

**WEST HOLLYWOOD
DISABILITIES ADVISORY BOARD
MINUTES
APRIL 11, 2001
WEST HOLLYWOOD CITY HALL**

1. **CALL TO ORDER:** Chair Pavich called the Meeting to order at 5:40 PM.
2. **PLEDGE OF ALLEGIANCE:** Board Member Arrigo led the Pledge.
3. **ROLL CALL:**

PRESENT: Board Members Ahern, Arrigo, Pavich, Ring, Saur, Semonco, Weber and Weltman.

ALSO PRESENT: Staff Liaison Springer and Deputy Clerk Moreno-Freedman.

ABSENT: Board Member Dietrich.
4. **APPROVAL OF AGENDA:**

ACTION: Approve the Agenda of Wednesday, April 11, 2001. **Motion Board Member Weltman, seconded by Board Member Arrigo and unanimously carried.**
5. **APPROVAL OF MINUTES:**

ACTION: Approve the minutes of the meeting of March 14, 2001. (Board Member Weltman requested that liaison be added in the sentence where he is on the Human Services Commission. **Motion for the amended minutes. Board Member Ahern, seconded by Board Member Arrigo and unanimously carried.**)
6. **PUBLIC COMMENT:**

JENNIFER LUDLOW, CALABASAS, Positive Living Publication from APLA. She is doing a story on the Disability Advisory Board and gave out her phone number 818-880-6179 for the members to call her and give her background information about the Board.
7. **STAFF COMMENTS AND PRESENTATIONS:**

Chair Pavich was interested in finding out about transportation arrangements for Gay Pride for the Board. Staff Liaison Springer said that she would look into this.

Chair Pavich requested that the order of the meeting be changed where the New Business items be presented first and the Unfinished Business items afterwards.

9. NEW BUSINESS:

A. PLUMMER PARK PLAY EQUIPMENT REPLACEMENT PROJECT:

Kevin Trudeau, Project Supervisor of Landscape and Building gave a presentation on the changes being made at the Plummer Park Play Area. His department went to Shane's Inspiration to research their project for ideas. All the equipment is being updated to comply with ADA standards. The City has been working with an architect on the new lay out of the play area. It will be wheelchair accessible. The Public Facilities Commission approved the plan. The Bid packets will be going out for the Play Equipment shortly and then it will go to Council in June to be awarded to a contractor. The project will be finished in July and he invited the Board to the opening.

B. CALIFORNIA RELAY SYSTEMS PROGRAMS:

Brenda Bailey from the California Relay Systems Programs gave a presentation on TTY. She showed a video and then answered Board Members questions. For additional questions she gave out an internet address www.DDTP.org.

Chair Pavich suggested that she come back in October for Disability Awareness Month.

C. DISABILITY AWARENESS DAY:

Board Member Arrigo said that he and Board Member Dietrich had met. Their suggestions were banners on Telephone Poles and a table at City Hall to make people aware of certain disabilities.

Staff Liaison Springer said that to put up banners costs \$10,000 and you would need sponsors. She suggested posters.

Board Member Ahern said that the Accessibility's Sub-Committee would meet for four (4) hours to create a format for the day and make it educational and present their ideas at the next meeting.

It was discussed amongst the Board Members that there will be a Third (3rd) Annual DAB Awards. (One of the concerns is that the information surrounding this event is disseminated to the all the Disability parties in the community.)

8. UNFINISHED BUSINESS:

A. SUB-COMMITTEE REPORTS:

Board Member Ahern was in the Westside Weekly regarding the Disability Community Gardens.

Board Member Arrigo thanked Jennifer Ludlow from Positive Living, APLA for covering the Disability Advisory Board.

Chair Pavich pointed out the ordinance recently passed by the LA County Board of Supervisors and the Access Awards Luncheon in the April 11th DAB packet.

Board Member Weltman suggested providing outreach to people who are not practicing safe sex.

