



CITY OF SURPRISE
Disability Advisory Commission Agenda
16000 N. Civic Center Plaza
Surprise, AZ 85374

Wednesday, March 11, 2015 @ 6:00 PM
 COUNCIL CHAMBERS

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CALL TO ORDER.

- A. Roll Call
- B. Pledge of Allegiance
- C. Current Events and Reports – Pursuant to A.R.S. §38-431.02(k) the chief administrator, presiding officer or a member of a public body may present a brief summary of current events without listing in the agenda the specific matters to be summarized, provided that 1) The summary is listed on the agenda; and 2) The public body does not propose, discuss, deliberate or take legal action at that meeting on any matter in the summary unless the specific matter is properly noticed for legal action.
- D. Staff Reports

Disability Advisory Commission Agenda:

CALL TO THE PUBLIC:

INSTRUCTIONS: In order to address the Board\Commission, you will need to fill out a Call to the Public Form available at the front counter, and then turn it in to the Secretary before the meeting begins.

Note: A.R.S. 38-431.01(H) - During this time members of the public may address the Board\Commission on any item not on the agenda. At the conclusion of the open call, the Board\Commission may respond to criticism, may ask staff to review the matter or may ask that the matter be put on a future agenda. No discussion or action shall take place on any item raised.

- E. Approval of items on the Consent Agenda – all items with an asterisk (*) are considered to be routine matters and will be enacted by one motion and one roll call vote to the Board\Commission. There will be no separate discussion on these items unless a board member or commissioner requests, in which event the item will be removed from the consent agenda and considered in its normal sequence on the agenda.

CONSENT AGENDA:

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

ITEM #	DISTRICT #	ITEM DESCRIPTION	STAFF RECOMMENDATION/ PRESENTED BY
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- | | | | |
|-----|-------------------|---|-------------------------------------|
| #1 | District Citywide | <u>Discussion and action pertaining to Disability Advisory Commission meeting dates and time schedule.</u> | None
Chair Yaeger |
| #2 | District Citywide | <u>Discussion pertaining to the Commissions powers, duties and responsibilities.</u> | Approve
Chair Yaeger |
| #3 | District Citywide | <u>Discussion pertaining to the City's Mediation Program and incorporation into the DAC's mission and goals.</u> | None
Commissioner
Baker |
| #4 | District Citywide | <u>Discussion pertaining to publishing the Disability Advisory Commission Survey question.</u> | None
Chair Yaeger |
| #5 | District Citywide | <u>Discussion and possible action pertaining to implementing a new accessible parking enforcement program.</u> | Approve
Commissioner
Baker |
| #6 | District Citywide | <u>Discussion regarding Fair Housing presentation by Commissioner Stutzman.</u> | None
Commissioner
Stutzman |
| #7 | District Citywide | <u>Discussion and action pertaining to submission of an article to the Sun City Grand Publication.</u> | Approve
Commissioner
Jess |
| #8 | District Citywide | <u>Discussion and action pertaining to the nomination and presentation of an Above & Beyond Award to QT Stations.</u> | Approve
Commissioner
Jess |
| #9 | District Citywide | <u>Discussion and action finalizing the purchase and distribution of DAC promotional items.</u> | Approve
Commissioner
Stutzman |
| #10 | District Citywide | <u>Discussion and action pertaining to approval of the February 18, 2015 DAC Regular Meeting Minutes.</u> | Approve
Lynda Davis |
| #11 | District Citywide | <u>Discussion and action pertaining to future Agenda items.</u> | None
Chair Yaeger |

OTHER BUSINESS:

ADJOURNMENT:

SHERRY ANN AGUILAR, CITY CLERK, CMC

POSTED: February 26, 2015 at 2:40 PM

SPECIAL NOTE: PERSONS WITH SPECIAL ACCESSIBILITY NEEDS, INCLUDING LARGE PRINT MATERIALS OR INTERPRETER, SHOULD CONTACT THE CITY CLERK'S OFFICE @ 623.222.1200 OR TTY 623.222.1002, BY NO LATER THAN 24 HOURS IN ADVANCE OF THE REGULAR SCHEDULED MEETING TIME.



