

2023 Annual Report of the Pueblo and Pueblo Area Council of Governments (PACOG) Americas with Disabilities Act (ADA) Advisory Committee

PURPOSE

This report describes the activities of the Pueblo and PACOG ADA Advisory Committee from January 01 through December 31, 2023.

BACKGROUND

The Committee was established in 2004 under Ordinance #10097 as part of the Settlement Agreement between the Department of Justice (DOJ) and the City of Pueblo to monitor compliance with the Americans with Disabilities Act. No fewer than 51% of the Committee members must be citizens with significant disabilities who have access to a network of other people with significant disabilities, and may include the parent or guardian of a child or children with disabilities, according to our Bylaws. Disability does not discriminate and the Committee needs members with a range of experiences to represent this population effectively.

Members are appointed by the Mayor for renewable 4 year terms or more if there aren't enough members to fill the quota of 15 members. Membership can include subject matter experts or advocates for those with disabilities. A link to the Settlement Agreement, the bylaws, meeting agendas, and minutes are posted on the city website at <http://www.pueblo.us/153/ADA-Advisory-Committee>.

The Committee can have up to 15 voting members and there is a continuing outreach plan to achieve this goal. The Committee asks all City Council members to attend them and to encourage constituents to apply or attend. Zoom options are now standard and a link is included in every agenda.

Zoom options for the monthly meeting are now standard and go out with every set of minutes. Zoom is not available for work sessions, which are held on the second Thursday of every month, and sometimes at other times as agreed upon.

2023 Successes: 11 Walk/Roll Audits.

1. Pueblo Ice Arena

In January, the Committee conducted an assessment of the Pueblo Ice Arena. With the help of Charles Roy, Executive Director of Public Works and City ADA Coordinator, the wheelchair lift is being fixed, a door opener is being installed at the entrance, and the ADA attendant seating that was sold to non-ADA ticket holders of the Pueblo Bulls Hockey games has been reinstated for ADA use only.

2. District 60 Schools

In February, the Committee conducted an assessment of the District 60 Schools external access. Although some of the issues were fixed, the Committee will continue to address these needs on behalf of the students, parents, employees, and visitors.

3. Colorado State Fairgrounds

An assessment of the pedestrian access surrounding the Colorado State Fairgrounds was completed. Multimodal Mitigation Option Funds (MMOF) are being sought to improve these areas along Acero, Arroyo, Beulah, Mesa, and Small Avenues.

4. Pueblo City-County Libraries

In March, the Committee conducted an assessment of the area surrounding the Pueblo City-County Libraries. The Committee met with Amy Nelson, Director of Public Services and Sherri Baca, Executive Director to discuss our concerns. The Committee also conducted a walk/roll of the Rawlings branch with Charles Roy Deputy Director of Public Works, and Todd Berisford, Associate Field Engineer. Our visually-impaired member had a frightening experience where she could not find the Library entrance from the bus stop. CitiLift General Manager Christopher Kringel was receptive to our suggestion to change the pick-up and drop-off point to the new round-about in front of the Rawlings entrance instead of the bus stop on Colorado Ave. The Committee was also given copies of the architectural plans for the renovations of the Barkman and Lucero branches and provided input.

5. Parks and Recreation

In June, the Committee conducted an assessment of 25 parks and the Pueblo Riverwalk. In our City, the Home of Heroes, many of our parks lack the adequate parking and/or curb ramps that people with disabilities need to enjoy these public spaces. The Committee met with Mike Sexton, Assistant Parks and Recreation Director, to highlight a few areas at City Park that would qualify for grant funding if applied for. The Committee would also like to see at least one fully accessible playground. Grant monies for projects like that would be available.

6. McCulloch Boulevard and Spaulding Avenue intersection

In July, the Committee assisted Eva Cosyleon, Metro Planning Organization Manager for PACOG, with an assessment of this busy intersection and demonstrated the need for walk/roll audits to be conducted prior to the construction phase. The jurisdiction for this area is the City, the County and the Colorado Department of Transportation. It is unfortunate that there was no preliminary assessment, but with additional time and money, this intersection will eventually be ADA accessible.

