that the bottom edge of the reflecting surface is 43 inches above the finish floor. Provide a mirror in each room so that the bottom edge of its reflecting surface is not higher than 40 inches above the finish floor. §§ 4.1.3(11), 4.22.6, 4.19.6 & Fig. 31.

(2) The toilet flush control in the women's toilet is on the closed, or narrow, side of the toilet stall. Alter the control so that it is on the open, or wide side of the toilet stall. §§ 4.1.3(11), 4.22.4, 4.17.2, 4.16.5.

(3) The force required to open the women's and men's toilet room doors is 10 pounds. Adjust the doors so that the force required to open the doors is not more

than 5 pounds. §§ 4.1.3(11), 4.22.2, 4.13.11(2)(b).

d. The courtroom has no assistive listening system available. Install an adequate number of electrical outlets or other supplementary wiring in the room necessary to support a portable assistive listening system, with a minimum number of receivers provided equal to 4% of the total number of seats but no less than two receivers, and signage indicating the availability of a listening system. §§ 4.1.3(19)(b), 4.30, 4.33.

27. The City shall complete the following alterations to the Fire Station #7 within 6 months of the effective date of this Agreement:

a. There is one van accessible designated parking space with a 63 1/2 inch wide access aisle. Provide at least one "van-accessible" parking space served by an access aisle at least 96 inches wide and identified by an additional "van-accessible" sign mounted below the symbol of accessibility. §§ 4.1.2(5)(b), 4.6.4.

b. Women's and Men's Restrooms

(1) The toilet flush control in the women's toilet is on the closed, or narrow, side of the toilet stall. Alter the control so that it is on the open, or wide side of the toilet stall. §§ 4.1.3(11), 4.22.4, 4.17.2, 4.16.5.

28. The City shall complete the following alterations to the Marty Sanchez Golf Course within 6 months of the effective date of this Agreement:

a. The parking lot serving the Administration Building has one accessible parking space located at some distance from the accessible entrance. Establish a space that is located on the shortest accessible route of travel from the parking lot to the accessible entrance. §§ 4.1.2(5)(a), 4.6.2.

b. The only accessible parking space provided at the Administration Building is not designated as "van accessible". Provide a space with a 96 inch wide access aisle and install a sign designating the space as "van accessible" mounted below the symbol of accessibility in a location that cannot be obscured by a vehicle parked in the space. §§ 4.1.2(5)(a), 4.1.2(5)(b), 4.6.4.

c. The accessible parking space and access aisle at the Administration Building are not level with surface slopes not exceeding 1:50 in all directions. Alter the space and aisle in compliance with the Standards. §§ 4.1.2(5), 4.6.3.

d. According to the architectural drawings provided, the "walkway" from the parking area to the Administration Building has a slope greater than 1:20 in some places and is, therefore, considered a ramp. Alter the ramp to comply with all requirements for ramps, including slope and rise, 60 inch minimum length landings at the bottom and top of each ramp, handrails, cross slope and surfaces, edge protection, and outdoor conditions. §§ 4.1.3(1), 4.3.7, 4.8 & Figs. 16, 17.

e. Women's and Men's Restrooms

(1) The door coat hook in the accessible stall is located 67 1/2 inches above the floor. Provide a hook that is no more than 54 inches above the finish floor for a side reach or 48 inches above the finish floor for a front reach. §§ 4.1.3(12), 4.25.3, 4.2.5, 4.2.6.

29. The City shall make the following alterations to the La Familia Medical Center within 6 months of the effective date of this Agreement:

a. The accessible parking spaces do not have the correct signage designating the spaces as reserved. Install signage at each space, using the international symbol of accessibility, located so that the signage cannot be obscured by a vehicle parked in the space. §§ 4.1.2(5), 4.6.4, 4.30.7(1).

b. Women's Toilet Room

(1) The room identification signage is incorrectly mounted. Provide a sign, with raised and Brailled characters, on the wall adjacent to the latch side of the door so that the centerline of the sign is 60 inches above the finish floor and a person can approach within 3 inches of signage without encountering protruding objects or standing within the swing of a door. §§ 4.1.3(16)(a), 4.30.1, 4.30.4, 4.30.5, 4.30.6.

(2) The force required to open the door to the women's toilet room is 16 pounds. Adjust the door so that the force required to open the door is no more than 5 pounds. §§ 4.1.3(11), 4.22.2, 4.13.11(2)(b).

(3) The height of the lavatory apron provides a clearance of 27 inches above the finish floor. Re-mount or provide a lavatory so that there is a clearance of at least 29 inches above the floor to the bottom of the apron and it otherwise complies with the Standards. §§ 4.1.3(11), 4.22.6, 4.19.2 & Fig. 31.

(4) The door coat hook in the designated accessible stall is located 66 inches above the floor. Provide a hook that is no more than 54 inches above the finish floor for a side reach or 48 inches above the finish floor for a front reach. §§ 4.1.3(12), 4.25.3, 4.2.5, 4.2.6.

c. Unisex Restroom

1) The room identification signage is incorrectly mounted. Provide a sign, with raised and Brailled characters, on the wall adjacent to the latch side of the door so that the centerline of the sign is 60 inches above the finish floor and a person can approach within 3 inches of signage without encountering protruding objects or standing within the swing of a door. §§ 4.1.3(16)(a), 4.30.1, 4.30.4, 4.30.5, 4.30.6.

(2) The toilet paper dispenser in the designated accessible stall is located 16 1/2 inches from the finish floor to the centerline of the dispenser. Re-mount the dispenser so that the farthest edge of the toilet paper roll is no more than 36

inches from the back wall and no less than 19 inches from the finish floor to the centerline of the dispenser. §§ 4.1.3(11), 4.22.4, 4.17.3 & Fig. 30(d).

(3) The centerline of the toilet is located 19 1/2 inches from the side wall. Re-mount the toilet so that the centerline is exactly 18 inches from the side wall. §§ 4.1.3(11), 4.22.4, 4.17.3 & Fig. 30(a).

d. Men's Restroom

(1) The height of the lavatory apron provides a clearance of 27 1/2 inches above the finish floor. Re-mount or provide a lavatory so that there is a clearance of at least 29 inches above the floor to the bottom of the apron and it otherwise complies with the Standards. §§ 4.1.3(11), 4.22.6, 4.19.2 & Fig. 31.

(2) The door coat hook in the designated accessible stall is located 66 inches above the floor. Provide a hook that is no more than 54 inches above the finish floor for a side reach or 48 inches above the finish floor for a front reach. §§ 4.1.3(12), 4.25.3, 4.2.5, 4.2.6.

e. Counters

(1) The cashier's counter is located 40 inches above the finish floor. Provide a counter that is at least 36 inches wide and no more than 36 inches high. § 7.2(1).

30. The City shall complete the following alterations to the Siringo Complex within one year of the effective date of this Agreement:

Building I - Police Substation

a. The counter is located 44 inches above the floor. Provide a counter that is at least 36 inches wide and no more than 36 inches high, or an auxiliary counter that is not more than 36 inches high in close proximity to the main counter, or provide equivalent facilitation (e.g., use of a folding shelf or use of space on the side of the counter for handing materials back and forth). § 7.2(2).

b. Men's Restroom

(1) The urinals are mounted so that the flush controls are located 46 inches above the finish floor. Provide a urinal that has a flush control no higher than 44 inches above the finish floor. §§ 4.1.3(11), 4.22.5, 4.18.4.

(2) The door coat hook in the designated accessible stall is located 66 1/2 inches above the floor. Provide a hook that is no more than 54 inches above the finish floor for a side reach or 48 inches above the finish floor for a front reach. §§ 4.1.3(12), 4.25.3, 4.2.5, 4.2.6.

Building J- Purchasing Office Building

c. There is a 5 inch change in elevation at the threshold to the entrance door. Alter this threshold so that the change is no greater than 1/2 inch and beveled with a slope no greater than 1:2, or by installing a ramp with a slope no greater than 1:12 that has a level landing of at least 60 inches in length in front of the doorway. §§ 4.1.3(2), 4.1.3(7), 4.13.8, 4.5.2, 4.8.

31. The City shall complete the following alterations to the Transit Building "C" within 1 year of the effective date of this Agreement:

a. The spout outlet on the drinking fountain is located 36 1/2 inches above the finish floor. Provide a fountain that is accessible to a person in a wheelchair and a fountain that is accessible to those who have difficulty bending and stooping. §§ 4.1.3(10), 4.15.2.

In order to ensure that the following spaces in City Facilities, for which alterations commenced after January 26, 1992, are readily accessible to and usable by individuals with disabilities, the City will take the following actions:

32. The City shall complete the following alterations to the Bicentennial Pool within one year of the effective date of this Agreement:

a. The public telephone does not comply with § 4.1.3(17)(a), (b). Provide a public telephone that has hearing aid compatibility, a volume control, and accompanying signage. §§ 4.1.6(1)(b), 4.1.3(17)(a), (b), 4.31.2 through 4.31.8, 4.30.7(2).

b. Women's and Men's Showers

Modify the current women's and men's showers in the Bicentennial Pool so that they are readily accessible to and usable by people with disabilities, and comply with all relevant provisions of the Standards governing shower facilities. These include but are not limited to those provisions dealing with shower stall size, clear floor space, grab bars, controls and seats. Standards §§ 4.1.6(1)(b), 4.21, 4.23.8.

33. The City shall complete the following alterations to La Comunidad de los Niños within one year of the effective date of this Agreement:

a. Unisex Bathroom

(1) The lavatory has twist-type faucets. Replace them with controls that are operable with one hand and do not require tight grasping, pinching or twisting of the wrists to operate. §§ 4.1.6(1)(b), 4.1.3(11), 4.22.6, 4.19.5, 4.27.4.

(2) The lavatory rim is 35 inches above the finish floor. Reposition the lavatory so that the rim is no higher than 34 inches above the finish floor. §§ 4.1.6(1)(b), 4.1.3(11), 4.22.6, 4.19.2 & Fig. 31.

(3) The height of the toilet is 21 1/2 inches from the finish floor to the top of the seat. Reposition the toilet so that the top of the seat is between 17 and 19 inches

from the finish floor. §§ 4.1.6(1)(b), 4.1.3(11), 4.22.4, 4.16.3 & Fig. 29(b).

(4) The designated accessible stall is 38 inches wide. Provide a "standard" accessible toilet stall at least 60 inches wide and 59 inches deep (56 inches if the toilet is wall mounted) such that all of the stall's elements, including stall door, stall door hardware, water closet, size and arrangement, toe clearances, grab bars, and controls and dispensers comply with the Standards. §§ 4.1.6(1)(b), 4.1.3(11), 4.13, 4.22.4, 4.16, 4.17.3 & Fig. 30 (a), (c), (d), 4.26, 4.27.

(5) The rear grab bar is 35 inches long. Provide a rear grab bar that is at least 36 inches long with the end closer to the side wall mounted no more than 6 inches from the side wall. §§ 4.1.6(1)(b), 4.1.3(11), 4.22.4, 4.17.6 & Fig. 30(a), (c).

b. The spout outlet on the drinking fountain is located 41 inches from the floor. Provide a fountain that is accessible to a person in a wheelchair. §§ 4.1.6(1)(b), 4.1.3(10), 4.15.

In order that each of the City's programs, services, and activities operating at a facility that is the subject of this Agreement, when viewed in its entirety, is readily accessible to and usable by persons with mobility impairments, the City will take the following actions:

34. The City shall complete the following alterations to the Solid Waste Administration Office Building within one year of the effective date of this Agreement:

a. The information counter is located 41 inches above the floor. Provide a counter that is at least 36 inches wide and no more than 36 inches high, or an auxiliary counter that is not more than 36 inches high in close proximity to the main counter, or provide equivalent facilitation (e.g., use of a folding shelf or use of space on the side of the counter for handing materials back and forth). §§ 4.1.6(1)(b), 7.2(2).

b. Men's and Women's Restrooms

(1) The force required to open the door to the women's toilet room is 14 pounds. Adjust the door so that the force required to open the door is no more than 5 pounds. §§ 4.1.6(1)(b), 4.1.3(11), 4.22.2, 4.13.11(2)(b).

