



City of Portland
Portland Disability Advisory Committee
Minutes for July 12, 2017

Present: Mandy Levine (City Workforce Diversity and Inclusion Specialist); Gina Tapp (City HR Director); Karen McPhee (Parks, Recreation & Facilities); Kayla Moore; Haley Pass; Dianna Oliver; Don Kloehn (Tindale Oliver); Dustin Kuzan (Tindale Oliver); Davon Scott (Tindale Oliver); Derek O'Brien; Lisette Belanger; Jill Johanning; Steve Leighton; John Lemieux; Jessica Russell; Todd Russell; Len Freeman; Karen Pervey; Lisa Masure (ASL interpreter).

Introductions were made and the sign-in sheet was circulated.

1. The minutes of the last meeting (June 7, 2017) were moved by John Lemieux and seconded by Jill Johanning. The group voted to accept the minutes.
2. Update on membership on the Committee: Mandy shared that she and Gina had just concluded interviewing individuals interested in joining the Committee. They met with the City Manager Jon Jennings earlier that day and were encouraged to obtain representation by a member of the disability insurance community. She thanked everyone for their continued patience.
3. Update on closed captioning proposal: Mandy shared that she and Gina discussed the closed captioning proposal with Jon Jennings and would soon be meeting with Portland Downtown and the Portland Regional Chamber of Commerce to obtain their input on the proposal.
4. Tindale Oliver presentation: we were fortunate to be joined by the ADA engineers and technicians from Tindale Oliver, Don Kloehn, Dustin Kuzan, and Davon Scott. In advance of the meeting, Mandy Levine had emailed to the listserv a list of questions that Tindale Oliver would appreciate feedback on from the Committee attendees. Below is a summary of that conversation:

Tindale Oliver presentation

- **Don Kloehn**, Director, ADA Compliance & Accessibility Services at Tindale Oliver
 - Every Title II municipality with twenty or more employees must do a self-assessment and build an ADA transition plan with a timeframe for accomplishing ADA compliance.
 - The Committee's input is essential to understanding the issues here in Portland so that it can be applied to their assessment work. They'd appreciate receiving information re. the agencies represented at the committee meeting.
 - They have already looked at a number of City facilities and are in the midst of wrapping up review of the City facilities. The next step will be preparing a report for the City. Then they will then prepare a priority list in conjunction with the City so that the work plan includes a level of urgency for getting certain work done, such as a facility for seniors with restricted access.
 - Their review will encompass the needs of a variety of types of disabilities (vision, physical, cognitive) that are encompassed by the ADA.
 - Dustin is the project manager for the project. Davon is a technician supporting Dustin gathering and collecting information. They have developed an app on their smart phones that allows them to take measurements. For rights of way and sidewalks, they have developed a cart that they pull behind a bicycle, which is a much faster method than walking and measuring these rights of way.
 - If Committee participants have ideas re. technologies to get things done faster, Tindale Oliver welcomes that information.
 - Dustin encouraged participants to identify issues that they have experienced or programs that are not accessible, as that information will be captured in their reports and could potentially be prioritized.
 - What is not included in the scope of their review? If it's private or commercial, it's not being reviewed; that would be a Department of Justice issue.
 - They are in the midst of reviewing sidewalks with the City, which eventually will be reviewed.
 - 30,000 foot overview of their thoughts to date: there are some challenges. Things that are considered new under the ADA (built or renewed after January 1991) need to be reviewed. Portland is not much different than most cities in terms of the slopes and elevation changes. Overall, the City is looking "pretty good."
 - Portland and Eugene Oregon, Salt Lake City have done really well in terms of ADA compliance. East Coast major metropolitan areas are older and have a lot more work to be done. Portland will end up being one of the top cities in terms of ADA compliance.

Committee participants were asked to speak to physical barriers they have experienced at City-owned facilities:

- Karen: Restaurants on Congress Street are hard to get into if you have a wheelchair. Cobblestone sidewalks are very challenging.
 - Don: The sidewalks need a pathway of a minimum of 36 inches wide. Some cobblestones and brick pavers are generally compliant but some of them may not be. They are unable to replace all of the cobblestones. They re-did Cumberland streets.
- Derek: Marginal Way by Whole Foods has a good update to the crossing system (signs that tell you repeatedly to wait). The same is not visible at Congress Street.
 - Don: the signs are dictated by the Department of Transportation. Review is triggered when there's a need to modify or replace any equipment; must then ensure that any modification is current and compliant with modern ADA standards.
- John: the City's two-story golf course has a very steep exterior ramp but no internal elevator. A serious renovation was undertaken a couple of years ago.
 - Don: if there are no services offered to the public on second floor, there's no requirement to make it accessible. A ramp is not recommended rather than an elevator, but is allowable.
 - John: there is a pro shop on the second floor that is publicly accessible.
 - Dustin: the manager told him that if it's hard to get up the ramp, individuals can drive up the hill and park right outside the shop. It's unclear how individuals would know of this option.
 - John: shared his concern that non-disabled individuals may start driving up the hill for convenience's sake? An internal elevator seems like the best practice.
 - Don: it is compliant because of the ramp but agrees that it's a best practice to have an elevator.
- Jessica: pathways and sidewalks are hard to navigate in a wheelchair. There are many tree roots growing through sidewalks. She finds that some of the parks are hard to navigate. Deering Oaks Park is hard to get around and it's very big.
 - Don: the parks are on their list to be reviewed; they will be identifying any ADA concerns to be remediated.
- Derek: the sidewalks in the Deering Avenue neighborhood seem less compliant than those in the city.
 - Jessica: curb cuts are a problem. The incline and slope are hard to navigate on their own. She knows that she has to avoid many of them.
 - Don: we are unable to put switchback ramps on every sidewalk in the city.
- Len: spoke to seasonable barriers. Snow gets put in front of bus stops and you can't get to them. What's the obligation under the ADA?

- Don: conditional accessibility based on weather conditions are addressed by the municipality. There is no time frame that it must be cleared within X amount of time; it takes patience and time. It's a matter of training.
- Todd: shared concerns about cross walks.
 - Don: ADA requires that they must be marked and fully within a curb ramp opening. That's what the ADA requires. But other agencies have different codes (e.g. when a line in a cross walk decreases, it must be fixed and maintained). He learned from Mandy that there have been a few complaints about the cross walk by Joe's Smoke Shop, including one from Karen, and she is in conversations with Public Works and Permitting and Inspections.
- Karen: she pushed and pushed the button to cross the street at Monument Square and it took 3 cycles to get the handicapped sign to turn on. (This concern can be reported to Fix It! At <http://www.portlandmaine.gov/1448/Fix-It-Portland>).
- Karen: shared concerns Congress Square Park by High and Congress Streets. The City owns the Park but the friends of Congress Square, such as herself, works to do upkeep, in conjunction with Caitlin Cameron in Planning and Urban Development to modify it. There is handicap accessibility but it's hard work to get there. Maybe can bring Caitlin in to share drawings. Gina: was just a workshop on Congress Square but it's not yet a finished design. Don indicated that they'd be happy to review the design.
 - Don: they are happy to review the design.
- Review of Portland Public Schools
 - Jill mentioned that the Hall School is being rebuilt.
 - Don: they will be reviewing those portions of the schools that the City provides access to.
 - Gina: the school and the City are separate entities in many respects. If the school were going to pay for an ADA assessment, the superintendent's office would pay for it. Our review is being performed through the City Manager's office.
- The City does not own the transit system, which is its own entity.

Steve inquired whether they are doing a poll of individuals with disabilities and suggested different ways to reach out to individuals with many different types of disabilities.

- Don: ADA transition plan requires them to involve the public. They also will be issuing a report to the City Council, who will be updated on the outcome of their findings. If there's an issue that the committee recommends that they review, they will. He asked that they keep their groups informed of what they are learning at these meetings so that information is made accessible far and wide. If Mandy receives an issue from the committee participants, she'll direct it to them.

Derek: do they come back to see if the recommended work has been performed?

- Don: the transition plan has recommendations of what should be done. The City in turn is expected to work through that plan over time, which may take several years. Plan will have a timeframe and cost associated with it. The City will make a decision re. how much money it can use each year and budget the money to be applied to the project. There's no average time frame for these sorts of undertakings, perhaps around 10 years. They'll work with the City to see what we expect to be able to spend on an annual basis. They also review what improvements are already under review. Developers should be brought into the conversation as well so that they don't have to later come back in and fix work that they undertake.
- Don: they will also run tests to determine the compliance of the ADA's website.

Mandy recognized that we did not cover all of the questions that Tindale Oliver was seeking Committee participants' feedback on; it was decided that Mandy would re-email the questions so that folks could provide written responses, which she would share Tindale Oliver. Don stated that the more answers, the better. Mandy encouraged folks to let her know if they needed any assistance preparing their responses.

The meeting concluded at 12 noon.

Respectfully submitted,

Mandy Levine
City of Portland Workforce Diversity and Inclusion Specialist