

**FINAL MINUTES
MAY 11, 2009**

TOWN OF CORTE MADERA
ACCESSIBILITY ADVISORY COMMISSION

Commissioners Present: Chair Robert Czeck
Barbara Becker
Ted Meyer
Stuart Tanenberg

Commissioners Absent: Nance Becker

Staff Present: Public Works Manager Debra Sue Johnson

1. Call Meeting to Order

Chair Czeck called the meeting to order at 7:05 p.m.

2. Introductions

No introductions were made.

3. Approval of Meeting Minutes

- a. March 9, 2009
- b. Joint meeting with Town Council April 21, 2009

M/s, Tanenberg/Becker, to approve the meeting minutes of March 9, 2009 as submitted

Ayes: All Absent: N. Becker

M/s, Tanenberg/Meyer, to approve the joint meeting minutes of April 21, 2009 as submitted.

Ayes: All Absent: N. Becker

4. Approval of Agenda

M/s, Meyer/Becker, to approve the agenda with the addition of #5, Open Time for Public Comments.

Ayes: All Absent: N. Becker

5. Open Time for Public Comment

There were no comments.

6. Old Business

- a. Lakeside Drive Improvement: Update

Public Works Manager Johnson stated there was no update.

Commissioner Tanenberg stated the south side curb cut does not drain and the drop off where the new drain is on the south side path has no permanent barrier and people could trip and fall. He stated when it rains there is a big puddle that collects in front of the curb cut. Public Works Manager Johnson stated she would

look at that. Commissioner Tanenberg stated the sign that directs people to the curb cut (on the west side) is blocked by foliage.

b. Richard Skaff: Update

Public Works Manager Johnson stated the litigation continues. Commissioner Tanenberg asked about the meeting that was scheduled for March 12th. Public Works Manager Johnson stated she did not have that information and perhaps the Town Attorney could attend the next meeting. Commissioner Meyer stated he did not want the Town Attorney to attend a meeting unless there was something to report. The Commission agreed. Chair Czeck asked if the Town Attorney was aware of the fact that the Commission could be used as a resource. Public Works Manager Johnson stated “yes”.

c. Tamalpais Project: Update

Public Works Manager Johnson gave a brief summary of the project. She noted the project entails an overlay of Tamalpais Drive from Pixley through Corte Madera Square and making accessibility improvements per the Federal Highway Administration (FHWA) requirements and field trips. They are also installing the bus stops as required by FHWA. She would have plans next month. The path of travel and ramps would be improved. This is funded by Proposition 1B and the Transportation Authority of Marin (TAM) local streets and roads funds. Extra funding would come from Street Impact Fees. The cost of the project is approximately \$700,000. Commissioner Meyer asked if the Commission would look at the plans before they go out to bid. Public Works Manager Johnson stated “yes, next month”. Staff hopes to go out to bid in June or July. Chair Czeck asked how long the project would take. Public Works Manager Johnson stated a couple of months. Commissioner B. Becker asked if there would be any impacts to school traffic. Public Works Manager Johnson stated “probably”.

Commissioner Meyer stated the completion of these accessibility projects should be posted on the Website to heighten awareness.

Chair Czeck asked how the Town makes the public aware of these projects. Public Works Manager Johnson stated the bid process was advertised in the newspaper and the Town newsletter.

7. Old Business

A. Discussion of the Joint meeting AAC/Town Council

a. Review of Ordinance 983

Chair Czeck asked for discussion on how the Commissions’ role could be more defined. He got a sense from the joint meeting that everyone was on the same page and the Council was looking for the Commission to “pound the pavement” and act as a “watchdog”.

Commissioner B. Becker stated she was disappointed that the Council did not answer their questions and come better prepared. There was no meeting of the minds. She would like to use the next couple of meetings to figure out how to be more effective and become a stronger Commission.

Commissioner Meyer stated it was refreshing to hear that the Council would like them to continue their mission and continued efforts. He was encouraged by the joint meeting with the Council. He stated they could find a middle ground in terms of how to best utilize their time and energy.

Commissioner Tanenberg stated he agreed with the comments made by Commissioner B. Becker and felt the Councilmembers were not really prepared and were uninformed about what the Commission has been doing for the last three years. The bottom line is that there is no money for projects. Hopefully things would turn around in the future.

Public Works Manager Johnson stated she could invite the Building Official to an upcoming meeting to discuss public/private spaces. Commissioner B. Becker stated she would like to hear what the Building Official has done to get businesses to become compliant.