(2) The designated accessible stall door has twist hardware. Replace it with hardware that is operable with one hand and does not require tight grasping, pinching or twisting of the wrist to operate. §§ 4.1.6(1)(b), 4.1.3(11), 4.22.4, 4.17.5, 4.13.9, 4.27.4.

(3) The door coat hook in the accessible stall is located 67 inches above the floor. Provide a hook that is no more than 54 inches above the finish floor for a side reach or 48 inches above the finish floor for a front reach. §§ 4.1.3(12), 4.25.3, 4.2.5, 4.2.6.

(4) The side and the rear grab bars in the accessible women's stall are 37 inches from the finish floor. Reposition the grab bars so that they are 33-36 inches above the finish floor. §§ 4.1.6(1)(b), 4.1.3(11), 4.22.4, 4.17.3 & Fig. 30(c), (d).

(5) The toilet paper dispenser in the designated accessible stall is located 43 inches above the finish floor. Provide a dispenser that it is located below the grab bar with its farthest edge no more than 36 inches from the back wall and with its centerline no less than 19 inches from the finish floor. §§ 4.1.6(1)(b), 4.1.3(11), 4.22.4, 4.17.3 & Fig. 30(d).

(6) The hot water and drain pipes under the lavatory are not insulated or configured to protect against contact. Install insulation on the pipes. §§ 4.1.6(1)(b), 4.1.3(11), 4.22.6, 4.19.4.

(7) The rims of the urinals in the men's restroom are 18 1/2 inches above the finish floor. Provide a urinal with an elongated rim that is no higher than 17 inches above the finish floor. §§ 4.1.6(1)(b), 4.1.3(11), 4.22.5, 4.18.2.

(8) The urinals in the men's restroom are mounted so that the flush controls are located 46 inches above the finish floor. Provide a urinal that has a flush control no higher than 44 inches above the finish floor. §§ 4.1.6(1)(b), 4.1.3(11), 4.22.5, 4.18.4.

35. The City shall complete the following alterations to City Hall within one year of the effective date of this Agreement:

a. There are five designated accessible parking spaces, none of which is served by an adjacent access aisle or identified as "van-accessible". Alter the spaces to provide at least one van-accessible parking space served by an access aisle at least 96 inches wide and identified by an additional van-accessible sign mounted below the symbol of accessibility in a location that cannot be obscured by a vehicle parked in the space.

Provide access aisles at least 60 inches wide that comply with the Standards for the other four accessible parking spaces. §§ 4.1.2(5)(a), 4.1.2(5)(b), 4.6.4, 4.6.3 & Fig. 9.

b. The signs designating the accessible parking spaces are located low to the ground. Reposition the signs so that each cannot be obscured by a vehicle parked in the space. § 4.6.4.

c. The spout outlet on the drinking fountain on the first floor is located 43 inches from the floor. Install a drinking fountain with a spout outlet no higher than 36 inches from the finish floor, or install cups next to the existing fountain so that they dispense from a point no higher than 48 inches from the finish floor for a forward reach or no higher than 54 inches for a side reach. §§ 4.15.2 & Fig. 27(a), 4.27.3, 4.2.5, 4.2.6.

d. The top of the cashier counter for paying sewage and refuse bills is 40 1/2 inches above the finish floor. Provide a counter that is at least 36 inches wide and no more than 36 inches high, or provide an auxiliary counter with a maximum height of 36 inches in compliance with the Standards, § 7.2(2); or provide access to services transacted at this counter through alternate means (e.g., by offering these services at an accessible location for individuals who use wheelchairs).

e. The top of the service for ambulance/paving billing is 38 inches above the finish floor. Provide a counter that is at least 36 inches wide and no more than 36 inches high, or provide an auxiliary counter with a maximum height of 36 inches in compliance with the Standards, § 7.2(2); or provide access to services transacted at this counter through alternate means (e.g., by offering these services at an accessible location for individuals who use wheelchairs).

f. Elevator hoistway entrances do not have raised and Brailled floor designations on both jambs. Provide floor designation signage with raised and Braille characters mounted at 60 inches to the centerline of the characters above the finish floor on the hoistway entrances on each floor. §§ 4.10.5, 4.30.4.

g. The City Council Chamber has no assistive listening system available. Install an adequate number of electrical outlets or other supplementary wiring in the Chamber necessary to support a portable assistive listening system, with a minimum number of receivers provided equal to 4% of the total number of seats but no less than two receivers, and signage indicating the availability of a listening system. §§ 4.1.3(19)(b), 4.30, 4.33.

h. First Floor Ladies' Toilet Room

(1) The force required to open the door to the women's toilet room is 13 pounds. Adjust the door so that the force required to open the door is no more than 5 pounds. § 4.13.11(2)(b).

(2) The designated accessible toilet stall contains the following non-compliant elements: the stall door has a minimum clear opening width of 30 1/2 inches and twist-type hardware; the stall is 39 1/2 inches wide; there is no rear grab bar; and the coat hook is located 65 inches above the floor.

Provide a "standard" accessible toilet stall at least 60 inches wide and 59 inches deep (56 inches if the toilet is wall mounted) such that all of the stall's elements, including stall door, stall door hardware, water closet, size and arrangement, toe clearances, grab bars, coat hook height, and controls and dispensers comply with the Standards. §§ 4.13, 4.22.4, 4.16, 4.17 & Fig. 30 (a), (c), (d), 4.25.3, 4.2.5, 4.2.6, 4.26, 4.27.

(3) The sanitary napkin dispenser coin slot is mounted at 57 inches above the finish floor. Provide a dispenser with its highest operable part no more than 54 inches above the finish floor for a side reach or no more than 48 inches above the finish floor for a forward reach. §§ 4.27.3, 4.2.5, 4.2.6.

i. First Floor Men's Room

(1) The designated accessible toilet stall contains the following non-compliant elements: the stall is 50 inches wide; there is no rear grab bar; and the side grab bar begins more than 12 inches from the back wall.

Provide a "standard" accessible toilet stall at least 60 inches wide and 59 inches deep (56 inches if the toilet is wall mounted) such that all of the stall's elements,

including stall door, stall door hardware, water closet, size and arrangement, toe clearances, grab bars, and controls and dispensers comply with the Standards. §§ 4.13, 4.22.4, 4.16, 4.17 & Fig. 30 (a), (c), (d), 4.26, 4.27.

(2) The mirror is mounted so that the bottom edge of the reflecting surface is 42 inches above the finish floor. Provide a mirror with the bottom edge of its reflecting surface no higher than 40 inches above the finish floor. §§ 4.19.6.

j. There are no signs indicating the location of the designated accessible first floor toilet rooms within the City Hall building. Install signs at inaccessible toilet rooms and in conspicuous places directing users to the location of the accessible toilet rooms. §§ 4.1.3(16) (b), 4.1.6(3)(e)(iii), 4.30.1, 4.30.2, 4.30.3, 4.30.5.

k. City Clerk's Office:

(1) The entrance door has knob hardware that requires twisting of the wrist. Replace it with hardware that does not require tight grasping, pinching, or twisting of the wrist to operate. § 4.13.9.

36. The City shall complete the following alterations to the Sweeney Convention Center within one year of the effective date of this Agreement:

a. There are three designated accessible parking spaces, none of which is served by an adjacent access aisle or identified as "van-accessible". Alter the spaces to provide at least one van-accessible parking space served by an access aisle at least 96 inches wide and identified by an additional van-accessible sign mounted below the symbol of accessibility in a location that cannot be obscured by a vehicle parked in the space. Provide access aisles at least 60 inches wide that comply with the Standards for the other two accessible parking spaces. §§ 4.1.2(5)(a), 4.1.2(5)(b), 4.6.4, 4.6.3 & Fig. 9.

b. The signs designating the accessible parking spaces are located low to the ground. Reposition the signs so that each cannot be obscured by a vehicle parked in the space. § 4.6.4.

c. Elevator hoistway entrances do not have raised and Brailled floor designations on both jambs. Provide floor designation signage with raised and Braille characters mounted at 60 inches to the centerline of the characters above the finish floor on the elevator hoistway entrances on each floor. §§ 4.10.5, 4.30.4.

d. Three public telephones are provided. None of the telephones have volume control. Provide a telephone that has hearing aid compatibility, a volume control, and accompanying signage. §§ 4.1.3(17), 4.31.2 through 4.31.8 and 4.30.7.

e. The slope of the ramp to the polling room is approximately 1:9.5. Provide an accessible route to the polling room with a ramp sloped no more than 1:12. § 4.8.2.

f. First Floor Men's and Women's Toilet Rooms

(1) The force required to open the doors to the women's and men's toilet rooms is 13 pounds. Adjust each door so that the force required to open the doors is no more than 5 pounds. § 4.13.11(2)(b).

(2) The designated accessible toilet stall in each room contains the following non-compliant elements: the stall is 42 inches wide; there is no rear grab bar; the toilet centerline is 19 1/2 inches from the partition, and the coat hook is located 63 inches above the floor.

Provide a "standard" accessible toilet stall at least 60 inches wide and 59 inches deep for a floor mounted toilet such that all of the stall's elements, including stall door, stall door hardware, water closet, size and arrangement, toe clearances, grab bars, coat hook height, and controls and dispensers comply with the Standards. §§ 4.13, 4.22.4, 4.16, 4.17 & Fig. 30 (a), (c), (d), 4.26, 4.25.3, 4.2.5, 4.2.6, 4.27.

(3) The toilet seat cover dispenser is located within the designated accessible stall and there is no clear floor space underneath it. Provide a toilet seat cover dispenser in an area where there is a 30 inch by 48 inch clear floor space under the dispenser. §§ 4.27.2, 4.2.4.

37. The City shall complete the following alterations to the Main Library within one year of the effective date of this Agreement:

a. The access aisle of the designated van accessible parking space is not at least 96 inches wide. Provide a van accessible space with an access aisle at least 96 inches wide. §§ 4.1.2(5)(b), 4.6.4.

b. The signs designating the accessible parking spaces are located low to the ground. Reposition the signs so that each cannot be obscured by a vehicle parked in the space. § 4.6.4.

c. The top of the circulation desk is 39 1/2 inches above the floor. Provide a counter that is at least 36 inches wide and no more than 36 inches high, or provide an auxiliary counter with a maximum height of 36 inches in compliance with the Standards, §7.2(2); or provide access to services transacted at this counter through alternate means (e.g., by offering those services at an accessible location for individuals who use wheelchairs).

d. Some of the aisles in the library are narrow and do not have sufficient clear width to be accessible to individuals in wheelchairs. Alter these aisles so that they are at least 36 inches wide or post a notice conspicuously in the Library that assistance is available for persons who use wheelchairs. §§ 8.5, 4.3.3.

e. The ramp in the Southwest Reading Room does not have handrails on both sides of the ramp. Provide handrails on both sides of the ramp. § 4.8.5.

f. The elevator control panel does not have raised and Brailled characters. Install a control panel that complies with the Standards. §§ 4.10.12(2), 4.30.

g. First Floor Drinking Fountain

There is a drinking fountain which is accessible to people who use wheelchairs but not one accessible to individuals who have difficulty bending or stooping. Provide a fountain at a standard height convenient to individuals who have difficulty bending or provide paper cups.

§ 4.1.3(10)(a).

h. First Floor Ladies' Toilet Room

(1) The toilet room does not have the required signage. Install signage, using raised and Brailled characters on the wall adjacent to the latch side of the door so that its centerline is 60 inches above the finish floor and a person can approach within 3 inches of signage without encountering protruding objects or standing within the swing of a door. Also identify the toilet room with the International Symbol of Accessibility. §§ 4.30.1, 4.30.4, 4.30.5, 4.30.6, 4.30.7.

