



AGENDA

ADA Advisory Board Special Meeting

Thursday, November 10, 2022 at 5:00 PM

City Hall Cowles Council Chambers In-Person & Via Zoom Webinar

Homer City Hall
491 E. Pioneer Avenue
Homer, Alaska 99603
www.cityofhomer-ak.gov

Zoom Webinar ID: 998 6324 0301 Password: 404451
<https://cityofhomer.zoom.us>
Dial: 346-248-7799 or 669-900-6833;
(Toll Free) 888-788-0099 or 877-853-5247

- 1. CALL TO ORDER, 5:00 P.M.**
- 2. AGENDA APPROVAL**
- 3. PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA** (3 minute time limit)
- 4. RECONSIDERATION**
- 5. APPROVAL OF MINUTES**
 - 5.A. Unapproved Minutes for the Special Meeting of October 13, 2022 **Page 3 - 7**
[2022 10 13 ADA Committee Special Minutes](#)
- 6. VISITORS/PRESENTATIONS**
- 7. REPORTS**
 - 7.A. Public Works Director Report for November 2022 **Page 8 - 10**
[Public Works Director's Report - ADAB](#)
[The HAP Loop](#)
[HAPS Map](#)
- 8. PUBLIC HEARING(S)**
- 9. PENDING BUSINESS**
 - 9.A. ADA Advisory Board Bylaws **Page 11 - 16**
[Agenda Item Report ADA 22-001](#)
- 10. NEW BUSINESS**
 - 10.A. Advocacy for ADA Accessibility at Homer Businesses **Page 17 - 36**
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 - 10.B. 2023 Meeting Schedule **Page 37 - 41**
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- 11. INFORMATIONAL MATERIALS**

11.A. Follow-up on Citizen Reported Pedestrian Hazards
[Follow up on Public Testimony](#)

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11.B. Access Pathway and Roll & Stow Dispenser
[MobiMat Roll & Stow Info Flyer](#)
[MobiMat Pathway Info Flyer](#)

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12. COMMENTS OF THE AUDIENCE (3 minute time limit)

13. COMMENTS OF THE CITY STAFF

14. COMMENTS OF THE BOARD

15. ADJOURNMENT Next Regular Meeting is Thursday, **February 9, 2023 at 5:00 p.m.** All meetings are scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska and via Zoom Webinar.

Session 22-06 a Special Meeting of the ADA Compliance Committee was called to order by Chair Aderhold at 5:00 p.m. on October 13, 2022, from the Cowles Council Chambers, City Hall, located at 491 E. Pioneer Avenue, Homer, Alaska and via Zoom webinar.

PRESENT: BOARD MEMBERS ADERHOLD, GEISLER, DEADRICK, PARSONS AND THORSRUD

ABSENT: BOARD MEMBER SAFRA (EXCUSED)

STAFF: ADA COORDINATOR KRAUSE
ECONOMIC DEVELOPMENT MANAGER ENGBRETSSEN

AGENDA APPROVAL

Chair Aderhold requested a motion to approve the agenda.

GEISLER/PARSONS MOVED TO APPROVE THE AGENDA AS PRESENTED.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

RECONSIDERATION

APPROVAL OF THE MINUTES

A. Unapproved Minutes for the Special Meeting of August 15, 2022

Chair Aderhold requested a motion to approve the minutes.

PARSONS/GEISLER MOVED TO APPROVE THE MINUTES OF AUGUST 15, 2022.

There was a minor correction of public members name to Pat Case instead of Casey.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

VISITORS/PRESENTATIONS

A. City of Homer Transportation Plan presented by Julie Engebretsen, Economic Development Manager and Brad Parsons, Independent Living Center

Chair Aderhold introduced the item by reading the title into the record.

Board Member Geisler and Parsons announced that they may have a conflict of interest as they are employed by the Independent Living Center (ILC) and the ILC has a contract with the City of Homer to work on the development of the Transportation Plan.

Chair Aderhold determined that for this item there is no conflict of interest as this is a presentation and there will be no action by the Board on this topic.

Brad Parsons provided a brief summary of his transportation related experience and then presented to the Board members using images of transportation within various locales in the United States. He spoke on the previous plans regarding transportation planning and the inclusion of people oriented transportation planning around corridors and routes used in the city.

Julie Engebretsen provided information on public outreach opportunities, presentations to all advisory bodies of the city, input from multiple surveys, focus groups, Community meetings conducted at the college campus, recognizing the need for a truck route, prioritization of new sidewalks, identification of new trail or non-motorized routes, special attention on Old Town section of Homer regarding traffic, pedestrian and parking and the city webpage dedicated to the project of the Transportation Plan update.

Ms. Engebretsen and Mr. Parsons facilitated responses to questions on the maps and entering the data from the public input, unintended consequences from measures implemented to slow down traffic, better signaling notification to drivers regarding pedestrians trying to cross Pioneer Avenue and various locations on the Sterling Highway in within city limits. They encouraged the Board members to complete the survey.

PENDING BUSINESS

NEW BUSINESS

A. Memorandum from Deputy City Clerk re: Advisory Board Bylaws

Chair Aderhold introduced the item by reading of the title and deferred to Ms. Krause.

Ms. Krause provided an overview of the draft Bylaws and the action requested of the Board.

The Board reviewed the draft bylaws and made corrections to the following:

- Line 6, Add an "S" and the word "Act" to Americans with Disabilities Act"
- Line 95, inset the word "and" after the word "September"

GEISLER/THORSRUD MOVED TO STRIKE "OR DISABILITY" FROM LINE 73 OF THE DRAFT BYLAWS.

Discussion ensued on the disability of the Chair person should not be a consideration, absence was plain enough for the Vice Chair to assume the duties of Chair if necessary. Concern was expressed by the members if all the Bylaws of the Advisory Bodies had that phrase and recommended they be amended.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

GEISLER PARSONS MOVED TO FORWARD THE DRAFT BYLAWS TO THE NOVEMBER MEETING FOR SECOND AND FINAL READING.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

INFORMATIONAL MATERIALS

- A. Creating Parks and Public Spaces for People of All Ages
- B. Memorandum from City Clerk re: Implementation of New Agenda Management Software
- C. Ben Walters Park Recognition Ceremony Hosted by the Parks Art Recreation & Culture Advisory Commission
- D. Advisory Board member Reappointment - Christine Thorsrud
- E. City Manager's Report for October 10, 2022

COMMENTS OF THE AUDIENCE

Jill Moore, Inclusive Play Specialist, representing a playground manufacturer at the Alaska Recreation and Parks Association (ARPA) Annual Conference in Soldotna, reported meeting Parks Superintendent Matt Steffy who informed her about the ADA Board meeting involvement with the transition plan for parks, campgrounds and trails. She expressed how excited she was to visit Alaska and Homer and to experience the wildlife. She noted that Alaska though was not very accessible but her experience in Homer has been wonderful and the prospect of inviting disability into the town was very exciting. She stated that 1 in 4 Americans have a diagnosed disability and as of 2018 it was reported that \$58.7 billion dollars in travel recreation and tourism in the United States is spent by persons with disabilities. The study was conducted by a group called Open Door Foundation. She stated that there are plenty of reasons to ensure that persons with disabilities can come into public spaces and be able to use them. Ms. Moore reported trying to go to dinner at local restaurant in Old Town with her husband whom also uses a wheelchair and noted that while the parking was phenomenal access to the business was very difficult as they experienced with other businesses in town. They were able to take a water taxi which was very accommodating.

Ms. Moore expressed that the Board could work on getting information to the local business community regarding the benefits of being accessible in response to questions from the Board members.

Boardmember Geisler reported on an initiative that the ILC is working on, and application called Blue Path which is a crowdsourcing applications that looks at accessibility of businesses, facilities and it is similar to TripAdvisor or Yelp and ranks the accessibility of the particular business or facility.

Pat Case, city resident, commented on attending City Council meetings promoting the sidewalk issues and that there is a paradigm shift of perceptions. He expressed his appreciation for the Transportation Plan and noted that at the last meeting bringing forward hazardous areas of concerns specifically the bottom of Svedlund, there is a huge hole approximately 2-3 feet from the access or beginning of the sidewalk pavement; Cracks appearing in the sidewalk in front of Beluga Lake Lodge that are deep and wide and could break an ankle and asphalt has a wide gap where you can cross from the Library, at the right turn into Safeway and there is a manhole/grate that a cane or walker can get stuck in which has happened to him and he almost fell on his face. He commented on the idea of a symposium on wheelchair vacations hosted by the ILC and that the City should also support people in wheelchairs. Mr. Case reported on an effort to bring this forward by local residents.

Mr. Case stated that he does not usually travel on Lee Drive, but crosses on Svedlund on his way to Safeway or downtown as that is his usual path he travels in response to Boardmember Deadrick. He then added safety concerns and near misses he has experienced trying to cross at various crosswalks which have low visibility, expressing that flashing lights are needed to get driver's attention.

COMMENTS OF THE CITY STAFF

COMMENTS OF THE COMMITTEE

Boardmember Deadrick commented on the difficulties she had trying to access the meeting.

Boardmember Thorsrud commented on living almost her entire life being 100 percent able bodied and now that she is not she has realized that there are so many businesses who do not understand or simply do not consider how many people do not get out or visit a business due to accessibility. Whether it is sight, hearing or physical accessibility it gets much more difficult in the winter with the snow and ice. As provided tonight by Ms. Moore was a perfect example and common sense to offer accessibility for everyone no matter what.

Boardmember Parsons expressed his appreciation for the materials provided tonight regarding public spaces and believed it should be shared far wider than this Board. It was a fantastic article with consideration for all ages and abilities.

Chair Aderhold commented on the spots that Mr. Case brought to their attention and if Staff will please forwards them to the Public Works Department and maybe they can facilitate getting the issues addressed but some of them may not fall under the city responsibility. However, they may be able to bring it to the attention of the appropriate authority. Additionally, Chair Aderhold noted that City Council adopted a Resolution to be become a universally accessible city and spoke at the Chamber of Commerce on what it meant to become a universally accessible city and while the City cannot force local businesses to address accessibility this Board can encourage and advocate to businesses the benefits of accessibility. If we can have this topic on the November agenda for discussion to have a couple of Boardmembers speak at a Chamber meeting.

