

January 13, 2014

Recreation Advisory Board Minutes

**Board Members**

Wayne Wheeler	Barry Mundt
Todd Dunnuck	Ashley Arrington
Bob Pierce	Jordan Veal
Josh Conner	Mildred Nance-Carson

**City Council**

Chris Pelly

**Staff**

Roderick Simmons, Director

Debbie Ivester, Assistant Director

Mark Halstead, Program Supervisor

Sandra Travis, Program Supervisor

Judith Scott, Administrative Assistant

Al Kopf, Superintendent of Planning and Development

Christy Bass, Interim Superintendent of Business Services

Seth Hendler-Voss, Parks Planning and Operations Manager

Amy Rickman, Recreation Superintendent

Pete Wall, Landscape Architect

Randy Shaw, Recreation Center Director III

David Carr, HR Consultant, Organizational Development & Training

Wayne called the meeting to order at 12:30 PM.

Wayne welcomed Councilman Chris Pelly, the new City Council Liaison for the RAB who is replacing Councilman Cecil Bothwell who did a wonderful job while serving as the liaison.

## **1. Approval of December Minutes**

Josh motioned to approve the December minutes. Ashley seconded and the motion passed with all in favor.

## **2. Public Comment: Americans with Disabilities Parks & Facilities Audit Report**

Seth Hendler-Voss introduced John McGovern, president of Recreation Accessibility Consultants (RAC), to present the ADA Parks and Facilities Audit Report. The city became aware in 2009 the ADA guidelines would be updated in 2010 and enacted in 2012. The city hired a consultant with expertise in ADA federal guidelines to inspect all facilities, make recommendation, and to advise on cost of addressing existing barriers.

John McGovern gave a brief history on his background in the municipal parks and recreation field, and in ADA compliance. He continued with a presentation over viewing the scope of work RAC did within the city's parks and facilities. He spoke about the findings and made staff aware of what will be addressed, and what the city is doing right in relation to ADA requirements. RAC's focus was to find the things which were noncompliant, which areas need to be addressed first, and which could be delayed until a later time.

In March 2012 accessibility standards within Federal guidelines became effective including recreation elements. Playgrounds, sports fields, swimming pools, golf courses, sports courts, etc., have requirements that determines accessible and technical requirements. US Access Board is a federal agency still working on things important to municipal parks and recreation departments such as trails, picnic areas, camp sites, viewing areas and outdoor constructed features such as a grill in a picnic area.

In complying with ADA standards, RAC recommends the city does more than the minimum. Doing just the minimum means five years from now if there's a complaint the city doesn't have the right support. Rule making is still underway regarding specifications for accessible golf carts and accessible exercise machines.

Today RAB is accepting public comment on the audit report but two excellent comments have already been received via email from Janet Barlow at Access for the Blind.org and from Joe Barrett at Hinds Feet Farms.

When RAC conducts site inspections, it always works in two person teams for a quality control. RAC provides services in policy review and development. ADA is a comprehensive federal civil rights law. A municipal government cannot discriminate based on disability in any way within parks and recreation facilities, programs and policies.

Title 1: Employment. Unemployment rate for people with disabilities is 66%.

Title 2: State and Local Government Services. Government services except public transit. Title 2 governs municipal parks and recreation services in facility access and program access. Example: Not every playground has to be accessible but recommend make one out of every three accessible. If there are 60 playgrounds, you aim to retrofit 20.

Title 3: Public Accommodations. Non profit organizations and businesses that provide services such as banks, gas stations, fast food restaurants, real estate, etc.

Title 4: Telecommunications. Technology has advanced to the point to surpass the need of the regulation.

Recreation Inclusion: Information is provided in the report outlining the process of recreation inclusion from registration to staff assessment.

Why audit? Municipal parks and recreation departments are required to evaluate existing sites and programs. When renovations or new construction is developed, access has to be included in the plans. Asheville's existing sites were developed before people with disabilities were seen as part of the community.

Where do the residents fit in? The ADA requires the City to invite public feedback to refine the plan.

Examples within the Asheville parks and recreation system that need improvement to meet ADA requirements.

Playground: Surface materials and regular maintenance. Maximum slope is 5%. The playground inspected by RAC measure 12.9% which exceeds maximum slope. Entry onto play equipment maximum height is 24". In some areas height exceeded this level.