(2) The toilet room door has knob hardware. Replace the hardware with hardware that is operable with one hand and does not require tight grasping, pinching or twisting of the wrists to operate. § 4.13.9.

(3) The force required to open the door to the women's room is 15 pounds. Adjust the door so that the force required to open the door is no more than 5 pounds. § 4.13.11.

(4) The length of the rear grab bar in the designated accessible toilet stall is 24 1/2 inches. Provide a rear grab bar that is at least 36 inches long with the end closer to the side wall mounted no more than 6 inches from the side wall. § 4.17.6 & Fig. 30(a), (c).

(5) The length of the side grab bar in the designated accessible toilet stall is 24 1/2 inches. Replace the grab bar so that the end nearest the back wall begins no more than 12 inches from the wall, it is at least 40 inches long, and the end farthest from the back wall is located at least 52 inches from the wall. § 4.17.6 & Fig. 30(a), (d).

(6) The door coat hook in the accessible stall is 57 inches above the floor. Provide a hook that is no more than 54 inches above the finish floor for a side reach or 48 inches above the finish floor for a front reach. §§ 4.25.3, 4.2.5, 4.2.6.

(7) The centerline of the toilet is located 15 1/2 inches from the side wall. Remount the toilet so that the centerline is exactly 18 inches from the side wall. §§ 4.17.3 & Fig. 30(a).

(8) The height of the lavatory counter is 38 inches above the finish floor. Remount or provide a lavatory with a counter/rim that is no more than 34 inches above the finish floor, with a clearance of at least 29 inches above the floor to the bottom of the apron, and that otherwise complies with the Standards. § 4.19.2 & Fig. 31.

(9) The hot water and drain pipes beneath the lavatory are not insulated or otherwise configured against contact. Install insulation on the pipes. § 4.19.4.

(10) The mirror is mounted so that the bottom edge of the reflecting surface is located 49 inches above the finish floor. Reposition the mirror so that the bottom edge of the reflecting surface is no higher than 40 inches above the finish floor. § 4.19.6.

i. First Floor Men's Toilet Room

(1) Within 3 months of the effective date of this Agreement, the City will review and report to the Department on whether the first floor men's toilet room at the Main Library complies fully with the Standards. The City will complete any necessary physical alterations to this room within 9 months of the Department's written approval. §§ 4.13, 4.22.4, 4.16, 4.17 & Fig. 30, 4.18, 4.19, 4.25, 4.26, 4.27, 4.30.

j. Second Floor Men's and Women's Toilet Rooms

Provide directional signage indicating the location of the designated accessible men's and women's toilet rooms on the first floor. §§ 4.1.6(3)(e)(iii), 4.30.2, 4.30.3, 4.30.5, 4.30.7.

38. The City will complete the following alterations to the Ft. Marcy Complex within one year of the effective date of this Agreement:

a. There are three designated accessible parking spaces, none of which is van-accessible. Alter the spaces to provide at least one "van-accessible" parking space served by an access aisle at least 96 inches wide and identified by an additional "van-accessible" sign mounted below the symbol of accessibility in a location that cannot be obscured by a vehicle parked in the space. §§ 4.1.2(5)(b), 4.6.4.

b. There are no signs designating the accessible parking spaces. Install signage at each space, using the international symbol of accessibility, that cannot be obscured by a vehicle parked in the space. §§ 4.6.4, 4.30.7.

c. Drinking Fountain

There is a drinking fountain which is accessible to people who use wheelchairs but not one accessible to individuals who have difficulty bending or stooping. Provide a fountain at a standard height convenient to individuals who have difficulty bending or provide paper cups. § 4.1.3(10)(a).

d. Women's Restroom - First Floor

(1) The entrance door to the toilet room has a clear opening width of 30 inches. Alter the doorway to provide a minimum clear opening width of at least 32 inches

measured from the face of door to the opposite door stop with the door open to 90 degrees. § 4.13.5.

(2) The designated accessible toilet stall contains the following non-compliant elements: the stall is 35 inches wide; the door has a twist-type lock; there is no rear grab bar; the centerline of the toilet is 16 1/2 inches from the side wall; the side grab bar is 31 inches high.

Provide a "standard" accessible toilet stall at least 60 inches wide and 59 inches deep (56 inches if the toilet is wall mounted) such that all of the stall's elements, including stall door, stall door hardware, water closet, size and arrangement, toe clearances, grab bars, and controls and dispensers comply with the Standards. §§ 4.13, 4.22.4, 4.16, 4.17 & Fig. 30 (a), (c), (d), 4.26, 4.27.

(3) The toilet seat cover dispenser is mounted above the toilet and does not have clear floor space underneath. Provide a toilet seat cover dispenser in an area where there is a 30 inch by 48 inch clear floor space under the dispenser. §§ 4.27.2, 4.2.4

(4) The entrance to the diaper room is 26 inches wide. Alter the doorway so that there is a minimum clear opening width of 32 inches measured from the face of door to the opposite door stop with the door open 90 degrees. § 4.13.5.

e. Men's Restroom - First Floor

(1) The accessible toilet stall contains the following non-compliant elements: the stall is 35 inches wide; there is no rear grab bar; and the centerline of the toilet is 16 1/2 inches from the side wall.

Provide a "standard" accessible toilet stall at least 60 inches wide and 59 inches deep (56 inches if the toilet is wall mounted) such that all of the stall's elements, including stall door, stall door hardware, water closet, size and arrangement, toe clearances, grab bars, and controls and dispensers comply with the Standards. §§ 4.13, 4.22.4, 4.16, 4.17 & Fig. 30 (a), (c), (d), 4.26, 4.27.

f. Women's and Men's Locker and Toilet Rooms

(1) The force required to open the doors to these rooms is more than 5 pounds. Adjust each door so that the force required to open the doors is no more than 5 pounds. § 4.13.11(2)(b).

(2) The entrance doors to each toilet room has a clear opening width of 30 1/2 inches. Alter the doorway to each room to provide a minimum clear opening width of at least 32 inches measured from the face of door to the opposite door stop with the door open to 90 degrees. § 4.13.5.

(3) The designated accessible stall in each room contains the following non-compliant elements: the clear opening width of the stall door is 30 1/2 inches,

the stall is 38 inches wide, there is no rear grab bar, the toilet seat is 20 inches above the finish floor.

Provide a "standard" accessible toilet stall at least 60 inches wide and 59 inches deep (56 inches if the toilet is wall mounted) such that all of the stall's elements, including stall door, stall door hardware, water closet, size and arrangement, toe clearances, grab bars, and controls and dispensers comply with the Standards. §§ 4.13, 4.22.4, 4.16, 4.17 & Fig. 30 (a), (c), (d), 4.26, 4.27.

(4) The toilet seat cover dispenser is mounted behind the toilet and does not have clear floor space underneath. Provide a toilet seat cover dispenser in an area where there is a 30 inch by 48 inch clear floor space under the dispenser. §§ 4.27.2, 4.2.4.

(5) The designated accessible transfer shower is not exactly 36 inches wide by 36 inches deep, there are no grab bars, the controls are located 59 inches above the shower floor, and there is not a shower spray unit with a hose at least 60 inches long. Provide a transfer shower that is exactly 36 inches wide by 36 inches deep with grab bars, a shower seat, shower controls located between 38 and 48 inches above the shower floor, and a shower spray unit with a hose at least 60 inches long or a fixed shower head mounted at 48 inches above the shower floor. § 4.21 & Figs. 35(a), 37(a).

39. The City will complete the following alterations to Fire Station #1 within one year of the effective date of this Agreement:

a. The spout outlet of the drinking fountain is located 41 inches from the floor and the drinking fountain is located in an alcove that is 27 inches wide. Install a drinking fountain with a spout outlet no higher than 36 inches from the finish floor and clear floor space at least 30 inches wide and 48 inches deep; or provide a water cooler in an accessible location with cups that dispense no higher than 48 inches above the finish floor for a forward reach and no higher than 54 inches above the finish floor for a side reach. §§ 4.15.2, 4.15.5 & Fig. 27, 4.27.3, 4.2.5, 4.2.6.

b. Men's and Women's Toilet Rooms

(1) The designated accessible stall in each room is 32 inches wide. Provide a "standard" accessible toilet stall that is at least 60 inches wide and at least 59 inches deep (or at least 56 inches deep if the toilet is wall mounted). § 4.17.3 & Fig. 30(a).

(2) The door coat hook in the designated accessible stall in each room is 59 1/2 inches above the floor. Provide a hook that is no more than 54 inches above the finish floor for a side reach or 48 inches above the finish floor for a front reach. §§ 4.25.3, 4.2.5, 4.2.6.

40. The City will complete the following alterations to the Water Street Parking Lot within one year of the effective date of this Agreement:

a. Men's and Women's Toilet Rooms

(1) The mirror is mounted in each room so that the bottom edge of the reflecting surface is 43 1/2 inches above the finish floor. Provide a mirror with the bottom edge of its reflecting surface not higher than 40 inches above the finish floor. § 4.19.6.

(2) The signage designating the women's toilet room does not have Braille and is mounted on the door. Provide a sign with raised characters and Braille that is mounted on the wall adjacent to the latch side of the door so that its centerline is 60 inches above the finish floor and a person can approach within 3 inches of signage without encountering protruding objects or standing within the swing of a door. §§ 4.30.1, 4.30.4, 4.30.5, 4.30.6.

(3) The door to the designated accessible toilet stall has a twist-type lock. Provide door hardware that is operable with one hand and does not require tight grasping, pinching, or twisting of the wrist to operate. §§ 4.17.5, 4.13.9.

41. The City will complete the following alterations to the Teen Center within six months of the effective date of this Agreement:

a. There are no signs designating the accessible parking spaces. Provide a sign designating each accessible parking spaces so that the sign cannot be obscured by a vehicle parked in the space. § 4.6.4.

b. Women's Toilet Room

(1) The force required to open the door to the women's room is more than 5 pounds. Adjust the door so that the force required to open the door is no more than 5 pounds. § 4.13.11(2)(b).

(2) The length of the rear grab bar is 32 inches. Provide a rear grab bar that is at least 36 inches long with the end closer to the side wall mounted no more than 6 inches from the side wall. § 4.17.6 & Fig. 30(a).

c. Men's Toilet Room

The force required to open the door to this room is more than 5 pounds. Adjust each door so that the force required to open the doors is no more than 5 pounds. § 4.13.11(2)(b).

42. The City will complete the following alterations to the Monica Roybal Center within 18 months of the effective date of this Agreement:

a. Ramp to the Reading Room

There are no handrails on both sides of the ramp. Provide a handrail on both sides of the ramp where it does not interfere with the corridor openings. § 4.8.5.

b. Women's Restroom

(1) The rim of the lavatory is 36 inches above the finish floor. Remount the lavatory so that the rim is no higher than 34 inches above the finish floor, there is a clearance of at least 29 inches above the floor to the bottom of the apron, and it otherwise complies with the Standards. § 4.19.2 & Fig. 31.

(2) The mirror is mounted so that the bottom edge of the reflecting surface is 41 inches above the finish floor. Provide a mirror with the bottom edge of its reflecting surface no higher than 40 inches above the finish floor. § 4.19.6.

(3) The designated accessible toilet stall contains the following non-compliant elements: the stall is 42 inches wide; the rear grab bar extends 32 1/2 inches from the side wall; the side grab bar extends 47 inches from the rear wall; the centerline of the toilet is 15 1/2 inches from the side wall; the coat hook is mounted 62 inches above the floor; and the toilet paper dispenser is not mounted on the side wall within reach of the toilet.

