

City of Somerville Commission for Persons with Disabilities
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>> Bonnie Denis: This is Bonnie. Hello. We are waiting on Lian, and I'm not sure if we're expecting anybody else this evening.

But I want to give it maybe two or three minutes. I know we will not have Brian and Katie this evening. Holly; we're waiting on Holly to make a quorum.

>> Lian Guertin: I've sometimes seen a link to the transcript being -- is it possible to get that?

>> Bonnie Denis: Yes. If you click Live Transcript, and then show full transcript.

(Discussion with captioner about how to view full transcript.)

>> Bonnie Denis: Crystal is here, and Holly should be here momentarily.

>> Holly Simone: Hello.

>> Hi, Holly.

>> Bonnie Denis: Okay. I think if we want to start recording the meeting, we can get going.

>> Computerized Announcer: Recording in progress.

>> Bonnie Denis: All right. I believe the thing we maybe haven't been as good at doing because it's a remote meeting, we should be doing a roll call. So Commissioners, myself, I'm present. Holly?

>> Holly Simone: Present.

>> Bonnie Denis: Lian?

>> Lian Guertin: Present.

>> Bonnie Denis: And absent are Brian Postlewaite and Katharine Milton.

And I think for notes purposes, it would be great if we can just do a quick round of who else is here. And apologies; I forgot to say that if you're comfortable sharing pronouns, we'd love to put that in the notes as well

Bonnie Denis, she/her. I'm going to go in order of who I see on my screen. Adrienne?

>> Adrienne Pomeroy: Thanks, Bonnie. Adrienne Pomeroy, she/her, ADA coordinator and staff liaison to this commission.

>> Bonnie Denis: Thank you. Jamie?

>> Jamie Perconti: Jamie Perconti, they/them, associate Commissioner.

>> Bonnie Denis: Henry?

>> Henry Hardy: I'm Henry Hardy, associate Commissioner, he or they.

>> Bonnie Denis: Thank you. Crystal?

>> Crystal H.: This is Crystal, they/them. I am a resident of Somerville.

>> Bonnie Denis: Thanks. Holly?

>> Holly Simione: Holly Simione, she/her.

>> Bonnie Denis: And Lian.

>> Lian Guertin: Lian Guertin, he or they, Commissioner.

>> Bonnie Denis: Thanks so much.

Because we had the very short meeting last week where we managed to do a little bit of business, I do not have a chair update. I do want to give space, I didn't put it on the agenda, but Adrienne, if you have any updates, I'm happy to give you space to do that.

>> Adrienne Pomeroy: Thank you. I don't have any per se. On a personal note, I'm actually working remote from Ohio, at least the next week. My mother suffered a really bad fall and was in the hospital for about five days and now is in rehab and needed me to come help with that.

So I'm here and available; I'm just doing it very remote for the next week or so.

>> Bonnie Denis: This is Bonnie. I'm sorry to hear that, and I appreciate you being there to staff this, and I hope the healing goes smoothly.

>> Adrienne Pomeroy: Thank you.

>> Holly Simione: This is Holly. I second what you said, Bonnie. I'm very sorry.

>> Bonnie Denis: Okay. Then moving on to business, we had gone over the meeting minutes last time, and I realized that I had forgotten to do a factual amendment to April 12th. So I just want to get that in there for the record, so it can be amended.

So under accessible parking fund requirements, the meeting minutes said that it may not include items that other businesses, organizations or institutions are already required to accomplish by law or regulation, which I think technically that is allowed, but we all agreed as a Commission that we don't want that, so that's fine.

But it follows, it must be a benefit that supports -- yeah --

>> Holly Simione: Bonnie, could you share the screen or the document?

>> Bonnie Denis: Let me --

>> Holly Simone: If you capital, I just am having a hard time -- oh, wait, I just have to turn on live transcript. There we go.

>> Bonnie Denis: I'm just reading from my notes right now which I wrote notes of what it says and then I'm going to say what I want it to be amended to and I've got this physically written down already so I can share it with Brian to amend.

But it says that it must be a benefit that supports the community in general or the disability community in particular and may not support individuals alone.