Boardmember Geisler suggested that they include speaking at a Rotary meeting too.

ADA Coordinator Krause suggested that they request to be added as a visitor on the Economic Development and Planning Commission meetings as well. She then commented that in her experience to get things done it is always best to advocate for yourself otherwise no one will see the benefits to taking action until they hear from those people who want the action, service, etcetera. Chair Aderhold noted that she will be attending via Zoom for the next meeting as she will be attending a meeting in Cordova and will be in the airport when the meeting is scheduled to start. She then expressed her pleasure at having members of the public attending their meetings.

ADJOURNMENT

Seeing no further business before the Board, Chair Aderhold adjourned the meeting at 6:15 p.m. A Special Meeting is scheduled for Thursday, November 10, 2022 at 5:00 p.m. in the Cowles Council Chambers at City Hall located at 491 E. Pioneer Avenue, Homer, Alaska and via Zoom webinar.

Renee Krause, MMC, Deputy City Clerk II/ADA Coordinator

Approved:_____



City of Homer

www.cityofhomer-ak.gov

Public Works

3575 Heath Street
Homer, AK 99603

publicworks@cityofhomer-ak.gov

(p) 907- 235-3170

(f) 907-235-3145

Memorandum

TO: ADA Advisory Board
FROM: Janette Keiser, Public Works Director
DATE: November 10, 2022
SUBJECT: Public Works Monthly Director's Report

1. **Ben Walters Way Sidewalk.** The design is now 65% complete. The current cost estimate is \$1.34 million.
2. **The “HAP Loop”.** We are working with Jenny Carroll to submit an application for grant funds to develop a path to serve pedestrians of all ages and abilities. A detailed description is attached. This route was developed by Brad Parsons, Independent Living Center.
3. **Issues reported by Pat Case:**
 - a. **Hole at Svedlund & Pioneer where the sidewalk ends.** We will be filling in this hole.
 - b. **Storm drain grate on sidewalk to Safeway.** We are searching for a new catch basin grate that would be less problematic. If we can't find anything, we would need to relocate the storm drain catch basin, which we couldn't do until next summer.
 - c. **Cracks in asphalt on path crossing Beluga Lake.** This is a state-owned facility.
4. **Front Entrance to City Hall.** I have commissioned an architect to design for a new entry ramp at City Hall, which will be ADA compliant.
5. **Restrooms at Airport Terminal.** We have commissioned an architect to design a gender-neutral family restroom that will comply with ADA requirements, provide space for parents and babies, and accommodate gender diversity.

The HAP Loop: Homer All Ages & Abilities Pedestrian Path

Project Description and Benefit: This project bridges gaps in Homer’s pathways to significantly improve pedestrian access to everyday destinations, key facilities and recreational opportunities. The HAP Loop will provide equitable, safe and low-stress pedestrian facilities connecting area neighborhoods and the Senior Center to major service providers and businesses in Homer’s Central Business District and Old Town. The project serves local residents as an accessible route to traverse year-round for daily needs, activities, and exploration. Wayfinding signs and online tools will also identify and easily share the route with visitors. The Independent Living Center is currently developing “Accessible Homer” and a “Blue Path” online map that identifies ADA accessible routes, businesses, service providers, and recreational opportunities within Homer. Together these efforts will increase tourism access to and economic benefits to the Central Business District. Major destinations along the HAP Loop include: the Homer Public Library, supermarket, pharmacy, Post Office, financial institutions, recreational opportunities, and the Central Business District including Old Town. Improvements installed to the north and east of the Senior Center will provide a safe and accessible route to the hospital and medical district.

The HAP Loop contains two interconnected loops. The north loop connects the Senior Center on Svedlund Street south to East Pioneer Avenue, and west to Main Street along Herndon and Lee Streets, giving access to Homer’s main medical district. The south loop intersects the northern loop at Pioneer Avenue and Svedlund, where an enhanced crosswalk is desired. South of Pioneer Avenue, the route continues on City-maintained Poopdeck Trail to Klondike Avenue. Traveling east on Klondike Avenue, the route turns south on Lucky Shot Street until it connects to the sidewalk on Hazel Ave. From this location, the library, post office, police station, grocery store and pharmacy are all accessible. From Hazel Ave, pedestrians can travel south to the Sterling Highway, where a highly visible pedestrian crosswalk and safety island is desirable. The route then joins the existing trail through the Islands and Oceans Visitor Center, south to the Old Town neighborhood. Destinations include a public park, housing, restaurants, Bunnell Street Arts Center and State of Alaska Public Health and WIC offices. Leaving Old Town the route turns north on Main Street continuing uphill to Lee Avenue.

Much of this route is already constructed. To complete the loops, a sidewalk facility needs to be constructed on Svedlund Street from Pioneer Avenue to the Senior Center and from Herndon Street to Lee Drive to Main Street. Sidewalks are also required on the State-owned portion of Main Street south from the Sterling Highway to Ohlson Lane. Where the HAP Loop crosses Pioneer Avenue and the Sterling Highway, both arterial roads, crosswalk improvements (such as Rectangular Rapid Flashing Beacons, high-visibility pavement markings and/or curb extensions) are essential for pedestrian safety.

Plans & Progress: The City’s recent investment of \$1.4M to construct a sidewalk on Main Street from Pioneer Ave north completed one major missing portion of the HAP Loop. Private sector support included sidewalk construction by the Aspen Hotel in 2019, connecting the crosswalk at the Sterling Highway to the hotel and to the sidewalk leading to the Island and Ocean Visitor Center, and public trails. The City adopted a Wayfinding Plan in 2022; the City has funding to provide wayfinding improvements at several locations along the HAP route. The HAP Loop’s two main missing sidewalk connectors, Svedlund/Herndon and south Main Street, are identified as priority locations in the Homer Non-Motorized Transportation and Trail Plan and in Homer’s FY24 Capital Improvement Plan. Community meetings and a recent non-motorized transportation symposium highly prioritized pedestrian access on Main Street south to Ohlson Lane as well.

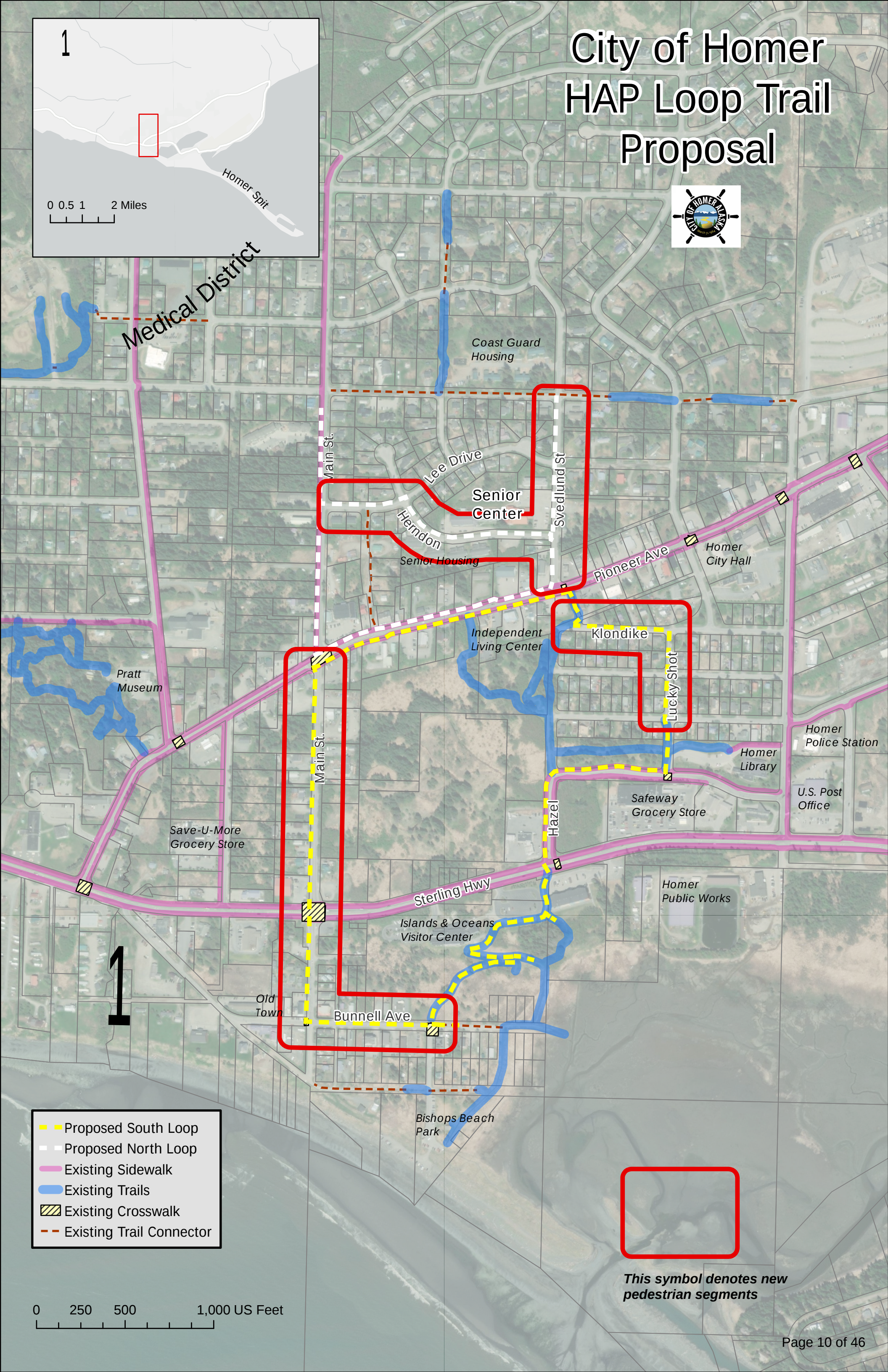
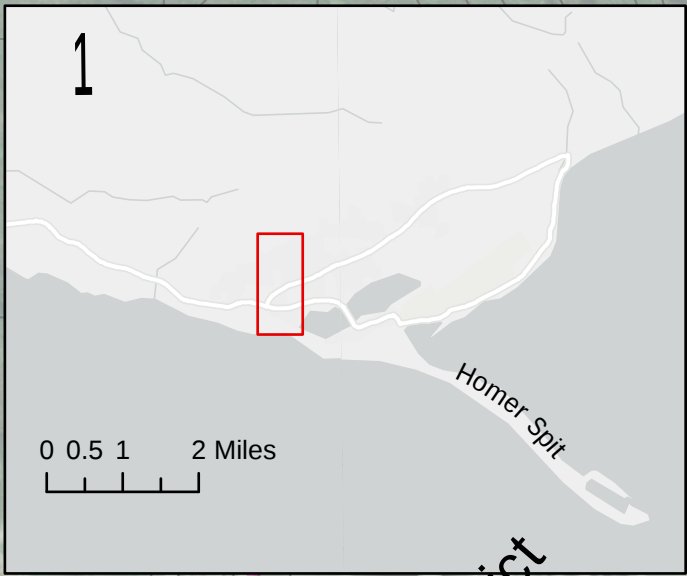
Total Project Cost: \$4,250,000