Provide a "standard" accessible toilet stall at least 60 inches wide and 59 inches deep (56 inches if the toilet is wall mounted) such that all of the stall's elements, including stall door, stall door hardware, water closet, size and arrangement, toe clearances, grab bars, and controls and dispensers comply with the Standards. §§ 4.13, 4.22.4, 4.16, 4.17 & Fig. 30 (a), (c), (d), 4.26, 4.27, 4.25, 4.2.5, 4.2.6.

c. Men's Toilet Room

(1) The designated accessible toilet stall does not have side or rear grab bars. Provide a standard accessible stall with a rear grab bar that is at least 36 inches long with the end closer to the side wall mounted no more than 6 inches from the side wall. Provide a side grab bar that is at least 40 inches long with the end closer to the back wall mounted no more than 12 inches from the back wall, and with the end farthest from the back wall located at least 52 inches from the wall. §§ 4.17.3, 4.17.6 & Fig. 30(a),(c), (d).

(2) The rim of the lavatory is 36 inches above the finish floor. Remount the lavatory so that the rim is no higher than 34 inches above the finish floor, there is a clearance of at least 29 inches above the floor to the bottom of the apron, and it otherwise complies with the Standards. § 4.19.2 & Fig. 31.

43. The City shall complete the following alterations to the Police Station within one year of the effective date of this Agreement:

a. Parking

(1) Two accessible parking spaces are provided, but the signs designating them are posted low to the ground, the spaces and access aisle are not demarcated, and neither space is designated van-accessible.

Re-stripe the spaces to provide 96 inch wide parking spaces and at least one van-accessible parking space served by an access aisle at least 96 inches wide, and provide an additional van-accessible sign mounted below the symbol of accessibility in a location that cannot be obscured by a vehicle parked in the space. Raise the signage on the remaining space so that it also cannot be obscured. §§ 4.1.2(5)(a) & (b), 4.6.3 & Fig. 9, 4.6.4.

(2) The access aisle is not level and has surface slopes exceeding 1:50 (built-up curb ramp extends into aisle). Provide an access aisle that is level with surface slopes not exceeding 1:50 in all directions. § 4.6.3.

(3) The curb ramp has a slope that exceeds 1:12 and does not have flared sides. Provide a curb ramp that has a slope no greater than 1:12 and that has flared sides with maximum slopes of 1:10. §§ 4.7.2, 4.7.5.

b. After-Hours Phone Box

The handle of the after-hours phone box is 52 inches above the ground surface and has insufficient clear ground space for a side reach. Lower or move the box so that its handle is no higher than 48 inches from the ground surface for a forward reach with sufficient clear ground space, or 54 inches from the ground surface for a side reach with sufficient clear ground space. §§ 4.27.3, 4.2.5 & Fig. 5(a), 4.2.6 & Fig. 6(a), (b).

c. Women's Restroom

(1) The force required to open the door to the women's toilet room is 17 pounds. Adjust the door so that the force required to open the door is no more than 5 pounds. § 4.13.11(2)(b).

(2) The entrance door to the toilet room has twist hardware. Replace it with hardware that is operable with one hand and does not require tight grasping, pinching or twisting of the wrist to operate. § 4.13.9.

(3) The lavatory has twist-type faucets. Replace them with controls that are operable with one hand and do not require tight grasping, pinching or twisting of the wrist to operate. §§ 4.19.5, 4.27.4.

(4) The height of the lavatory provides a clearance of 27 inches above the finish floor to the bottom of the apron. Re-mount or provide a lavatory so that there is a clearance of at least 29 inches above the floor to the bottom of the apron and it otherwise complies with the Standards. § 4.19.2 & Fig. 31.

(5) The hot water and drain pipes beneath the lavatories are not insulated or otherwise configured to protect against contact. Install insulation on the pipes of the accessible lavatory. § 4.19.4.

(6) The paper towel dispenser lever is located 59 inches above the finish floor. Remount the dispenser so that the highest operable part is no higher than 48 inches above the finish floor. §§ 4.2.5, 4.27.3.

(7) The designated accessible toilet stall contains the following non-compliant elements: the stall is 55 1/2 inches wide; the length of the rear grab bar is 24 1/2 inches; the side grab bar does not extend at least 52 inches from the rear wall; the centerline of the toilet is 14 1/2 inches from the side wall; and the toilet paper dispenser is located 39 inches above the finish floor.

Provide a "standard" accessible toilet stall at least 60 inches wide and 59 inches deep (56 inches if the toilet is wall mounted) such that all of the stall's elements, including stall door, stall door hardware, water closet, size and arrangement, toe clearances, grab bars, and controls and dispensers comply with the Standards. §§ 4.13, 4.22.4, 4.16, 4.17 & Fig. 30 (a), (c), (d), 4.26, 4.27.

(8) The toilet seat cover dispenser is mounted 55 inches above the finish floor and behind the toilet. Provide a toilet seat cover dispenser that is within the reach ranges of a person using a wheelchair in an area where there is a 30 inch by 48 inch clear floor space adjacent to the dispenser. §§ 4.27.2, 4.2.4, 4.27.3, 4.2.5, 4.2.6.

(9) The mirror is mounted so that the bottom edge of the reflecting surface is 48 inches above the finish floor. Provide a mirror mounted with the bottom edge of the reflecting surface no higher than 40 inches above the finish floor. § 4.19.6.

d. Men's Restroom

(1) The entrance door to the toilet room has twist hardware. Replace it with hardware that is operable with one hand and that does not require tight grasping, pinching or twisting of the wrist to operate. § 4.13.9.

(2) The lavatory is mounted with the bottom of the apron at 25-1/4 inches above the finish floor. Re-mount or provide a lavatory so that there is a clearance of at least 29 inches above the finish floor to the bottom of the apron and it otherwise complies with the Standards. § 4.19.2 & Fig. 31.

(3) The hot water and drain pipes beneath the lavatories are not insulated or configured to protect against contact. Install insulation on the pipes of one accessible lavatory. § 4.19.4.

(4) The lavatory has twist-type faucets. Replace them with controls that are operable with one hand and do not require tight grasping, pinching or twisting of the wrist to operate. § 4.19.5.

(5) The designated accessible toilet stall contains the following non-compliant elements: the stall is 56 inches wide; the length of the rear grab bar is 23 1/2

inches; the side grab bar does not extend at least 52 inches from the rear wall; and the centerline of the toilet is 15 1/2 inches from the side wall.

Provide a "standard" accessible toilet stall at least 60 inches wide and 59 inches deep (56 inches if the toilet is wall mounted) such that all of the stall's elements, including stall door, stall door hardware, water closet, size and arrangement, toe clearances, grab bars, and controls and dispensers comply with the Standards. §§ 4.13, 4.22.4, 4.16, 4.17 & Fig. 30 (a), (c), (d), 4.26, 4.27.

(6) The toilet seat covers dispenser is mounted 57 inches above the finish floor and behind the toilet. Provide a toilet seat cover dispenser that is within the reach ranges of a person using a wheelchair in an area where there is a 30 inch by 48 inch clear floor space adjacent to the dispenser. §§ 4.27.2, 4.2.4, 4.27.3, 4.2.5, 4.2.6.

(7) The mirror is mounted so that the bottom edge of the reflecting surface is 48 inches above the finish floor. Provide a mirror mounted with the bottom edge of the reflecting surface no higher than 40 inches above the finish floor. § 4.19.6.

44. The City shall complete the following modifications to the Mary Esther Gonzalez Senior Center:

a. The City shall complete the following modifications to the women's restroom near the recreation/billiards room within 6 months of the effective date of this Agreement:

(1) The length of the rear grab bar is 30 inches. Provide a rear grab bar that is at least 36 inches long and that begins at least 12 inches from the centerline of the toilet, i.e., no more than 6 inches from the side wall. § 4.16.4 & Fig. 29.

(2) The far end of the side grab bar is less than 54 inches from the rear wall. Provide a side grab bar with the far end at least 54 inches from the rear wall and the near end no more than 12 inches from the rear wall. § 4.16.4 & Fig. 29.

b. The City shall complete the following modifications to the restrooms near the Lobby within 2 years of the effective date of this Agreement:

(1) The lavatory in each restroom is mounted so that the bottom of the apron is 21 inches above the finish floor. Re-mount or provide a lavatory with a clearance of at least 29 inches above the finish floor to the bottom of the apron and that otherwise complies with the Standards, including the requirement that hot water and drain pipes be insulated or otherwise configured to protect against direct contact. § 4.19.2 & Fig. 31.

(2) The mirror in each restroom is mounted so that the bottom edge of the reflecting surface is 47 inches above the finish floor. Provide a mirror mounted so that the bottom edge of the reflecting surface is no higher than 40 inches above the finish floor. § 4.19.6.

(3) The accessible toilet stall in each restroom contains the following non-compliant elements: the stall is 37 inches wide and 54 1/2 inches deep; the stall door has a clear opening width of 30 1/2 inches; the height of the toilet is 21 inches from the finish floor to the top of the seat; the grab bars are only 22 inches in length and mounted in the wrong location; and the coat hook is mounted 67 inches above the floor.

Provide a "standard" accessible toilet stall at least 60 inches wide and 59 inches deep (56 inches if the toilet is wall mounted) such that all of the stall's elements, including stall door, stall door hardware, water closet, size and arrangement, toe clearances, grab bars, controls and dispensers, and coat hook height comply with the Standards. §§ 4.13, 4.22.4, 4.16, 4.17 & Fig. 30 (a), (c), (d), 4.26, 4.27, 4.25, 4.2.5, 4.2.6.

(4) The distance between the edge of the privacy wall and the edge of the lavatory in the men's restroom is 30 inches. Alter this area to provide an accessible route with a minimum clear width of 36 inches. §§ 4.3.3, 4.22.3.

(5) Modify the layout of both toilet rooms so that each has a clear floor space 60 inches in diameter or a T-shaped space to permit a person in a wheelchair to make a 180 degree turn. § 4.22.3, 4.2.3.

c. Until the City completes the modifications to the restrooms near the Lobby, the City will ensure that the women's and men's restrooms located near the recreation/billiards room are open and available for use by persons with mobility impairments at all times.

(1) The City will, therefore, ensure that the recreation/billiards room is never locked while the building is in use and that people with disabilities are allowed to enter that room to gain access to the restrooms at all times. In addition, the City will ensure that an accessible route to these bathrooms is maintained at all times.

(2) Within 6 months of the effective date of this Agreement, the City will inform all building personnel, in writing, of this new policy and will post signs on the doors of the restrooms and the recreation/billiards room stating that the doors to the restrooms and the recreation/billiards room should never be locked.

d. The City shall complete the following modifications to the men's/women's shower within 1 year of the effective date of this Agreement:

The shower stall has the following non-compliant elements: the stall is 33 inches deep and 34 1/2 inches wide, the seat is 20 1/2 inches high, and the grab bar on the control wall is 29 1/2 inches long.

Provide a stall that is exactly 36 inches by 36 inches and that is situated such that the clear floor space outside of the shower extends 12 inches beyond the seat wall; provide a seat that is 17-19 inches above the finish floor and extends the full depth of the stall; provide a grab bar that extends the full 36 inch width of the stall. § 4.21.2, 4.21.3, 4.21.4 & Figs. 35(a), 36, 37(a).

- e. The City shall complete the following modifications to the ceramics room within 1 year of the effective date of this Agreement:

The entrance to the ceramics room is 26 1/2 inches and is obstructed by cabinets. Remove the obstruction and alter the entrance so that it has a minimum clear opening of 32 inches measured from the face of the door to the opposite stop with the door open at 90 degrees. § 4.13.5 & Fig. 24.

45. The City shall complete the following alterations to the New Vistas Early Childhood Center within one year of the effective date of this Agreement:

a. Unisex Bathroom

(1) The coat hook is mounted 69 1/2 inches above the finish floor. Provide a hook that is no more than 54 inches above the finish floor for a side reach or 48 inches above the finish floor for a front reach. §§ 4.25.3, 4.2.5, 4.2.6.

