



City of Homer

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Memorandum 22-146

TO: MAYOR CASTNER AND HOMER CITY COUNCIL

FROM: RENEE KRAUSE, MMC, ADA COORDINATOR/DEPUTY CITY CLERK II

THRU: ROB DUMOUCHEL, CITY MANAGER

DATE: AUGUST 23, 2022

SUBJECT: CODIFYING THE ADA COMPLIANCE COMMITTEE

Background:

The ADA Compliance Committee is currently a standing committee of the Council and established by Resolution 16-019 which states that the Committee shall establish its own work schedule and shall remain in effect to review any new programs, activities and services within the City of Homer. Resolution 19-055, further resolved the scope of work to include review and evaluating new programs, activities, services and facilities within the City of Homer in accordance with ADA Title II Subpart D Program Accessibility §35.150 Existing Facilities, (d) Transition Plan and Review and recommend updates to the City's Transition Plans and the Comprehensive Plan annually.

In review of the duties of the Committee it is apparent that they will be required to be a long standing advisory body to and for the City of Homer. Codification of the ADA Compliance Committee as an advisory body would not change their duties or responsibilities. However, it would address and formalize the processes regarding Attendance, Minutes, Teleconference, etc., similar to all the other advisory bodies.

The Committee has recommended amending the name of the advisory body to reflect the importance of their role and duties and suggested, Americans with Disabilities Act (ADA) Compliance Board. This ordinance was submitted to the City Attorney for review and he advised that the authority of the advisory body could be misinterpreted and suggested amending the name to include the word "Advisory". The Clerk's Office is recommending that the advisory body name be amended to ADA Advisory Board. This reflects what issues and topics the advisory body was created to address.

The draft ordinance addresses the following:

1. Amend Title 2.58.020 to add the American with Disabilities Act (ADA) Advisory Board as an advisory body created by City Council.
2. Adopt Homer City Code Chapter 2.70 Americans with Disabilities Act Advisory Board which outlines the creation and membership, terms, proceedings, duties and responsibilities of the advisory body.

Recommendation

Approve the Ordinance Amending Homer City Code Chapter 2.58 to Add the ADA Advisory Board and Adopting Homer City Code Chapter 2.70 Americans with Disabilities Act Advisory Board.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

NEW BUSINESS

A. Memorandum from ADA Coordinator re: Amending the Advisory Body Meeting Time, Name and Homer City Code to Include the Advisory Body

Vice Chair Geisler deferred to ADA Coordinator Krause.

Ms. Krause reviewed the memorandum included in the packet regarding the ability of the Committee to amend their meeting time and presented the idea of becoming a board stating the process that was required to accomplish this change and what it would mean for the Committee regarding their formation, etc. She noted that there would be no change in their duties and Council could always suspend the advisory body but this action would formalize the processes with Attendance, Minutes, etc. She recommended that the Committee address the meeting time first.

Vice Chair Geisler noted that she would not prefer 5:00 p.m. but could make it work on the second Thursday of the month.

Ms. Krause noted that the meeting date of the scheduled months would stay the same.

Committee member Deadrick stated that the 5:00 p.m. meeting time would work for her and noted that it would be beneficial to fill the remaining vacancy that they have.

Vice Chair Geisler inquired if there were any additional comments. Hearing none she requested a motion and second.

SAFRA/PARSONS MOVED TO AMEND THE MEETING TIME TO 5:00 P.M. THE SECOND THURSDAY OF THE MONTH TO FACILITATE MORE INTEREST IN FILLING EXISTING VACANCIES.

There was a brief clarification provided by the Clerk that the previously approved months that the Committee meets as outlined in Resolution would apply. Additional meetings are scheduled as needed when it was noted that the Committee meets in February.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Vice Chair Geisler opened the floor to discuss the idea of changing from a standing Committee to a Board and codifying the advisory body.

There was a brief discussion favorable to making the changes.

Vice Chair Geisler requested a motion and second.

THORSRUD/DEADRICK MOVED TO ADOPT STAFF RECOMMENDATIONS AND FORWARD THE DRAFT ORDINANCE AMENDING HOMER CITY CODE 2.58 BOARDS & COMMISSIONS SECTION 2.58.020 CREATION OF CITY BOARDS AND COMMISSIONS AND ADOPTING CHAPTER 2.70 AMERICANS WITH DISABILITIES ACT COMPLIANCE BOARD TO THE CITY COUNCIL FOR APPROVAL.

There was a brief discussion by the Committee expressing their appreciation for the work provided by Ms. Krause on the amendments.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

INFORMATIONAL MATERIALS

COMMENTS OF THE AUDIENCE

Jim Monthly, residing just outside city limits, recounted a recent incident and experience at the harbor when he went fishing with his two nephews. He stated that traversing the ramps to the docks when it is low tide is not an easy task now for him and he can just imagine how difficult it would be for someone in a wheelchair. He stated that a Harbor employee was giving his nephew a hard time as he had pulled his boat into a vacant reserved stall to wait by Ramp 2 in front of the Harbormaster's office. Mr. Monthly stated that this ramp offers the easiest decent for him at low tide. He acknowledged that it is a typical Alaska experience with the extreme tides but he was not satisfied with Harbor Officer response and he went on a letter writing campaign to Murkowski, Sullivan and the Governor, noting it was an election year. Mr. Monthly reported receiving a call from the Harbormaster, after the Harbormaster received a call from the Governor's Office regarding his complaints. He continued by stating the Harbormaster was very nice and polite and informed him that they were in compliance with the existing regulations regarding access and there was nothing further that they could do. Mr. Monthly stated that he was not satisfied with that response. He further commented on how unsafe it was for a person in a wheelchair to access the floats at low tide could be and if we could put a man on the moon we should be able to install a lift systems, elevator of some sort that could safely bring a person down to the float system. Mr. Monthly further commented that it would assist emergency services in getting somebody off the docks. He would appreciate any support that this Committee could provide to change or provide a safer access to the docks.

Pat Casey, city resident, stated he was attending to observe the Committee in action and then expressed his appreciation for the Committee including sidewalks, especially Svedlund Street in their recommendation to City Council. He further provided information on a hazard at the corner of Pioneer Avenue where the Car Wash is, that there is a large hole, which presents a real safety hazard to the public. He then noted a trip hazard right in front of city hall he experienced just tonight. The city needs to address these access issues reporting that there are so many all over and it makes walking very unsafe.

Committee member Deadrick stated that in a previous meeting packet Ms. Krause provided a workbook that is a study on how walkable your town is and she was very interested in performing that research