Svedlund from Senior Center to Pioneer Avenue: \$800,000 (Design and construction)
Lee Street to Main Street: \$1,200,000 (Design and construction)
Main Street South to Ohlson Lane: \$2,000,000
Pedestrian crosswalk improvements: \$250,000

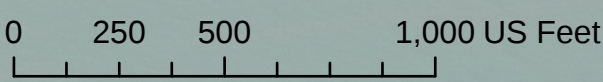
Schedule: 2024

Priority Level: 1

City of Homer HAP Loop Trail Proposal



- Proposed South Loop
- Proposed North Loop
- Existing Sidewalk
- Existing Trails
- Existing Crosswalk
- Existing Trail Connector





AGENDA ITEM REPORT

ADA Advisory Board Bylaws

Item Type: Action Memorandum
Prepared For: ADA Advisory Board
Meeting Date: 10 Nov 2022
Staff Contact: Renee Krause, Deputy City Clerk
Department: Clerks
Attachments: [ADA Draft Bylaws v2 111022](#)

Summary Statement:

Following is the second draft of the Board's bylaws that contain the recommended corrections and revisions from the Boardmembers.

Please review and by motion propose any further amendments. Minor spelling or grammatical corrections can be done by the staff as noted before submittal to City Council for approval.

Staff Recommendation:

Adopt the Bylaws and forward to City Council for approval.

Attachments:

[ADA Draft Bylaws v2 111022](#)

**CITY OF HOMER AMERICAN WITH DISABILITIES ADVISORY BOARD
BYLAWS**

ARTICLE I – NAME AND AUTHORIZATION

This organization shall be called the Americans with Disabilities Act (ADA) Advisory Board, established via Ordinance 22-53(A), existing by virtue of the provisions of Chapter 2.70 of the Homer Municipal Code, and exercising the powers and authority and assuming the responsibilities delegated under said Code. The following bylaws were adopted on XXXXXXX and shall be in effect and govern the procedures of the ADA Advisory Board.

ARTICLE II – PURPOSE

Section 1. Act in an advisory capacity to the City Manager and City Council on Title II Regulations of the Americans with Disabilities Act within the City of Homer which covers programs, activities, and services of public entities.

Section 2. Develop grievance procedures to outline the process of providing for prompt and equitable resolution of complaints alleging any action that would be prohibited by Title II of the ADA Regulations.

Section 3. Develop and perform annual updates to maintain transition plan(s) for city facilities, programs, parks, trails, play areas and campgrounds, listing any barriers that would limit accessibility of its programs, activities or services to individuals; the methods to be utilized to remove those barriers and schedules for taking necessary steps to achieve compliance.

Section 4. Perform reviews of any new programs, activities, and services offered by the City of Homer and incorporate into existing transition plans.

Section 5. Annually review the City of Homer Comprehensive Plan and make recommendations prioritizing accessibility.

Section 6. Consider any specific proposal, problem or project as directed by the City Council or the City Manager and report or submit recommendations thereon directly to the City Council through the City Manager.

ARTICLE III – MEMBERS

Section 1. The Board shall consist of six members and one Council member. Members shall be nominated by the Mayor and confirmed by City Council. Not more than three members may reside outside city limits. Public members will be appointed to serve for three-year terms to expire on August 31st of designated years. Council member will be appointed for their term elected.

Section 2. Notice of term expirations will be delivered to members by the City Clerk's Office. Members wishing to continue services upon the completion of a three-year term must submit a reappointment application to the City Clerk's Office, which is subject to review by the Mayor and confirmed by City Council. There are no limits on the number of terms a member may serve.

Section 3. Members may not have alternates. If a position is vacated during a term, it shall be filled for the unexpired term by an appointee selected by the Mayor and confirmed by City Council.

Section 4. A member's appointment is vacated under the following conditions:

- A member fails to qualify to take office within 30 days after their appointment;
- A member resigns;
- A member is physically or mentally unable to perform the duties of the office;
- A member is convicted of a felony or of an offense involving a violation of their oath of office; or
- A member has two consecutive unexcused absences, or misses half of all meetings within an appointment year, whether excused or unexcused.

Section 5. The Mayor and City Manager may serve as non-voting, consulting members.

ARTICLE IV – OFFICERS

Section 1. A Chairperson and Vice-Chairperson shall be elected from among the appointed members at the regular August meeting of the Board.

Section 2. Officers shall serve a term of one year from the August meeting at which they are elected, and until their successors are duly elected. Officers may be re-elected in subsequent years.

Section 3. The Chairperson shall preside at all meetings of the Board, authorize calls for any special meetings, execute all documents authorized by the Board, serve as ex officio/voting member of all committees, and generally perform all duties associated with that office.

Section 4. In the event of the absence of the Chairperson, the Vice-Chairperson shall assume and perform the duties of the Chair. If both the Chairperson and Vice-Chairperson are absent, and a quorum of four members are present, the senior member shall assume and perform the duties and functions of the Chair.

ARTICLE V – CITY STAFF ROLES

Section 1. The ADA Coordinator shall serve as a staff liaison to the Board. The staff liaison shall assist the Chairperson in setting meetings, preparing agendas, and other documentary material, and coordinating the acquisition of needed materials and training. The staff liaison shall submit reports and recommendations for those agenda items requiring decisions or recommendations by the Board. Other staff having experience, education, and professional training in a subject matter on the agenda may provide input, reports and recommendations, or may provide supplemental information. The information submitted may be oral, written or graphic, or some combination of all.

Section 2. The City Clerk shall designate a recording clerk to take minutes for the Board and serve as the Board's parliamentary advisory pursuant to AS 29.20.380(10) and HCC 2.12.010, and assist the Chairperson with the conduct of the meeting.

ARTICLE VI – MEETINGS

Section 1. Regular meetings shall be open to the public and held on the second Thursday of each month, excluding the months of January, March, September, and December at 5:00 p.m. in the designated location and shall be posted for public information as required by Homer City Code and Alaska State Statutes.

Section 2. Special meetings and Worksessions may be called by the ADA Coordinator, Chair, or a majority of the Board. Notice of such meetings shall be posted in the same manner as that for regular meetings.

Section 3. A quorum for the transaction of business at any meeting shall consist of four members. For purposes of determining the existence of a quorum, consulting members shall not be counted. Worksessions do not require a quorum, however, no action may be taken at a worksession; items on the agenda are for discussion only.

Section 4. Any member who is unable to attend a meeting, whether regular or special, shall contact the Clerk in advance no later than two hours prior to the scheduled meeting time for excusal.

Section 5. Meeting agenda deadline is at 5:00 p.m. the Wednesday preceding the meeting. Allowances will be made for holidays.

Section 6. The order of business for the regular meetings shall include, but not be limited to, the following items, which shall be covered in the sequence shown, as far as circumstances permit. Agenda shall be posted for public information as required by Homer City Code and Alaska State Statutes.

CITY LOGO	NOTICE OF MEETING REGULAR MEETING AGENDA NAME OF BODY DAY OF WEEK, DATE, AND TIME OF MEETING PHYSICAL LOCATION OF MEETING & MEETING ROOM	DEPT. CONTACT INFO (City Clerk's Office)
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1. CALL TO ORDER
2. AGENDA APPROVAL
3. PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA (3 minute time limit)
4. RECONSIDERATION
5. APPROVAL OF MINUTES
6. VISITORS/PRESENTATIONS (Chair set time limit not to exceed 20 minutes. Public may not comment on the visitor or the visitor's topic until audience comments. No action may be taken at this time.)
7. STAFF & COUNCIL REPORT/COMMITTEE REPORTS
8. PUBLIC HEARING (3 minute time limit)
9. PENDING BUSINESS
10. NEW BUSINESS
11. INFORMATIONAL MATERIALS (No action may be taken on these matters, for discussion only.)
12. COMMENTS OF THE AUDIENCE (3 minute time limit)
13. COMMENTS OF THE CITY STAFF
14. COMMENTS OF THE COUNCILMEMBER (If one is assigned)
15. COMMENTS OF THE BOARD (includes Comments of the Chair since they are part of the board.)
16. ADJOURNMENT Next regular meeting is scheduled for _____. (Note any other worksessions, special meetings, committee meetings etc.) All meetings scheduled to be held in the Homer City

Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska. (The meeting may be scheduled for the Conference Room or virtually.)

Section 7. Per Resolution of the City Council (Resolution 06-115(A)), Public Testimony shall normally be limited to three minutes per person. Exceptions may be provided for at the Chairperson's discretion or by a majority vote of the members in attendance.