(2) The two mirrors are mounted so that the bottom edges of their reflecting surfaces are 50 - 51 inches above the finish floor. Provide a mirror mounted with the bottom edge of the reflecting surface no higher than 40 inches above the finish floor. § 4.19.6.

(3) The designated accessible stall contains the following non-compliant elements: the stall is 51 1/2 inches wide, the centerline of the toilet is 13 1/2 inches from the side wall; the height of the toilet is 15 inches from the finish floor to the top of the seat; the side grab bar does not extend at least 52 inches from the rear wall.

Provide a "standard" accessible toilet stall at least 60 inches wide and 59 inches deep (56 inches if the toilet is wall mounted) such that all of the stall's elements, including stall door, stall door hardware, water closet, size and arrangement, toe clearances, grab bars, controls and dispensers, and coat hook height comply with the Standards. §§ 4.13, 4.22.4, 4.16, 4.17 & Fig. 30 (a), (c), (d), 4.26, 4.27.

46. The City shall complete the following alterations to the Salvador Perez Park within one year of the effective date of this Agreement:

a. None of the designated accessible parking spaces is identified as "van-accessible". Alter the spaces to provide at least one van-accessible parking space identified by an additional "van-accessible" sign mounted below the symbol of accessibility in a location that cannot be obscured by a vehicle parked in the space. §§ 4.1.2(5)(b), 4.6.4.

b. The paved, accessible route to the playground is impeded and obscured by dirt and sand. Maintain the route so that it can be located and utilized by persons who use wheelchairs. § 4.3.2(1), 4.3.6, 4.5.1; 28 C.F.R. § 35.133.

47. The City shall complete the following alterations to Ragle Park within one year of the effective date of this Agreement:

a. There is no accessible route from the accessible parking spaces to the picnic tables and the tables themselves are not accessible to persons who use wheelchairs. Provide at least one picnic table that has a surface 28 to 34 inches above the ground with knee spaces at least 27 inches high, 30 inches wide, and 19 inches deep, and that is situated in clear ground space adjacent to an accessible route from the accessible parking spaces. §§ 4.1.2(1), 4.1.3(18), 4.3, 4.5, 4.32.

b. Women's Restroom

(1) The length of the rear grab bar is 33 1/2 inches. Provide a rear grab bar that is at least 36 inches long with the end closer to the side wall mounted at least 12 inches from the toilet centerline, i.e., no more than 6 inches from the side wall. § 4.16.4 & Fig. 29.

(2) The far end of the side grab bar is less than 54 inches from the rear wall. Provide a side grab bar with the far end at least 54 inches from the rear wall and the near end no more than 12 inches from the rear wall. § 4.16.4 & Fig. 29.

(3) The lavatory is mounted with the bottom of the apron at 27 1/2 inches above the finish floor. Provide a lavatory with a clearance of at least 29 inches above the finish floor to the bottom of the apron and that otherwise complies with the Standards. § 4.19.2 & Fig. 31.

(4) The hot water and drain pipes beneath the lavatories are not insulated or configured to protect against contact. Install insulation on the pipes of the accessible lavatory. § 4.19.4.

(5) The mirror is mounted so that the bottom edge of the reflecting surface is 42 inches above the finish floor. Provide a mirror mounted with the bottom edge of the reflecting surface no higher than 40 inches above the finish floor. § 4.19.6.

c. Public Telephone

(1) The highest operable part (coin slot) of the telephone is 52 inches above the floor. Reposition the telephone so that the highest operable part is within reach ranges specified for a forward or a side approach. Ensure that the telephone has hearing aid compatibility, a volume control, and accompanying signage. §§ 4.1.3(17)(a), (b), 4.31.2 through 4.31.8, 4.30.7(2).

d. Men's Restroom

(1) The lavatory is mounted with the bottom of the apron at 27 1/4 inches above the finish floor. Provide a lavatory with a clearance of at least 29 inches above the finish floor to the bottom of the apron and that otherwise complies with the Standards. § 4.19.2 & Fig. 31.

48. The City shall complete the following alterations to the La Farge Library within one year of the effective date of this Agreement:

- a. Some of the aisles between the stacks are 27-1/4 wide. Alter these aisles so that they are at least 36 inches wide or post a notice conspicuously in the Library that assistance is available for persons who use wheelchairs. §§ 8.5, 4.3.3.
- b. The distance between the chairs and the tables on the opposite end in the reading room is 31 inches. Provide an accessible route with a minimum clear width of 36 inches. § 4.3.3 & Fig. 7(a).
- c. The three designated accessible parking spaces share one reserved sign showing the symbol of accessibility located low on the adjacent wall. Install vertical signs at each accessible parking space that cannot be obscured by a vehicle parked in the space. §4.6.4.
- d. Alter the designated accessible parking spaces to provide at least one "van accessible" parking space that is 96 inches wide and served by an access aisle at least 96 inches wide and identified by an additional van accessible sign mounted below the symbol of accessibility in a location that cannot be obscured by a vehicle parked in the space. §§ 4.1.2(5)(b), 4.6.4.

e. Public Telephone

- (1) The highest operable part (coin slot) of the telephone is 60 inches above the floor. Reposition the telephone so that the highest operable part is within the reach ranges specified for a forward or a side reach. Ensure that the telephone has hearing aid compatibility, a volume control, and accompanying signage. §§ 4.1.3(17)(a), (b), 4.31.2 through 4.31.8, 4.30.7(2).

f. Women's Restroom

- (1) The force required to open the door to the women's toilet room is 14 pounds. Adjust the door so that the force required to open the door is no more than 5 pounds. §§ 4.22.2, 4.13.11(20)(b).
- (2) The hot water and drain pipes beneath the lavatories are not insulated or configured to protect against contact. Install insulation on the pipes of the accessible lavatory. § 4.19.4.
- (3) The rear grab bar is mounted at 10 ½ inches from the side wall. Provide a rear grab bar that is at least 36 inches long and the begins no more than 6 inches from the side wall. § 4.17.6 & Fig. 30(a), (c).
- (4) The door to the designated accessible stall has twist hardware. Replace it with hardware that is operable with one hand and that does not require tight grasping, pinching or twisting of the wrist to operate. §§ 4.17.5, 4.13.9.

g. Men's Restroom

- (1) The force required to open the door to the men's toilet room is 14 pounds. Adjust the door so that the force required to open the door is no more than 5 pounds. §§ 4.22.2, 4.13.11(2)(b).

(2) The distance between the accessible toilet stall door and the opposite wall is less than 42 inches. Provide a 42 inch minimum width between the accessible stall door and the closest obstruction. § 4.17.5 & Fig. 30(a).

(3) The designated accessible stall has the following non-compliant elements: the stall is 40 inches wide, the stall door has twist hardware, there is no rear grab bar.

Provide a "standard" accessible toilet stall at least 60 inches wide and 59 inches deep (56 inches if the toilet is wall mounted) such that all of the stall's elements, including stall door, stall door hardware, water closet, size and arrangement, toe clearances, grab bars, controls and dispensers, and coat hook height comply with the Standards. §§ 4.13, 4.22.4, 4.16, 4.17 & Fig. 30 (a), (c), (d), 4.26, 4.27.

49. The City shall complete the following alterations to the Animal Control Office within one year of the effective date of this Agreement:

- a. The entrance door has twist hardware. Replace it with hardware that is operable with one hand and does not require tight grasping, pinching or twisting of the wrist to operate. § 4.13.9.

50. The City shall complete the following alteration to the Antonio C. Roybal Building (Parks & Recreation Administration Building) within 6 months of the effective date of this Agreement:

- a. The designated accessible parking space is not identified as "van-accessible," is not served by an adjacent access aisle that complies with the Standards, and the sign can be obscured by a vehicle parked in the space. Alter the designated accessible parking space so that it is served by an access aisle at least 96 inches wide and the parking space is identified by an additional van-accessible sign mounted below the symbol of accessibility, and the sign is at a height that cannot be obscured by a vehicle parked in the space. §§ 4.1.2(5)(b), 4.6.4.

51. The City shall complete the following alteration to the Street Cut Permit Office within 6 months of the effective date of this Agreement:

- a. The force required to open the door to this office exceeds 5 pounds. Adjust the door so that the force required to open the door is no more than 5 pounds. § 4.13.11(2)(b).

52. Because the Pasatiempo Senior Citizen Center is located in a facility owned by the Department of Housing & Urban Development (HUD), the City shall request, in writing, that HUD undertake the following actions within one year of the effective date of this Agreement:

a. Men's and Women's Restroom

- (1) The mirror in each room is mounted so that the bottom edge of the reflecting surface is 42 inches above the finish floor. Provide a mirror mounted with the bottom edge of the reflecting surface no higher than 40 inches above the finish floor. § 4.19.6.

b. The highest operable part (coin slot) of the telephone is 55 1/2 inches above the floor. Reposition the telephone so that the highest operable part is within reach ranges specified for a forward or a side reach. The telephone will have hearing aid compatibility, volume control, and accompanying signage. §§ 4.1.3(17)(a), (b), 4.31.2 through 4.31.8, 4.30.7(2).

IMPLEMENTATION AND ENFORCEMENT

53. The City understands and acknowledges that any new construction or future alterations made to existing facilities must be in compliance with the Standards.
54. The City will ensure that any City owned facilities currently closed and scheduled to be reopened, are accessible before reopening.
55. Except as otherwise specified in this Agreement, at 90 and 180 days after the effective date of this Agreement, and thereafter at yearly anniversaries of the effective date, the City will submit written reports to the Department summarizing the actions the City has taken pursuant to this Agreement. Reports will include photographs, architectural plans, copies of adopted policies, and proof of efforts to secure funding/assistance for structural renovations.
56. If at any time the City desires to modify any portion of this Agreement because of changed conditions making performance impossible or impractical or for any other reason, it will promptly notify the Department in writing, setting forth the facts and circumstances thought to justify modification and the substance of the proposed modification. Until there is written Agreement by the Department to the proposed modification, the proposed modification will not take effect. These actions must receive the prior written approval of the Department, which approval shall not be unreasonably withheld or delayed.
57. The Department may review compliance with this Agreement at any time. If the Department believes that this Agreement or any portion of it has been violated, it will so notify the City in writing and it will attempt to resolve the issue or issues in good faith. If the Department is unable to reach a satisfactory resolution of the issue or issues raised within 30 days of the date it provides notice to the City, it may institute a civil action in federal district court directly to enforce title II or to enforce the terms of this Agreement, or it may initiate appropriate steps to enforce § 504 of the Rehabilitation Act.
58. Failure by the Department to enforce this entire Agreement or any provision thereof with regard to any deadline or any other provision herein shall not be construed as a waiver of the Department's right to enforce other deadlines and provisions of this Agreement.
59. In the event that the City fails to comply in a timely manner with any requirement of this Agreement without obtaining sufficient advance written agreement with the Department as a temporary modification of the relevant terms of this Agreement, the Department may file suit in an appropriate federal court to enforce the terms of the Agreement, may declare the Agreement null and void and file suit to enforce title II of the ADA, or it may initiate appropriate steps to enforce § 504 of the Rehabilitation Act.
60. This Agreement is a public document. A copy of this document or any information contained in it may be made available to any person by the City or the Department on request.

61. This Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or agents of either party, that is not contained in this written Agreement, shall be enforceable. This Agreement does not purport to remedy any other potential violations of the ADA or any other Federal law. This Agreement does not affect the City's continuing responsibility to comply with all aspects of the ADA.

62. The effective date of this Agreement is the date of the last signature below. This Agreement will remain in effect for two years after the final deadline set forth in this Agreement.