7. Dutch Clark Stadium

In September, the Committee made contact with Dr. Kathy DeNiro, Pueblo Schools Board and PURA member, Jerry Pacheco, Executive Director of the Pueblo Urban Renewal Authority (PURA), and Shawn Sandoval, also of PURA, and conducted an assessment of Dutch Clark stadium. The Committee discovered that there was not adequate restroom access, and that it was not included in either phase of the renovation. Jerry said two separate accessible restrooms with adult changing tables will be added by a general contractor after Phase 2 is completed in the Spring of 2024 when he knows how much money is left over.

What is particularly unfortunate is that the Committee tried in vain from January on to talk to the District about these plans and was ignored until we reached out to PURA. With timely input, the Committee could have made the renovations more effective and probably less costly.

8. Chile and Frijoles Festival

In September, the Committee conducted an assessment of the Chile and Frijoles Festival and gave our feedback to Duane Nava, President/CEO of the Greater Pueblo Chamber of Commerce. The e-mail with suggestions for vendors for

making their booths more accessible was shared with the vendors and power cords in the street were covered so that wheelchairs could go over them. After the Festival, the Committee let the Chamber know that a larger wheelchair accessible portable toilet is needed for next year, but it was hard to get any wheelchair-accessible portable toilet at all. There were none available in Pueblo and they had to go to Colorado Springs for one. Mr. Nava said he will have it for future festivals. It was a pleasure working with the Festival.

9. Eighth Street Bridge

Also in September, the Committee was asked by Eva Cosyleon to conduct an assessment of the 8th Street Bridge and pedestrian access from Santa Fe Ave. to Hudson Ave.

10. Union Avenue

September was a busy month. The Committee conducted an external assessment of downtown businesses along Union Ave. from City Hall to the Union Avenue Bridge and gave our feedback to Charles Roy to relay to the architect in charge of that renovation.

11. Electric Vehicle (EV) and electric bicycle (EB) charging station at Sangre de Cristo Arts and Conference Center

In December, the Committee conducted a mandatory assessment for proposed EV and EB charging stations. Walk/roll audits are now mandatory for Multimodal Mitigation Option Funds (MMOF) projects as part of the planning stage. A follow-up assessment of a Safe Routes to School project completed at the intersection of Monument Ave. and 4th Street revealed that the pedestrian island crosswalk button was inaccessible for our member wheelchair user, again highlighting the need to include our committee in the planning stage of projects. That is being remedied.

Goal #1: Continue monitoring access to City, County and State facilities and services.

While the County and State facilities here in the City of Pueblo are not technically mandated by the Settlement Agreement, they *are* physically in the City and the Committee is working with varying degrees of success to

expand our services and expertise to include facilities such as the County Courthouse and State Fairgrounds.

The Committee had the privilege of sharing our expertise with the architects of the Pueblo Community Health Center a few years ago, and was delighted to see that the resulting facility is a model of access. The Committee looks forward to continuing to provide this kind of service to all of the entities here.

Successes: The Committee continues to receive ongoing updates from department heads about projects that need our input and to review curb ramp requests from different sources. The Committee has provided our expertise to the Transit Department on various issues involving both physical disability access and passenger behavior challenges. **OTHER SUCCESSES HERE.**

The Committee has instituted our **Walk/Roll audits** of many of the 81 City parks, the Ice Arena, libraries and several streets projects, such as The Safe Route to Schools project. The Committee issues reports and Power Points, and our input has led to improvements in disability access. The Committee looks forward to continuing these audits in 2024.

PACOG has a **Complete Streets initiative**, which has regular committee meetings. The Committee has two Committee members representing disability access issues on that.

The Committee sent three members to conduct a **sensitivity training session** to the bus drivers, which was a success.

The **Pueblo Bulls management** came to us for input on accessibility at the Pueblo Ice Arena. After some extensive discussion, they have been implementing our suggestions. There is a problem getting a new wheelchair lift, but that part of the project should be completed in 2024. The other issue is the lack of an emergency exit ramp on the east side.

