



Commission on People with Disabilities

March 14th, 2018

Welcome and Approval of February 2018 Meeting Summary Minutes:

Seth Morgan, Chair, convened the meeting. A motion was made to approve the February 2018 Meeting Summary Minutes. The motion was seconded. A vote was taken, and the February 2018 Meeting Summary Minutes were unanimously approved as written. Approved minutes are available online at www.montgomerycountymd.gov/cpwd.

Respect the Space Update – Loretta Garcia, JD, MS – Manager of Enforcement Programs, Montgomery County Government Office of Human Rights

Website: www.montgomerycountymd.gov/humanrights

Website: www.montgomerycountymd.gov/respectthespace

The Office of Human Rights (OHR) handles and investigates anti-discrimination claims in employment, housing, and public accommodations. In the last six years, OHR has worked on labor law enforcement including earned sick and safe leave, minimum wage, displaced worker claims, and ban the box. Loretta noted that 90% of the claims OHR handle are employment related.

County Executive Ike Leggett launched the Respect the Space (RTS) Campaign initiative to help ensure that signage for disability parking spaces in Montgomery County complies with the State of Maryland's Accessibility Code adopted under the Public Safety Code. The campaign has highlighted the problem of people who have not been issued a disability placard/plate parking in disability parking spaces, even for a few minutes; the unlawful use of a placard/plate issued to someone else which prevents their use by those who are legally certified to use them, and to educate parking lot managers on the importance of not blocking access to disability spaces during their winter snow removal efforts.

Parking lot owners and companies that stripe parking lots in Maryland must comply with the Maryland Accessibility Code adopted under 12-202 of the Public Safety Code. ADA-compliant information is provided on the County's Department of General Services ADA Accessible Parking page at: www.montgomerycountymd.gov/dgs-ada/AccessibleParking.html.

Multi-family residential parking lots and commercial parking lots must conform to specific legal standards for providing and erecting signs for disability spaces.

- There must be a visible sign to identify each accessible space.
- Free-standing signs must be mounted at least 7 feet above the ground with a symbol of accessibility, and include a supplemental sign indicating, "Maximum Fine \$250."
- A sign mounted flush to a building or wall must be at least 6 feet but no more than 10 feet above the ground.
- The sign must have the international wheelchair symbol of accessibility and the words, "Reserved Parking".
- Van accessible spaces are to be identified with a supplemental "Van Accessible" sign and are accompanied with a supplemental "No Parking in Access Aisle" sign mounted either on the same post with an arrow or at the front of the access aisle.

Members of the Montgomery County Commission on People with Disabilities and other volunteers have been actively monitoring and assessing whether disability signage within the County is meeting the required legal standards.

Potential violations recorded by volunteers are reviewed by the Commission on People with Disabilities and then sent to the OHR. Manager to send out a notification to the property manager. This notice describes the lot is not in compliance with the law.

Loretta reported OHR has sent out over 70 letters to violators. She noted that most of the property management companies were unaware of the requirements or where to purchase the correct signage and were responsive to become in compliance. The Commission has provided her with information that is now included in the letter such as information on where to purchase signage as well as pictures of the required signage and written requirements and standards. About a dozen violations have been resolved and a dozen are currently being resolved.

The floor was opened to questions.

Avner Shapiro, Commissioner, asked how long it takes to resolve a complaint. Carly Clem researches who is the property manager and includes that in the information she sends to Loretta. It can take several months to resolve, although the violation letter gives them 30 days to come into compliance. A mechanism needs to be set in place for companies to inform OHR when the parking lot has been brought into compliance. Loretta noted that most companies are willing to comply once they have been notified there is an issue.

Betsy Luecking, Staff, noted that police cannot enforce and write a ticket if the parking spot is not striped properly or has the proper signage. Fines also vary by jurisdiction. For example, the City of Rockville fine is only \$100. RTS is also only for private lots and commercial spaces, not for on-street parking.