Section 8. Recorded minutes shall be made available by the City Clerk's Office to the Board prior to the next meeting and a record of all voting will be included in the minutes of each meeting. Minutes shall be available to the public as required by Homer City Code and Alaska State Statutes.

Section 9. Teleconference participation is allowed per the rules and limitations set forth in Homer City Code 2.58.060.

ARTICLE VII – GENERAL OPERATING PROCEDURES

Section 1. The Board shall abide by the current edition of Robert's Rules of Order insofar as it is consistent with the Board's bylaws, other provisions of Homer City Code, or standing rules. In all other cases, bylaws, the code, or the standing rule shall prevail. This includes, but is not limited to, HCC 1.18 Conflicts of Interest, Partiality, and Code of Ethics; HCC 2.58 Boards and Commissions; HCC 2.70 ADA Advisory Board; and the Open Meetings Act – AS 44.62.310-312.

Section 2. Each member, including the Chairperson, shall vote, and shall not abstain from voting, unless such member claims a conflict of interest, or has an excused absence, in which event the member shall be excused from voting. The member shall then state for the record the basis for the abstention. Four affirmative votes are required to pass a motion. Voting will be by a roll call vote, the order to be rotated; or by unanimous consent if no objection is expressed. Voting by proxy or absentee is prohibited.

Section 3. Any rule or resolution of the Board, whether contained in these Bylaws or otherwise, may be suspended temporarily in connection with business at hand; and such suspension to be valid; may be taken only at a meeting at which at least four of the members of the Board shall be present, and two thirds of those present shall so approve.

Section 4. Training sessions developed or arranged by the City Clerk and approved by the City Manager shall be mandatory unless a member's absence is excused by the Chairperson. The City Manager and/or City Clerk, in their discretion and in consultation with the City Attorney as needed, may develop model procedures to be used as a guide for the Board.

ARTICLE VIII – COMMITTEES

Section 1. Committees of one or more members for such specific purposes as the business of the Board will only become active upon approval of Council. A memorandum and resolution will go before Council outlining the reason, tasks assigned and termination date. Committees shall be considered to be discharged upon completion of the purpose for which it was appointed, and after its final report is made to and approved by the Board.

Section 2. All committees shall make a progress report to the Board at each of its meetings.

ARTICLE IX – BYLAW AMENDMENTS

The Bylaws may be amended at any meeting of the Board by a majority plus one of the members, provided that notice of said proposed amendment is given to each member in writing. The proposed amendment shall be introduced at one meeting and action shall be taken at the next Board meeting. Amendments to bylaws shall be effective upon approval of the amendments by City Council via resolution.



AGENDA ITEM REPORT

Advocacy for ADA Accessibility at Homer Businesses

Item Type: Action Memorandum
Prepared For: ADA Advisory Board
Meeting Date: 10 Nov 2022
Staff Contact: Renee Krause, Deputy City Clerk
Department: Clerks
Attachments: [Small Business Guidelines](#)

Summary Statement:

At the Special meeting on October 13, 2022 the Board requested that this topic be on their next meeting agenda for discussion. The intent is to bring forward promoting the benefits of local businesses coming into ADA compliance so that Homer can truly be an accessible city.

Following is ADA Guide for Small Businesses which provides some excellent guidance regarding bringing existing businesses into compliance and contact information.

Attachments:

[Small Business Guidelines](#)



Americans with Disabilities Act

ADA Guide for Small Businesses



The U.S. Small Business Administration is pleased to work with the U. S. Department of Justice in assisting small businesses to understand and comply with the Americans With Disabilities Act.

Reproduction

Reproduction of this document is encouraged.

Disclaimer

The ADA authorizes the Department of Justice 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 regulation. However, this technical assistance does not constitute a legal interpretation of the statute.

SBA Authorization #99-2111-26

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Introduction

This guide presents an informal overview of some basic ADA requirements for small businesses that provide goods or services to the public. It omits many of the “legal” terms that are found in the ADA and its regulations. But because it would be misleading to separate any explanation of ADA requirements from the law, references to key sections of the regulations or other information are included.



To get answers to questions about the ADA or to learn more about the law call the Department of Justice ADA Information Line, toll-free (1-800-514-0301 voice and 1-800-514-0383 TDD).

The Americans with Disabilities Act

The Americans with Disabilities Act (ADA) is a Federal civil rights law that prohibits the exclusion of people with disabilities from everyday activities, such as buying an item at the store, watching a movie in a theater, enjoying a meal at a local restaurant, exercising at the local health club or having the car serviced at a local garage. To meet the goals of the ADA, the law established requirements for private businesses of all sizes. These requirements first went into effect on January 26, 1992, and continue for both for-profit and non-profit organizations.

For small businesses, compliance with the ADA is not difficult. To help businesses with their compliance efforts, Congress established a technical assistance program to answer questions about the ADA.

Answers to your questions about the ADA are a phone call away. The Department of Justice operates a toll-free ADA Information Line (800- 514-0301 voice and 800-514-0383 TDD). In addition, tax credits and deductions were established that can be used annually to offset many costs of providing access to people with disabilities.

In recognition that many small businesses can not afford to make significant physical changes to their stores or places of business to provide accessibility to wheelchair users and other people with disabilities, the ADA has requirements for existing facilities built before 1993 that are less strict than for ones built after early 1993 or modified after early 1992.

Private businesses that provide goods or services to the public are called public accommodations in the ADA. The ADA establishes requirements for twelve categories of public accommodations, including stores and shops, restaurants and bars, service establishments, theaters, hotels, recreation facilities, private museums and schools and others. Nearly all types of private businesses that serve the public are included in the categories, regardless of size.

If you own, operate, lease, or lease to a business that serves the public, then, you are covered by the ADA and have obligations for existing facilities as well as for compliance when a facility is altered or a new facility is constructed. Existing facilities are not exempted by "grandfather provisions" that are often used by building code officials.

This booklet focuses on businesses that provide goods and services to the public.

These businesses may be large or small and can be for profit or non-profit.



Existing Facilities

Many business facilities were built without features that accommodate people with disabilities, including people who use wheelchairs. This lack of accessibility makes it impossible for many people with disabilities to take part in everyday activities such as going to work, eating in a restaurant or shopping in a store. The ADA recognizes that, for people with disabilities to participate in the everyday activities in their communities, they need to have access to the goods and services provided by businesses.

While it is not possible for many businesses, especially small businesses, to make their facilities fully accessible, there is much that can be done without much difficulty or expense to improve accessibility. Therefore, the ADA requires that accessibility be improved without taking on excessive expenses that could harm the business.

If you own or operate a business that serves the public you must remove physical "barriers" that are "readily achievable," which means



easily accomplishable without much difficulty or expense. The "readily achievable" requirement is based on the size and resources of the business. So larger businesses with more resources are expected to take a more active role in removing barriers than small businesses. The ADA also recognizes that economic conditions vary. When a business has resources to remove barriers, it is expected to do so; but when profits are down, barrier removal may be reduced or delayed. Barrier removal is an ongoing obligation -- you are expected to remove barriers in the future as resources become available.

Architectural Barriers

Architectural barriers are physical features that limit or prevent people with disabilities from obtaining the goods or services that are offered. They can include parking spaces that are too narrow to accommodate people who use wheelchairs; a step or steps at the entrance of a store; round doorknobs or door hardware that is difficult to grasp; aisles that are too narrow for a person using a wheelchair, electric scooter, or a walker; a high counter or narrow checkout aisles at a cash register, and fixed tables in eating areas that are too low to accommodate a person using a wheelchair or that have fixed seats that prevent a person using a wheelchair from pulling under the table.

Removing Architectural Barriers

In evaluating what barriers need to be removed, a business should look to the ADA Standards for Accessible Design as a guide. These standards are part of the ADA Title III regulations. Seeking input from people with disabilities in your community can also be an important and valuable part of the barrier removal process because they can help identify barriers in your business and offer advice on what solutions may work.

When a business removes barriers, it should follow the design requirements for new construction in the ADA Standards for Accessible Design (Standards). In some cases, existing conditions, limited resources or both will make it not “readily achievable” to follow these Standards fully. If this occurs, barrier removal measures may deviate from the Standards so long as the measures do not pose a significant risk to the health or safety of individuals with disabilities or others.



These parking spaces are too narrow and lack a wide access aisle so people who use wheelchairs cannot get out of their vehicle.



The awning and awning support over the walk to the entrance is too close to the ground and is a barrier to people who are blind or visually impaired.



Any step at the entrance can stop people from visiting your business.

Priorities for Barrier Removal

When deciding which barriers to remove first, we suggest that you first provide access to the business from public sidewalks, parking, and public transportation and then provide access to the areas where goods and services are made available to the public. Once these barriers are removed, you should provide access to public toilet rooms (if toilet rooms are provided for customer use). When these barriers have been removed, it may be necessary to remove any

remaining barriers including those that limit use of public telephones and drinking fountains.

Examples of Barrier Removal

The following examples illustrate common barriers and suggest solutions that may be readily achievable. Each business must decide on a case-by-case basis what constitutes “readily achievable” barrier removal for their business.

Accessible Parking

When parking is provided for the public, designated accessible parking spaces must be provided, if doing so is readily achievable. An accessible parking space must have space for the vehicle and an additional space located either to the right or to the left of the space that serves as an access aisle. This aisle is needed to permit a person using a wheelchair, electric scooter, or other mobility device to get out of their car or van. A sign with the international symbol of accessibility must be located in front of the parking space and mounted high enough so it is not hidden by a vehicle parked in the space.

Accessible parking spaces should be the spaces closest to the accessible entrance and be located on level ground. If it is not readily achievable to locate accessible parking in the closest spaces due to sloped pavement or other existing conditions, then the closest level area should be selected. An accessible route must be provided between the access aisle and the accessible building entrance. This route must have no steps or steeply sloped surfaces and it must have a firm, stable, slip-resistant surface.

Van accessible spaces must have an access aisle that is **at least eight-feet wide** and be designated by a sign with the international symbol and "van accessible." There should be a vertical clearance of at least 98 inches on the vehicular route to the space, at the parking space, and along the vehicular route to an exit.