63. In any instance where this Agreement requires that notice be given or progress reports provided to any or both of the Parties, such notice or reports shall be provided in writing, sent via certified or registered U.S. Mail, return receipt requested, to the following individual[s] in their capacities as representatives of the Parties to this Agreement:

64. This Agreement may be executed in several counterparts, each of which shall be an original and shall constitute one and the same instrument. All exhibits hereto are hereby incorporated by specific reference into this Agreement, and their terms are made a part of this Agreement as though fully recited herein.

65. The person signing for the City of Santa Fe represents that he is authorized to bind the City to this Agreement.

For the City:

For the United States:

MAYOR Larry A. Delgado
City of Santa Fe
P.O. Box 909
Santa Fe, New Mexico 87504-0909

WILLIAM R. YEOMANS,
Acting Assistant Attorney General
Civil Rights Division

By: _____

JOHN L. WODATCH, Chief
SUSAN B. REILLY, Deputy Chief
JOSEPH C. RUSSO, Supervisory
Attorney
ZULMA SOTO, Investigator
Disability Rights Section
Civil Rights Division
U.S. Department of Justice
P.O. Box 66738
Washington, DC 20035-6738

Date _____

Date _____

ATTACHMENT A**NOTICE****UNDER THE AMERICANS WITH DISABILITIES ACT**

In accordance with the requirements of title II of the Americans with Disabilities Act of 1990, the City of Sante Fe, New Mexico (City) will not discriminate against qualified individuals with disabilities on the basis of disability in the City's services, programs, or activities.

The City does not discriminate on the basis of disability in its hiring or employment practices.

The City will not ask a job applicant about the existence, nature, or severity of a disability.

Applicants may be asked about their ability to perform specific job functions. Medical examinations or inquiries may be made, but only after a conditional offer of employment is made and only if required of all applicants for the position. The City will make reasonable accommodations for the known physical or mental limitations of a qualified applicant or employee with a disability upon request unless the accommodation would cause an undue hardship on the operation of the City's business. To the extent its selection criteria for employment decisions have the effect of disqualifying an individual because of disability, those criteria will be job-related and consistent with business necessity.

The City will provide appropriate auxiliary aids and services, including qualified sign language interpreters and assistive listening devices, whenever necessary to ensure effective communication with members of the public who have hearing, sight, or speech impairments, unless to do so would result in a fundamental alteration of its programs or an undue administrative or financial burden. A person who requires an accommodation or an auxiliary aid or service to participate in a City program, service, or activity, should contact the office of _____ at _____ as far in advance as possible but no later than 48 hours before the scheduled event.

The City can be reached by teletypewriter (TTY) at _____ and also through the New Mexico Relay Service at 1-800-659-8331 (TTY).

Complaints that a City program, service, or activity is not accessible to persons with disabilities and complaints of disability-based discrimination against applicants for City employment or City employees should be directed to _____.

The City will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

March 2001

[Project Civic Access](#) | [ADA Home Page](#)

April 11, 2001

Office of the Mayor
Official Proclamation of the City of Santa Fe
Bando Oficial de la Villa Real de Santa Fé de San Francisco de Asís Nuevo México

WHEREAS, the Americans with Disabilities Act (ADA) was passed 30 years ago on July 26, 1990, to ensure the civil rights of citizens with disabilities, and establishing a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities; and

WHEREAS, the ADA has expanded opportunities for Americans with disabilities by reducing barriers, changing perceptions, and increasing full participation in community life; and

WHEREAS, the full promise of the ADA will be reached only if we remain committed to continue our efforts to fully implement it; and

WHEREAS, the City of Santa Fe, New Mexico, affirms the principals of equality and inclusion for persons with disabilities as embodied in the ADA, the laws of the State of New Mexico, the ordinances of the City of Santa Fe, and the work of the Mayor's Committee on Disability; and

WHEREAS, numerous organizations in New Mexico, such as the New Mexico Center for Therapeutic Riding, work with constituents and communities to bring forth the promise of hope and freedom that is envisioned by the passage of the ADA; and

WHEREAS, we celebrate and recognize the progress that has been made by reaffirming the principles of equality and inclusion and by recommitting our efforts to reach full ADA compliance.

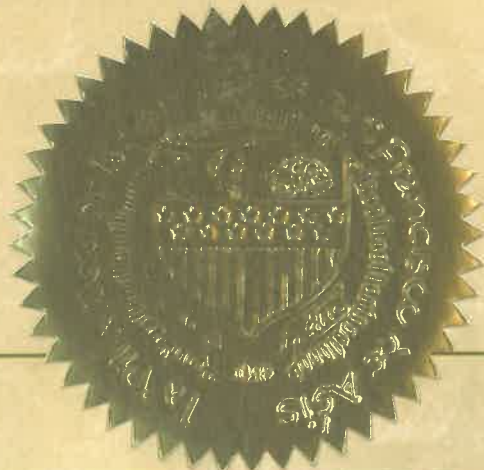
NOW, THEREFORE, I, ALAN M. WEBBER, MAYOR OF THE CITY OF SANTA FE, NEW MEXICO, DO HEREBY PROCLAIM SUNDAY, JULY 26, 2020 AS:

“30th ANNIVERSARY OF THE AMERICANS WITH DISABILITITES ACT DAY.”

Promulgade en el ayuntamiento, el día veintiseis de julio, del año 2020
Done at City Hall, this 26th day of July, 2020

Witness my hand: _____

Am
Alcalde/Mayor



NOTICE

Some chapters in this document display a notice to indicate that they may not fully reflect the current ADA regulations.

ADA Best Practices Tool Kit for State and Local Governments

On December 5, 2006, February 27, 2007, May 7, 2007, and July 26, 2007, the Civil Rights Division of the U.S. Department of Justice issued installments of a new technical assistance document designed to assist state and local officials to improve compliance with Title II of the Americans with Disabilities Act (ADA) in their programs, services, activities, and facilities. The new technical assistance document, which will be released in several installments over the next ten months, is entitled “The ADA Best Practices Tool Kit for State and Local Governments.”

The Tool Kit is designed to teach state and local government officials how to identify and fix problems that prevent people with disabilities from gaining equal access to state and local government programs, services, and activities. It will also teach state and local officials how to conduct accessibility surveys of their buildings and facilities to identify and remove architectural barriers to access.

The first and second installments of the ADA Tool Kit, issued December 5, 2006, include:

[About This Tool Kit \(HTML\)](#) | [\(PDF\)](#)

[Chapter 1, ADA Basics: Statutes and Regulations \(HTML\)](#) | [\(PDF\)](#)

[Chapter 2, ADA Coordinator: Notice and Grievance Procedure \(HTML\)](#) | [\(PDF\)](#)

[Chapter 2, Addendum: Title II Checklist \(HTML\)](#) | [\(PDF\)](#)

The third and fourth installments, issued February 27, 2007, include:

[Chapter 3, General Effective Communication Requirements Under Title II of the ADA \(HTML\)](#) | [\(PDF\)](#)

[Chapter 3, Addendum: Title II Checklist \(HTML\)](#) | [\(PDF\)](#)

[Chapter 4, 9-1-1 and Emergency Communications Services \(HTML\)](#) | [\(PDF\)](#)

[Chapter 4, Addendum: Title II Checklist \(HTML\)](#) | [\(PDF\)](#)

The fifth and sixth installments, issued May 7, 2007, include:

[Chapter 5, Website Accessibility Under Title II of the ADA \(HTML\)](#) | [\(PDF\)](#)

[Chapter 5, Addendum: Title II Checklist \(HTML\)](#) | [\(PDF\)](#)

[Chapter 6, Curb Ramps and Pedestrian Crossings \(HTML\)](#) | [\(PDF\)](#)

[Chapter 6, Addendum: Title II Checklist \(HTML\)](#) | [\(PDF\)](#)

[Appendix 1, Survey Instructions: Curb Ramps \(HTML\)](#) | [\(PDF\)](#)

[Appendix 2, Survey Forms: Curb Ramps \(HTML\)](#) | [\(PDF\)](#)

The seventh installment of the Tool Kit, issued July 26, 2007, includes:

[Chapter 7, Emergency Management under Title II of the ADA \(HTML\)](#) | [\(PDF\)](#)

[Chapter 7, Addendum 1: Title II Checklist \(Emergency Management\) \(HTML\)](#) | [\(PDF\)](#)

[Chapter 7, Addendum 2: The ADA and Emergency Shelters: Access for All in Emergencies and Disasters \(HTML\)](#) | [\(PDF\)](#)

[Chapter 7, Addendum 3: ADA Checklist for Emergency Shelters \(HTML\)](#) | [\(PDF\)](#)

[Introduction to Appendices 1 and 2 \(HTML\)](#) | [\(PDF\)](#)

While state and local governments are not required to use the ADA Best Practices Tool Kit, the Department encourages its use as one effective means of complying with the requirements of Title II of the ADA.

The Americans with Disabilities Act authorizes the Department of Justice (the Department) to provide technical assistance to individuals and entities that have rights or responsibilities under the Act. This document provides informal guidance to assist you in understanding the ADA and the Department's regulations.

This guidance document is not intended to be a final agency action, has no legally binding effect, and may be rescinded or modified in the Department's complete discretion, in accordance with applicable laws. The Department's guidance documents, including this guidance, do not establish legally enforceable responsibilities beyond what is required by the terms of the applicable statutes, regulations, or binding judicial precedent.

March 9, 2017

ADA COORDINATOR
Code: 510-4
Type: INTERNAL & EXTERNAL
Location: STREETS & DRAINAGE MAINT
Group: AFSCME
Job Class: ADA COORDINATOR
Posting Start Date: 09/08/2022
Posting End Date: 09/22/2022
HOURLY RATE RANGE: \$19.54-\$29.31

Description: [ADA Coordinator](#)

The ADA coordinator performs a variety of professional and technical duties related to the coordination of projects and programs related to City efforts towards complying with the Americans with Disabilities Act (ADA). The ADA coordinator also performs a variety of project management and administrative tasks related to the planning, design, construction, budgeting, forecasting, and reporting on of assigned projects and programs with an emphasis on those projects involving bringing public infrastructure up to ADA compliance.

The City of Santa Fe is offering a hiring incentive of \$1,000 for new hires. This recruitment is eligible for the sign-on incentive, new hires must agree to the terms of the incentive.

City policy requires that new hires filling a vacant position shall be "up-to-date" with regards to their vaccination status for COVID-19, meaning obtaining the vaccines and boosters recommended by the CDC, unless granted an accommodation under applicable state or federal law.

If you have questions about this requirement, contact the City of Santa Fe Human Resources Department.

[Apply](#)



THE CITY OF SANTA FE

ADA Coordinator

FLSA Status: *Exempt*
Union Status: *AFSCME*
Salary Range: *Range 10*

General Definition of Work

The ADA coordinator performs a variety of professional and technical duties related to the coordination of projects and programs related to City efforts towards complying with the Americans with Disabilities Act (ADA). The ADA coordinator also performs a variety of project management and administrative tasks related to the planning, design, construction, budgeting, forecasting, and reporting on of assigned projects and programs with an emphasis on those projects involving bringing public infrastructure up to ADA compliance.

Supervision Received

Works under the general guidance and direction of the Engineering Division Director.

Supervision Exercised

May provide close to general supervision of assigned staff.

Qualification Requirements

To perform this job successfully, an individual must be able to perform each essential function satisfactorily. The requirements listed below are representative of the knowledge, skill and/or ability required. A position may not include all of the duties listed and the listed examples are not an exhaustive list of the duties that may be found in a position of this class.

