

JOURNAL OF COMMISSION WORK SESSION
June 20, 2017

City Commission Work Session
Civic Center, Commission Chambers Room 206

Mayor Kelly presiding

CITY COMMISSION MEMBERS PRESENT: Bob Kelly, Bill Bronson, Bob Jones, Tracy Houck and Fred Burow.

STAFF PRESENT: Deputy City Manager Chuck Anderson; City Attorney Sara Sexe; Fiscal Services Director Melissa Kinzler; Public Works Director Jim Rearden, and Engineers Dave Dobbs and Mikaela Schultz; and, Deputy City Clerk Darcy Dea.

**** *Action Minutes of the Great Falls City Commission. Please refer to the audio/video recording of this meeting for additional detail.* ****

1. CALL TO ORDER: 5:30 p.m.

2. PUBLIC COMMENT

Shyla Patera, 1013 7th Avenue NW, reported that North Central Independent Living would be sending out flyers with regard to events for citizens with disabilities and further expressed support with regard to the ADA Transition Plan. She provided and read correspondence from Roxy Arnett, 1623 8th Avenue North, with regard to the importance of accessibility for citizens with disabilities.

Mayor Kelly announced that there would be a change in the order of the work session agenda.

3. PROPOSED AMENDMENTS TO CITY CHARTER

City Attorney Sara Sexe explained that any changes to the Charter requires that it be put on the election ballot. City Attorney Sexe commented that Ordinance 3162 is Item 19 on the agenda for the June 20th Commission meeting. She discussed the various types of deficiencies throughout sections of the Official Code of the City of Great Falls (OCCGF) that would be cured. She further commented that doing the changes now would be a cost saving measure by adding the Charter amendments to the November election ballot. With regard to changes to the Charter, City Attorney Sexe explained that the work session presentation is to update the Commission with regard to the reasons that changes need to be made.

Mayor Kelly inquired what the next areas of review would be. City Attorney Sexe responded that adopting something similar to the Montana Administrative Procedure Act with regard to having guidelines dealing with procedures for hearings and appeals. Referring to Title 6 of the OCCGF City Attorney Sexe further responded that there needs to more clarification with regard to dealing with Animal issues.

Referring to the Charter as originally adopted, Commissioner Bronson inquired if it contained grammatical errors. City Attorney Sexe responded that she would report back to the Commission with her findings.

Referring to Section 3F of the Transitional Article, Commissioner Bronson received clarification with regard to taking formal action to repeal the language.

Commissioner Bronson inquired about the language of the original Charter with regard to giving the elected body the power to define or set administrative policies. City Attorney Sexe responded that the Charter in its current form is internally inconsistent as to the delegation of administrative duties, and noted that she would look at past agenda reports that indentifies the original Charter language.

Commissioner Bronson commented that the Municipal Court language change is a good recommendation.

Mayor Kelly requested that City Attorney Sexe look into Commissioner Bronson's concerns.

Commissioner Houck received clarification with regard to the majority of voters would have to agree to change the charter as well as information of putting it on the ballot.

Mayor Kelly received clarification that if the voters reject the proposed changes, the Charter would continue in its current form.

4. ADA TRANSITION PLAN

Public Works Engineer Dave Dobbs reported that the Americans with Disabilities Act (ADA) was passed by Congress in 1990. The goal of the ADA is to provide discrimination free accessibility regardless of disabilities. Engineer Dobbs further explained that the purpose of a transition plan is to access the current condition of facilities for accessibility as well as providing a road map for moving towards full compliance with the ADA requirements.

Engineer Dobbs announced that Engineering Inspector John Taylor and Cal Keith were involved in the transition plan.

Public Works Engineer Mikaela Schultz provided and reviewed the attached PowerPoint presentation that included defining physical barriers, producing methods that eliminate physical barriers, and developing a schedule in order to eliminate physical barriers.

Commissioner Houck announced that she attended a conference with regard to ADA and commented that there were statistics that show the number of citizens that need ADA compliance.

Commissioners Jones and Bronson expressed appreciation with regard to the efforts made by Engineer Schultz.

Commissioner Burow received clarification with regard to the funding that is loaned to low income homeowners with regard to fixing their sidewalks.