And I think that should be amended to, shall be used solely for the benefit of persons with disabilities, because that is what the statute says. It doesn't say that it can't be used to support individuals; it just says that it has to be used to support disabled people or the disabled community.

So it also can't just be the general community that it serves.

Yes, Holly?

>> Holly Simone: I was just thinking, maybe it's in a separate section, but it's the () and to educate others about persons, so I don't know if that's another area that certainly communicating those that we represent.

>> Bonnie Denis: Yes, Lian?

>> Lian Guertin: This is Lian. I was just going to say that the revised wording also sounds more like () or having that discussion in that meeting; so as far as minutes purposes, that seems more appropriate to me.

>> Bonnie Denis: I'm sorry; this is Bonnie. I didn't follow. Which seems more appropriate to you?

>> Lian Guertin: The revised wording that you're suggesting.

And --

>> Bonnie Denis: This is Bonnie. Thank you, yes. To be clear, I went over the entire transcript from that meeting to see what the substantive discussion was.

And yes, it -- we talked about the nuance and we didn't state that it can't be for individuals. And in terms of your point, Holly, yes, I do believe that educating the community would be a benefit to the disabled community.

So the minutes aren't talking, they're not laying out every single thing to do. They've just, this is what we discussed and this was the sort of overarching theme of it and I just wanted to correct that it says that we can't support individuals because that's not factually correct, so....

>> Holly Simone: This is Holly. Thank you very much, Bonnie, for the explanation.

>> Bonnie Denis: So with that amendment, I want to do, or have somebody else call for a vote on those, approving those meeting notes as amended.

>> Lian Guertin: I was just about to ask if we needed to do that, so I will -- did we already approve those minutes last time?

>> Bonnie Denis: (Nodding)

>> Lian Guertin: So I will motion to amend the meeting minutes for the -- was it April 12th meeting?

>> Bonnie Denis: (Nodding)

>> Lian Guertin: With the wording that Bonnie just presented.

>> Holly Simone: This is Holly. I will second that motion.

>> Bonnie Denis: This is Bonnie. All in favor, aye?

(Aye vote taken.)

>> Bonnie Denis: Great; motion passes unanimously.

Let me go back to the agenda.

I'm trying to use two computers to see things. So moving on to new business, the biggest thing is we have a variance request for 114 Professors Row, which is a Tufts dorm in Somerville. Everybody should have received the variance request.

It is on Monday's agenda for the Architectural Access Board. I was so excited that we had it in time to submit comments before the meeting and last week happened with the Zoom bombing.

So it's really important that we get this done tonight and because we don't have a secretary here I'm going to take detailed notes on what we want to say because I have to get these in prior to Monday to ensure that they're part of the public record and they are considered when the Architectural Access Board has that initial hearing on Monday.

Be patient with me if I need to type it. I'm also going to use the live transcript to get down as much as possible.

I have some thoughts of this on my own, but I would love to start with other people first.

So if anybody wants to start, let me know.

>> Lian Guertin: This is Lian. I'm happy to start.

>> Bonnie Denis: Great.

>> Lian Guertin: Let me actually pull up my notes because I went over it before the last meeting and now it's been a week.

I sort of have it split out into two sections: First the general question of not adding an elevator and making it fully accessible, and then, if that is granted, the other parts.

So do you have a preference on which side to start on?

>> Bonnie Denis: This is Bonnie. I think either side is fine. I think there will end up being discussion on all of it.

>> Lian Guertin: Then I guess starting with the main question of the () rider to add an elevator and make it fully accessible, I did some research into how housing at Tufts works, because it's not one that I'm as familiar with.

And as far as I could tell, for incoming first- year students, it seemed to be a -- you're just assigned a place and don't really have any say in it; and then for continuing students, there's some amount of being able to list a preference for which dorm you're going to be in, or there are also some -- I forget the word; it was like theme communities. Or theme houses, that were centered around a specific like activity or identity, that people would be specifically seeking out.

And so my -- and then the other part of it was trying to figure out, they say they have 5% of their rooms are

already accessible.