Essential Functions

- Coordinates City ADA activities, including reviewing accessibility guidelines, programs, and services; provides guidance and support to City staff regarding ADA issues.
- Inspects job sites for ADA compliance—i.e., sidewalks, curb ramps, driveway pads, etc.; coordinates with code enforcement staff; approves ADA issues involving contact with contractors
- Conducts sensitivity and awareness training relating to the ADA; maintains and files ADA grievance reports.
- Reviews grievance issues and makes recommendations regarding ADA compliance.
- Receives and responds to citizen complaints or inquiries filed through the ADA grievance process.
- Serves as city representative to various groups; attends and participates in professional group meetings relating to ADA issues.
- Coordinates and administers ADA-related construction and program compliance improvements.

- Maintains ADA records and develops reports regarding new or ongoing programs; prepares statistical or ADA reports as needed.
- Acts as liaison with Mayor's committee; attends monthly meetings; attends various professional seminars, workshops, conferences, etc. to keep abreast of changes in law, regulations, and programs.
- Develops initial budget and suggests strategies for developing and implementing projects with an emphasis on ADA related projects.
- Works with division director to develop project objectives, scope, schedules, and budgets; determines priority of projects with an emphasis on ADA related projects, including requests from City departments/divisions, with input from City Administration; ensures projects meet objectives by planning and organizing all project phases (conceptualization through completion); assures projects are developed in accordance with the policies and procedures of regulating agencies.
- Manages capital improvement projects, in-house remodel projects, and projects involving bringing public infrastructure up to ADA compliance; visits job sites and obtains estimates on project costs; may supervise or oversee staff performing project work.
- Researches, prepares, and submits grant applications to obtain funds for possible public works projects.
- Routinely reports to department/division director on status of existing projects.
- Administers special projects as directed by needs of Division or Department.

Knowledge, Skills, and Abilities

Extensive knowledge of : American with Disabilities Act (ADA) guidelines, Public Rights-of-Way Guidelines (PROWAG), construction management, construction methods, employment administration, government administration, supervisory techniques, and public involvement methods; the culture and history of Santa Fe; basic real estate principles; OSHA standards and State building code, construction drawings, and research and analysis methods.

Strong skill in: organization and project management; delivering presentations; effective communication; and interpersonal relations.

Ability to: work with diverse groups; research relevant governmental databases (land records, property taxes, zoning, etc.); interpret blueprints, specifications, and standards; prepare grant applications; and use personal computer and general office equipment.

Education Requirement

Bachelor's Degree in architecture, construction management, engineering, business administration or related field.

Experience Requirement

Six (6) years of experience in any of the following fields with at least two (2) of experience in ADA related projects: river and watershed protection/restoration, architecture construction management, general contracting, engineering, inspection, environmental administration, GIS databases, surveying, community outreach and involvement, grant writing, and/or trail/park

Education/Experience Equivalency

An equivalent combination of education and experience.

Licensure and Certifications

Must possess a valid New Mexico driver's license and obtain a City of Santa Fe driving permit within three (3) months of hire.

Physical Requirements

Work is strenuous and may require extended periods of walking, standing, lifting up to 100 pounds, carrying, bending, stooping, kneeling, crouching, reaching above the head and shoulders, speaking, hearing and good visual acuity including color, close, distance and peripheral vision.

Working Environment

Work is generally performed in the field, in inclement weather conditions. Requires exposure to loud noises, vibrations, fumes, germs, allergens and sunlight. May be subject to electrical shocks, falls, cuts, bruises, punctures, burns, broken bones, insect or snake bites. Evening, weekend, extended and irregular hours will be required. Must respond to emergency calls and after hours when on 24-hour call. Must be able to work in heights up to 40 feet.

EEO/ADA Compliance

The City of Santa Fe is an Equal Opportunity Employer. In compliance with the American's with Disabilities Act, the City will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective employees and incumbents to discuss potential accommodations with the employer.

Veterans' Hiring Initiative

Pursuant to City of Santa Fe Resolution No. 2013-079, the City of Santa Fe Human Resources Department has implemented a Veterans' Hiring Initiative policy in order to provide opportunities for veterans who meet or exceed the minimum qualifications for city employment to obtain City employment. The Governing Body does not guarantee that a veteran shall be hired for the position being applied for, only that the veteran will be given an interview; and, it does not intend to supersede or modify any collective bargaining agreement that is currently in place with the City of Santa Fe.

Job applicants who are veterans with an honorable discharge from the military or are members of the National Guard or Reserve who have successfully completed basic training, must use the Veterans' Certification Form to identify themselves and then must attach a copy of their DD214 or DD215 and/or their proof of current Active, Guard or Reserve enlistment in order to certify their status for the position in which applying for.

Applications must be submitted online at: <https://santafenm.munisselfservice.com/employmentopportunities/>

Resumes will not be accepted in lieu of the city application form, unless the position status is at-will. When required of the position, high school diploma/GED, college degree(s), certification(s), or license(s) must be attached at the time of submission of the application. Each applicant is considered only for the current vacancy indicated on the application submitted. It is the responsibility of the applicant to monitor any future openings and to submit a separate application for each position. Incomplete applications will not be considered. Applications become public record upon receipt and may be made available for public inspection upon request. Pre-placement physical exams, and drug and alcohol screenings are required for some positions.

This job announcement is not intended to be inclusive of all functions, responsibilities and qualifications associated with the position, however, representative of the essential job functions and typical criteria considered necessary to successfully perform the position. This position description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the position change.



City of Lake Oswego, Oregon

Job Description

ADA COORDINATOR

FLSA Status: Non-exempt

Union Representation: LOMEA

Salary Grade: 177

Job Code: 2070

Summary

This position is responsible for coordinating the City's overall efforts to ensure compliance with the Americans' With Disabilities Act (ADA), Sections 504 and 508 of the Rehabilitation Act of 1973, and all other applicable municipal, county, state and federal disability non-discrimination requirements, including any subsequent amendments. This position is the centralized administrator of the City's Transition Plan, addressing, facilitating, and recording all ADA inquiries for the City, including any formal disability rights-related complaints or grievances filed with the City. Coordinates with all other departments on the necessary improvements for barrier removal at city facilities and in the public right of way (ROW), ensuring the Transition Plan's identified deficiencies are being addressed and tracked. Support departments to make improvements for programs and technology that provide access in accordance with ADA requirements. Provides and coordinates ADA training for staff throughout the City, with the goal of improving all staff's understanding of the intent and application of ADA and related codes, standards, and guidelines.

Essential Duties and Responsibilities

The list of duties is a representative sample of the work appropriate to this class and does not include all the duties that may be assigned to a particular position. The incumbent may perform a combination of some or all of the following duties:

1. Performs a variety of research, analysis and administrative studies related to department and/or city-wide ADA projects including policy development, organizational improvement, and cost-benefit/feasibility studies.
2. Works independently to interview personnel involved, secure resources and gather information related to the issue being evaluated and/or analyzed.
3. Evaluates problem areas and uses available information to develop recommendations.
4. Summarizes and presents recommendations or policy approaches for consumption by managers, elected officials and/or the public. When needed, presents findings and recommendations in management, council and/or public meetings.
5. Develops and conducts training and exercises. Plans, develops and conducts public education and outreach necessary to accomplish ADA program goals in compliance with ADA requirements.
6. Conducts evaluations of implemented ADA policy and management programs and provides progress reports.
7. Provides lead role for ADA matters throughout the City.

8. Serves as ADA compliance manager and coordinator on assigned projects related to design, implementation and modification of new or existing business systems. Develop work plans, timelines and resource allocations for assigned projects. Monitors progress to ensure objectives of the City's ADA Transition Plan are met. Makes presentations at meetings to internal and external groups.
9. Assist staff in deciphering and implementing public right of way accessibility guidelines (PROWAG) in conjunction with ADA.
10. Track's annual progress on ADA improvements through the City, and prepares annual reports, in compliances with the requirements set forth by the ADA.
11. Develops and maintains a centralized database for receiving and addressing customer service request for barrier removal, and coordinating tracking and follow-up of the resolution.
12. In coordination with other departments, develops and reviews policies and procedures to ensure compliance with ADA.
13. Plans, coordinates and manages staff training on ADA rules and regulations. Prepares training aids and user manuals. Assists managers with the creation of management reports.
14. Ensure appropriate processes are in place to provide for prompt and equitable resolution of inquires and complaints from City employees and the public regarding compliance with the ADA and other applicable laws related to disability discrimination. Responds to requests for assistance and code violation complaints related to the position and investigates complaints and violations.
15. Represents the City at meetings with other government agencies and access interest groups, including any ADA specific advisory committees or boards that may be established.
16. Collaborates with all departments to ensure digital and paper media, such as websites, flyers, mailings, etc. are developed in compliance with ADA requirements.
17. May perform other duties of a similar nature or level.

Minimum Qualifications

Knowledge of:

- Federal, state, and municipal codes, ordinances, regulations, laws, practices and procedures related to the work including Americans with Disabilities Act Titles I, II, and III regulations and compliance.
- Regulatory requirements for public and private facilities, public rights of way, program access, communication alternatives and barrier free access to City programs and services.
- Understanding of PROWAG and how it should be applied in conjunction with ADA.
- Broad knowledge of municipal business practices, theories and methods.
- Project management principles.
- Expert knowledge of English grammar, spelling and usage.
- Personal computers and related software applications.

Skills and Abilities to:

- Communicate clearly, concisely and tactfully, both orally and in writing and to make effective presentations.
- Self-direct and work independently in personal work assignments and take initiative in creating a proactive and innovative program.
- Establish and maintain effective working relationships with other employees, agencies, public officials, and the general public.
- Work independently with minimal supervision and guidance, and as part of a team.
- Provide good customer service.
- Comply with safety requirements of the position and actively promote safe work practices.
- Communicate effectively with coworkers, management, elected officials and the general public, and display excellent interpersonal skills and awareness of controversial and/or sensitive issues.

Education, Training and Experience:

A typical way of obtaining the knowledge, skills and abilities outlined above is graduation with Bachelor’s degree in Public Administration, Communications, Social Services, , or a related field, and two years in an environment involving accessibly laws and related issues. Building plans examination, engineering, road construction, GIS and/or social service delivery experience highly desired; or an equivalent combination of education and experience enabling the incumbent to perform the essential functions of the position. Previous demonstrated experience in working with interest groups affected by the ADA strongly preferred.

Licensing and Other Requirements:

Positions in this classification require the ability to possess and maintain a valid driver’s license and ability to meet the City’s driving standards.

ADA Coordinator Training Certification Program completion is highly desirable.

Physical and Mental Demands

Frequent repetitive motions including, but are not limited to, hand, wrist and finger movements; daily walking, reaching, standing, talking, hearing and seeing. Sedentary Work: Exerting up to 10 pounds of force occasionally and/or a negligible amount of force frequently or constantly to lift, carry, push, pull or otherwise move objects, including the human body. Sedentary work involves sitting most of the time. Jobs are sedentary if walking and standing are required only occasionally and all other sedentary criteria are met.

Persons with disabilities may be able to perform the essential duties of this class with reasonable accommodation. Reasonable accommodation will be evaluated on an individual basis and depend, in part, on the specific requirements for the job, the limitations related to disability and the ability of the hiring department to accommodate the limitation.

Department Director **Date**

Human Resources Director **Date**

Employee **Date**

This job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.