Board Member Weber said that APLA and the Gay and Lesbian Center address this issue.

Staff Liaison Springer suggested that Board Member Weltman approach City Hall Staff member Tom West on this topic. He has just received a large grant which covers this.

B. LETTER TO WEST HOLLYWOOD CITY COUNCIL ON THE HIGH PRICES OF PRESCRIPTION DRUGS:

Will be tabled for next month.

C. DAB BROCHURE:

Staff Liaison Springer passed around copies of the DAB Brochure with corrections. She requested that all the Board Members look at the brochure and add information as well as make necessary corrections. These suggestions should be sent to her in writing either by mail or email. Her email address is Tspringe@weho.org.

A new Graphic Artist is going to be brought on to give the brochure a different look.

The Board requested to see an additional draft before June. The expected finished date will be some time in early July.

In addition, Staff Liaison passed out coupons on the upcoming Abilities Expo, June 8-10th at the Long Beach Convention Center.

10. **PUBLIC COMMENT:** None.

11. **DISABILITIES ADVISORY MEMBER COMMENTS:**

A. SUMMARY OF COMMISSION/ADVISORY BOARD CHAIRS' MEETING.

Chair Pavich gave a summary of the Commission/Advisory Board Chairs Meeting:

- The Fine Arts Commission announced that MOCA has set up a museum at the Pacific Design Center. Also at the Pacific Design Center they are planning to build a Red Building.
- The Senior Advisory Board is planning on having a Study Session with City Council on May 14th.
- The Rent Stabilization Commission is planning to have a Rent Control Conference.
- The Transportation Commission agreed to a Pedestrian Flashing signal at Harper and Sunset. Corey will turn into a one (1) way street. District Eight (8) Parking area is expanding, but one has to request the permit.
- April 23rd is the reorganization date for the City.

B. GENERAL COMMENTS REGARDING DISABILITY ISSUES.

Board Member Ahern expressed his feelings that inviting Brenda Bailey from California Relay Systems Programs for a second time was not the best use of the Board's time. He had recently been to Plummer Park and was disappointed that when he visited Jewish Family Services that the physical set up does not meet ADA Standards. He also suggested that an email be put on the DAB webpage.

Board Member Weltman went to last night's Human Services Commission. He was impressed with the Gay and Lesbian Community Center setting up a Senior/Youth Mentor Program. He is interested in seeing a Mentor Disability Program.

Ilana Nomberg, MSW, the JFS Disability Social Worker reminded everyone of the Mentoring Program for youth between the ages of 13 – 18 at the West Hollywood Comprehensive Service Center.

Board Member Arrigo told everyone of the upcoming Self-Advocacy Training sessions in June and July. If enough people are interested in going, he is hoping that they can coordinate transportation. He also had ADA information for anyone who was interested. He brought with him a photo album of the Dr. who goes to Africa and brings medical supplies with him. He thanked Jennifer Lulow from Positive Living, APLA from coming all the way from Calabasas to cover the Disability Advisory Board.

Board Member Weltman added that not only is there a shortage of medical supplies in Africa, but there are also people in Los Angeles who need proper medicine and can not afford it.

Councilmember Duran introduced himself to the Board. He told the Board that he had been interviewed earlier in the morning and the reporter had told him that he was one (1) of two (2)

elected officials in the country who had HIV. He understands the issues of the Board and is looking forward to serving as a Councilmember for West Hollywood for the next four (4) years.

Chair Pavich asked that everyone fill out their reappointment forms. He announced that next month would be his last DAB meeting after having been on the Board for five (5) years.