Provide a parking space that is at least 8 feet wide. There should be at least a 98 inch high clearance at the parking space, the adjacent access aisle and along the vehicular route to the space and vehicular exit.

Install a sign with the international symbol of accessibility and "van accessible" and mount it high enough so it is not hidden by the vehicle parked in the space.



Locate parking space and access aisle so that they are relatively level (1:50 maximum slope in all directions is recommended if readily achievable)

Provide an access aisle that is at least 8 feet wide next to the van parking space to permit a person using a wheelchair or scooter to exit or enter a van with a side-mounted lift.

Provide an accessible route to the accessible entrance(s) to the building - a marked crosswalk may be needed if route crosses vehicular traffic.

A Van Accessible Parking Space

(1 of 8 of all accessible parking spaces, but at least one, must be van accessible.

Although designated a van accessible space, cars may use the space too.)

Accessible Entrance

Providing physical access to a facility from public sidewalks, public transportation, or parking is basic to making goods and services available to people with disabilities. Having only one step at the entrance can prevent access by a person using a wheelchair, walker, or cane and can make entry difficult for many other people with mobility disabilities.

Where one or two steps exist at an entrance, access can be achieved in a variety of ways -- for example, by using an alternate accessible entrance, adding a short ramp, modifying the area in front or to the side of the entrance to eliminate a step, or installing a lift.

When a business has two public entrances, in most cases, only one must be accessible. The shop shown in the photo (bottom right) has a street entrance and is also served by an accessible entrance from the building lobby at the other side of the store. Using the lobby entrance provides access to the store. When one entrance is not accessible and another entrance is accessible, a sign must provide direction to the accessible entrance. The alternative entrance must be open during store hours. If the alternative accessible entrance is not left unlocked due to security concerns, you must provide an accessible way for notifying staff to open the door, such as a buzzer or bell. If used, the buzzer or call bell must be located on an accessible route and mounted at an accessible height (generally not more than 48 inches above ground).



Edge protection prevents people from rolling over the edge of the ramp.

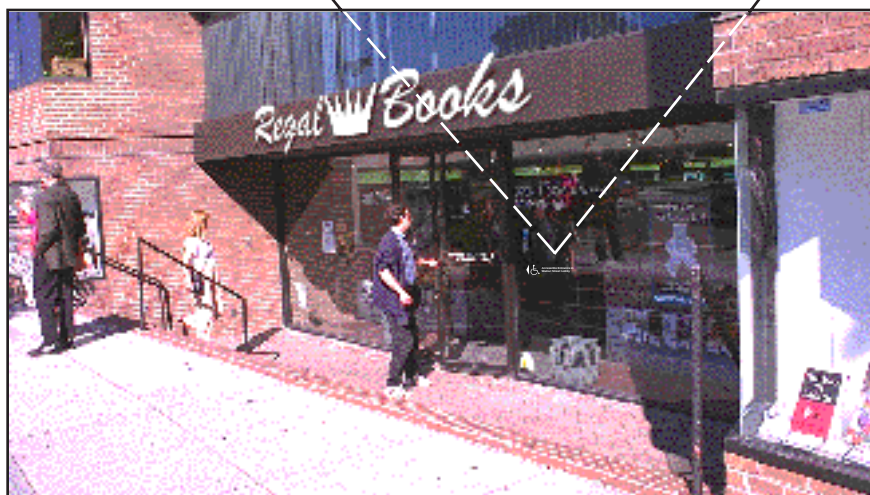
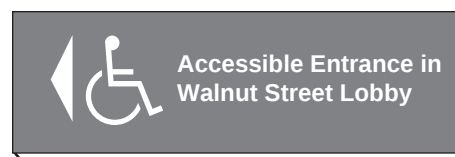
Wide landing accommodates turns needed to enter or exit the store.

A new ramp with edge protection, handrails and a wide landing outside the entrance provide access to this business

When a ramp is added to provide an accessible entrance, the slope of the ramp should be as shallow as possible but not more than 1:12. It is also important to provide handrails whenever the slope is

more than 1:20 and the vertical rise is greater than 6 inches (a slope of 1:20 means that for every 20 units of horizontal length there is one unit of vertical rise or fall). It is best to grade the area that is

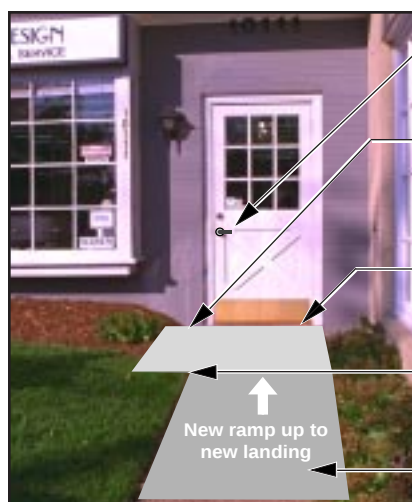
Example of a sign that directs customers to the nearest accessible entrance



Signage provided at an inaccessible entrance provides direction to another entrance that is accessible

adjacent to the ramp to avoid an abrupt drop-off. If a drop-off exists, then a barrier such as a raised edge or railing must be installed. Edge protection is very important because it prevents people from accidentally rolling off the edge of the ramp. The ramp that is shown (page 6, top right) uses railings and edge protection. Edge protection could also be provided by a lower railing installed parallel to the ramp surface.

The photo (upper right) illustrates another way to modify an entrance to make it accessible. A level landing area is provided in front of the entry door so a person can pull the door open. The area adjacent to the landing is graded flush with the landing so no drop-off exists between the landing and the grass area eliminating the need for railings. The earth is also graded flush with the ramp surface to eliminate a drop-off.



A new landing, ramp and lever door handle provide an accessible entrance to this business

Another approach to providing access at an entrance is to use a platform or folding lift. Lifts are mechanical devices that can be used to transport a person using a wheelchair or scooter up or down several feet. A lift may be a preferred solution where little space exists for a ramp or when an entrance serves more than one

level. For example, had the bookstore shown in the photo (page 6, bottom right) not had an alternate entrance that was accessible, a lift could have been installed. Lifts require periodic maintenance and must meet safety codes but are worthwhile considerations when a ramp is not feasible.



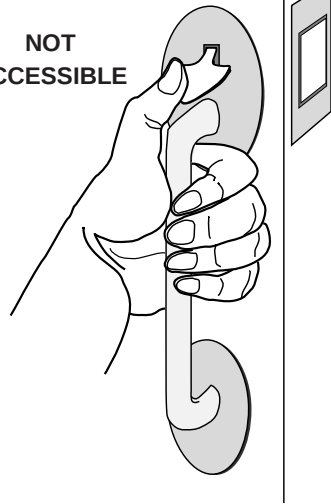
Home delivery, take-out, curbside delivery or other alternate service is required, if readily achievable, when you cannot make an entrance accessible

When it is not readily achievable to provide an accessible entrance, the goods and services must be provided in some other way, if doing so is readily achievable. For example, if a restaurant has several steps at the entrance and no accessible entry is possible, providing home delivery or some alternative service may be required. In other cases, it may be possible to receive an order by telephone and to have a clerk bring the order to the customer outside the store or business. If alternative service is provided, it is important that it be publicized so a customer knows how the goods and services are offered.

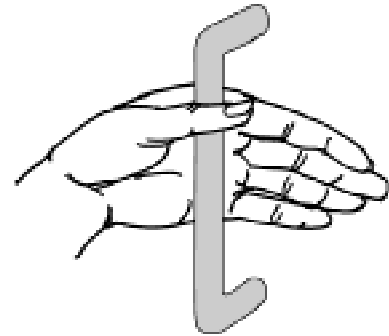
Most entrances to stores and businesses use 36 inch wide doors that are wide enough to be accessible. However, some older doors are less than 36 inches wide and may not provide enough width (32 inch clear width when fully opened). Door openings can sometimes be enlarged. It may also be possible to use special “swing clear” hinges that provide approximately 1 1/2 inches more clearance without replacing the door and door frame.

Inaccessible door hardware can also prevent access to the business. For example, the handle shown below requires the user to tightly grasp the handle to open the door. Many people with mobility disabilities and others with a disability that limits grasping, such as arthritis, find this type of handle difficult or impossible to use.

**NOT
ACCESSIBLE**

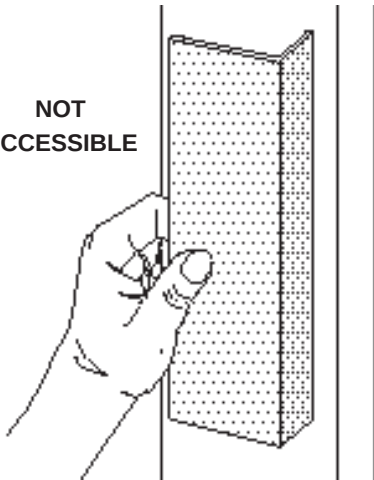


This handle with a thumb latch is not accessible because one must grasp the handle and pinch down on the thumb latch at the same time.



A loop-type handle is also accessible because it can be used without grasping, pinching or twisting.

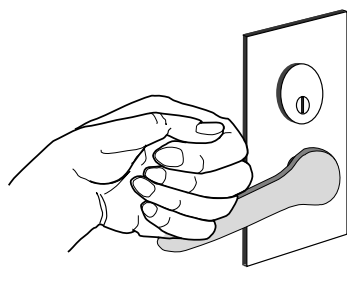
**NOT
ACCESSIBLE**



This panel-type handle is not accessible because it requires the user to tightly grasp the handle to pull the door open.

Other types of door hardware, such as a round door knob (which requires tight grasping and twisting to operate) or a handle with a thumb latch (see above -- center) are also inaccessible and must be modified or replaced, if doing so is readily achievable.