CITY OF SURPRISE
Disability Advisory Commission

March 11, 2015 @ 6:00:00 PM

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Board Meeting Date:	March 11, 2015	Contact Person:	Chair Yaeger
Submitting Department:	HR Boards and Commissions	District:	Citywide
Staff Recommendations:	None		

Consent	Regular	☒ x	Public Hearing	Report/Discussion
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Agenda Wording:

Discussion and action pertaining to Disability Advisory Commission meeting dates and time schedule.

Motion:

Motion to approve Disability Advisory Commission meeting dates and time schedule.

Background:

Ordinance 2014-14, Section 2-295 (12)(c) requires each body to establish an annual schedule for regular meetings designating the time, date and location for such regular meetings.

Financial Impact Statement:

None.

ATTACHMENTS:

[Click to download](#)

No Attachments Available

External Attachment Links:

Meeting Requirements:

Powerpoint	Video	White Board	Other
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Presentation Speaker Names (spelling and titles for TV captions):



CITY OF SURPRISE
Disability Advisory Commission

March 11, 2015 @ 6:00:00 PM

Back Print

Board Meeting Date:	March 11, 2015	Contact Person:	Chair Yaeger
Submitting Department:	HR Boards and Commissions	District:	Citywide
Staff Recommendations:	Approve		

Consent	Regular	x	Public Hearing	Report/Discussion
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Agenda Wording:

Discussion pertaining to the Commissions powers, duties and responsibilities.

Motion:

Discussion only.

Background:

This item was requested to be placed on the Agenda by Chair Yaeger.

Financial Impact Statement:

None.

ATTACHMENTS:

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No Attachments Available

External Attachment Links:

Meeting Requirements:

Powerpoint	Video	White Board	Other
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Presentation Speaker Names (spelling and titles for TV captions):



CITY OF SURPRISE
Disability Advisory Commission

March 11, 2015 @ 6:00:00 PM

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Board Meeting Date:	March 11, 2015	Contact Person:	Commissioner Baker
Submitting Department:	HR Boards and Commissions	District:	Citywide
Staff Recommendations:	None		

Consent	Regular	x	Public Hearing	Report/Discussion
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Agenda Wording:

Discussion pertaining to the City's Mediation Program and incorporation into the DAC's mission and goals.

Motion:

Background:

This item was requested to be placed on the Agenda by Chair Yaeger.

Financial Impact Statement:

Unknown

ATTACHMENTS:

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No Attachments Available

External Attachment Links:

Meeting Requirements:

Powerpoint	Video	White Board	Other
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Presentation Speaker Names (spelling and titles for TV captions):



CITY OF SURPRISE
Disability Advisory Commission

March 11, 2015 @ 6:00:00 PM

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Board Meeting Date:	March 11, 2015	Contact Person:	Chair Yaeger
Submitting Department:	HR Boards and Commissions	District:	Citywide
Staff Recommendations:	None		

Consent	Regular	x	Public Hearing	Report/Discussion
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Agenda Wording:

Discussion pertaining to publishing the Disability Advisory Commission Survey question.

Motion:

Background:

Chair Yaeger will contact Diane Arthur and advise the Commission the specifics on implementing the survey question in the City of Surprise magazine and website.

Financial Impact Statement:

Unknown

ATTACHMENTS:

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No Attachments Available

External Attachment Links:

Meeting Requirements:

Powerpoint	Video	White Board	Other
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Presentation Speaker Names (spelling and titles for TV captions):



CITY OF SURPRISE
Disability Advisory Commission

March 11, 2015 @ 6:00:00 PM

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Board Meeting Date:	March 11, 2015	Contact Person:	Commissioner Baker
Submitting Department:	HR Boards and Commissions	District:	Citywide
Staff Recommendations:	Approve		

Consent	Regular	x	Public Hearing	Report/Discussion
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Agenda Wording:

Discussion and possible action pertaining to implementing a new accessible parking enforcement program.