Referring to the Curb Ramp Demand Scoring slide from the PowerPoint, Mayor Kelly received clarification that the demand based location assessed is based on Title II of the ADA. Mayor Kelly further received clarification that the OCCGF is used to determine if curve cuts are required for residential areas.

Mayor Kelly inquired what incentives were being offered to make sure that quality ADA access is provided. Public Works Director Jim Rearden responded that there are strict requirements for ADA access. Mayor Kelly commented that there is a tremendous amount of retroactive work that needs to be done.

5. DISCUSSION OF POTENTIAL UPCOMING WORK SESSION TOPICS

Deputy City Manager Chuck Anderson reported that the next work session will consist of the 2018 Proposed Budget Presentation. Future work session topics would include Marsy's Law, HB 133 and Unfunded Mandates that impact city resources, as well as the River's Edge Trail Partnership Update. No one suggested adding any topics.

ADJOURN

There being no further discussion, Mayor Kelly adjourned the informal work session of June 20, 2017, at 6:30p.m.



Eliminating Barriers in Great Falls

PUBLIC RIGHT OF WAY TRANSITION PLAN
2017

Presented by: Mikaela Schultz
Engineering Division
(406) 771-1258

•STEP O – Plan Definition

Q: Why are we creating/maintaining a public works right of way transition plan?

PLAN GOAL

“Identify physical barriers in the public right of way and outline the City’s methods to remove these barriers according to an implementation schedule which includes Public Works curb ramp scheduling and methods to enforce periodic correspondence with the disability community and the public.”

Q: What regulations/rules are defining the movement ?

- Section 504 of the Rehabilitation Act of 1973
 - × Prohibits discrimination on the basis of disability
- Title II of the Americans with Disabilities Act (ADA) 1990
 - × Expands on 504 to include discrimination by public entities regardless of whether they receive federal financial assistance or not.
 - I. employment
 - **II. State and local government services * Pertinent to this plan**
 - III. Public accommodations
 - IV. telecommunications
 - V. miscellaneous provisions.

Regulations/Rules continued

- Transition Plan Requirements
 - × I. Identify physical obstacles in the public entity’s facilities that limit the accessibility
 - × II. Describe in detail the method that will be used to make the facilities accessible.
 - × III. Specify the schedule for taking the steps necessary to achieve compliance with this section
 - × IV. Indicate the official responsible for implementation of the plan.
- × Schedule for providing curb ramps
- × Participation of stakeholders in development of plan

Q: Who enforces the regulations/rules ?

- Department of Justice

Municipalities are **monitored** on the basis of their response to ADA title II and transition plan developments and accessibility of public facilities/right of way.

Q: How do we comply?

- Steps to Compliance as outlined from (BMP) manual
 - 1. Designate an ADA Coordinator
 - 2. Provide notice to the public about ADA requirements
 - 3. Establish a Grievance Procedure
 - 4. Develop internal design standards, specifications, and details
 - 5. Assign personnel for the development of a Transition Plan and completing it
 - 6. Approve a schedule and budget for the Transition Plan
 - 7. Monitor the progress on the implementation of the Transition plan

1. Designate an ADA coordinator



2017 Public Works Coordinator
 Public Works ADA Coordinator: Mikaela Schultz
 Office: (406) 771-1258
 Email: mschultz@greatfallsmt.net

2. Provide notice to the public about ADA requirements

1. Stakeholder Meetings: meeting minutes available for these meetings with some exceptions
 1. North Central Independent Living Services (NCLIS) – Shyla Patera
 - 1/25/17 – meeting/info share
 - 2/27/17 – meeting
 - 4/20/17 – meeting
 - 5/10/17 – public forum
 2. Montana School of the Deaf and Blind (MTSDB) – Geri Darko
 - 2/16/17 – meeting/info share
 - 3/30/17 – problem correspondence
 - 5/10/17 – public forum
 3. National Federation of the Blind of Montana (NFB) – Joy Breslauer
 - 5/10/17 – public forum
 - 5/13/17 – meeting/info share
 4. Vocational Rehabilitation Services
 - 5/1/17 – meeting/info share

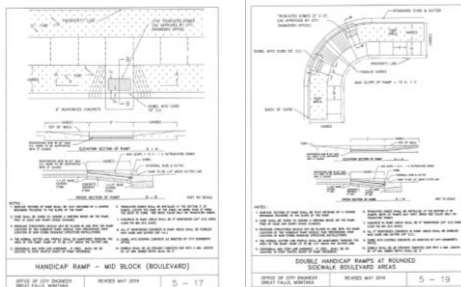
3. Establish grievance procedure

ORIGINAL RESOLUTION:
 Resolution 9896 has been the defined grievance response since 2010. The original resolution established a complaint process.