The Committee is happy to say that we are sought out more and more to provide our input. We provided feedback on the **renovations to the Lamb and Barkman branches of the library**

The Committee hosted the new **Regional Building boss**, Mark Gurrero, and shared how we can benefit one another. It was a relief to learn that he is an architect by training rather than a contractor.

Challenges: The Committee are having difficulty working with **District 60**, which has the Dutch Clark Stadium and the **State Fair**. Both have been very resistant to our overtures, and the Committee plan to continue our outreach in 2024. They are starting to respond, however. District 60 has someone with the title of ADA Compliance officer who has been invited to meetings but has not responded. The Committee need to follow up on this.

Sidewalk accessibility remains the only outstanding item from the Settlement Agreement. There is a device that rates streets to identify prioritize repairs and replacement, but sidewalks are more difficult to rate because they involve cross slope and to our knowledge there still isn't a viable tool for them. Given the complexity and expense of the job, the Committee does not anticipate ever having all the sidewalks accessible. The City employees can and do chip away at that challenge, and the challenge of installing curb ramps, using available funding very efficiently. They also seek and obtain grants to apply to the jobs.

The **County representative** is seldom present, but he reported that there is a great deal of activity on that front when he was there. The Committee would like to hear more on a regular basis.

The Committee wants to contact the Project Manager for the proposed **Front Range Passenger Rail System** and find out the status and where we can share our expertise to make the system as accessible as possible for everyone.

Goal # 2 Business community outreach

The Committee wants to communicate with the Konjilicas, who have renovated the large home on Orman and Colorado to serve as a B&B and event center. They were not responsive, and we look forward to trying again. It is now too late to make any cost-effective changes to enhance accessibility. Costly necessary retrofits, however, are still possible.

The Committee was able to do a walk/roll audit at the **Sangre de Cristo facility**, and found a number of deficiencies in the physical plant. Since the County actually owns it, but it is managed by the Art Center personnel, the Committee categorizes this as business outreach.

The Committee was able to provide the Chamber of Commerce feedback on the access issues for the **Chilifest** in advance of the event, and after it. We look forward to continuing this collaboration, and helping to make more of an impact to the Chamber and, eventually, business members.

The Committee also wants to connect with the local Builder's Associations to explain **visitability** and the desirability of implementing this building philosophy, along with ways to convince their clients why they should spend the small amount of extra money. Visitability is the philosophy that homes should have wheelchair access at one entrance and a bathroom with a door wide enough for a wheelchair to access it on the ground floor. As the residents age and acquire disabilities, it will permit flexibility for needed adjustments. Perhaps more to the point, when someone breaks a leg or has some other unfortunate situation and needs a wheelchair, it permits that flexibility without incurring retrofitting construction costs.

The Committee has made significant progress in the business areas and look forward to continuing that in 2024.

The **Volunteer Handicapped Parking Patrol**, which was suspended during COVID, has not been re-implemented. The Committee wants to work with the Pueblo Police Department to get this started up again. When those spaces are being fraudulently used, it seriously interferes with access. When the Committee had the Patrol, word got around that enforcement was underway and we believe that there was less abuse. There are numerous retired police officers, firefighters, and other public officials who could be recruited to staff the Patrol.

Goal #3: Monitor Access to County Facilities and Services

The county is not included in the Settlement Agreement and so is not required to participate. The Committee has always encouraged them to do so. There has been no substantial participation in our regular meetings. Again, Zoom options are available for busy people.

The Handicapped Office in the basement of the county courthouse is intended to be a liaison between people with disabilities and any county services available in the building. That has been working well, but the "Temporary" entrance is not as accessible as it could be. The control for the automatic opener is **what was the problem again?** Until it is removed, which was supposed to be done in November, 2023, the control needs to be moved. The Committee has been requesting this since **JANUARY 2023?** and looks forward to seeing this fixed or the removal of the temporary entrance in 2024.

The Committee has reviewed the external plans for the new **County Detention Center** and looks forward to meeting with the people running it to discuss disability access issues for inmates and guards.

