

**MINUTES OF THE  
COMMITTEE ON ACCESSIBLE  
November 19, 2008  
9:30 a.m.-12:00 p.m.  
WORLD TRADE CENTER  
BUILDING 2, MEZZANINE ROOM 5  
25 SW SALMON, PORTLAND, OR**

**CAT minutes may be obtained in alternate formats by calling TriMet's Accessible Transportation Program Administrative Offices: (503) 802-8200/TTY 802-8058, 8:00 am to 5:00 pm weekdays**

Attendees: Jan Campbell, Chair; Trish Baker, Lina Bensel, Bill Brown, Tom Ciesielski, Stan Lewis, Zoe Presson, Albert Rouse, Marie Sowers, Terry Watson

Staff: Dan Caufield, Josh Collins, Shelley Devine, Jean Gruenewald, Kathy Miller, Allen Morgan

Guests: Leon Chavarria, Bill Failing (President, Vintage Trolley, Inc.), Rick Gustafson (Board Member, Vintage Trolley, Inc.), Jan Hatcher, George Zoesch, Vic Rhodes (Business Representative of Portland Mall Management, Inc.)

Jan Campbell, Chair, called the meeting to order.

**APPROVAL OF THE AGENDA AND 10-15-08 MINUTES**

Jan asked for approval of the agenda.

**Trish Baker made a motion to approve the agenda. The motion was seconded and passed.**

Jan asked for approval of the October 15<sup>th</sup> meeting minutes.

**Tom Ciesielski made a motion to approve the minutes. The motion was seconded and passed.**

## **ANNOUNCEMENTS FROM THE CHAIR**

None

## **WRITTEN COMMUNICATIONS**

None

## **STAFF COMMENTS**

Allen Morgan reported that the exterior speaker retrofits on all of the 1700, 1800, and 1900 series buses have been completed. A group of CAT members reviewed the speaker placement and functionality prior to installation and the same process will be followed with the 2100 series at a future date.

Josh Collins announced there would be a service interruption the weekend of December 6<sup>th</sup> and 7<sup>th</sup> for the Red Line MAX between Gateway Transit Center and the airport. There will be an express shuttle directly from Gateway to the airport. A second shuttle will provide local services to the other stations along the Red Line between Gateway and the airport.

## **PUBLIC COMMENT**

Stan Lewis commented on the increased MAX ridership and the announcements made on the trains. He questioned the use of announcements in Spanish on the automated system when posted signage is in English only and added that the practice seems arbitrary and discriminatory. Stan added that he also hasn't had any feedback on his recommendation that the CAT consider what the policy should be to extend bilingualism to be consistent.

Stan said that the CAT is not charged with the problems of feasibility but is responsible for making recommendations to the Board. He has compiled a list of professional contacts that are associated with bilingualism and he

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would like the CAT to consider taking action on this issue at a future meeting.

Allen said that TriMet has an ongoing program to research the languages used by its customer base. He suggested scheduling a future presentation on the work in this area. Jan agreed and said the Executive Committee would discuss.

Albert Rouse suggested that TriMet remain consistent in keeping with English on all of the signage and verbalization because there are many different languages used in the region.

Jan Hatcher commented that the World Trade Center building is difficult to get to if one is visually impaired. She found it stressful because she wasn't sure where to wait for her return ride on LIFT.

Jan H. also stated that she is not receiving her calls on the morning of her rides from Ride Connection to confirm her ride time. Terry Watson said he would follow-up.

Jan H. reported that one of her recent LIFT rides had been canceled even though she had not called Reservations to cancel the trip. She reported the incident to Customer Service. She suggested using a unique identification number for LIFT riders to use for identification confirmation. Trish suggested using a password versus a number, which could be difficult for some people to remember.

Leon Chavarria stated that the signs on the bus asking people not to sit near the operator are being ignored. People are still standing in the area making it difficult for others to pass by.

Leon also commented that there should be an arrow pointing to the yellow strip on the streetcar for first-time riders who might be unaware that they should press the strip before arriving at their stop. Jan C. suggested that Zoe Presson and Stan could take the suggestion to the next advisory committee meeting for Portland Streetcar.

Trish reported that there are still some operators on fixed route that are challenged with making internal announcements when the ASA is not

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working. Some operators are making an effort, but it is difficult to hear them clearly. While the operators should get credit for their efforts, it is still important that the announcements can be understood. Allen responded that Training has installed a PA system in the classroom to allow operators to practice announcements during training.

