



COUNCILWOMAN LENA GONZALEZ

NB-26

DATE: June 20, 2017
TO: Honorable Mayor and Members of the City Council
FROM: Councilwoman Lena Gonzalez, District 1 *LG*
Councilmember Jeannine Pearce, District 2 *JP*
Councilwoman Stacy Mungo, District 5 *SM*

SUBJECT: Reliable Elevators Ordinance

DISCUSSION/BACKGROUND

The City of Long Beach is widely known for its diverse population of residents including people living with disabilities and our senior population yet they continue to be classified as some of the most underserved groups in the City of Long Beach. This is clearly the case when it comes to access to properly working elevators and the length of time allowed for elevators to be repaired. For example, a resident living with an ambulatory disability, was confined to their building for 73 days due to an elevator with on-going equipment failure. In addition to being stuck in their apartment, they had to pay out of pocket to hire additional caretakers for daily tasks and pay to have special transportation arranged with the Long Beach Fire Department when they had no choice but to leave their apartment for medical appointments.

According to the Housing Element passed in 2014, there are roughly 45,593 people living with disabilities in the City of Long Beach, 55% of whom live with ambulatory disabilities, and a total of 42,835 seniors over 65 in Long Beach.¹ Additionally, the Housing Element also noted that "most single family homes are inaccessible to people with mobility and sensory limitations" so these individuals are often living in large multi-family buildings including the over 30 senior buildings in Long Beach. As the City approves the construction of high-rise buildings, hotels, condominiums, and senior housing projects it is of dire importance we ensure adequate access to all aspects of mobility and protection for underserved populations and visitors.

Situations involving old and continually malfunctioning elevators are not just occurrences in our city. A class action lawsuit filed by individuals with mobility

¹ <http://www.lbds.info/civica/filebank/blobdload.asp?BlobID=4185>

impairments against the New York City Housing Authority (NYCHA), alleged that the NYCHA failed to maintain its elevators in operable working conditions, in violation of the Americans with Disabilities Act. The lawsuit resulted in a settlement agreement that required the NYCHA to repair elevators within 24 hours.² Residents in Toronto faced similar service outages which inspired Member of Provincial Parliament of Trinity-Spadina, Han Dong, to amend Canada's current law with respect to elevators requiring repairs to be made in 14 or 7 days depending on the type of building.³

RECOMMENDATION

1. Request the City Attorney to draft an ordinance to regulate elevator repairs related to equipment failure. This ordinance should include verbiage that requires repairs due to equipment failure be completed within 7 days for residential and commercial buildings that house or serve seniors, people living with disabilities, and/or people with health conditions that make it difficult to navigate stairwells, and 14 days for all additional residential and commercial buildings.
2. Request the City Manager, or designee, to report within 120 days:
 - a. A report of current elevator code enforcement procedures, number of violations for elevator failures due to faulty equipment, the initial number of days granted to repair and any extensions granted
 - b. Incentives for property owners with elevators to modernize equipment
 - c. Policy recommendations for hardship reimbursements to disabled persons who spend money on medical and quality of life services during the time an elevator is out of service.

FISCAL IMPACT

There is no major fiscal impact at this time.

SUGGESTED ACTION

Approve recommendations.

² <http://nylag.org/wp-content/uploads/2012/01/So-ordered-stip-of-settlement-9-26-12-NEW.pdf>

³ http://www.ontla.on.ca/web/bills/bills_detail.do?locale=en&BillID=4638&detailPage=bills_detail_the_bill



City of Long Beach Memorandum
Working Together to Serve

REQUEST TO ADD AGENDA ITEM

Date: June 16, 2017
To: Monique De La Garza, City Clerk
From: Councilwoman Lena Gonzalez
Subject: Request to Add Agenda Item to Council Agenda of June 20, 2017

Pursuant to Municipal Code Section 2.03.070 [B], the City Councilmembers signing below request that the attached agenda item (due in the City Clerk Department by Friday, 12:00 Noon) be placed on the City Council agenda under New Business via the supplemental agenda.

The agenda title/recommendation for this item reads as follows:

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Council District	Authorizing Councilmember	Signed by
1	Lena Gonzalez	
2	Jeannine Pearce	
5	Stacy Mungo	