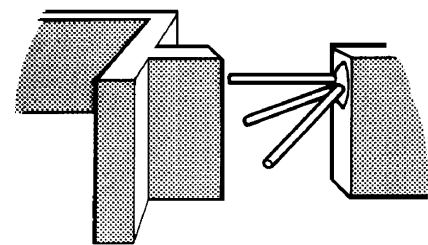
Changing or adding door hardware is usually relatively easy and inexpensive. A round doorknob can be replaced with a lever handle or modified by adding a clamp-on lever. In some cases, a thumb latch can be disabled so the door can be pulled open without depressing the latch or the hardware may be replaced. A flat panel-type pull handle can be replaced with a loop-type handle.



A lever handle is accessible because it can be operated without tight grasping, pinching or twisting.

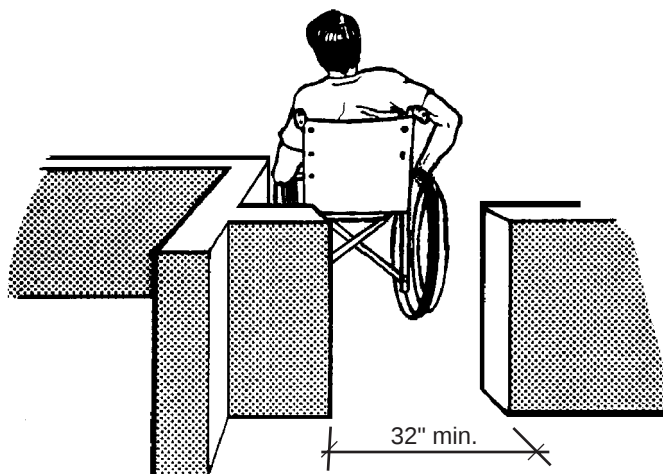
Turnstiles and Security Gates at Entrances

Businesses with narrow revolving turnstiles located at the entrance exclude people with disabilities unless accessible gates or passages are provided. Standard narrow turnstiles are not usable by wheelchair users and by most people who walk with crutches, walkers, or canes. Whenever a narrow turnstile is used, an accessible turnstile, gate or opening must be provided, if doing so is readily achievable.

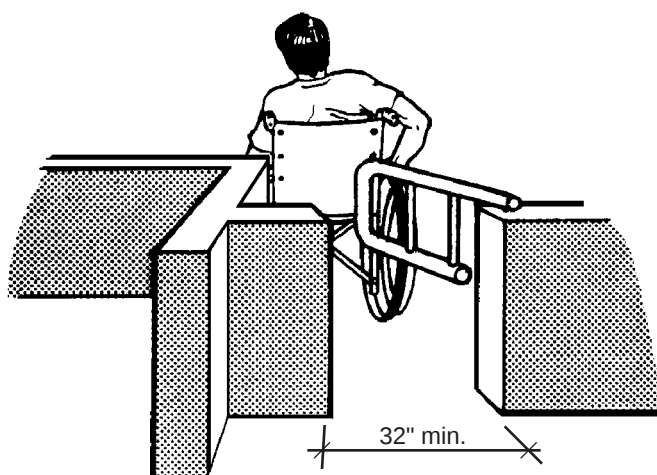


This type of turnstile is not accessible to most people with disabilities.

If an inaccessible turnstile is located at the entrance to the business and no accessible gate or entry is provided, it must be replaced or removed or an alternative accessible entrance provided, if doing so is readily achievable. For most businesses, removing or altering the turnstile is not difficult. For some businesses, providing an alternative accessible entrance may be an acceptable solution if the business has two or more doors that could function as entrances. For example, a store that has an inaccessible turnstile at the entrance but also has an exit door (with no turnstile) located near the cash register may be able to use the exit door as an alternative entrance. It may be readily achievable to add an accessible door handle to the outside of the exit door, install a sign that designates this door as the accessible entrance, and permit people with disabilities to enter through the exit door.

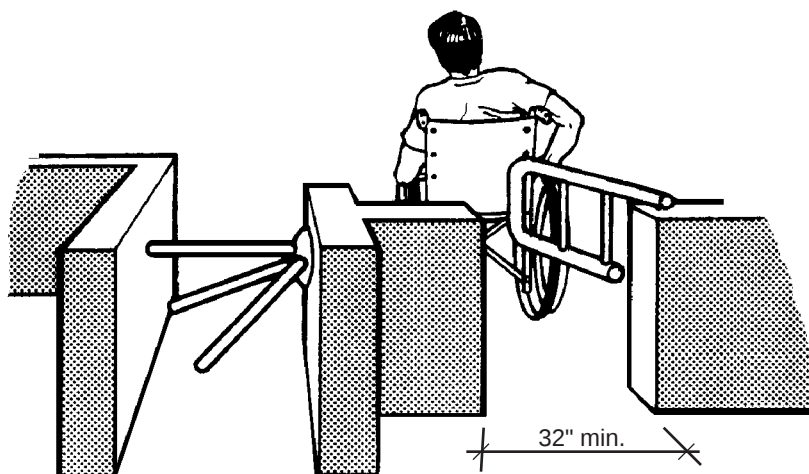


Removing the turnstile to provide an accessible passageway



An example of an accessible gate

Eliminating the barrier caused by a turnstile may be accomplished by simply removing the turnstile and leaving the opening. To assure passage of people using wheelchairs, or crutches, the opening must be at least 32 inches wide. If it is not readily achievable to provide a minimum 32 inch wide opening, then the opening should be as wide as possible. If a security gate is required, then the turnstile may be removed and replaced with an accessible gate, if readily achievable. Where a business wishes to retain its standard turnstile, it may provide an accessible gate adjacent to the turnstile.



An accessible gate provided adjacent to a turnstile

Shelves and Maneuvering Space

After ensuring that its entrance is accessible, a business must consider how people with disabilities will get to the items that are sold or provided. When sales items are displayed or stored on shelves for selection by customers, the store must provide an accessible route to fixed shelves and displays, if doing so is readily achievable.

If the maneuvering space adjacent to shelves and displays is too narrow, the space should be widened. In general, a 36 inch wide accessible route is needed with a slightly larger space provided at corners. If a 180 degree turn is needed to exit an area, then a 60 inch diameter turning space or a 36 inch wide "T" is needed. The space for a "T" turn requires at least 36 inches of width for each segment of the T and it must fit within a 60 inch by 60 inch area.

Some businesses will have difficulty providing enough maneuvering space between all displays and shelving without a significant reduction in selling space that may substantially affect the profitability of the business. This fact can be considered in determining if it is readily achievable to provide access to all sales areas. If access is not provided to all sales areas, then alternative services such as having staff available to retrieve items, must be provided, if doing so is readily achievable. This also applies when merchandise is located in areas served only by stairs.

It is not necessary to locate all merchandise within reach of people who use wheelchairs. Items can be placed at any height but staff should be available to assist customers who may have difficulty reaching or viewing items.

Sales items may be located at any height but sales staff should be available, on request, to reach items for customers

Provide at least a 3' by 3' turning space at a corner for a 90 degree turn.

Sales merchandise, displays and other items can block access and should not be placed in narrow aisles. These books block the 3'-0" accessible route



3'-0" minimum width to move between shelves, displays and merchandise

Provide a 36" minimum width route between displays and shelves if readily achievable



Staff assist customers by retrieving merchandise from shelves and displays.

Staff should provide information about an item by reading labels for people with a visual impairment.

Sales staff retrieving items for customer

Sales and Service Counters

When sales or service counters are provided, the counters must be accessible, if doing so is readily achievable. This access is an important part of receiving the goods and services provided by a business.

At counters having a cash register, a section of counter at least 36 inches long and not more than 36 inches above the floor will make the counter accessible. This provides a lowered surface where goods and services and money can be exchanged. An alternative solution is to provide an auxiliary counter nearby.

At sales and service counters, such as ticketing counters, teller stations in a bank, registration counters in hotels and motels, and other counters where goods or services are sold or distributed a counter that is at least 36 inches long and that is not more than 36 inches above the floor will make the counter accessible. It is also possible to provide an auxiliary counter nearby or to use a folding shelf or area next to the counter, if doing so is readily achievable.

In addition to having a maximum height of 36 inches, all accessible sales and service counters must have a clear floor space in front of the accessible surface that permits a customer using a wheelchair to pull alongside. This space is at least 30 inches by 48 inches and may be parallel or perpendicular to the counter. It is also connected to the accessible route which connects to the accessible entrance and other areas in the business where merchandise or services are provided.

If you cannot provide an accessible sales or service counter or auxiliary counter nearby, such as a table or desk, you may provide a clipboard or lap board for use until a more permanent solution can be implemented.

Accessible counter is at least 36" long and no more than 36" above the floor

Provide a 30" by 48" space in front of the sales or service counter to accommodate a wheelchair or electric scooter



An accessible sales counter at a cash register

Checkout aisles, such as in a grocery store, have different requirements. An accessible checkout aisle should provide a minimum of a 36-inch-wide access aisle and it should be identified by a sign with the international symbol of accessibility mounted over the aisle. The counter adjacent to the accessible checkout aisle has a maximum height of 38 inches. If a lip is provided between the counter and the checkout aisle, its maximum height is 40 inches.

The number of accessible aisles that is needed depends on the total number of checkout aisles provided. For example, if one to four aisles are provided, then at least one should be accessible. If more

than five to eight aisles are provided, then two accessible aisles are needed. Each type of checkout, including express lanes, must have an accessible checkout aisle.

The ADA Standards for Accessible Design provide detailed information on the requirements for checkout aisles and for sales and service counters.

Serving Counters

Where food or drinks are served at counters and the counter height is more than 34 inches above the floor, providing a lowered section of the serving counter at least 60 inches long and no higher than 34 inches will make the counter accessible. If it is not readily achievable to make the counter accessible, a business can serve the items at nearby accessible tables, if readily achievable.

When it is not readily achievable to provide an accessible counter or bar area or service at accessible tables in the same area, then a business should provide service in an alternative manner, if doing so is readily achievable. This may include offering to assist the customer by moving items to an accessible counter or to their table in another area.