**VINTAGE TROLLEY SERVICE PROPOSAL FOR PORTLAND MALL – Dan Caufield, Director, Operations Planning and Development; Bill Failing, President, Vintage Trolley, Inc.; Vic Rhodes, Business Representative of Portland Mall Management, Inc.**

Dan Caufield reported that Vintage Trolley, Incorporated, (VTI) is a nonprofit organization that was established in the 1980's to contract with TriMet to run the Vintage Trolley service. VTI works with Oregon Electric Railway Historical Society to provide the conductors to operate the rear doors for the trolleys and to assist the TriMet operators.

Vintage Trolley service began in November 1991, and operates between the Lloyd Center and the Galleria MAX stations on Sundays from March through December. It is a supplemental service to the regular MAX trains.

VTI has asked TriMet to move the Vintage Trolley Service to the new mall beginning September 2009.

Bill Failing gave a brief overview of the role of the Vintage Trolley. He said that it's primarily for the attraction value for Portland and it creates an element of history that is fun to observe. Moving the Vintage Trolley to the new mall could act as a draw for tourists. He added that mall merchants are very enthusiastic about the possibility of having the Vintage Trolley operate in front of their businesses.

Bill said that while that the Vintage Trolley is not ADA-accessible, the ADA allows for non-accessible rail service only when historic vehicles that cannot be modified without destroying the historic character are operated solely on rail line, which is on the national historic register. He added that the service is more about preserving history than about providing transportation.

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Bill asked that the CAT support the continuation of the service as they have in the past. He said that if the accessibility ever becomes an issue, the service would be discontinued. Vintage Trolley staff is hopeful that would not be the case.

### **Discussion**

Jan commented that the Trolley used to be accessible because there were lifts at two MAX stations. She asked if the lifts were still operational. Dan replied that they are still operational, with a ramp located at the Lloyd Center station and an elevator lift located at the Yamhill station. He stated that the challenge is in boarding mobility devices because the boarding area is in the rear of the car and requires the assistance of the conductor. Also, the mobility device cannot fit into the interior of the car because of the narrow aisle and a step up into the interior. A standard wheelchair may be able to fit, but it still would not be able to enter the interior. Trolleys predated the ADA issuance.

Jan said she was in support of the Trolley continuing and suggested notifying customers through the schedules or brochures about the limited access for mobility devices.

Trish stated that one does not need to be in a mobility device to have an accessibility issue. She has difficulty stepping off the Trolley because the step is steep. She suggested having more raised platforms to lessen the issue for some people.

Tom asked about the proposed route. Dan responded that VTI is asking TriMet to allow the Vintage Trolley on the new mall on Sundays beginning September 13, 2009. The Trolley would circulate on the mall and no longer operate between Lloyd Center and Galleria.

Jan inquired about the cost to ride. Bill Failing replied that the Trolley would be operating in Fareless Square, so there would be no charge.

Albert stated that he thinks that most people would not favor altering the Trolley for the concept of accessibility and believes that people need to recognize their limitations.

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Stan said he is excited about the prospect of having the Trolley on the new mall and that it would add a dimension of Portland history. Whether or not all people are able to use it, everyone could enjoy seeing the past still alive today. He commented on the history of the streetcar and that lessons could be learned about improving safety and security on MAX from the Trolley.

Trish stated that as a CAT member that she fully supports the Vintage Trolley because it is great publicity for Portland.

Jan agreed that she also supports the Trolley, and asked if the lift at Yamhill station could be relocated along the new mall route. Dan replied that it might be feasible to move the lift, if there is a station location on the new mall which is nearly level, with space on the platform for the lift as well as below the platform to accommodate the underground portion of the lift.

Jan requested that the Board might consider improving the Trolley's accessibility in the future.

**REVIEW OF CAT ACTIONS AND RECOMMENDATIONS STATUS**  
**REPORT – Jan Campbell, Facilitator**

Jan reported that the CAT made a recommendation to adopt the FY09 CAT Work Plan as written, and the recommendation was forwarded to the Board and staff.

Jan asked when CAT would review the Pending Issues List. Kathy commented that the EC could discuss at their next meeting.

**CAT REPORTS – Jan Campbell, Facilitator**

**Executive Session**

- Jan reported that due to illness, there was not a quorum at the October Executive Committee meeting. She reviewed agenda items with staff present at the meeting.

### **Work Session**

- Albert suggested a method for allowing the stop announcements to provide more information. (i.e. Instead of the announcement being 5<sup>th</sup> and Washington, it could be announced 5<sup>th</sup> at Washington.) Jan requested that Allen or Josh follow-up and report back to CAT.
- Albert commented the bus stop poles be labeled with an indicator in Braille and raised numerals. Kathy stated that she is following up on that issue.
- Stan requested there be an opportunity for public comment at Work Sessions and staff will follow-up with the EC.
- Bill requested an update on his previous request to add more straps to fixed route and the Portland Streetcar vehicles. Allen replied that he will follow-up and report back on that issue.
- CAT wants to further discuss cabs not being allowed on the mall. Albert requested that Broadway Cab attend a future work session meeting.

