



**Commission on People with Disabilities
Meeting Minutes
December 8, 2021**

****MEETING WAS HELD VIA ZOOM ****

Welcome and Approval of November 2021 Meeting Minutes

Seth Morgan, Chair, convened the meeting. A motion was made to approve the November 2021 Meeting Minutes. The motion was seconded. A vote was taken and the November 2021 Meeting Minutes were unanimously approved as written. Approved minutes are available online at www.montgomerycountymd.gov/cpwd.

Maryland State Legislative Issues and Communicating with Your Elected Officials – Delegate Marc Korman, Maryland House of Delegates

Delegate Marc Korman was first elected to the Maryland House of Delegates in 2014. In 2018, he was elected chair of the 24-member Montgomery County House Delegation, the largest delegation in the state legislature. He represents District 16. Delegate Korman serves on the Appropriations Committee of the House of Delegates. In the fall of 2019, he was named the chair of the Transportation & Environment Subcommittee.

The House of Delegates is currently in the middle of a once-in-a-decade special session to determine congressional redistricting based on the census. The House also has been working on overrides of gubernatorial vetoes and will be electing a new Maryland State Treasurer tomorrow. The Treasurer is the principal custodian of the State's cash deposits, monies from bond sales, and other securities and collateral and directs the investments of those assets. The Treasurer's duties include maintaining an ongoing relationship with the rating agencies, conducting outreach with State Agencies, keeping legislators informed of the operations of the State Treasurer's Office, and serving on numerous boards and commissions including the Board of Public Works, the State's highest administrative council.

The House typically will meet 90 days between mid-January and mid-April. The upcoming 2022 legislative session will begin January 12, 2022. Delegate Korman expects a busy session and noted that as a whole Maryland is in relatively strong shape economically. During the pandemic Maryland has provided direct payments to individuals, enhanced unemployment benefits and enhanced Medicaid matches which has been extremely helpful in ensuring that the state does not face a situation similar during the great recession.

Issues that will be discussed during the upcoming legislative session include:

- Legalization of recreational marijuana.
 - Maryland has already decriminalized up to ten grams of marijuana possessions and has legalized medical marijuana.
 - Legalizing recreational marijuana is the third and final step in marijuana reform.
 - Many states are moving in this direction.
 - Issue may end up as a constitutional amendment for people to vote on.
- Parental paid leave.
 - National effort to expand paid parental leave.
 - Paid parental leave was granted for state employees four years ago.
 - DC funds paid parental leave a payroll tax program – may accept a similar proposal in Maryland.

Delegate Korman has spent a lot of time on paratransit issues. He understands that more rural areas do not have a major transit system to provide paratransit transportation and those areas are overstretched. There has been a huge increase in demand for paratransit transportation from individuals with disabilities as well as those needing transportation for kidney dialysis. Larger urban areas offer more robust services and are more well-funded. Paratransit service providers still have technology issues in terms of scheduling and have the new challenge of driver shortages, which is affecting the transportation industry overall. It is hard to legislate management of a paratransit program but the House will continue to provide oversight and accountability.

Due to the pandemic, it is now easier to communicate and meet with your elected officials. Individuals can participate in hearings virtually. Schedules are also clearer with bill of order published ahead of time. Every Montgomery County legislator is active on social media which is another great way to engage and all have public email accounts and phone numbers. To identify your local legislators, visit www.mdelect.net and enter your address.

The floor was opened to questions.

Neal Carter, Commissioner, noted that this Commission over the last several years has focused on various transit-related issues including floating bus stops, designated bicycle lanes, paratransit, and pedestrian safety and accessibility. He asked about the construction occurring at the Shady Grove and Rockville Metro stations as well as next major projects that the Commission should be made aware of going into the next legislative session. Delegate Korman said the Shady Grove and Rockville Metro stations were closed due to having roof replacements and not being able to complete the task while having the stations open. The project was delayed further when Shady Grove was temporarily reopened in order to move railcars that were being removed from service out of the station. Construction has now reached a phase where the Metro stations can be opened publicly on January 16, 2022 while the rest of the work is completed. Delegate Korman noted that Maryland will benefit greatly from the signing of the federal infrastructure bill which will bring huge amounts of investment into all states and localities. Future projects include the Purple Line; expanding the Bus Rapid Transit (BRT) Flash system to other corridors – it currently operates along US 29 and runs between Burtonsville and downtown Silver Spring; and the opportunity to expand the Marc train system to have service run more frequently to provide that flexibility and reliability. One of the advantages to trains is level boarding which is more accessible to persons with disabilities than buses.