Motion:

Motion to approve implementing a new accessible parking enforcement program.

Background:

This item was requested to be placed on the Agenda by Commissioner Baker.

Financial Impact Statement:

Unknown

ATTACHMENTS:

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No Attachments Available

External Attachment Links:

Meeting Requirements:

Powerpoint	Video	White Board	Other
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Presentation Speaker Names (spelling and titles for TV captions):



CITY OF SURPRISE
Disability Advisory Commission

March 11, 2015 @ 6:00:00 PM

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Board Meeting Date:	March 11, 2015	Contact Person:	Commissioner Stutzman
Submitting Department:	HR Boards and Commissions	District:	Citywide
Staff Recommendations:	None		

Consent	Regular	x	Public Hearing	Report/Discussion
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Agenda Wording:

Discussion regarding Fair Housing presentation by Commissioner Stutzman.

Motion:

Background:

This item was tabled from the February 18, 2015 meeting due to lack of time.

Financial Impact Statement:

None

ATTACHMENTS:

Click to download

☐ [Fair Housing PPT](#)

External Attachment Links:

Meeting Requirements:

Powerpoint	Video	White Board	Other
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Presentation Speaker Names (spelling and titles for TV captions):

DISABILITIES: Fair Housing Act

Commissioner Kymberlee Stutzman

Introduction

The Fair Housing Act
prohibits
housing discrimination
on the basis of disability.

WHO?

WHEN?

WHY?

WHAT?

WHERE?

HOW?

Definition of a person with a disability according to Federal Law

Any person who has a physical or mental impairment that *substantially* limits one or more major life activities and either

1. has a record of such impairment; OR
2. is regarded as having such an impairment.

Can be a matter of public perception or documentation, but must be somehow substantiated.

WHO (qualifies as disabled)

The act applies to those who are:

- ▶ Mobility impaired
- ▶ Hearing impaired
- ▶ Visually impaired
- ▶ Mentally impaired
- ▶ Cognitively impaired

BUT also includes lesser known categories such as ...

- ▶ **Chronic alcoholism**
- ▶ **AIDS**
- ▶ **AIDS related complex**

WHAT (is considered a “major life activity” under the Act)

Major life activities include

- ▶ walking,
- ▶ talking,
- ▶ hearing,
- ▶ seeing,
- ▶ breathing,
- ▶ learning,
- ▶ performing manual tasks,
- ▶ and caring for oneself.

WHEN (are the behaviors in violation)

When the individual, on the basis of the disability alone

- ▶ Refuses to rent or sell to a disabled person
- ▶ Imposes different application or qualification criteria
- ▶ Imposes different fees or prices
- ▶ Imposes terms or conditions that are different from those required of (or provided to) persons who are not disabled

CLARIFICATION

- ▶ Any form of discrimination during the application, rental, purchase, finance or move in/out process
- ▶ NOT limited just to denials



WHERE (does the Act apply)

- ▶ At the local, state, and federal level.
- ▶ NOT just HUD homes
- ▶ NOT just State housing
- ▶ INCLUDES private rentals
- ▶ Individual owners, as well as companies

HOW (does this apply)

The Fair Housing Act requires owners of housing facilities to make *reasonable* exceptions and accommodations in their policies and operations to afford people with disabilities equal housing opportunities.

WHY (must the accommodations be limited to those which are deemed “reasonable”)

So as to not:

- pose an undue burden on the housing provider,
- fundamentally alter the housing provider's program,
- pose a safety risk to others
- pose a risk of substantial damage to the property of others

Whether a requested accommodation is “reasonable” should be determined on a case by case basis

Examples of how this may apply to existing housing ...