As the City plans new projects with disability accessibility components and seeks grant funding, the Committee is increasingly being asked to **write letters to support these projects** for the grant applications.

Goal # 4: Succeed in outreach to the State Fair and CDOT technical advisors.

The Committee has attempted for years, but especially since January 2023, to share our expertise with the State Fair leadership, since they are working on the Fairgrounds and claim that disability access is important to them. The Committee did succeed in doing a Walk/Roll audit of the City sidewalks on Mesa by the Fairgrounds, and corrections were made to them by the City. There are many access challenges with the State Fair, and we are eager to work with them to reduce that number, at least. The many buildings built in the 1920s and 1930s may not be easily made accessible, but there may be work-arounds that together the Committee can determine and the Fair can accomplish.

Goal # 5: Strengthen Public Transit Options

Staff members from **Pueblo Transit** and **CitiLift** attend almost all of our meetings and offer good information and sometimes ask for help with dilemmas. The Committee has feedback from members who use Bustang that it is much preferred to Greyhound. Word is that the lifts, the equipment most likely to fail, are well maintained and Bustang operators know how to use them. This is in large part because SRDA manages the lines that come through Pueblo.

When accessibility issues arise with equipment, drivers or riders, the Committee offers solutions and opinions. Not every issue can be resolved to provide disability access; sometimes the request is simply impossible. Getting wider lifts on the busses cannot be done, for example. The Committee is happy to report that previous groundwork laid has resulted in new busses and drivers.

Goal #6: Emergency Preparedness

This goal is not one the Committee has done well on. We do have reports from Ron Sasaoka from the Health department, generally on the status of the various viruses and the officer from the Sheriff's Department, Joshua Johnson. The Committee needs to find ways to be more active in the state-wide organization called **Functional Needs something or other**. Also, more participation in the emergency drills has been requested. One of our members attempted to participate but didn't know she needed to submit a

waiver form two weeks in advance. The next one will be in May 2024 and this time she and other Committee members know about that requirement.

In the past, the **Red Cross** came to one of our meetings, but should be consulting us more regularly as they set up shelters that people with disabilities use. There are other overlooked issues that the Committee could address.

Goal #7: Promote Awareness of the Americans with Disabilities Act

In past years the Committee has worked with the Pueblo City and County Library District to put on a **symposium about the ADA**. This may be something we can repeat in 2024 since the library renovations are about complete and we now have sufficient Committee members to put together a sub-committee to pull it together. Incidentally, our Walk/Roll audit of the library led to redoing part of the new parking lot and changing the drop-off location for Citilift to accommodate people with vision loss.

Goal # 8: Publicity and Outreach

This is another goal the Committee needs to work on more. There was a call put out for new membership through the Mayor's office that was also published in the paper. It has been very successful, as we have acquired new members and continue to have applications come through.

The Committee has also addressed access issues when citizens bring them to our committee.

Challenges

The Committee continues to insist on more funding for transit. The concept of a Regional Transportation Authority is somewhat more likely with new funding for transit and so many of our potholes are getting filled. The driving public will not support transit until the quality of the streets has improved significantly. Public Works is addressing the worst areas methodically and the we hope this will lead to better transit too.

Our Deaf member has not been attending, so the Committee doesn't know if there are ongoing problems with service animals. The Committee sees the law being abused on a daily basis. Everyone has learned how to identify their animals as service dogs. Businesses are afraid to be sued and have stopped enforcing no pet rules for dogs brought into their stores. All owners are responsible for the behavior of their animals. We are seeing more signs

in stores stating that it is illegal to pass off a pet as a service animal, though.

The Committee has adapted quickly to Zoom as a tool and would like to see more City involvement. We have resolved the issue of captioning Zoom, and were delighted that captioning was available at the Mayor's State of the City presentation. Publicity that it was available would have been desirable, as there had to be more than two of us who needed it.

Looking to the Future

The Committee plans to update the Bylaws shortly, and looks forward to having that done. **WHAT ELSE DO THE COMMITTEEPLAN TO DO?**