### **Discussion**

Marie Sowers commented on the choice of radio programs by LIFT operators when she uses the service. Jan asked about the policy for radio use for LIFT operators. Kathy will follow-up and report back at the next Work Session.

Albert stated that fixed route operators are not allowed to use the radio. He suggested the policy extend to LIFT operators.

Trish commented that she wants LIFT operators to listen to whatever they want on the radio because she believes it helps the operators relax.

### **CAT Nominating Committee**

- Jan reported that the Nominating Committee was comprised of Jan, Trish, Bill, and Zoe. Ten applicants were interviewed for one representative position and one consumer position.
- The criteria for review were as follows:

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- Commitment and ability to fulfill membership responsibilities
- Willingness to consider issues from a community-wide perspective
- Potential to effectively function as a member of the committee
- Regular use of one or more TriMet services
- Linkage and involvement with agencies, organizations, or groups which provide services and advocate to persons with disabilities, seniors and representatives

Jan said that the Nominating Committee recommends that the CAT: 1) move Bill Brown from a representative to a consumer position because he is no longer involved with Elders in Action; and 2) recommends Laura Campos for the consumer position and Teresa Christopherson for the representative position.

### **Discussion**

Stan suggested making a recommendation to enlarge the CAT committee. Jan responded that she would review the bylaws to consider the suggestion.

Albert asked when the current CAT members would need to reapply. Jan replied that all CAT members would reapply in May if they would like to continue with the committee.

**The recommendation of the Nominating Committee was voted on and passed.**

Staff will forward the CAT's recommendation to the General Manager and Board President for their consideration and approval.

### **OTA CONFERENCE REPORTS – Jan Campbell, Chair; Bill Brown, Vice-chair; Trish Baker, Member**

Trish commented that she would share a written report at the Work Session in December. She reported on her attendance at a workshop on customer service and also at an ADA roundtable discussion led by Karen Hoesch, ACCESS, Pittsburgh, PA.

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Trish added that Roger Martin, Oregon Transit Association, provided an update on legislation and transportation. He strongly encouraged people to make contact with their representatives in November and December, before the legislature reconvenes in January.

Jan commented at the last RTCC meeting, the governor's budget came out with a two and a half cent cigarette tax instead of the proposed five-cent tax.

Bill stated that he and Jan rode the local bus service in Seaside and the operator was very helpful with information. Terry Watson commented that service is provided on the Tillamook County Wave all the way from Portland to Astoria via the transfer in Manzanita. The Tillamook County bus also goes into Cannon Beach twice a day, and the Astoria bus goes south to Manzanita once or twice a day.

Marie stated that there is also a bus that comes over from Bend that goes to Newport. Jan replied that the state Department of Transportation website is helpful when trying to find shuttles that travel out of Portland.

Jan and Trish thanked Ride Connection for providing rides to the OTA conference.

### **SERVICE ANIMAL POLICY – Josh Collins, Manager, Communications; Shelley Devine, Deputy General Counsel Senior**

Josh reported that the proposed changes to the service animal policy are based upon the proposed changes to the ADA and were presented to the CAT at the November 4 Work Session. Staff was present today to continue the discussion.

Josh said that staff has begun discussions with fixed route operators to explain the proposed changes in the law and TriMet code and to get their feedback on their experiences in providing service. He said that there is some confusion about what animals are allowed on the transit system and the proposed change in the TriMet code will provide clarity on the species allowed and the tasks that service animals provide.

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Josh said there have been questions about if service animals can be muzzled in addition to being leashed. He said that they couldn't be muzzled because many service animals are tasked to retrieve items for their person.

There has also been considerable discussion about the use of an identification card for service animals. Josh indicated that the law prohibits requiring an identification card because of the various ways an animal can be trained dependent on the task. He added that there was interest in using an optional identification card or sticker that would clearly identify the animal as a service animal.

Josh asked the CAT for feedback on using an optional identification card for customers who use service animals. The use of the card would allow a customer to board without the operator having to ask questions about the animal. The card would not be required, but might provide a level of ease and convenience for operators and customers.

Operators are trained to inform customers boarding with animals that pets are only allowed on the system in a proper container. A customer that has a service animal could then indicate that the animal is not a pet. The law does not allow an operator to ask about a person's disability, but it does allow an operator to ask what service the animal has been trained to provide.