- 12. ADJOURNMENT:** The Disabilities Advisory Board adjourned at 7:15 PM. The next regular meeting will be on **Wednesday, May 9, 2001.**

**APPROVED BY A MOTION OF THE DISABILITIES ADVISORY BOARD
THIS 9th DAY OF May, 2001.**

Chair Pavich

ATTEST:

Carmen Nunley, Deputy Clerk

DISABILITY ADVISORY BOARD

MAY 9, 2001

SUBJECT: ENFORCEMENT OF DISABLED PERSONS PARKING

INITIATED BY: DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS



(DONALD KOROTSKY, Associate Transportation Planner)

STATEMENT ON THE SUBJECT:

The Disability Advisory Board will consider a proposal of the Parking Services Division to create a special parking enforcement unit to address misuse of disabled person placards in the City.

RECOMMENDATIONS:

1. Receive and file the information provided by staff regarding disabled parking placards.
2. The Parking Services Division create a special parking enforcement unit to identify and prosecute the unlawful use of disabled person placards in the City.

BACKGROUND ANALYSIS:

The Parking Services Division is responsible for enforcing compliance of State and local parking legislation, which include the use of disabled parking placards.

Under State law a holder of a disabled parking placard is exempt from posted time limit, meter, and preferential parking regulations. Due to the shortage of parking in many cities throughout the State, including West Hollywood, there has been increased attention to the use of disabled parking placards on the public streets.

There is also the perception from residents, businesses and parking enforcement personnel that the shortage of parking, and the visible increase in the number of placards may be at least partially attributed to misuse. Misuse commonly occurs when someone uses a placard other than the individual to whom it is issued, and the individual is not "in the presence or reasonable proximity of the disabled person for the purpose of transporting the disabled person".

The Parking Services Division has performed a considerable amount of legal research in regard to the manner in which to deal with individuals who misuse disabled placards.

9A

Staff is recommending that a special parking enforcement unit be formed who will be trained to investigate and respond to reports of misuse from the community.

ALTERNATIVES:

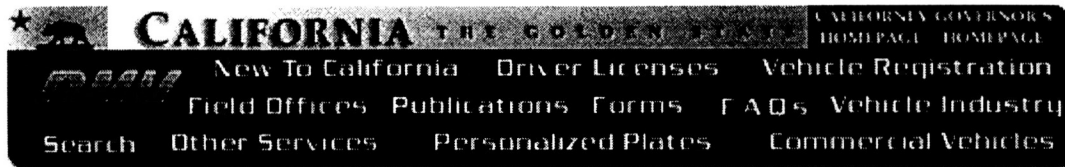
None.

FISCAL IMPACT:

None.

ATTACHMENTS:

- 1) CVC Code 4461-Unlawful Use of Registration, Plates, Permits or Placards, or Validation Tabs
- 2) CVC Code 22507.9-Local Authority: Enforcement of Disabled Persons Parking
- 3) CVC Code 22511.56-Placards: Evidence of Issuance; Misuse
- 4) CVC Code 22511.6-Cancellation or Revocation of Placard
- 5) CVC Code 4463.3-Fraudulent Uses of Disabled Person Placards: Penalties
- 6) REG 195-Application for Disabled Person Placard or Plates



Unlawful Use of Forms of Registration, Plates, Permits, or Placards, or Validation Tabs

4461. (a) No person () ***may*** lend any certificate of ownership, registration card, license plate, special plate, validation tab, or permit issued to him or her if the person desiring to borrow it would not be entitled to its use, nor () ***may*** any person knowingly permit its use by one not entitled to it.

(b) No person to whom a disabled person placard has been issued () ***may*** lend the placard to any other person, nor () ***may*** any disabled person knowingly permit the use for parking purposes of the placard or identification license plate issued pursuant to Section 5007 by one not entitled to it. A person to whom a disabled person placard has been issued may permit another person to use the placard only while in the presence or reasonable proximity of the disabled person for the purpose of transporting the disabled person. A violation of this subdivision is a misdemeanor, ***punishable by a fine of not less than two hundred fifty dollars (\$250) nor more than one thousand dollars (\$1,000), or by imprisonment in the county jail for not more than six months, or by both that fine and imprisonment.***