Hilary Kaplan, Commissioner, said several of the materials sent out before the meeting referred to accessible parking as 'handicapped parking'. She suggested changing the wording to reflect ... Loretta noted that the phrasing is not intentional and some of the publications may be from Department of Permitting Services that have not been updated.

Trish Gallalee, Commissioner, asked if OHR has reviewed HR 620 – ADA Education and Reform Act and how it relates to employment issues. Loretta said that while OHR does not have litigation enforcement authority, she will make sure she and her office staff review the bill.

Overview of Accessibility Issues of Route 29 Bus Rapid Transit (BRT) Project – Corey Pitts, Planning Section Manager, Montgomery County Department of Transportation

PowerPoint: www.montgomerycountymd.gov/HHS-Program/Resources/Files/A%26D%20Docs/CPWD/US29OutreachPresentation2018CPWD.pdf

Corey Pitts is the project manager for the US 29 BRT and MD BRT study that DOT is currently undertaking. BRT is a bus-based rapid transit system with features that improve reliability and capacity, so riders can get where they need to go quickly. US 29 will be the first BRT line to open in the state with service expected to begin in 2020. Design is expected to be completed by the end of this year. The overall budget is \$31,500,000, which includes a \$10,000,000 Federal TIGER grant.

Buses will include level-boarding through all doors making it easier to board and accessible for all riders. The platform height will be 12 inches and sidewalks will be raised an additional six inches to cover the gap. The slope will be ADA compliant. The US 29 project is paying close attention to the latest ADA requirements and where possible exceeding these requirements. They are also looking at pedestrian and bike access improvements including reconstructing sidewalks and ramps, bringing them up to standards, and restriping crosswalks to enhance access many station locations. DOT wants to make the system user-friendly for any user.

DOT will be installing floating bus stations in some areas. These stations will be installed away from the curb edge and leave a bike lane behind the station.

As part of the BRT project, DOT is reviewing how existing Ride On buses operate along US 29 and how those services can be enhanced to support the BRT. Ideas include new neighborhood circulators and other transit options to provide service from the neighborhoods to the BRT.

The floor was opened to questions.

Trish asked if the buses will be using any sort of lift that will bridge the gap between the curb and the bus entry. Corey reported that the buses that County will be purchasing for BRT will have bridge plates, which will extend from the vehicle to the platform. He also noted that all buses will have spaces for a person who uses a wheelchair or a scooter to park.

Betsy asked if the County is considering using shared use pathways in their design. She noted that Indianapolis has shared use paths that are used by bikers. Betsy also asked how the County is making sure the roads are safe for bikers and drivers. Corey noted that as part of the project, the County is improving the cycling and pedestrian infrastructure. The floating station provides a bike lane that is clearly striped that is just for bikes with a sidewalk next to it for pedestrians. Many of the County's roads are designed wider than they need to be, and that space is being reallocating to allow for bike lanes. In instances where there is not enough space to provide a bike lane, bikers would be allowed to use the roadway. This option is better for roads where there is less traffic and slower speeds.

Cindy Buddington, Commissioner, asked about the high roofs on the platforms. She has noticed that the platforms at the Lakeforest Ride On bus shelters are high and if the wind is blowing riders underneath will not be protected from the rain. Corey noted the platforms are designed to be 13 feet deep and will extend close to the curb edge. There will also be screens to protect the platform from the wind. Cindy also asked how someone in a wheelchair would be able to navigate the bike lane to access the floating bus stops. Corey reported there will be curb ramps that will allow individuals to get from the sidewalk to the bike lane and then to the platform. Cindy suggested DOT consider the size of the print, angle and height of the real-time transit information screens. Trish suggested the County use an app in addition to the screens as individuals who are blind or have low vision will not be able to read them.

Nancy Greene, ADA Compliance Manager, reported DOT has meet with Columbia Lighthouse for the Blind and a group of mobility specialists and transit users who were blind reviewed the design for the floating bus stops. The group provided comments including guidance on truncated domes. DOT planners are also incorporating comments from community groups.