- ▶ Flashing lights connected to the doorbell for the hearing impaired
- ▶ Grab bars installed for the mobility challenged
- ▶ Soundproofing or special window shades for reducing stimuli
- ▶ Door alarm sensor for the prevention of wandering (dementia)

SERVICE ANIMALS

(example of an accommodation)



Another example

- ▶ A housing provider would make a reasonable accommodation for a tenant with mobility impairment by fulfilling the tenant's request for a reserved parking space in front of the entrance to their unit, even though all parking is unreserved.*

**http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/disabilities/inhousing*

ACCESS-RELATED MODIFICATIONS



REMEMBER

Only requires the landlord to allow....



it does not require
that he pays
for the change!

As pertains to newly constructed multifamily housing with four or more units



- ▶ The Act puts some further requirements on multifamily new construction – requiring more barrier free access

Seven Requirements

1. Accessible Entrance on an Accessible Route
2. Accessible Public and Common-Use Areas
3. Usable Doors
4. Accessible Route Into and Through the Dwelling Unit
5. Accessible Light Switches, Electrical Outlets, Thermostats, and Environmental Controls
6. Reinforced Walls in Bathrooms
7. Usable Kitchens and Bathrooms

ACCESSIBLE COMMON USE AREAS

- ▶ Such as kitchens and bathrooms



Exceptions (limited)*

These requirements apply to most public and private housing. However, there are limited exemptions for:

- ▶ owner-occupied buildings with no more than four units,
- ▶ single-family housing sold or rented without the use of a broker,
- ▶ and housing operated by organizations and private clubs that limit occupancy to members.

*http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/disabilities/inhousing

Federally Assisted Multifamily Housing (5 or more units)*

If you live in Federally assisted multifamily housing consisting of 5 or more units:

- ▶ 5 percent of these units (or at least one unit whichever is greater) must meet more stringent physical accessibility requirements.
- ▶ Additionally, 2 percent of units (or at least one unit whichever is greater) must be accessible for persons with visual or hearing disabilities.

*http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/disabilities/inhousing

Zoning and Land Use:

- ▶ It is unlawful for local governments to utilize land use and zoning policies to keep persons with disabilities from locating to their area. *
- ▶ For more information see the:

[Joint Statement of DOJ and HUD on Group Homes, Local Land Use, and the Fair Housing Act.](#)

*http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/disabilities/inhousing

Resources for Ensuring Compliance

- ▶ <http://www.fairhousingfirst.org/>
- ▶ http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/disabilities/sect504faq
- ▶ http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/disabilities/sect504

Filing a Complaint

- ▶ Complaints relating to violations of the Act may be filed with the United States Department of Housing.

Office of Compliance and Disability Rights Division
Office of Fair Housing and Equal Opportunity
U.S. Department of Housing and Urban Development
451 7th Street, S.W., Room 5242
Washington DC 20410

The Arizona Fair Housing Act

- ▶ A.R.S. 41-1491
- ▶ Substantially similar to the federal fair housing act
- ▶ *“A person may not discriminate in the sale or rental or otherwise make unavailable or deny a dwelling to any buyer or renter because of a disability ...”* A.R.S. § 41-1491.19 (A)
- ▶ Examples of prohibited behavior:
 - *“A refusal to make reasonable accommodations in rules, policies, practices or services if the accommodations may be necessary to afford the person equal opportunity to use and enjoy a dwelling.”* (A.R.S. § 41-1491.19 (E)(2))
 - *“A refusal to permit, at the expense of the disabled person, reasonable modifications of existing premises...”* (A.R.S. § 41-1491.19 (E)(1))



CITY OF SURPRISE
Disability Advisory Commission

March 11, 2015 @ 6:00:00 PM

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Board Meeting Date:	March 11, 2015	Contact Person:	Commissioner Jess
Submitting Department:	HR Boards and Commissions	District:	Citywide
Staff Recommendations:	Approve		

Consent	Regular	x	Public Hearing	Report/Discussion
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Agenda Wording:

Discussion and action pertaining to submission of an article to the Sun City Grand Publication.

Motion:

I move to approve the article for submission to the Sun City Grand Publication.

Background:

This item was tabled from February 18, 2015 meeting due to the Commissioner's absence.