Self-service restaurants with a food service line must provide adequate maneuvering space for a person using a wheelchair to approach and move through the line, if doing so is readily achievable. A minimum width of 36 inches should be provided with a 42 inch width preferred, if readily achievable. If the line changes direction, such as a 180 degree turn, an extra wide turning space is needed. An alternative solution, in an existing facility, is to provide an accessible route around the queuing area.

If self-service condiments, utensils, or tableware are provided, then they should be located no higher than 54 inches if a side reach is possible or 48 inches for a forward reach (see Section 4.2 of the ADA Standards for Accessible Design). If it is not readily achievable to provide these items in an accessible location, a business can provide staff assistance, if doing so is readily achievable.



Door under counter can be opened to provide required knee clearance when customers eat at the counter

Lowered serving counter provides an accessible space to select and receive food items



Lowered shelf was added to provide an accessible surface for preparing coffee

Lowered shelf provided for condiment items

Fixed Seating and Tables

If tables are provided, such as in restaurants and snack bars, and the tables are attached to the wall or floor (fixed), then 5% of the tables or at least one (if less than 20 are provided) must be accessible, if doing so is readily achievable. Accessible seating must be provided, if doing so is readily achievable, at each accessible table to accommodate people using wheelchairs. Movable chairs can be used for these tables and the movable chairs can be removed when customers using wheelchairs use the table(s).

The same requirements apply to fixed tables in outdoor areas such as picnic areas, playgrounds or patios.



**Accessible seating positions
at a permanently-mounted table**

*When fixed seating
or fixed tables
are provided,
accessible seating must be
provided,
if readily achievable*

An accessible table has a surface height of no more than 34 inches and no less than 28 inches above the floor. At least 27 inches of knee clearance must be provided between the floor and the underside of the table. An accessible route provides access to each accessible table and a clear floor area 30 inches by 48 inches is provided at each accessible seating location. This clear floor area extends 19 inches under the table to provide leg and knee clearance.

If it is not readily achievable to provide the minimal number of accessible tables in all areas where fixed tables are provided, then the services must be provided in another accessible location, if doing so is readily achievable. However, these alternate location(s) must be available for all customers and not just people with disabilities. It is illegal to segregate people with disabilities in one area by designating it as an accessible area to be used only by people with disabilities.

Policies and Procedures

Businesses must review their policies and procedures for serving customers and change those that exclude or limit participation by people with disabilities. For example, if a store has a policy to exclude all animals, the policy should be changed to permit people who use service animals, such as "seeing-eye-dogs" and "hearing-assist-dogs" to enter the store with their service animals. A store that has a special accessible entrance that remains locked during business hours will need to change the policy and keep the door unlocked when the store is open. If security is a problem, an accessible call box or buzzer (identified by a sign and mounted in an accessible location and height) should be installed to enable people with disabilities to call staff to unlock the door. A restaurant that restricts seating of people with disabilities to one area must revise the policy to permit the range of choices enjoyed by others.

Communicating with Customers

Customers who have hearing or speech disabilities may need to communicate with sales staff without using speech. The method of communication will vary depending on the abilities of the customers and on the complexity of the communications that are required. For example, some people who are deaf are able to use speech but unable to understand words spoken by others while other people who are deaf are not able to communicate with speech. People with speech or hearing disabilities may require extra time to complete their message or extra attention by staff to understand what is being said. When communication by speech is not possible, simple questions,

such as the price of an item, may be handled with pen and paper by exchanging written notes or a mixture of speech and written notes. Staff should be aware of the need to use notes or both speech and communication with pen and paper. It is appropriate to ask the customer what is their preference for simple communication.

When more complex or lengthy communications are needed, it may be necessary to provide a sign language interpreter in, for example, negotiating the purchase of an automobile or home. But most business communications with customers involve only simple communications that can be done using pen and paper.

Many people with hearing or speech disabilities use a telecommunications device for the deaf (TDD) instead of a standard telephone. This device has a keyboard for entering messages and a visual display to view the content of a conversation from another person using a TDD.

To make it easy for people who use a TDD to communicate with businesses and individuals who do not have a TDD, the ADA established a free state-by-state relay network nationwide that handles voice-to-TDD and TDD-to-voice calls. Customers who use a TDD to make telephone calls may telephone your business using a relay network. The relay consists of an operator with a TDD who translates TDD and voice messages. For example, a caller using a TDD calls the relay operator who then calls your business. The caller types the message into the TDD and the operator reads the message to you. You respond by talking to the operator who then enters your message into the TDD.

Operators are trained to provide an exact interpretation and to not become personally involved in the conversation and are required to maintain confidentiality.

Calls using a relay take a little longer. You may also use the relay network to place a voice call to a customer who uses a TDD.

Tax Credits and Deductions

To assist businesses with complying with the ADA, Section 44 of the IRS Code allows a tax credit for small businesses and Section 190 of the IRS Code allows a tax deduction for all businesses.

The tax credit is available to businesses that have total revenues of \$1,000,000 or less in the previous tax year or 30 or fewer full-time employees. This credit can cover 50% of the eligible access expenditures in a year up to \$10,250 (maximum credit of \$5000). The tax credit can be used to offset the cost of undertaking barrier removal and alterations to improve accessibility; providing accessible formats such as Braille, large print and audio tape; making available a sign language interpreter or a reader for customers or employees, and for purchasing certain adaptive equipment.

The tax deduction is available to all businesses with a maximum deduction of \$15,000 per year. The tax deduction can be claimed for expenses incurred in barrier removal and alterations.

To learn more about the tax credit and tax deduction provisions, contact the DOJ ADA Information Line (see Information Sources for the numbers).

New Construction and Alterations

The ADA requires that newly constructed facilities, first occupied on or after January 26, 1993, meet or exceed the minimum requirements of the ADA Standards for Accessible Design (Standards). Alterations to facilities, spaces or elements (including renovations) made on or after January 26, 1992, also must comply with the Standards. If you build a new facility or modify your existing one, (for example, work such as restriping the parking area, replacing the entry door or renovating the sales counter), make sure to consult the Standards and the title III regulations for the specific requirements. Renovations or modifications are considered to be alterations when they affect the usability of the element or space. For example, installing a new display counter, moving walls in a sales area, replacing fixtures, carpet or flooring, and replacing an entry door. However, simple maintenance, such as repainting a wall is not considered an alteration by the ADA.

Many communities also have State or local accessibility codes enforced by local building inspectors. When a local accessibility code exists, you must follow both the code and the ADA requirements.

ADA Information Sources

Department of Justice ADA Information Line

The ADA Information Line provides information and technical assistance on the ADA Standards for Accessible Design and other ADA provisions applying to businesses, non-profit service agencies and state and local government programs. Information Specialists are available to answer general and technical questions during business hours on weekdays. The Information Line also provides 24 hour automated service for ordering ADA materials and an automated fax back system that delivers technical assistance materials to fax machines or fax modems.

800-514-0301 (voice)
800-514-0383 (TDD)

Internet
www.usdoj.gov/crt/ada/adahom1.htm

Electronic Bulletin Board
202-514-6193

Disability and Business Technical Assistance Centers (DBTACs)

The ten regional centers are funded by the Department of Education to provide technical assistance on the ADA. One toll-free number connects to the center in your region.

800-949-4232 (voice & TDD)

Access Board

Offers technical assistance on the ADA Accessibility Guidelines.

800-872-2253 (voice)
800-993-2822 (TDD)

Internet
www.access-board.gov

Equal Employment Opportunity Commission (EEOC)

The EEOC offers technical assistance on the ADA provisions for employment which apply to businesses with 15 or more employees.

Employment questions
800-669-4000 (voice)
800-669-6820 (TDD)

Employment documents
800-669-3362 (voice)
800-800-3302 (TDD)

Local Libraries

Technical assistance materials including the title III regulations that apply to businesses have been distributed to 15,000 libraries nationwide. This collection, is known as the ADA Information File. Contact your local or regional library to find if it has the ADA Information File and where it is located. You may also contact the regional DBTAC (800-949-4232) to obtain the name of a local library that has the ADA Information File.

Small Business Information Source

Small Business Administration

800-827-5722 (voice/relay)
(800-U ASK SBA)

Internet
www.sba.gov



AGENDA ITEM REPORT

2023 Meeting Schedule

Item Type: Action Memorandum
Prepared For: ADA Advisory Board
Meeting Date: 10 Nov 2022
Staff Contact: Melissa Jacobsen, City Clerk
Department: Clerks
Attachments: [Draft Reso 22-0xx 2023 Meeting Schedule](#)

Summary Statement:

Please review the draft resolution that establishes your meetings for 2023 and make any changes by way of motion.

Requests for meeting schedule changes will then go to City Council, who will be setting the 2023 meeting schedule for Council and Advisory Bodies via resolution no later than their November 28, 2022 meeting.

Staff Recommendation:

Review the attached draft resolution; make a motion to approve the resolution either as-is or with amendments and recommend adoption by City Council.

Attachments:

[Draft Reso 22-0xx 2023 Meeting Schedule](#)

**CITY OF HOMER
HOMER, ALASKA**

City Clerk

RESOLUTION 22-0xx

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA, ESTABLISHING THE 2023 REGULAR MEETING SCHEDULE FOR CITY COUNCIL, ECONOMIC DEVELOPMENT ADVISORY COMMISSION, LIBRARY ADVISORY BOARD, PARKS ART RECREATION AND CULTURE ADVISORY COMMISSION, PLANNING COMMISSION, PORT AND HARBOR ADVISORY COMMISSION, AND AMERICANS WITH DISABILITIES ACT (ADA) ADVISORY BOARD.