The proposed code changes must be read at two Board meetings and public comment would be taken.

Shelley Devine reviewed a draft of the current TriMet code with respect to service animals, the language proposed by the Department of Justice for the new ADA regulations, and the language staff is proposing to present to the Board.

The chief differences between the current code and the proposed code are the same changes that are proposed to the ADA including:

- A number of species of service animals are to be excluded that have been found to be problematic. Some of the animals that would be

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excluded are amphibians, reptiles, rodents, goats, and miniature horses. Dogs and other common domestic animals are still included.

- It is recognized that there are service animals that can do work or perform tasks for individuals with psychiatric, cognitive and mental disabilities.
- Service animals that provide comfort, companionship therapy, or emotional support, but do not perform tasks or do work specifically to support a disability will be excluded.

### **Discussion**

Stan inquired if the federal law has been changed and if there was a public comment period. Josh replied that there has been a proposed change to the federal law and that the public comment period closed in August.

Stan asked about which of the proposed changes were quoting the law verbatim and how to obtain a hard copy of the proposed law. He said that if CAT members wanted a copy, it should be provided. Staff will provide a copy of the current and proposed laws.

Albert commented that operators are put into precarious situations when asking customers questions because customers can become challenging to the operator.

Albert suggested that staff contact agencies to see which breeds are allowed to become service dogs or guide dogs. Tom responded that the breeds that are trained are a matter of choice, not as a matter of legality. Josh commented that the law specifically does not allow TriMet to discriminate against specific breeds.

Trish inquired about the difference between service animals and companion animals. Shelly replied that a service animal performs a task for a person with a disability and a companion animal provides emotional support or comfort.

Trish stated that some people with disabilities choose to have trained monkeys assist them in their homes. She asked what a person with a service animal that has been excluded from the list could do. Shelley

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responded that service monkeys would be excluded from riding but the customer could still ride either fixed route or LIFT if they were eligible.

Jan commented that Fred Hansen, General Manager, had asked for the CAT's opinion on the service animal definition and the use of monkeys. Allen stated that the Department of Justice had received feedback that primates cannot be trained consistently, which is why they are being excluded from use as service animals.

Terry stated that the incident in October would not have happened if the operator had enforced existing policies. Josh responded that both dogs in the incident were leashed and represented as service animals to the operator. During the police report, one owner admitted that his animal was not a service animal. The other animal was a companion animal, and under the new guidelines the other passenger would have been precluded from bringing her animal on the system unless it was in an enclosed carrier.

Stan commented that the proposed change is a major decision that could have impacts for a certain group of people with disabilities, and adequate time needs to be provided for discussion. He has concerns about why TriMet is proposing a change before the final law is implemented.

Jan suggested that the discussion on this issue continue at the December Work Session. Staff agreed.

**HONORED CITIZEN REPLACEMENT CARDS – Jean Gruenewald,  
Director, Customer Service**

Jean Greunewald reported that many customers tend to purchase their monthly passes the last two days or the first two days of the month at the TriMet Ticket Office in Pioneer Square. This increases the amount of customers in the office by approximately 300 percent in that four-day period.

A portion of these customers visits the office to get a temporary or permanent ID card, and Honored Citizen cards. These requests can also be processed through the mail, through a social service agency or dropped

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off at the office for processing later. It can take approximately 15 to 20 minutes to process each request and verify the information required.

On these four days of the month, all customers might be waiting in line up to 20 to 30 minutes at lunchtime. Staff is considering two possibilities to reduce the wait time including: 1) have an additional line for people to drop off the applications, and ask them to pick up the card later or if the card could be mailed; or 2) have specific windows dedicated to specific functions including application drop-offs.

Staffing is also an issue and changes are being made internally within the work group to provide sufficient staff coverage from 11 a.m. to 1 p.m. and also cover breaks and lunches. Jean said that staff would like to suggest that any requests for HC cards not be taken during this time period on the first two and last two days of the month.

**Discussion**

Stan suggested making the monthly passes available earlier than the 20<sup>th</sup> of the month. Jean responded monthly passes are available for purchase at other locations. Customers generally state they wait until the end of the month due to their finances.

Jan stated that it could be difficult for those that are applying for Honored Citizen to go to a different location due to their disabilities.

Albert commented that operators routinely see monthly passes before the month has changed, so it is important not to sell the passes too early.

Jean said that a final decision has not been made. Jan suggested that the discussion be continued at the next Work Session meeting. Staff agreed.

**ADJOURNMENT**

The meeting adjourned at approximately 12:00 p.m.