Seth asked for an update on the Baltimore-Washington Superconducting Maglev project in Maryland. Delegate Korman stated that he has no involvement with the project but noted that individuals at his law firm are involved. He said the Federal Railroad Administration charged with reviewing a proposed high-speed train between Baltimore and Washington, D.C. has paused its evaluation of the project. The decision gives the agency the opportunity to review the complex project in more detail, address concerns about it, and consult with other agencies. The project sponsor for the current project is a private entity. Delegate Korman said it is a worthwhile goal to make travel faster between Baltimore and DC or beyond, but improvements in service can be made to existing technology rather than installing this new system. He also noted that the Baltimore & Potomac (B&P) railroad tunnel, which is nearly 150 years old and dates from the Civil War era and is also the largest bottleneck on the Northeast Corridor between Washington and New Jersey, will be significantly upgraded and replaced with the Douglas Tunnel when funding can be secured. Delegate Korman said investment and attention should be focused on projects such as this tunnel rather than spending on new projects.

Larry Bram, Commissioner, said medical adult day services in Montgomery County and throughout the state are suffering. 18% of all adult day centers in the state have closed. Maryland Developmental Disabilities Administration's (DDA) administrative per diem rate will be ending on December 31 which allowed providers to bill at the administrative rate for services provided telephonically or remotely. Larry noted that the medical adult day service industry is set to receive one-third of available ARPA funds through home- and community-based services. Delegate Korman said he will share this information with Delegate Kirill Reznik who serves as Chairman of the Health and Social Services Subcommittee on Appropriations.

To contact Delegate Korman with questions or concerns call 240-447-1175 (Voice) or email marc@marckorman.com

Fenton Street Bikeway and Pedestrian Improvements – Matt Johnson, AICP Capital Project Manager, Division of Transportation Engineering, Montgomery County Department of Transportation (MCDOT)

PowerPoint: https://www.montgomerycountymd.gov/HHS-Program/Resources/Files/A%26D%20Docs/CPWD/Presentation_CPWD_20211208_reduced.pdf

Fenton Street Projects: <https://www.montgomerycountymd.gov/dot-dte/projects/fentonvillage/index.html>

- **Fenton Street / MD 410 Intersection Redesign**
The intersection of Fenton Street and MD 410 was built with high-speed right turn ramps on the northern half of the intersection. These elements add additional, impervious surface and do not represent a safe design for pedestrians and cyclists. MCDOT is undertaking a redesign of this intersection to improve pedestrian and bicyclist safety and to reduce the amount of impervious surface. The project will include the development of conceptual and final design plans, followed by construction. The design process is expected to wrap up in winter 2021/2022. Construction is anticipated for the summer of 2022, contingent on receiving permits from the Maryland State Highway Administration.
- **Fenton Street Cycletrack**
MCDOT is in the process of advancing design for the Fenton Street Cycletrack. The selected alternative is Alternative E, which includes a two-way cycletrack on the west side of the street, one travel lane in each direction on Fenton Street for vehicles, a northbound left turn lane at intersections, and parking & loading zones on the east side of the street. The 15% concept plans for Alternative E and the other alternatives are available on the Project Documents tab. Additional design plans will be added to that tab prior to the December 7, 2021 community meeting. The design process for this project started in Spring 2021 and is expected to take approximately 24 months to complete. MCDOT held a community meeting in June 2021 to help us further refine Alternative E. A community meeting is being held on December 7, 2021 to go over the 30% design plans. A hearing before the Montgomery County Planning Board is expected in January 2022. The Fenton Street Cycletrack project extends from Cameron Street in the north to Gist Avenue in the south. Separate MCDOT projects will bookend the project, effectively creating a continuous separated bikeway corridor from Spring Street to the Metropolitan Branch Trail at Fenton Street & King Street.

MCDOT held a community meeting last night with approximately 75 people in attendance. View virtual meeting for a more indepth conversation about the project: <https://www.youtube.com/watch?v=qobDYRf2xqY>

The Fenton Street project will occur in two phases. Phase one is 5th Avenue to Bonifant Street in 2023 and Bonifant Street up to Cameron Street in 2024.

The floor was opened to questions.

Seth said the Commission appreciates the importance of promoting alternate forms of transportation such as bicycles, but the Commission is also very concerned about pedestrian safety. He attended the public meeting held last night. One participant that said they would ignore bicycle traffic lights at certain intersections where it may be a danger to them due to turning vehicles. Seth asked for clarification. Matt said the participant was specifically addressing the issue of bike signals that are separate from vehicle signals. The U.S. Department of Transportation Federal Highway Administration issued regulations that bike signals can only be green if there is no conflicting traffic causing bicyclists to have reduced time to cross. The participant said if the time is reduced then they will not wait and cycle into the street to cross. There was another participant who expressed concern about a specific alley that has had parking spaces added that can obstruct a driver's view of an oncoming cyclist. Matt said this is why public meetings are held in order to receive input and feedback on the design.

Trish Gallalee, Commissioner, asked if any design changes had been made to improve a person's ability to exit their vehicles safely when parking next to a bike lane. Currently drivers must exit their vehicle into oncoming traffic. Matt said there is no parking on Fenton Street next to the bike lane with a few minor exceptions. Parking and travel lanes are currently very narrow and will be improved upon by removing parking on one side of the street and expanding the width of travel lane and other parking lane. The removal of the parking spaces will not affect anyone as most residential buildings have their own parking areas or garages. The bigger impact will be quick turnover spaces in front of businesses. MCDOT is encouraging drivers to park in garages for longer term trips and to save parking spaces on the street for shorter trips. Public parking garages are accessible within a block of any business and all public parking garages have accessible spaces.