(c) Except for the purpose of transporting disabled persons as specified in subdivision (b), no person () ***may*** display any disabled person placard that was not issued to him or her or that has been canceled or revoked pursuant to Section 22511.6. A violation of this subdivision is a misdemeanor, ***punishable by a fine of not less than two hundred fifty dollars (\$250) nor more than one thousand dollars (\$1,000), or by imprisonment in the county jail for not more than six months, or by both that fine and imprisonment.***

(d) Notwithstanding subdivisions (a), (b), and (c), no person using a vehicle displaying a special identification license plate issued to another pursuant to Section 5007 () ***may*** park in those parking stalls or spaces designated for disabled persons pursuant to Section 22511.7 or 22511.8, unless transporting a disabled person. A violation of this subdivision is a misdemeanor, ***punishable by a fine of not less than two hundred fifty dollars (\$250) nor more than one thousand dollars (\$1,000), or by imprisonment in the county jail for not more than six months, or by both that fine and imprisonment.***

(e) For the purposes of subdivisions (b) and (c), "disabled person placard" means a placard issued pursuant to Section 22511.55 or 22511.59.

Amended Ch. 894, Stats. 1991. Effective January 1, 1992.

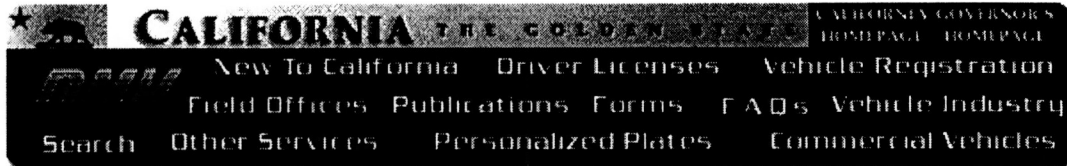
Amended Ch. 272, Stats. 1993. Effective August 2, 1993.

Amended Ch. 1149, Stats. 1994. Effective January 1, 1995.

Amended Sec. 1, Ch. 116, Stats. 1996. Effective January 1, 1997.

Amended Sec. 2, Ch. 524, Stats. 2000. Effective January 1, 2001.

The 2000 amendment added the italicized material, and at the point(s) indicated, deleted the following "shall"



Local Authority: Enforcement of Disabled Persons Parking

22507.9. Local authorities may establish a special enforcement unit for the sole purpose of providing adequate enforcement of Section 22507.8 and local ordinances and resolutions adopted pursuant to Section 22511.7.

Local authorities may establish recruitment and employment guidelines that encourage and enable employment of qualified disabled persons in these special enforcement units.

Members of the special enforcement unit may issue notices of parking violation for violations of Section 22507.8 and local ordinances adopted pursuant to Section 22511.7. Members of the special enforcement unit shall not be peace officers and shall not make arrests in the course of their official duties, but shall wear distinctive uniforms and badges while on duty. A two-way radio unit, which may utilize police frequencies or citizens' band, may be issued by the local authority to each member of the special enforcement unit for use while on duty.

The local authority may pay the cost of uniforms and badges for the special enforcement unit, and may provide daily cleaning of the uniforms. Additionally, the local authority may provide motorized wheelchairs for use by members of the special unit while on duty, including batteries and necessary recharging thereof. Any motorized wheelchair used by a member of the special enforcement unit while on duty shall be equipped with a single headlamp in the front and a single stoplamp in the rear.

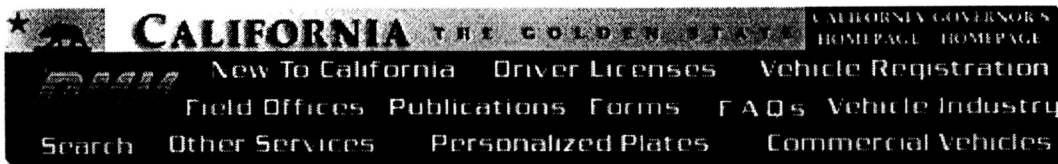
Members of the special enforcement unit may be paid an hourly wage without the compensatory benefits provided other permanent and temporary employees, but shall be entitled to applicable workers' compensation benefits as provided by law. Insurance provided by the local authority for disability or liability of a member of the special enforcement unit shall be the same as for other employees performing similar duties.

