



MEETING MINUTES

MAYOR'S COMMISSION ON DISABILITY CONCERNS

FEBRUARY 6, 2023

Minutes of the MAYOR'S COMMISSION ON DISABILITY CONCERNS meeting held on Monday, February 6, 2023, 6:30 p.m., In-person and Virtual meeting.

Members Present:

Chair, Irene Mochel
Vice Chair, Paul Kent
Jacob Bunch
Robin DiMarino
Rachel Gomez
Julie Malloy
Katherine Schmidt

Members Absent:

Kathy Jefferson
Jeff Oats

Staff Present:

- Ginny Belousek, Diversity Manager
- Jeff Tamulevich, Community Development Director
- Ryan Levesque, Deputy Community Development Director

THE MEETING WAS CALLED TO ORDER AT 6:31 P.M.

1. CALL TO THE PUBLIC:

Community Member, Ann Till, attended the meeting virtually. Ms. Till stated that she is on the 2050 Planning Commission and at their last meeting it was suggested she attend the ADA Commission to address her concerns regarding sidewalks. She spoke on her concerns about the sidewalk design in her Shalimar neighborhood, and the lack of accessibility. The edge of the curbs are squared, then dip down at the driveways. The homes are close together, so it is very difficult for a disabled person to walk down the sidewalk. She would like to know what standards could be put in place for resolving these issues. She thought perhaps this would be related to the 2050 General Plan. After



the public appearance was completed, the commission agreed to add this topic to their April meeting.

2. REVIEW AND APPROVAL OF MINUTES – JANUARY 9, 2023 MINUTES

Motion: Approval of January 9, 2023 Minutes

Motion: Commissioner Schmidt

Second: Commissioner Gomez

Motion: Carried with 7 Votes. Ayes: Chair Irene Mochel, Vice Chair Paul Kent, and Commissioners, Jacob Bunch, Robin DiMarino, Rachel Gomez, Julie Malloy, and Katherine Schmidt. Nays: None. Absent: Commissioners Kathy Jefferson and Jeff Oats.

3. PRESENTATION: JEFF TAMULEVICH, COMMUNITY DEVELOPMENT DIRECTOR AND RYAN LEVESQUE, DEPUTY COMMUNITY DEVELOPMENT DIRECTOR

Jeff and Ryan were invited to the meeting by the Commission to answer questions regarding group homes in Tempe – who can open them, what are the requirements, who oversees the regulations, and what power does the public have in contesting these homes. Mr. Levesque gave a basic overview of these questions. The Zoning and Development Code, Section 3-409 covers group homes, which are defined as assisted living, adult behavior health therapeutic homes, child shelters, adult foster homes, child shelter and sober living. The key factor is they are all licensed by the state. The group home category is not for the developmentally disabled homes, there is a separate state category for that. The City is prohibited by State law from regulating Development Disabled Homes; they are regulated by DES. Once someone gets their license from the state, they file an application for zoning to the City, identifying the location, business name and number of occupants intended for the home site. In 2021 the home regulations were changed. Previously they allowed up to ten residents per business, now it is five, excluding staff members. The City rules specify that the group homes must be at least 1200 ft. away from the property line of another group home. If it meets that distance requirement, then they get clearance from zoning to move on to the permitting process, at which point the city is focused with the building safety itself.

The commission asked how many of these homes are currently in Tempe. As of 2021 there are 73 group homes and 68 DD homes. There was then a question asking if there are any Standards of Behavior (SOB) regulating these homes if a neighbor were to complain about behavior taking place at these homes. It was answered that there was one situation where there was a complaint and PD got involved and the home lost their license. When this happens, the Police and Code Compliance works together, and will alert the state to make them aware of the issues. If the complaint happened during business hours the City's Code Compliance would handle it, if it was after hours then Police would, but the departments ultimately work together.

The Commission then asked how they can make sure, as new buildings go up, that they are ADA compliant. The former ADA Specialists used to review projects, but we currently don't have anyone in that position. Ryan responded that Nanette and Michelle, the former ADA Specialists were working over and above their job requirements. That said, all new buildings still require full compliance with ADA requirements and the Building Safety Division staff continues to review new buildings. Ginny asked if, when the new ADA Specialist is hired, should they continue assisting with the plan reviews? Ryan responded that it is very helpful to get the early review and comments in from the ADA Specialist. This allowed the Building Safety staff to get a heads-up of things to look out for or special parameters the ADA Specialist may know of.

The Commission asked, regarding a city build or remodel, how can the Commission assist/influence with ensuring ADA improvements are made, such as adult changing tables or some of the other innovative wayfinding things. We'd like things "best in class" rather than just to code. It was answered that adult changing tables are currently in the City's code. Anytime there are modifications to city buildings they are required.

A commissioner asked where she could find the building codes that were discussed tonight. Ryan Levesque said she could go to municode.com and search AZ and Tempe to find the building code.

4. UPDATE: 2050 GENERAL PLAN

Katherine Schmidt reported as the Commission representative on the 2050 General Plan Committee. The Committee has been discussing pedestrian and bike use, bicycle transportation and streets. They spent a lot of time talking about aviation, including drones. Additionally, they discussed making sure the city is walkable.

5. DISCUSSION: 2023 MAYOR'S ALL-ABILITIES AWARDS EVENT

Ginny reported that she and Paul went to the TCA for a site walk with the City AV staff to ensure they have everything needed for taping the event and to discuss the room set up. The TCA requires that all guests to the event have a ticket, which we will hand out to those who are on the RSVP list from a table outside the Studio Room. This is required for fire code to ensure we don't go over the room capacity.

The Commission went over the timeline of duties for the event. They discussed selecting the award winners at their next meeting and decided to move the March meeting to March 13th to allow enough time for the nominations to come in. Ginny will e-mail all the nominations, along with a scoring rubric to the commission prior to the meeting.

The Commission discussed duties the day of the event. Katherine and Rachel volunteered to pin boutonnieres on the award winners. We need two volunteers to work the registration table, and perhaps one more volunteer to give out parking validation. Irene will be on the stage with the Mayor during the event. It was discussed having one commissioner as a floater to assist staff as needed. We will finalize the day-of event duties at the March meeting.



Irene is working on selecting the awards and will try to bring samples to the March meeting. Katherine thanked Ginny and stated that this year's event planning is going very smoothly.

NEXT MEETING: MONDAY, MARCH 13, 2023

Location: Tempe Public Library, 2nd Floor Board Room and Virtual

Topics:

1. Mayor's Disability Awards Selection
2. Coyotes – April meeting

Motion: Adjourn the meeting

Motion: Comm. Katherine Schmidt

Second: Vice-Chair Paul Kent

Motion: Carried with 7 Votes. Ayes: Chair Irene Mochel, Vice Chair Paul Kent, and Commissioners Jacob Bunch, Robin DiMarino, Rachel Gomez, Julie Malloy and Irene Mochel. Nays: None.
Absent: Commissioners Kathy Jefferson and Jeff Oats.

MEETING ADJOURNED AT 8:00 PM