Commissioner Tanenberg asked if the Town Council would be open to revising the ordinance to include the other activities cited in Commissioner B. Becker's memorandum. Public Works Manager Johnson stated the ordinance does include those activities. Commissioner Tanenberg referred to Section 2.22.020, page 3 of the ordinance, Purpose of the Commission and stated it refers to public facilities and rights of way and services. Public Works Manager Johnson stated the ordinance also says that the Commission was established to provide advice and recommendations to ensure and enhance the Town's compliance with ADA. Commissioner Tanenberg asked if specific activities would need to be delineated in the ordinance. Public Works Manager Johnson stated "no". Chair Czeck stated the ordinance was broadly interpreted and the Council seemed to give the Commission some clear direction on what they want them to do such as "identifying problems, finding barriers, serve as the watchdogs, and prioritizing issues into the existing Town budget". He stated it seemed that the Council wanted the Commission to get into the "nitty gritty" of projects. Commissioner Meyer stated he did not think that was their place. Public Works Manager Johnson reiterated the "powers and duties" as delineated in the ordinance. Commissioner Meyer stated one condition of approval for large projects should be that the site plan is approved and certified by an access specialist. Commissioner B. Becker stated the plans should be reviewed by the Commission. Public Works Manager Johnson stated they should discuss this with the Planning Director and Building Official. Commissioner Tanenberg asked if the Building Official could serve as the access specialist. Public Works Manager Johnson stated he does not do the plan checks. Commissioner Meyer stated they do not want to miss out on these opportunities. Commissioner B. Becker stated the Commission would get involved in the design, planning, or construction phase depending on the project. Commissioner Tanenberg stated this needs to be a "top down" process and the Council has to buy into it.

b. Participation in other committees

Chair Czeck stated once they develop an action plan they should set up a schedule of who attends which meetings, probably on a rotating basis. Public Works Manager Johnson stated the invitation to meetings should probably come from the department heads. Commissioner Tanenberg stated the same Commissioner should attend the same meetings for continuity purposes. Chair Czeck asked if they should have a regular liaison to the Town Council meetings. Public Works Manager Johnson stated issues usually come to the Commission, through staff, before it gets to the Council. She noted she would alert the Commission if there were something pertinent on the agenda.

c. Plan of action for AAC

Chair Czeck summarized that the Commission would like to get more exposure to some of the committees when needed. They also want the public to become more aware of the activities of the Commission.

B. Reed School District letter (discussion)

Commissioner Tanenberg stated he was not surprised at the response by the Council. He did not think the Commission was making a demand on the District but rather pointing out problems. For example, a curb/sidewalk project along El Camino would be the District's responsibility. Public Works Manager Johnson stated the Town does not review the District's plans and it is a gray area. Commissioner Tanenberg noted a certain percentage of bond measure funding must be spent on ADA access. Commissioner B. Becker noted the notification by the Town absolves them from any liability.

C. CASp: Certified Access Specialist/Cert. of facilities

1. Should this be included in the permit process

Commissioner Meyer stated this is something that could be put into the permit process and they should hold off on any discussions until they hear from the Planning Director and Building Official. Chair Czeck asked if this was something required by the State. Public Works Manager Johnson stated it was currently

voluntary but moving towards being required. Commissioner Meyer stated there was legislation that would make it a requirement in 2010. It would be done by Building Officials, architects, consultants, engineers, etc. He would get more information for the next meeting. Chair Czeck asked about the benefits. Commissioner Meyer stated it provided the necessary expertise and would protect businesses and municipalities from any future liability.

D. TDD/accessibility on Town website

Commissioner Meyer noted a resident had questions about this topic. Commissioner Tanenberg explained how a hearing impaired person could gain access. He stated the Town could provide the number for the phone company's relay service. Public Works Manager Johnson stated she would provide this information to Coordinator Dali. Public Works Manager Johnson stated she thought TDD was an older technology.

E. Home occupancy permits

Commissioner Meyer stated a resident had questions about whether or not a home occupation business had to be accessible. He stated it might depend on the business since they were limited to a certain amount of foot traffic. Public Works Manager Johnson stated that was a good question for the Planning Director and Building Official.

8. Commissioner Reports

Commissioner Tanenberg noted his term, along with Commissioner N. Becker's term, expires at the end of the month. The Town Council will be holding interviews at the end of June so the other three Commissioners need to attend the June meeting for a quorum. Public Works Manager Johnson stated the terms expire on June 30th.

9. Adjournment

Chair Czeck stated the next meeting is scheduled for Monday, June 8, 2009. The meeting was adjourned at 9:01 p.m.