Benches: The only ADA requirement on a bench is the route to be firm and stable so a wheel chair can access it.

Bleachers and Ball Fields: Access to field or bleachers has to have a firm and stable route to the spectator area and the playing area.

Exterior Access to Buildings: Maximum slope 8.33% but other requirements regarding handrails and landings apply.

Accessible Parking Stalls: Can not exceed slope in any direction 2.1%. The inspected stall measured 5.2% slope.

RAC recommends making improvements in phases

Phase 1: In existing facilities lower or install coat racks inside buildings, reposition signs at parking areas, reposition directional signs. Design all ADA requirements in any new construction.

Phase 2: Make playground surfaces accessible, install a pool lift, create accessible routes from parking areas to sports fields, spectator areas and play areas.

Phase 3: Address more costly projects as develop resources and funding to support improvements.

RAC evaluated existing recreation programs and policies and made a wide variety of recommendations including but not limited to facilities, advertizing, registration procedures, and inclusion.

### Public Comment

Bob asked about clarification on slope figures. How much of a drop does in represent in distance? John stated the ramp slope is 8.33% and that's a 1 in 12 rise. 5% is going to be around 6.25% or less.

Wayne inquired if there are any exemptions to historic preservation. John responded historic sites can be treated differently. One can choose to not make adjustments if meeting accessibly requirements would threaten or destroy the historic significance of the site.

Laurence Bannon: On the historic sites you should first try to provide another access. There may be circumstances where a secondary access can't be provided. It requires an entire evaluation of a site. City staff does not have the authority to make that decision. The decision is made by the State historic preservation officer. If the State says no, then you can do little negotiation. If you have a very hilly area at some sites, it is technically infeasible for you to create a route that meets the slope requirements, but this shouldn't happen often. DOJ recognizes there may be varying circumstances that you just can't treat every building the same. It has to be a thoughtful process that engages staff and what are the possible solutions here, what's the most that we can do and let's go ahead and do it.

Terry Bellamy, Executive Director, ARC of Buncombe County: Noted all the program analysis was not available on the city's website prior to this meeting. ARC sees issues in playgrounds that are surfaced in woodchips. It's great for a child without a disability, but for a child in a wheelchair or walking aides it's a problem. Looking at an alternative playground that uses an alternative type of fabric, a surface that allows water to get through but it's a different level surface. We don't have one in Asheville, and we're the largest city in Western North Carolina. Next issue is striping on steps. Many of our citizens who are disabled have vision issues as well, and if you use white or yellow striping on steps, it would help in visibility. Strips are missing in a lot of our areas. The city has a baseball program for young people with disabilities and partner with McCormick Field. The only issue is the steps there. It's a challenge for a wheelchair. They have to go through the gated entrance that's for cars and service vehicles to get on the field without steps or aids or someone has to help them down. A miracle field has been requested but hasn't moved forward. Miracle field provides alternative field that is flat for people who have disabilities. It's not dirt, and it's made up of a pervious surface that allows water to go through, but it's just for kids with disabilities. It allows them not to get hurt. Brian DeWine from the Asheville Tourist organization is going to provide funding for that and South Asheville Baseball League is also willing to

help raise money and a couple of private donations as well, but they need space to develop the field. Exit doors and frames in buildings have been talked about in the report. However, pushing a button and having a door open would be a great appreciation at a lot of the facilities. People with disabilities using the Aston Park Tennis Courts need support. The parking spaces are on the hill and courts are down below the grade. There is no way you can get out of the car and go down the steep slope. There's an opportunity for a sidewalk in this area to allow people to access the tennis courts. If you look at the aging population and the usage of those courts, you will see there are a lot more people who are aging and people who are disabled. There's policy recommendation for motorized vehicles on page five of the report. Under Section 4C I ask that you strike "shall not be driven into wet". If you include this you take away opportunities for individuals to use the French Broad River Park, Carrier Park and many of our greenway areas. Another accessibility issue is the lack of railings at sidewalks and access areas to facilities for people who can walk but need a little aid. Laurence is also an ARC representative on the Mayor's Task Force for Assistance with Disabilities. On the task force are agencies for individuals with disabilities who have not had an opportunity to see this report. It would be a great place to send the report and get some suggestions. John did a wonderful job on stating areas that should and should not receive upgrades. I would disagree a little bit on some of those. I think you should talk to some of the users who are disabled in order to get recommendations on what upgrades should be done first.

