

**ADA ACCESSIBILITY REVIEW BOARD
MINUTES
September 30, 2014
Commission Room, 1st Floor City Hall
10:15 A.M.**

Disclaimer: The ADA Accessibility Review Board is a citizen board volunteering their time to give necessary feedback on projects of the City which may have an impact on Title II of The American's with Disabilities Act. The intent of the review is not to evaluate complete compliance with an accessibility standard, but to ensure overall programmatic accessibility. The Board is not presented all the information and is not given sufficient time for a thorough review. The Board's review is merely cursory and should only be considered a recommendation of the Board. The Board recommendation should not be considered a certification that the project meets ADA standards. The Board only reviews the project based on The American's with Disabilities Act Accessibility Guidelines and other U.S. Access Board guidance and does not address any local codes, such as any building codes or fire and safety codes. Any conflicts in local codes should be addressed by the appropriate parties.

CALL TO ORDER

Vice -Chairperson Burkett called the meeting to order at 10:15 a.m.
Board members present: Roseann Burkett, Helen Hartmann, Troy Osterloo, Patty Monson, Eric Kritzmire, and Matt Pruner
Board member(s) absent: Doug Hoy
Staff present: Colleen Moran, Human Relations Manager/ADA Coordinator, Carol Garry, Human Relations Technician and Lacey Farabee, Human Relations Volunteer
Guests present: Sam Trebilcock, Transportation/Transit Planner and Terry Paulsen, NCCPVA Government Relations Director.

APPROVAL OF MINUTES

Kritzmire moved to approve the minutes from the July 29, 2014, meeting; Hartman seconded. Motion passed by unanimous vote.

UNFINISHED BUSINESS

Review of Events Center Tour -Staff and Board

On September 11, 2014, the Board was invited to an 'ADA accessibility' open house at the events center. Individuals from the disability community were invited to come and check out the accessible features of the new events center.

Moran is asking for feedback from that tour and wanted to share some of the responses to the feedback already submitted.

- Burkett stated that they had pointed out that the metal framework holding the plexi-glass at the bottom of the stairs had sharp corners. This was pointed out to the city engineering personnel that was guiding the tour.

- Hartman mentioned (and the city engineering personnel took a picture of it) that at the end of the accessible seating areas there's a step that 'lands' in that area. The front edge has yellow markings, but it should have the markings on the side edges to allow detection when coming from the side of the step. Moran had been contacted about this, but wanted clarification before making any decision/suggestions.
- Moran asked about the preference for the color of the stripping – some was black and some was yellow. Hartman thought a previous discussion had been that they would use something reflective – either yellow or white.
- Kritzmire has a concern about only having one side of the accessible seating area wide enough for a wheelchair to get through. The other side has a narrower opening and can't get through it. Two exits would be better in case of an emergency.
- Ticketing – Ticketmaster will be implementing their new regulations soon. (copy attached). The issue is that the accessible seating is not available for pre-sale tickets and when you can buy tickets you have to email someone at Ticketmaster, who may or may not get back to you right away and by the time they do, the tickets are sold out. This should no longer be an issue with the new policy.
- One of the door openers was not working when staff attended a general open house. When this was reported the city engineering representative said the door people were going to be in to make sure all the doors were working properly. However, at the City Employee Appreciation event, it was still not working. Osterloo reported that it was taken care of that same day. Just need a key to get the system to work.
- Charles Santee stopped in the office this week and one complaint he had with the events center is that he can't shut the door on the accessible stall in the restroom. Regulations are based on the layout of the stall – generally they swing out so you can turn around in the stall without hitting the door. Longer stalls may allow for the door to swing in.

NEW BUSINESS

Transit Task Force Updates– Sam Trebilcock, Transportation/Transit Planner

Moran asked Trebilcock to bring the Board up-to-date on what is really going on with Transit to help get the correct information out to the community.

The Transit Task Force was put together because something needed to be done or the transit system would go into debt. A goal of the task force is to reduce the cost of Paratransit from 45% of the total transit budget to 25%. This led to speculation that cutting the costs would mean cutting service. That isn't necessarily what it means. There are other ways to trim the budget without cutting service.

Another goal is to expand the fixed route service to cover more areas. This would provide additional access to the bus system to those individuals with disabilities that can use the accessible fixed-route system.

As the government is cutting back on funding there's a need (and a goal) to work with the community to help support non-profit transportation needs to work, medical appointments, etc. This can be done with volunteer drivers, non-profit involvement, and/or adding an outside (non-government) system.

Travel training could help current paratransit users learn to use the accessible fixed-route system. Transit will not be forcing anyone with a disability to use the fixed-route unless they are capable of doing so.

The task force's plan will be updated every year and make any changes that will bring the desired results while still providing service.

Paratransit isn't going away, but there are things that can be done to reduce its use when the fixed-route can be used. A buddy system is an option – where an escort is provided until the individual is comfortable using the fixed-route. Increase non-profit coordination with the agencies and other non-profit transportation (Project Car, Workers on Wheels). There is now a directory of available services – a listing of all entities that provide transportation. Community driver recruitment is another process to increase community involvement in trimming paratransit use.

Transit has been working with Dakotabilities and LifeScape to reduce the number of work trips that paratransit is making.