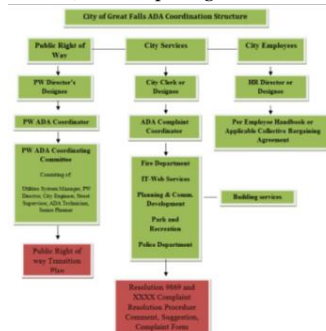
AMENDED RESOLUTION:
 Resolution XXXX has been amended:
 1. Adopt the Public Right of Way Transition Plan
 2. Establish a suggestion/comment/complaint form

Resolution XXXX – Redrafted
 The initial resolution included **complaint** process. The new amended and updated resolution includes **suggestion/comment & complaint** processes.

4. Develop internal design standards, specifications, and details.



5. Assign personnel for the development of a Transition Plan, and completing it.



6. Approve a schedule and budget for the Transition Plan

Schedule pertinent to the Public Right of Way Transition Plan

Budget – largely unaddressed, to be covered later in presentation

7. Monitor the progress on the implementation of the Transition Plan

Update processes are established in methods and appendices:

See handout*

Appendix BRamp Infeasibility Form
Appendix HAnnual Action Plan
Appendix IAnnual Update Report

•STEP 1 – Self Evaluation

Q: What have we done already?

- Inventory
 - » 5,626 corners total
 - » 1,074 compliant ramps
 - » 1,843 noncompliant ramps
 - » 2,709 corners without ramps
 - » 90 Traffic signals
 - 37 signals without pedestrian push buttons
 - # of signals with pedestrian push buttons (TBD)
 - » 600 + miles of sidewalk

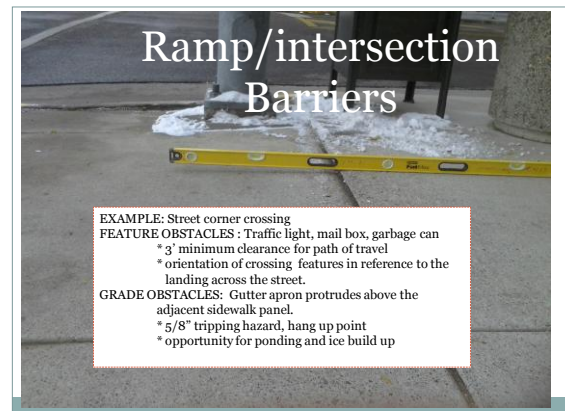
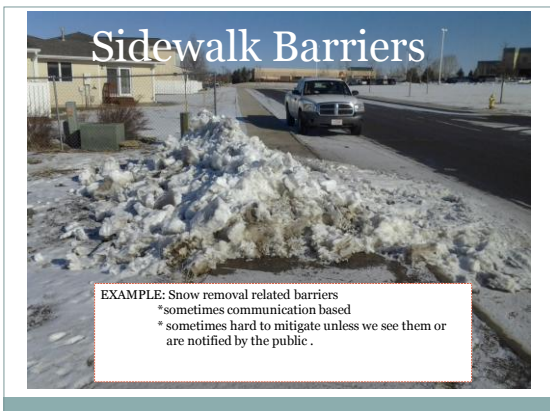
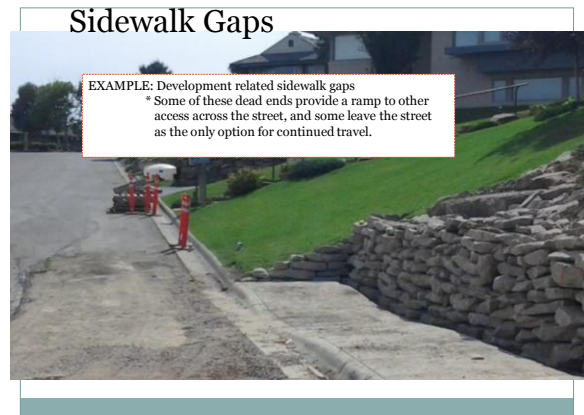
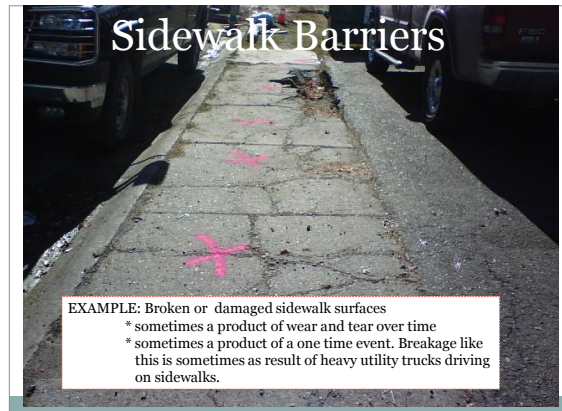
Q: What have we done already?