John: The power mobility devices are a really good suggestion. What we've recommended is the department put together a blue ribbon panel including people who use those devices and are familiar with the parks. You do have more sites with water than the typical parks and recreation department.

Wayne: I'm curious about what you call a mobility device. There are other power driven mobility devices. Basically, it's segways. I'm also curious about people in wheel chairs to get down to the tennis courts to play tennis. That's a pretty old adapted sport, wheelchair tennis. When you play tennis, you have to hit the ball before it hits the court twice. In wheelchair tennis there can be a second bounce and still hit the ball. A lot of people play wheelchair basketball and other sports as well.

Ashley: What's our current rotation on checking the parks? Roderick responded that each site is developed based on best practices so playgrounds are checked daily. Most inspections are for overall maintenance, but the detailed analysis John spoke to is done on an as-needed basis. Staffing is limited and there is enough to provide basic maintenance.

Laurence Bannon: I know this is not ADA requirement but the height of a bench should be higher so people can get up easier. We had a member at the airport chair that couldn't get up. John responded the requirement for accessible benches is one in five, so if there are 10 benches in a park, only two have to be accessible.

Josh: Do you need recommendations or actions from RAB to recommend this to the mayor's committee? Debbie responded this is strictly to gather public comment. This board does not have any action to take except to receive public comment so it is recorded in a public document. These comments will be shared with John and Seth to utilize them as they continue to build out the report. Are we going to take the report to other bodies to get public input? Yes.

Roderick: Once this report is completed, we will take the document and create a strategic plan to address all the issues in there as part of the deferred maintenance program.

Wayne closed the public comment.

### **3. RAB 2013 Annual Report**

Josh motioned to approve the 2013 Annual Report. Barry seconded and the motion passed with all in favor.

### **4. RAB Retreat Update**

Debbie confirmed the retreat is on Jan 31<sup>st</sup> from 12:30 pm to 4:30 pm in City Hall in the 6<sup>th</sup> floor conference room. David Carr, from Human Resource Department, will be facilitator. Staff and RAB chair and vice chair met to discuss the retreat agenda. RAB members will receive the retreat packets prior to the retreat. David Carr reviewed the retreat agenda. The purpose and outcomes of the retreat will focus on revealing, informing and focusing on what action steps RAB may be able to identify and report back to council and help guide them on issues related back to parks and recreation.

### **5. Director's Report**

Director Roderick Simmons reported the following.

Breakfast with Santa had 76 participants in two sessions.

The City is currently developing its FY 14-15 budget proposal.

The Montford Center gym renovation is almost complete. The gym has new lighting and paint, and the floor is being replaced. Staff is working with user groups because the demand for time for the gym has increased and more groups want to use the facility.

The US Cellular Center recently replaced its sports court flooring and we have an opportunity to use the old floor in a recreation center gym. If budget allows, staff will consider Shiloh Center this year, followed by Stephens Lee Center.

Wayne asked the following. What was the cost of the ADA study? Any ball park as to what the cost of compliance would be? Will there be a percentage of the annual budget that will be applied toward that amount? Roderick reported the ADA audit cost approximately \$40,000. Staff is currently estimating the cost of implementing compliance and should have the cost at the RAB retreat in the CIP budget. Staff is currently developing the city's CIP budget for the next six years. At this time there is no money for parks and recreation projects in the CIP.

### **6. Reports: Asheville Area Riverfront Redevelopment Commission**

Wayne reported the city contracted with Heritage Direction led by Tom Gallagher to conduct a number on the area on access, mainly talking to property owners. There is the form based code where an area may be zoned for just commercial, but by getting an agreement with the majority in the area, it could

include residential along with commercial. They are trying to connect the area with downtown with trails through the area known as Clingman.

#### **7. Other Business**

Bob Pierce reported the Nature Center had a record attendance of 108,000 last year.

#### **8. Adjournment**

Wayne adjourned the meeting at 1:43 pm.