Civil Rights

Home (<https://www.cabq.gov>) / Civil Rights (<https://www.cabq.gov/civilrights>) / Americans With Disabilities Act (<https://www.cabq.gov/civilrights/americans-with-disabilities-act>) / ADA Coordinator

ADA Coordinator

Contact Information

Name: Jennie Lusk

Position: ADA Coordinator

Department: Legal Department

Phone: (505) 768-4252

or

Dial 311 (505-768-2000)

Email: jlusk@cabq.gov (<mailto:jlusk@cabq.gov>)

Get Directions

 Google Map 

(<http://maps.google.com/maps?f=q&hl=en&geocode=&q=One Civic Plaza NW+9th Floor+Albuquerque+NM+87102>)

Physical Address

One Civic Plaza NW

9th Floor

Albuquerque NM 87102

Mailing Address

P.O. Box 1293

Albuquerque NM 87103

- [About the Office of Civil Rights \(https://www.cabq.gov/civilrights/about-the-office-of-civil-rights\)](https://www.cabq.gov/civilrights/about-the-office-of-civil-rights)
- [Discrimination \(https://www.cabq.gov/civilrights/discrimination\)](https://www.cabq.gov/civilrights/discrimination)
- [News \(https://www.cabq.gov/civilrights/news\)](https://www.cabq.gov/civilrights/news)
- [Submit a Discrimination Inquiry \(https://www.cabq.gov/civilrights/filing-a-discrimination-complaint\)](https://www.cabq.gov/civilrights/filing-a-discrimination-complaint)

Old Website Menu

Prior Departments Menu:

DEPARTMENTS

- Affordable Housing *
 - Americans with Disabilities Compliance *
 - Arts and Culture Department *
 - City Attorney's Office *
 - City Clerk *
 - City Manager *
 - Community Engagement *
 - Community Services *
 - Economic Development *
 - Emergency Management *
 - Finance *
 - Risk and Safety *
 - Fire *
 - Human Resources *
 - Information Technology & Telecommunications *
 - Land Use *
 - Parks & Recreation *
 - Police *
 - Public Utilities *
 - Public Works *
 - Transportation *
 - TOURISM Santa Fe *
-

Prior Residents Menu:



- Americans with Disabilities Compliance *
 - Community Services *
 - Fire *
 - Hiking, Biking, Walking Trails *
 - Library *
 - Municipal Court *
 - Parking *
 - City of Santa Fe Parks *
 - Police *
 - Recreation *
 - Report & Request *
 - Route Maps and Schedules *
 - Santa Fe OpenGov *
 - Trash and Recycling *
 - City of Santa Fe Water *
 - Santa Fe Trends *
-

New Website Menu

Your Government Menu:

Your Government	Sustainability	🔍 🌐 Language
Elected Officials	Municipal Court	
Meetings and Agendas	Watch a Public Meeting	
Boards, Committees, and Commissions	Public Records Request	
City Charter	Santa Fe Municipal Code	
City Contracts	Bids & RFPs	
Employee Salaries & Positions		

Living Here Menu:



Living Here	City Team	Your Government	Sustainability
Public Works	Bus Schedules	Reserve a Park	
Transportation	Trash & Recycling	Senior Services	
Parks	Affordable Housing	Libraries	
Airport	Airport	Recreation Complexes	
Engineering	Trails & Parks	Tourism Santa Fe	
	Business and Entrepreneurial Resources	Bids & RFPs	
	Solve a Problem		

City Team:

City Team	Your Government	Sustainability	🔍 🌐 Language
City Manager	City Attorney's Office		
City Clerk/Community Engagement	Community Health and Safety		
Community and Economic Development	Public Works		
Public Utilities	Finance Department		
Human Resources			

City Clerk

The City Clerk's Office / Community Engagement Department is the hub of municipal government.

The City Clerk's Office/ Community Engagement Department includes the following subdivisions:

- City Clerk's Office
- Constituent Services
- Special Events
- Council Services
- Communication (Website, Social Media, press releases, email distributions, Multimedia / GovTV)
- Records Management
- Graphics
- Mail & Duplicating

Core responsibilities of the **City Clerk** include, but are not limited to:

- Governing Body Meetings
- Oversight of City committees
- Custodian of Records
- Public Campaign Financing
- Campaign Financing
- Items related to Elections
- Liquor Licenses and Special Dispenser Permits
- Carnival and Circus Applications



Contact Us

200 Lincoln Avenue, Room 215
PO Box 909
Santa Fe, NM 87504-0909

Ph: (505) 955-6521
Ph: (505) 955-6520

Hours
8:00 a.m. - 5:00 p.m.

Closed from 12 to 1 p.m.
Monday - Friday

URGENT: Mayor's Committee on Disability Requests: Special (Virtual) Meeting, Liaison, and CART Services

From: K. Gish (email redacted)

To: kmmihelcic@santafenm.gov

Cc: ddmaki@santafenm.gov; email redacted to Kendra Garcia; email redacted to Eli Fresquez; email redacted to Kathlyne Gish

Date: Monday, September 19, 2022 at 04:01 PM MDT

To: City Clerk, Kristine Mihelcic kmmihelcic@santafenm.gov

From Kathlyne Gish, Chair of the MCD

Subject: Mayor's Committee on Disability (MCD) Requests for Special (virtual) Meeting, Liaison, and CART Services

CC: Daniel Maki, Senior Advisor ddmaki@santafenm.gov
Eli Fresquez, MCD Member,
Kendra Garcia, Vice-Chair

The Mayor's Committee on Disability has four (4) formal requests that are time sensitive. We currently do not have a City appointed liaison to send this information to or assist with this process. I am Kathlyne Gish, the Chair of the Mayor's Committee on Disability. I am not personally familiar with the process or what is required beyond the requests below and the attachments here. Daniel Maki, Senior Advisor to Mayor Webber is CC'd and stated that he will assist with facilitating this process as needed (Thank you, Danny):

1. Notice that the **Mayor's Committee on Disability needs to hold a Special Meeting** to discuss ADA Compliance in the City of Santa Fe, and Related Concerns, on **Thursday, Sept 29th, 2022, from 1:00 to 3:00 PM**. The agenda is attached. I have no packet items currently beyond the agenda. (See attachment "01 MCD Special Meeting Agenda 09-29-2022 .docx").

2. **Request the City to appoint a Liaison to the MCD.** The Mayor's Committee on Disability has not had a City Liaison appointed to our committee since May 17, 2022, when no Interim ADA Coordinator was appointed until the position can be filled. Thomas Graham was no longer able to continue to volunteer for the liaison position after the June, 2022 meeting. As a result, we have been unable to hold any meetings since June.

3. **Virtual Meeting Request for 9/29/2022 as an ADA Accommodation.** The Special Meeting on 9/29/2022 from 1 to 3 pm will need to be held via Zoom, as we have members who remain high-risk, with medical conditions that make us more vulnerable to long-COVID or death, if we are exposed. We cannot wear masks due to a member who has disabilities that requires the ability to lip read.

4. **CART Services Accommodation Request.** The MCD is requesting CART services for the Special Meeting on 9-29-2022 from 1:00 to 3:00 p.m. AND for ALL future regular MCD meetings, every third Thursday from 10:00 a.m. to 12:00 p.m. (See Attachments "02 Memo Email Sent 7-12-2022.pdf" and "03 MCD - CART Letter 07-07-2022.pdf")

On July 12th 2022, a formal request for CART services was sent by Thomas Graham, to Mayor Webber, City Attorney Erin McSherry, and the entire City Council. No one replied or notified us that the formal ADA accommodations request should have gone to the City Clerk's office, and the city website does not identify any process or contact information to request accommodations for public meetings. Further, the City Clerk is not identified on the City Website by name, and no email and phone number for the City Clerk's office is found on the city website.

If you have any questions, I prefer communication by email due to my disabilities, but I am available by phone or text message for anything urgent.

Kathlyne Gish, Chair of the Mayor's Committee on Disability

Phone redacted

E-mail redacted



01 MCD Special Meeting Agenda 09-29-2022 .docx
19kB



02 Memo Email Sent 7-12-2022.pdf
97.6kB



03 MCD - CART Letter 07-07-2022.pdf
131.6kB

FW: Memo/Letter re CART at MCD Meetings

From: GRAHAM, THOMAS M. (tmgraham@santafenm.gov)

To: amwebber@santafenm.gov; ekmcsherry@santafenm.gov; silindell@santafenm.gov; rdvillarreal@santafenm.gov; mjgarcia@santafenm.gov; cromero-wirth@santafenm.gov; cmrivera@santafenm.gov; lagarcia@santafenm.gov; jcassutt@santafenm.gov; acchavez@santafenm.gov

Cc: email redacted (to Kathlyne Gish); email redacted (to Eli Fresquez)

Date: Tuesday, July 12, 2022 at 01:54 PM MDT

Good Afternoon,

I am sending you the attached Letter put together by the Mayor's Committee on Disability (MCD) at the request of the MCD Chair, Kathlyne Gish. The Committee and Chair Gish are requesting an accommodation for Communication Access Realtime Translation (CART) captioning at monthly Mayor's Committee on Disability meetings.

Please feel free to comment or ask any questions and I will ensure that the information is distributed to the MCD via Chair Gish.

Thank you,

Tom Graham

(acting as a staff liaison for the MCD)

From: K. Gish
Sent: Tuesday, July 12, 2022 1:18 PM
To: GRAHAM, THOMAS M. <tmgraham@santafenm.gov>
Subject: Memo/Letter re CART at MCD Meetings

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thomas, I would appreciate, greatly, if you could please send the attached letter requesting CART services at MCD meetings, to:

Mayor Alan Webber
City Atty Erin McSherry
The entire City Council

and CC myself and Eli Fresquez

Please let them know that because we do not have a current liaison to contact me and Eli directly, if they have any questions or concerns.

Thank you,

Kathlyne Gish, Chair



MCD - CART Letter 07-07-2022.pdf
131.6kB

Mayor's Committee on Disability

City of Santa Fe

April 21, 2022

To: Mayor Alan Webber &
City Attorney Erin K. McSherry

Via electronic mail to:

mayor@santafenm.gov

ekmcsherry@santafenm.gov

From: Kathlyne Gish, Chair, Mayor's Committee on Disability



RE: Request for Communication Access Realtime Translation (CART) Captioning at Monthly Mayor's Committee on Disability Meetings

We the City of Santa Fe Mayor's Committee on Disability (MCD), by our authority under **City Resolution 2006-151**, have by unanimous vote requested that the City of Santa Fe provide people with disabilities including the MCD with Communication Access Realtime Translation (CART) captioning services at monthly MCD meetings held on the third Thursday of every month from 10AM to 12PM.

Under Title II of the Americans with Disabilities Act (ADA), state and local governments are required to "communicate effectively with people who have communication disabilities." See ADA Title II 28 C.F.R. 35.160 (a)(1). The goal of effective communication under the ADA is to ensure that communication with people with communication disabilities is "equally effective as communication with people without disabilities." Also under the ADA, "covered entities must provide auxiliary aids and services when needed to communicate effectively with people who have communication disabilities." See Department of Justice ADA Requirements Effective Communication.

CART captioning is an auxiliary aid and service under the ADA. See ADA Title II 28 C.F.R. 35.104 (1). Members of the MCD and members of the community have communication disabilities that require CART captioning for effective communication during the MCD's monthly meetings.

Please note that CART captioning is different and often confused with automated captioning. Automated captioning although increasingly popular remains very inaccurate and

often dips below 50% in accuracy depending on the kinds of language and speech used. CART on the other hand is almost always more accurate since it involves a live human stenographer (in-person or remote) to provide transcription services. Additionally, under the ADA a covered entity such as the City of Santa Fe is required to honor the requester's choice of services unless it can prove that an alternative auxiliary aid or service provides communication that is as effective as that provided to individuals without disabilities and affords an equal opportunity to participate in and benefit from the service, program, or activity.

The MCD looks forward to utilizing CART captioning at its next meeting on August 18, 2022.

We thank you Mayor Webber, for your continued support of the MCD, and for making the City of Santa Fe more accessible and inclusive for people in our entire community.

MCD Members:

Kathlyne Gish, Chair
Kendra Garcia, Vice-Chair
Aurore Bleck
Hope Reed
Eli Fresquez
Meriam Jawhar
Victor Hughes
Angelique Montoya-Chavez
Pam J. Parfitt

Cc: Santa Fe City Councilors:

Signe I. Lindell
Renee Villarreal
Michael Garcia
Carol Romero-Wirth
Chris Rivera
Lee Garcia
Jamie Cassutt
Amanda Chavez