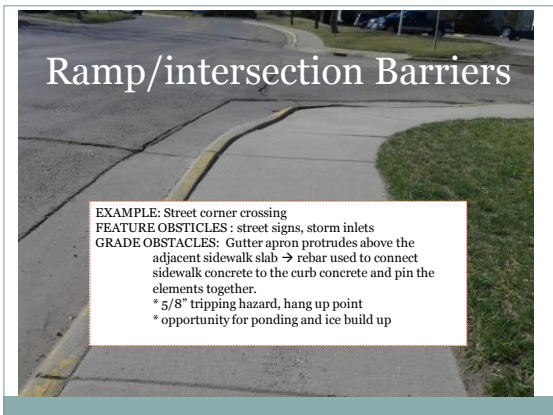
- Stakeholder Involvement
 1. North Central Independent Living Services (NCLIS)– Shyla Patera
 2. Montana School of the Deaf and Blind (MTSDB) – Geri Darko
 3. National Federation of the Blind of Montana (NFB) – Joy Breslauer
 4. Vocational Rehabilitation Services

Q: What have we done already?

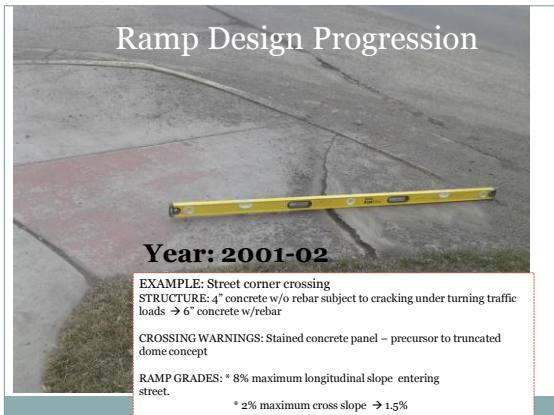
- Community Development Block Grant
 - Sidewalks Replaced (MAP)
 - Curb Ramps replaced (MAP)
 - Funds awarded over the years

•STEP 3 – Design Consideration





EXAMPLE: Street corner crossing
FEATURE OBSTACLES: street signs, storm inlets
GRADE OBSTACLES: Gutter apron protrudes above the adjacent sidewalk slab → rebar used to connect sidewalk concrete to the curb concrete and pin the elements together.
 * 5/8" tripping hazard, hang up point
 * opportunity for ponding and ice build up



Year: 2001-02

EXAMPLE: Street corner crossing
STRUCTURE: 4" concrete w/o rebar subject to cracking under turning traffic loads → 6" concrete w/rebar
CROSSING WARNINGS: Stained concrete panel – precursor to truncated dome concept
RAMP GRADES: * 8% maximum longitudinal slope entering street.
 * 2% maximum cross slope → 1.5%