Nothing in this section precludes a local authority from using regular full-time employees to enforce this chapter and ordinances adopted pursuant thereto.

This section applies to all counties and cities, including every charter city and city and county.

Amended Sec. 127, Ch. 124, Stats. 1996. Effective January 1, 1997.

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Placards: Evidence of Issuance; Misuse

22511.56. (a) Any person using a distinguishing placard issued pursuant to Section 22511.55 or 22511.59 for parking as permitted by Section 22511.5 shall, upon request of any peace officer or person authorized to enforce parking laws, ordinances, or regulations, present identification and evidence of the issuance of that placard to that person.

(b) Failure to present the requested identification and evidence of the issuance of that placard shall be a rebuttable presumption that the placard is being misused and that the associated vehicle has been parked in violation of the provisions of Section 22507.8.

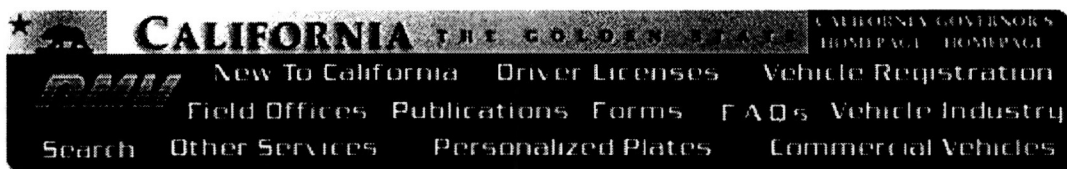
(c) In addition to any other applicable penalty for the misuse of a placard, the officer or parking enforcement person may confiscate a placard being used for parking purposes that benefit any person other than the person to whom the placard was issued by the Department of Motor Vehicles. A placard lawfully used by a person transporting a disabled person pursuant to subdivision (b) of Section 4461 shall not be confiscated.

Added Ch. 894, Stats. 1991. Effective January 1, 1992.
 Amended Ch. 1149, Stats. 1994. Effective January 1, 1995.
 Amended Sec. 162, Ch. 135, Stats. 2000. Effective January 1, 2001.
 The 2000 amendment added the italicized material.

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Cancellation or Revocation of Placard

22511.6. (a) The Department of Motor Vehicles may cancel or revoke a distinguishing placard issued pursuant to Section 22511.55 or 22511.59 in any of the following events:

- (1) When the department is satisfied that the placard was fraudulently obtained or erroneously issued.
- (2) When the department determines that the required fee has not been paid and the fee is not paid upon reasonable notice and demand.
- (3) When the placard could have been refused when last issued or renewed.
- (4) When the department determines that the owner of the placard has committed any offense described in Section 4461 or 4463, involving the placard to be canceled or revoked.
- (5) When the department determines that the owner of the placard is deceased.

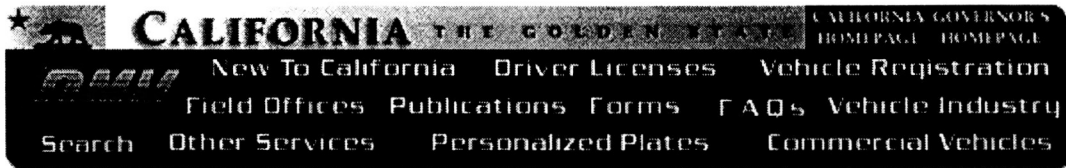
(b) Whenever the Department of Motor Vehicles cancels or revokes a distinguishing placard, the owner or person in possession of the placard shall immediately return the placard to the department.