WHEREAS, Pursuant to Homer City Code (HCC) Section 1.14.020, the City Council annually sets the schedule for regular and some special meetings, noting the dates, times and places of the City Council, Planning Commission, Advisory Commissions and Boards; and

WHEREAS, The public is informed of such meetings through notices located at the City Clerk's Office, Clerk's Calendar on KBBI, the City Clerk's Website, and postings at the Public Library; and

WHEREAS, HCC 1.14.020 - 040 states that meetings may be advertised in a local paper of general circulation at least three days before the date of the meeting and that special meetings should be advertised in the same manner or may be broadcast by local radio at least twice a day for three consecutive days or two consecutive days before the day of the meeting plus the day of the meeting; and

WHEREAS, HCC 1.14.010 notes that the notice of meetings applies to the City Council and all commissions, boards, committees, subcommittees, task forces and any sub-unit of the foregoing public bodies of the City, whether meeting in a formal or informal meeting; that the failure to give the notice provided for under this chapter does not invalidate or otherwise affect any action or decision of a public body of the City; however, this sentence does not change the consequences of failing to give the minimum notice required under State Statute; that notice will ordinarily be given by the City Clerk; and that the presiding officer or the person or persons calling a meeting are responsible for notifying the City Clerk of meetings in sufficient time for the Clerk to publish notice in a newspaper of general circulation in the City; and

WHEREAS, This Resolution does not preclude additional meetings such as emergency meetings, special meetings, worksessions, and the like; and

WHEREAS, Council adopted Resolution 06-144 on October 9, 2006 establishing the Regular Meeting site for all bodies to be the City Hall Cowles Council Chambers.

NOW, THEREFORE, BE IT RESOLVED by the Homer City Council, that the 2023 meeting schedule is established for the City Council, Economic Development Advisory Commission, Library Advisory Board, Parks Art Recreation and Culture Advisory Commission, Planning Commission, Port and Harbor Advisory Commission, and the American with Disabilities Act (ADA) Advisory Board of the City of Homer, Alaska, as follows:

HOLIDAYS – City Offices closed:

January 2, New Year's Day, Monday*	February 20, Presidents' Day, third Monday*	March 27, Seward's Day, last Monday	May 29, Memorial Day, last Monday	July 4, Independence Day, Tuesday	September 4, Labor Day, first Monday
October 18, Alaska Day, Wednesday	November 10, Veterans Day, Friday*	November 23 Thanksgiving Day, Thursday	November 24, Friday, the day after Thanksgiving	December 25, Christmas, Monday	

*If a holiday is on a Sunday, the following Monday is observed as the legal holiday; if on a Saturday, the preceding Friday is observed as the legal holiday pursuant to the City of Homer Personnel Rules and Regulations.

CITY COUNCIL (CC)

January 9, 23	February 13, 27	March 13, 28*	April 10, 24	May 8, 22	June 12, 26
July 24**	August 14, 28	September 11, 25	October 3 Election	Canvass Board October 6	October 9, 23 Oath of Office October 9
November 7 Runoff Election, if needed	November 27**	December 11***	December 18*** if needed		

*Second meeting in March will be held on a Tuesday due to Seward's Day

**There will be no First Regular Meeting in July or November.

*** The City Council traditionally cancels the last regular meeting in December and holds the first regular meeting and one to two Special Meetings as needed; the second Special Meeting the third week of December will not be held.

City Council's Regular Committee of the Whole Meetings at 5:00 p.m. to no later than 5:50 p.m. prior to every Regular Meeting which are held the second and fourth Monday of each month at 6:00 p.m. Council will not conduct a First Regular Meeting in July or November.

ECONOMIC DEVELOPMENT ADVISORY COMMISSION (EDC)

January 10	February 14	March 14	April 11	May 9	June 13
July 11	August 8	September 12	October 10	November 14	December 12

Economic Development Advisory Commission Regular Meetings are held on the second Tuesday of each month at 6:00 p.m.

LIBRARY ADVISORY BOARD (LAB)

January 17	February 21	March 21	April 18	May 16	
	August 15	September 19	October 17	November 21	December 19

Library Advisory Board Regular Meetings are held on the third Tuesday of January through May and August through December at 5:30 p.m.

PARKS, ART, RECREATION AND CULTURE ADVISORY COMMISSION (PARC)

	February 16	March 16	April 20	May 18	June 15
	August 17	September 21	October 19	November 16	

Parks, Art, Recreation and Culture Advisory Commission Regular Meetings are held on the third Thursday February through June and August through November at 5:30 p.m.

PLANNING COMMISSION (PC)

January 4, 18	February 1, 15	March 1, 15	April 5, 19	May 3, 17	June 7, 21
July 19*	August 2, 16	September 6, 20	October 4, 16**	November 1*	December 6*

*There will be no First Regular Meeting in July or Second Regular Meetings in November and December.

**The second October meeting has been moved to Monday, October 16th due to Alaska Day.

Planning Commission Regular Meetings are held on the first and third Wednesday of each month at 6:30 p.m.

PORT AND HARBOR ADVISORY COMMISSION (PHC)

January 25	February 22	March 22	April 26	May 24	June 28
July 26	August 23	September 27	October 25		December 13

Port and Harbor Advisory Commission Regular Meetings are held on the fourth Wednesday of January, February, March, April, September, and October at 5:00 p.m.; the fourth Wednesday of May, June, July, and August at 6:00 p.m.; and the second Wednesday of December at 5:00 p.m.

AMERICANS WITH DISABILITIES ACT (ADA) COMPLIANCE COMMITTEE (ADA)

	February 9		April 13	May 11	June 8
July 13	August 10		October 12	November 9	

The Americans with Disabilities Act (ADA) Advisory Board Regular Meetings are held on the second Thursday at 5:00 p.m. in the months of February, April, May, June, July, August, October, November, with additional meetings called as needed.

PASSED AND ADOPTED by the Homer City Council this _____ day of November, 2022.

CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

Fiscal Impact: Advertising of meetings in regular weekly meeting ad and advertising of any additional meetings.

Hi ADA Advisory Board Members and COH ADA Coordinator,

We're following up on some of the pedestrian hazards Pat Case shared during public comment at our last ADA Advisory Board meeting. Pat specifically asked the Board to make sure the Director of Public Works (Jan K.) was aware of the issues. Brad and I discussed these and he has taken the following pictures to help us understand and visualize the barriers. Let me know if you want me to forward this to Jan K or if that will be done internally.

Two hazards were of particular concern for Pat:

1. The multi-use path near Beluga Lake Lodge has significant horizontal cracks that may lead to injury for pedestrians, cyclists, and individuals who use mobility devices.



2. The crosswalk on Svedlund near Pioneer abruptly ends with significant trip and fall hazards where the sidewalk transitions to the road shoulder.



Pat also shared frustration with safe access to Safeway from Hazel. We plan to follow up with him on this issue. Joyanna Geisler & Brad Parsons

Manual dispenser



DESCHAMPS' MOBI-ROLL 'N Stow™ is designed to transport, deploy and recover up to 164' (50) long Mobi-Mat® RecPath™, with or without vehicle in a few minutes.

Easy Assembly

DESCHAMPS' MOBI-ROLL'N Stow™ is delivered in kit ready to be assembled.

Robust system

MOBI-ROLL'N Stow™ is made of corrosion resistant material, and is therefore particularly suitable for seafront climate.

Easy manual deployment

MOBI-ROLL'N Stow™ can be pushed and pulled manually to deploy or retrieve up to 164' long Mobi-Mat® RecPath™.

Quick towing with vehicle in option

MOBI-ROLL'N Stow™ can be fitted with a towing coupling to deploy or retrieve up to 164' long Mobi-Mat® RecPath™ with a vehicle equipped with standard towing coupling.

Easy transport and storage

With its 50 lbs (23 kg), DESCHAMPS' MOBI-ROLL 'N Stow™ is very easy to transport and allows easy storage of the Mobi-Mat® RecPath.

Roll-Out Access Pathway



Mobi-Mat® RecPath™ is a portable and removable rollout access pathway for pedestrians, wheelchair users, strollers, bicycles and ATVs.

ADA/ABA/AODA - Compliant

Firm, safe and stable, easy for any type of wheelchair, stroller or walker to maneuver on – providing a smooth continuous surface without gaps.

Environmentally Friendly

Made of 100% recycled polyester, Mobi-Mat® RecPath™ contributes to the environment by utilizing recycled plastics.



RecPath™ channels traffic along designated areas to protect sensitive dunes.

User friendly Cool and smooth surface

The blue AFX Mobi-Mat® RecPath™ permeable structure remains cool when exposed to very high temperature up to 80°C (176°F), for the benefit of barefoot beachgoers and disabled people.

Lightweight and Easy Installation

Mobi-Mat® is only 0.27 lbs/sqft, facilitating installation and retrieval of a 50'long section by two persons in ten minutes. Installation and retrieval can be performed by one person when using our Mobi-Roller™.

Color: Blue Jay

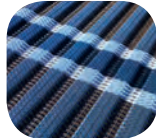
Easily provides dedicated traffic lanes. It is great for visually impaired persons.

Low Maintenance:

The Mobi-Mat® permeable structure allows sand to filter through, without sinking into the sand. Mobi-Mat® RecPath™ is easily maintained by sweeping any excess sand build up with a broom or with a leaf blower.





Product Trade-mark	Material	Grade	Color	Part Number	Roll Dimensions*			Roll weight (lbs)
					Width (ft)	Length (ft)	Diameter (in)	
 Mobi-Mat®	 100% Recycled Polyester	 0.27	 Blue Jay	206 483	5	16.5	12	22
				206 484		33	14	45
				206 485		50	16	68
				206 486		82	18	111
				206 488		100	20	135
				206 494	6.5	16.5	12	29
				206 495		33	14	58
				206 496		50	16	88
				206 497		82	18	144
				206 498		100	20	176

Anchorage included in the kit:

- X connection



- Staples and/or Spikes



* For any customized length, please contact DMS Inc. Phone# (973) 928-3040

The installation sheet can be downloaded on www.mobi-mat-chair-beach-access-dms.com

- The installation sheet can be downloaded on www.mobi-mat-chair-beach-access-dms.com



- Discover our complete range on www.mobi-mat-chair-beach-access-dms.com



5' & 6.5' wide RecPath™



RecPath™ Sign



Mobi-Roll'N Stow™



6.5' & 10' wide VMM™



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