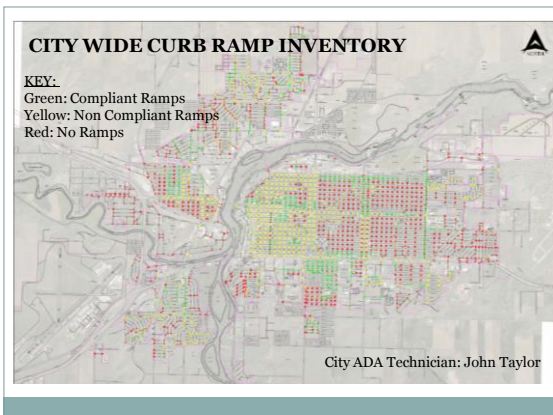
EXAMPLE: Street corner crossing
FEATURE OBSTACLES: none, landing provided
GRADE OBSTACLES: concrete sidewalk protrudes above the gutter curbing → sidewalk rebar links into gutter rebar to solve the differential settlement.
 * 5/8" tripping hazard, hang up point
 * opportunity for ponding and ice build up



Ramp Design Progression

EXAMPLE: MDT attempts
FEATURE OBSTACLE: Truncated domes- GLUED down and failed → domes materials/installation improved and specified
STRUCTURE: 4" concrete w/o rebar

YEAR: 2013-14



City ADA Technician: John Taylor



EXAMPLE: Level graded corner ramps
FEATURE OBSTACLE: Storm drain/street coordinated
STRUCTURE: 6" concrete w/rebar, Specified Truncated Domes, Cross grades no more than 1.5%, ramp landings



Stakeholder generated map markups - MTSDB

DATA : Inventories

City Generated

1. Curb Ramps Compliance Scoring
2. Curb Ramps Demand Scoring

>> Gap Score

Stakeholder Generated

3. Sidewalk Gap Map
4. Stakeholder Map Markups

GAP Score Generation

Compliance Score	Demand Score
<ul style="list-style-type: none"> Generated through inspection Rates compliance of the feature itself 	<ul style="list-style-type: none"> Generated through spatial orientation Rates the demand for compliance of a feature based on its location.

1. Curb Ramp COMPLIANCE Scoring

- **Curb Ramp Inventory Map**
- **Handicap Ramp Compliance Scoring Key Code**
 - ADA Technician - John Taylor
 - 1) Public Right of Way Accessibility Guidelines (PROWAG)
 - 2) Americans with Disabilities Act Accessibility Guidelines (ADAAG)
 - Rates Curb Ramps on a scale (0-58)
 - (0-19) no ramp **RED**
 - (20-39) non-compliant ramp **YELLOW**
 - (40-58) compliant ramp **GREEN**
 - Rates Condition of Curb Ramps (Excellent, Fair, Poor)

2. Curb Ramp DEMAND Scoring

*Demand based location sensitive scoring is assessed based on Title II ADA established order of priority in terms of public accessibility:

Title II based order of priority:

1. Government Buildings
2. Transportation Services – Bus stops, stations, etc.
3. Places of public accommodation – Parks, etc.
4. Places of business – Services, restaurants, shopping, etc.
5. Residential areas – homes, neighborhoods, etc.

2. Demand Scoring – Title II defined

GAP Score Generation

Compliance Score

- Generated through inspection
- Rates compliance of the feature itself

Demand Score

- Generated through spatial orientation
- Rates the demand for compliance of a feature based on its location.

Ramp Replacement Scheduling is based on Stakeholder request and Gap Score consideration

Cost Overview

Approximate costs:

- 1 block of sidewalk (300 ft) length costs approximately:

\$10,500.00

- 4 curb ramps or one entire intersection costs in range of:

\$16,000.00-\$30,000.00

*this range is dependent on the number of features present in the intersection i.e. (storm inlets, traffic signage/signals, fire hydrants, etc.)

Funding/ CDBG Efforts

Community Development Block Grant Funding - CDBG

•Total awarded 1998-present: **\$3,682,563.00**

•Average amount awarded (per year) over that time span: **\$122,753.00**

•Amount awarded this year (2017/2018 OF 1715.1,2): **\$29,177.00**

OTHER FUNDING SOURCES:

Gas Tax Funding

Street Maintenance Funding

Developer Funding

MDT Funding



Transition Plan Questions?

Please contact me! – Public Works ADA Coordinator

Mikaela Schultz
Civil Engineer in Training
(406) 771-1258

Thank You!