Amended Ch. 1292, Stats. 1993. Effective January 1, 1994.
Amended Ch. 1149, Stats. 1994. Effective January 1, 1995.

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Fraudulent Uses of Disabled Person Placards: Penalties

4463.3. In addition to, or instead of, any fine imposed for conviction of a violation of subdivision (b) or (c) of Section 4463, the court may impose a civil penalty of not more than two thousand five hundred dollars (\$2,500) for each conviction.

Added Sec. 2, Ch. 215, Stats. 2000. Effective January 1, 2001.

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APPLICATION FOR DISABLED PERSON PLACARD OR PLATES

- Permanent Parking Placard.... No Fee
- Disabled Person Plates.... No Fee
- Temporary Parking Placard.... \$6.00
- Travel Parking Placard.... \$6.00

Any information contained in this certification, as part of the application for a disabled person's parking privileges, will be available to local public law enforcement or local agency responsible for the enforcement of parking regulations (Vehicle Code §22511.58).

A doctor's certification is NOT required if you have lost, or lost the use of one or both lower extremities or both hands, and the application is presented in person. **All other disabilities** require a doctor's certification. **THE DISABILITY MUST BE READILY OBSERVABLE AND UNCONTESTED. VC §22511.55(5.b)**

A. PLEASE TELL US ABOUT YOURSELF: (PRINT TRUE FULL NAME)

LAST NAME	FIRST NAME	MIDDLE NAME	DATE OF BIRTH
MAILING ADDRESS		APT/SPACE	DRIVER LICENSE/ID NUMBER
CITY	STATE	ZIP	DAYTIME TELEPHONE NUMBER

1. Are you a resident of California? Yes No
If "no" you may apply for a temporary placard only with a maximum 90 day use.
2. Do you currently have a permanent disabled veteran license plates or a permanent parking placard
If "yes," please give number (*No doctor's certification required*). NUMBER: _____

B. DISABLED PERSON LICENSE PLATES

Vehicle you wish to put DP Plates on:

Current Plate Number _____ Vehicle Identification _____ Make _____

COMMERCIAL VEHICLE EXEMPTION

- This is the only commercial vehicle weighing less than 6,001 pounds unladen which displays a disabled person license plate for which I will request exemption from weight fees.

C. APPLICANTS SIGNATURE AND CERTIFICATION

I certify under penalty of perjury under the laws of the State of California that I am permanently temporarily disabled due to _____ and the information entered by me on this document is true and correct.

SIGNATURE	DATE
X	

DOCTOR'S CERTIFICATION OF DISABILITY

(FOR PHYSICIAN OR AUTHORIZED MEDICAL PROFESSIONAL ONLY)

The physician or authorized medical professional certifying the qualifying disability must provide a full description of the illness or disability per Vehicle Code §22511.55. Please complete the following for either permanent or temporary disability.

D. PERMANENT PLACARD

- TEMPORARY PLACARD Valid until Month _____ Day _____ Yr _____

NOTE: Temporary placards fee \$6—Cannot exceed 6 months (180 days) for California residents, 3 months (90 days) for a non-resident, or 1 month (30 days) for a travel placard.

Any licensed physician may certify to items 1-8. A licensed chiropractor may certify to items 3 and 6. A licensed ophthalmologist or optometrist may certify to item 7 only.

The applicant suffers from the following disability.