Financial Impact Statement:

ATTACHMENTS:

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No Attachments Available

External Attachment Links:

Meeting Requirements:

Powerpoint	Video	White Board	Other
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Presentation Speaker Names (spelling and titles for TV captions):



CITY OF SURPRISE
Disability Advisory Commission

March 11, 2015 @ 6:00:00 PM

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Board Meeting Date:	March 11, 2015	Contact Person:	Commissioner Jess
Submitting Department:	HR Boards and Commissions	District:	Citywide
Staff Recommendations:	Approve		

Consent	Regular	x	Public Hearing	Report/Discussion
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Agenda Wording:

Discussion and action pertaining to the nomination and presentation of an Above & Beyond Award to QT Stations.

Motion:

Motion to approve the nomination of the "Above & Beyond" award to the QT Stations in the City of Surprise for installing prohibited parking signs.

Background:

This item was tabled from the February 18, 2015 meeting due to the Commissioner's absence.

Financial Impact Statement:

None

ATTACHMENTS:

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No Attachments Available

External Attachment Links:

Meeting Requirements:

Powerpoint	Video	White Board	Other
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Presentation Speaker Names (spelling and titles for TV captions):



CITY OF SURPRISE
Disability Advisory Commission

March 11, 2015 @ 6:00:00 PM

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Board Meeting Date:	March 11, 2015	Contact Person:	Commissioner Stutzman
Submitting Department:	HR Boards and Commissions	District:	Citywide
Staff Recommendations:	Approve		

Consent	Regular	x	Public Hearing	Report/Discussion
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Agenda Wording:

Discussion and action finalizing the purchase and distribution of DAC promotional items.

Motion:

Motion to approve finalizing the purchase and distribution of DAC promotional items

Background:

This item was tabled from the February 18, 2015 Meeting due to lack of time.

Financial Impact Statement:

The item was approved in the FY2015 human resources operational budget for Boards and Commissions with a total budget amount of \$800.

ATTACHMENTS:

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No Attachments Available

External Attachment Links:

Meeting Requirements:

Powerpoint	Video	White Board	Other
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Presentation Speaker Names (spelling and titles for TV captions):



CITY OF SURPRISE
Disability Advisory Commission

March 11, 2015 @ 6:00:00 PM

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Board Meeting Date:	March 11, 2015	Contact Person:	Lynda Davis
Submitting Department:	HR Boards and Commissions	District:	Citywide
Staff Recommendations:	Approve		

Consent	Regular	x	Public Hearing	Report/Discussion
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Agenda Wording:

Discussion and action pertaining to approval of the February 18, 2015 DAC Regular Meeting Minutes.

Motion:

Motion to approve the February 18, 2015 DAC Regular Meeting Minutes.

Background:

Financial Impact Statement:

None

ATTACHMENTS:

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☐ [2/18/15 Minutes](#)

External Attachment Links:

Meeting Requirements:

Powerpoint	Video	White Board	Other
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Presentation Speaker Names (spelling and titles for TV captions):



City of Surprise
Disability Advisory Commission (DAC)
Wednesday, February 18, 2015 – 6:00 P.M.
Surprise City Hall – Council Chambers
16000 N. Civic Center Plaza
Surprise, Arizona 85374

MINUTES OF THE MEETING

CALL TO ORDER

Chair Yaeger called the meeting to order at the Surprise City Hall, Council Chambers, 16000 N. Civic Center Plaza, Surprise, Arizona 85374, on Wednesday, February 18, 2015, at 6:04 p.m.

A. ROLL CALL

Also in attendance with Chair Yaeger were Commissioners Baker, Jeffords, Poschner and Stutzman.

Vice Chair Hernandez and Commissioner Jess were absent.

Staff in attendance: Bob Wingenroth, City Manager, Robert Wingo, Chief Deputy City Attorney, Mark Schott, HR Director, Scott Bailey, HR Manager, Ricka Gallagher, Risk Analyst; Lynda Davis, Sr. HR Analyst-ADA.