River City is a private non-profit transportation provider that will be starting a pilot project to provide service to some Dakotabilities and LifeScape facilities for the supervised-work trips for those individuals living there. (This has been an area that has created a lot of confusion.) These facilities are currently outside the ADA required service area. This is not mandated, but if they use paratransit they will be responsible to pay an agency rate for the supervised-work trips. This is only for the work trips, event/entertainment or medical trips still available for those who have been determined eligible.

The outside the 3/4 mile ADA requirement is another concern. SAM is required to provide paratransit service to those within the 3/4 mile of the fixed-route service. Paratransit has been providing service to the area beyond the 3/4 mile requirement and because this is not very efficient, this needs to change. Most likely there will be no added trips outside the 3/4 mile service area. As the fixed route area grows, the area serviced by paratransit will also grow. This may happen as soon as this fall. Anyone riding now will be able to keep their same trips including any outside the ADA required service area.

There's a plan to develop some kind of event transportation, especially to get home from events as most of the time they are over past the time the bus and paratransit operate.

Kritzmire suggested that the private non-profit transit may want to provide something that will work for times after the fixed route and paratransit stops running.

School services are also being reviewed. Plans are to eliminate the specific 'school busses' and work with the fixed route to increase the capacity of those routes in the service area to those schools.

The fare increase has been delayed for a year. The budget was supplemented to cover the costs the increased fare would have covered for the next year. There will be an increase in the capital budget to help cover the decreased federal funding and increased costs.

Osterloo asked how much of an increase in fares was recommended by the task force. The task force recommended that the rates go up from \$1 to \$1.50 on fixed route and therefore paratransit would increase to \$3. A monthly pass would be increase \$5 (\$25 >\$30) with an increase of \$2.50 every couple of years up to a max of \$40. Fixed route is 1/2 price for people w/disabilities or senior citizens.

Moran asked what it costs to replace a fixed route bus- \$400,000. There are 29 busses; in 2009, 17 were replaced. There are 24 paratransit busses and they make around 500 trips per day. It was a higher number before they were working with LifeScape on their supervised-work trips.

A paratransit ride costs the City \$23.50 - \$25; a fixed-route ride costs \$3.50.

The only changes that have taken place are an expansion to some of the fixed-routes and the evening service only serves the core area. These changes happened in April prior to the Transit Task Force formation. The next change will be the change in paratransit service to the ADA required area and not adding any new trips outside that area.

Grandfathering in the 3/4 mile area may get complicated.

PUBLIC COMMENT

Pruner brought up an issue about a crosswalk activator button that is not on an accessible path and someone in a wheelchair got stuck in the grass trying to activate the walk button. Moran will check into it.

Garry wanted to let everyone know that they are invited to the 2014 Humanitarian Award on Thursday, October 23rd at the Orpheum Theater.

Terry Paulsen commented that the first big event at the events center will be a test of what is working and what isn't.

ADJOURNMENT

Having no further business Osterloo moved to adjourn, Kritzmire seconded; the meeting was adjourned at 11:15 a.m. The next meeting is scheduled for October 28, 2014.

Respectfully submitted by Carol Garry

As you are likely aware, the United States Department of Justice has issued new regulations interpreting and implementing the Americans with Disabilities Act (ADA) relating to ticket sales and distribution at places of public accommodation. The new regulations went into effect on March 15, 2011.

Ticketmaster has a longstanding commitment to provide great service to customers with disabilities, and complying with the new regulations to which our clients are subject is one of our top priorities.

As such, we are excited to announce the launch of an enhanced system functionality which will facilitate real-time sales of Accessible and Companion Seats through all sales channels, including Ticketmaster.com.

Please [review our client guide](#) to the new enhancements which provides more details on what is involved in converting to the new process, including setup of charts and events, managing inventory, and selling tickets using the new methods. In addition, our entire Client Support team is available to guide you through each step of the process.

Among other requirements, the new regulations include the following*:

- Accessible and Companion Seating must be made available during the same hours and stages of sale, through the same methods of sale and distribution, and under the same terms of sale as that of regular seating. In other words, a proportionate number of ADA seats must be made available for sale through ALL distribution channels and during all stages of the on-sale (i.e., in pre-sales, promotions, etc.).
- Information regarding the location, availability, features, and prices of Accessible and Companion Seating must be just as available as information regarding regular seating, and the information must be sufficient to permit a person with a disability to determine whether the seating would meet his or her needs.
- Accessible and Companion Seating must be made available at all price levels; if not physically possible, then Accessible and Companion Seats may be proportionately priced in the section in which they reside.
- For every wheelchair seat, three contiguous (shoulder-to-shoulder) Companion Seats must be made available in the same row at the initial time of on-sale. Companion Seats may include wheelchair spaces.
- If the ticket limit is greater than or equal to four tickets, and three contiguous Companion Seats aren't available, you must offer the contiguous seats that are available (up to three) and make up for the rest with seats as close as possible to the others.

We are proud of our new offering and are glad to offer our thoughts on best practices relating to these new regulations. However, due to the complex nature of the ADA and the unique characteristics of each venue, we strongly suggest that you seek advice from legal counsel should you have questions regarding your specific situation. In any event, we encourage you to contact us so we can help make sure your ticket sales practices are fully compliant with the law.

We thank you for your continued partnership and look forward to launching real-time accessible seat sales for your events!

Sincerely,
Kyle Keraus
kyle.keraus@ticketmaster.com

*Note that this is not an exhaustive list of the new regulations. We encourage you to [review the regulations in their entirety here](#).