1. Lung disease to such an extent that forced (respiratory) expiratory volume for one second when measured by spirometry is less than one liter, or arterial oxygen tension (PO2) is less than 60 mm/HG on room air at rest.
2. Cardiovascular disease impairment limitations classified in severity as Class III or Class IV according to standards accepted by the American Heart Association.
3. A significant limitation in the use of the lower extremities which substantially impairs or interferes with mobility, or requires the aid of an assistant device for mobility (e.g., cane, walker, crutches, etc.) due to: _____
4. A diagnosed disease or disorder which substantially impairs or interferes with mobility, or requires the aid of an assistant device for mobility (e.g., cane, walker, crutches, etc.) due to: _____
5. Loss, or loss of the use of, one or both lower extremities. Loss of use due to: _____
6. Loss, or loss of the use of, both hands. Loss of use due to: _____
7. Central visual acuity not exceeding 20/200 in the better eye, with corrective lenses, as measured by the Snellen test, or **visu** acuity greater than 20/200 with a limitation in the field of vision such that the widest diameter of the visual field subtends an angle **near** than 20 degrees.
8. Disabled due to: _____

E. DOCTOR'S SIGNATURE

I certify I am a Physician Chiropractor Ophthalmologist Optometrist Other _____ and I certify under penalty of perjury under the laws of the State of California that the information I have provided is true and correct.

SIGNATURE	DATE	MEDICAL LICENSE NUMBER	DAYTIME TELEPHONE NUMBER
X			
PRINTED NAME		ADDRESS	

IMPORTANT

DISABLED PERSON PARKING PLACARD INFORMATION

TO OBTAIN A PARKING PLACARD:

1. Complete the applicable sections on the reverse side of this form, Application/Statement of Facts for Disabled Person Parking Placard or Plates.
2. Obtain your doctor's certification on the form.
3. Mail to: DMV PLACARD, P. O. Box 942869, Sacramento, CA 94269-0001

IT IS ILLEGAL TO . . .

- Lend your placard to another.
- Forge a doctor's signature.
- Use another person's placard.
- Provide false information to obtain a placard.
- Alter a placard or placard identification card.
- Possess or display a counterfeit placard.

Remember . . .

- The only legal use of a placard is its display by the person to whom it is issued. The disabled person does not have to own or drive the vehicle to use the placard.
- Placard abuse or misuse can result in the cancellation and revocation of the placard and loss of the privileges it provides. **VIOLATORS WILL BE PROSECUTED TO THE FULL EXTENT OF THE LAW.**
- California laws require the surrender of the placard to DMV within 60 days of the death of a placard holder.

Disabled Person Parking Placards are issued, upon presentation of the completed application, to individuals whose mobility is impaired due to one of the following conditions:

- Cardiovascular (heart or circulatory) disease
- Pulmonary (lung) disease
- A diagnosed disease or disorder which significantly limits the use of lower extremities
- Specific documented visual problems including low-vision or partial sightedness
- Loss, or loss of the use of, one or more lower extremities or both hands

Permanent disabled parking placards are issued to any qualifying disabled person or disabled veteran. The placard has a fixed expiration date of June 30, every odd-numbered year.

NOTE: A doctor's certification is **NOT** required for a permanent disabled parking placard if you have lost, or permanently lost the use of one or both lower extremities or both hands, the disability is readily observable and uncontested, and the application is presented in person.

NOTE: If you already have the special disabled person or disabled veteran license plates assigned to your vehicle, a doctor's certification will not be required in order to obtain a placard, provided that license plate number is entered in part "A" of the application form.

Temporary disabled parking placards are issued to:

1. Any person who is temporarily disabled for a period of not more than six months. The placard is valid for not more than *180 days* from the date it is issued, or upon the ending date of the disability noted in the doctor's certification, whichever is less. (Check Temporary Parking Placard box on front.)
2. Any disabled person or disabled veteran who has been issued **either** a California permanent parking placard **or** California disabled person or disabled veteran license plates, but not both, for travel purposes. The placard is not valid for more than *30 days* from the date it is issued. A doctor's certification is not required **if** the placard or plate number is entered in part A. (Check Travel Parking Placard box on front.)
3. Any disabled person or disabled veteran who is not a resident of California who plans to travel within the state. The placard is valid for not more than *90 days* from the date it is issued, or upon the ending date noted in the doctor's certification, whichever is less. (Check Temporary Placard box on front.)