Trish asked about designated drop off locations for paratransit vehicles such as MetroAccess. Matt said there will be an area specifically for paratransit vehicles on the block in front of Montgomery Center as there are a lot of medical offices in the center as well as a lot of pick-up and drop-off activity for persons with mobility issues. Additional loading zones for general loading will be available on every single block. These loading zones will be for passenger loading as well as freight and will allow the vehicle access to the curb.

Trish noted that a friend said they will not use the bicycle lanes due to trash and other debris blocking the lane. She asked how maintains bike lanes. Matt said MCDOT's Highway Services team is responsible and they do vacuum leaves in the fall. MCDOT is not always aware of issues and residents are encouraged to call 311 in order to make a request to have trash, leaves or other debris removed from a bike lane. In terms of snow removal, roadways are cleared first before the bike lane is cleared. Highway Services and the Silver Spring Urban District team generally clear sidewalks in downtown Silver Spring as well.

Tonya Gilchrist, Commissioner, said over the summer she tried to do a quick drop-off at the corner of Second Avenue and Spring Street but was unable to find parking with a flat surface that allowed her van to use the ramp. Matt said MCDOT is exploring the possibility of creating some onsite accessible spaces. One of the challenges is meeting the Americans with Disabilities Act (ADA) regulations especially with the grade necessary to create a level space. They are reviewing what other jurisdictions across the country have designed. Matt also noted that all garages in downtown Silver Spring and downtown Bethesda have accessible parking spaces.

David Rice, Commissioner, asked for clarification of the corner island. He asked if an individual who has low vision or is blind would potentially get stuck at this corner or use the curb as a guide into the bike lane rather than going into the cross walk. Matt said corner island is basically an extension of the media that is between the bikeway and the roadway. Pedestrians should not encounter the corner island. It is not located near the sidewalk. It improves safety for pedestrians by keeping drivers away from the sidewalk and gives drivers better visibility. Matt offered to meet with Commissioners for an in-person walkthrough of a corner island.

Francie Gilman, Public, and Patrick Sheehan, Public, stated they were having a hard time visualizing and understanding the intended design of the projects. Matt suggested setting up an in-person walkthrough of the area as well as using the tactile graphics of the project.

Seth asked how the projects will incorporate uniformity. One issue that has been noted before is that changing an area can affect how a person who has low vision or is blind safely navigates. Matt said the intersections along Fenton Street will for the most part be fairly uniform and have the same design treatments. Cross streets will be narrowed to reduce exposure to traffic and reduce space to wander off of the crosswalk. MCDOT sees this project as an opportunity to make Fenton Street an easy area for someone with a disability to navigate. It is not just a bike project but a pedestrian safety and accessibility project. Matt added that MCDOT wants to work with this Commission, other stakeholders and the public to decide on a design that works prior to going into construction.

Commissioners can contact Matt at Matt.Johnson@montgomerycountymd.gov.

Chair and Vice-Chair Report

Seth reported the Montgomery County Council unanimously elected Councilmember Gabe Albornoz as President and Councilmember Evan Glass as Vice President.

At the County Council Health & Human Services (HHS) Committee Boards, Committees and Commissions meeting, Council President Albornoz asked Seth Morgan to look into why the Design for Life tax credit program is not being used as much as it was when it was initially introduced. Betsy Luecking, Staff, and Seth held a meeting with three staff from the Department of Permitting Services (DPS) which manages the Design for Life program. Some issues were identified including navigation and ease of the program website as well as minor inconsistencies and incorrect statements in the eligibility criteria. DPS will be working to make the language clearer and simpler. A follow-up meeting will be held.

Ex-Officio Member Reports

None.

Announcements

The White House Office of Public Engagement will be hosting a briefing for Disabled Americans on Thursday, December 9 at 2pm. The call will be the first in a series of monthly calls for individuals to hear directly from the White House about updates impacting people with disabilities. For information on future calls, contact Emily Voorde at emily.f.voorde@who.eop.gov.

Meeting adjourned – 7:20pm

Montgomery County Commission on People with Disabilities January 2022 Meeting and Events Calendar

Developmental Disability Advisory Committee – Monday, January 10

4pm to 5:30pm to be held via Zoom – link to be announced

Full Commission Meeting – Wednesday, January 12

6pm to 7:30pm to be held via Zoom – link to be announced

Steering Committee Meeting – Wednesday, January 19

5pm to 6pm to be held via Zoom – link to be announced

Submitted by: Carly Clem, Administrative Specialist I
Betsy Tolbert Luecking, Community Outreach Manager

Montgomery County Commission on People with Disabilities Attendance Report January 2020 – December 2021
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Attendance Policy: A Voting Member may miss up to 3 meetings within a one year rolling period. Voting Members who miss more than 3 meetings in that period or who miss 3 consecutive meetings will be automatically removed. Waivers may be requested for absences caused by extenuating circumstances.

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