B. PLEDGE OF ALLEGIANCE

C. CURRENT EVENTS AND REPORTS

Commissioners Baker, Jeffords, Poschner, and Stutzman had nothing to report.

Chair Yaeger reported:

- Current adaptive recreation events.

D. STAFF REPORTS

Ms. Gallagher and Ms. Davis had nothing to report.

CALL TO THE PUBLIC

Chair Yaeger opened the call to the public. Councilman Winters and Andy Cepon addressed the Commission. Mr. Wingenroth responded to call to the public concerns. Chair Yaeger closed the call to the public.

CONSENT AGENDA

REGULAR AGENDA ITEM – NON-PUBLIC HEARING

- Item #1:** Presentation pertaining to the authority and duties of the DAC, open meeting, and conflict of interest laws.

A presentation regarding Ordinance 2014-14, DAC's powers, duties and responsibilities; along with Staff's responsibilities, open meeting and conflict of interests laws was clarified by Mr. Wingo.

- Item #2:** Discussion and possible action to assign strategic focus areas of interests to Commissioners.

Chair Yaeger requested each Commissioner to select two points of interests/concerns from their powers, duties and responsibilities from Ordinance 2014-14, Section 2-298(d); do research and provide updates at future meetings.

After discussion, the following points of interests/concerns were selected:

- Baker – 1 and 2
- Jeffords – 2 and 3
- Poschner – 1 and 5
- Stutzman – 3 and 4
- Yaeger – 5 and reserve other selection after conferring with Vice Chair Hernandez on her two selections

- Item #3:** Discussion pertaining to the City's Mediation Program and incorporation into the DAC's mission and goals.

Commissioner Baker explained the Mediation Program and how it would possibly apply to the disabled community.

- Item #4:** Discussion pertaining to the DAC Customer Service Survey.

Discussion held regarding the question, "Are you experiencing a disability that would make this a challenge for you?". Chair Yaeger will be contacting Diane Arthur of the City's Communication Department and provide update.

- Item #10:** Approval of the December 3, 2014 DAC Special Meeting Minutes.

Commissioner Stutzman motioned to approve; seconded Commissioner Poschner. Approved 5/0.

Item #5: Discussion regarding Town of Huntington Article discussing a program where volunteers participate in parking control.

Discussion held regarding Town of Huntington Article. Commissioner Baker will contact the Police Department to discuss ideas on implementing a new accessible parking enforcement program.

Item #11: Consideration and action of items to be placed on future agendas.

The following non-standing items will be placed on the March agenda:

- Meeting dates/time schedule (Yaeger)
- Points of Interests (Yaeger)
- Mediation Program (Baker)
- DAC Survey (Yaeger)
- Accessible Parking Enforcement Program (Baker)
- Fair Housing Program (Stutzman)
- Report regarding Sun City Grand Publication (Jess)
- "Above & Beyond" award to the QT Stations (Jess)
- DAC Promotional Items (Stutzman)

Items 6, 7, 8 and 9 were tabled by Chair Yaeger.

OTHER BUSINESS:

ADJOURNMENT:

Hearing no further business, Chair Yaeger adjourned the meeting at 8:26 pm.

Lynda Davis

Lynda Davis, Sr. HR Analyst



CITY OF SURPRISE
Disability Advisory Commission

March 11, 2015 @ 6:00:00 PM

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Board Meeting Date:	March 11, 2015	Contact Person:	Chair Yaeger
Submitting Department:	HR Boards and Commissions	District:	Citywide
Staff Recommendations:	None		

Consent	Regular	x	Public Hearing	Report/Discussion
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Agenda Wording:

Discussion and action pertaining to future Agenda items.

Motion:

Background:

Financial Impact Statement:

None.

ATTACHMENTS:

[Click to download](#)

No Attachments Available

External Attachment Links:

Meeting Requirements:

Powerpoint	Video	White Board	Other
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Presentation Speaker Names (spelling and titles for TV captions):