Chair Report:

Seth reported the Steering Committee will meet next Wednesday, March 21st at Health & Human Services Building, 401 Hungerford Drive, 1st Floor Conference Room, Rockville. All Commissioners are encouraged to attend.

Seth was recently briefed by Uma Ahluwalia, HHS Director, that the County considers Commissioners in the same category as employees and must follow the same rules and regulations. Commissioners cannot do anything that is in favor of one political candidate or another whenever they are on County property or attending a County meeting nor can they have buttons or leaflets. Also, Commissioners are not to use the Commission's e-mail distribution list to voice their personal opinions about the election. The list should only be used for Commission business only.

Ex-Officio and Member Updates:

Susan Smith, Housing Opportunities Commission (HOC), reported the U.S. Department of Housing and Urban Development (HUD) is implementing Small Fair Market rents in metropolitan areas. There are rent payment standards that one abides by around the Beltway, but because there is such a different from area to area, last week HOC approved 27 different payment standards. The new standards will go into effect April 1st for new renters and one year from then for HUD renters. In some areas the payment standards have gone down, while in other aeras some have gone up.

Larry Bram, Developmental Disabilities Advisory Committee (DDAC), reported DDA has two new waivers to serve 800 families. The waivers are meant to remove people from the waiting list, which currently has 8,000 individuals. Service providers must submit applications in order to serve individuals from these two waivers. The application process for has been slow due to several changes being made to the application over the last few months. The application itself is

voluminous and the process is very cumbersome. At this time, only 5 providers have been approved for Montgomery County and no services have been provided. The funding for the waivers is going unused. There is also a new assessment tool – Supports Intensity Scale (SIS) - that evaluates practical requirements of a person with an intellectual disability that will be replacing the current matrix. Each assessment will take approximately three hours and some staff that are required to attend may not get paid. Once an individual is removed from the waiting list, they are able to receive more Coordination of Community Services (CCS), but the County does not have the funding to reduce the current case load from 1 to 45 to the DDA recommended 1:35 caseload. There is also concern from providers about the rate study and what the new rates will be. The County Council has created a Work Group on Meeting the Needs of Residents with Developmental Differences. The Committee had discussed drafting a letter to County Executive Leggett and the County Council about their concerns. Betsy noted that DDA staff do attend the meetings and review meeting minutes, so they are aware of concerns.

Charlie Butler, Department of Recreation, reported Good Hope Neighborhood Recreation Center is currently undergoing renovations and is expected to have a soft opening in the fall with heavy programming available by winter 2019. The Center will be partnering with Strathmore to provide outdoor concerts.

New Business:

Joel Snyder, Commissioner, discussed his concerns regarding the HR Bill 620 – ADA Education and Reform Act. A motion was made to draft a letter to County Executive Leggett and the County Council regarding HR 620. A vote was taken, and the motion was unanimously approved. Day Al-Mohamed, Joel Snyder and Trish Gallalee offered to draft the letter. Individuals can still contact their representatives to voice their opinion.

Announcements:

Steve Robinson, Commissioner, reported April is Autism Awareness Month. For the second year in a row, Madison House will be working to address the needs of individuals on the Autism spectrum that are 21 years and older. The County Executive and County Council will present a proclamation declaring April 21st as Autism After 21 Day. The proclamation will be presented on April 3rd. All are invited to attend.

Betsy has free tickets available for the World of Possibilities Disabilities Expo to be held at Saturday, April 14th at the Hilton in Rockville. Please contact her if you are interested.

Next Full Commission Meeting: Wednesday, April 11th, 2018 – Executive Office Building, 101 Monroe Street, Lobby Level Auditorium, Rockville, MD 20850 – 6:00 p.m. to 7:30 p.m.

Steering Committee Meeting: Wednesday, April 18th, 2018 – Health & Human Services, 401 Hungerford Drive, Conference Rooms 1A/1B, Rockville, MD 20850

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