My question was, is that a -- are there options for that? Or is there a single building that is accessible? And if you need an accessible dorm, that's where you're stuck?

As far as I could tell, for the options for sophomores, there was a single building listed with an elevator. Not all of the options for juniors and seniors specified. So possibly there was more than one, but it did not seem to be the majority.

And for first- year students, it did not list a place that I could find.

But my impression is that likely there is one option, maybe two, and so my thoughts would be, the only way that I would support not adding an elevator to this building would be if they could show, A, that there are multiple variety of options for accessible housing, not just a single building. And B, that it would have a significant impact not just on the cost of the project, but on the number of students that could be housed comfortably. And C, that this building would not ever be one that anybody would specifically seek out to live in, so that it would -- which I think would mean that it would only ever be housing for first- year students.

Which the other thing I found is, there was a listing of fraternities that one of them had this address, so I believe that this is housing for a fraternity, and thus specifically a place that somebody would seek out to live. And by not making it accessible, they're effectively barring disabled students from this fraternity.

So my opinion would be that no, they should be adding an elevator and making the building fully accessible.

>> Bonnie Denis: Great; thank you.

Henry?

>> Henry Hardy: Hi, this is Henry Hardy.

I concur with Lian's remarks, and I share his skepticism of why we should grant this.

I want to focus on the application for variance under the instructions at point 2: Attach whatever documents you feel are necessary to meet the standard of impracticability laid out in 521 CMR 4.1. You must show that compliance is technologically unfeasible, or compliance would result in excessive and unreasonable cost without any substantial benefit for persons with disabilities.

So let's take those two cases.

Compliance is technologically feasible. There would be a substantial expense, but on a 2.1 million dollar project, and given the deep pockets of Tufts, it's certainly not beyond the realm of what is possible. So technologically, they can build on elevator.

So let's take the second case.

What compliance result in an excessive and unreasonable cost? Well, they've come up with what I would call some pretty inflated figures to show a high cost. But they've not shown that these compliance features would not have a benefit. There would clearly be a benefit.

So neither A nor B applies. My recommendation is that we suggest that this variance not be approved in the form that it's been submitted, because the documentation is insufficient to meet the conditions under the statute and the CMR.

Thank you.

>> Bonnie Denis: Thank you, Henry. And welcome, Harriotte.

We are discussing the variance request for 114 Professors Row, Tufts.

Does anybody else -- Holly?

>> Holly Simone: It hates me; I can never find the unmute button!

I find it interesting that they are taking an existing building and they're rearranging floors, bedrooms, common areas. I believe not only does it discriminate or eliminate people who cannot get inside of the building, but also it limits people who may want to visit family members, or their children, or be part of an event that could be held there.

So I'm not sure if, in general, saying that this building, which is used for multiple things, in my opinion, it needs to be open for all.

And I thought, and maybe I'm wrong, that you actually have to prove both. I don't know if this is the application, what date this is the application, but I thought it was that you had to prove that it wasn't feasible and it was too expensive.

Either way, there are alternatives, which could be an outside elevator or a ramp, some other way to get into, I assume the first floor is accessible.

>> Bonnie Denis: This is Bonnie.

The application shows that there is currently a noncompliant ramp, and they are seeking relief from making that compliant.

So there is a ramp that exists; it does not have the appropriate handrails, it doesn't have the appropriate clearance.

I don't remember; I would have to look closer at the details as to whether or not the slope was okay; but the ramp is noncompliant, and they are saying that they do not want to fix that, either.

In terms of visitability, the bathroom do not appear to be on the first floor, so somebody might be able to get in the building, but they would not be able to substantially use the building.

>> Lian Guertin: This is Lian. My memory that I'm trying to find in here to confirm is, I think they were saying that there was a first- floor bathroom that would be accessible, but they were not planning on making the second and third- story bathrooms accessible. And I'm looking for the floor plans to check that.

>> Holly Simone: I'm looking at --

>> Harriotte Hurie Ranvig: I'm sorry, this is Harriotte. My hand is raised when you're ready.

>> Bonnie Denis: Yes, Harriotte -- actually, let me just make sure; Holly did you have further comments while we're looking at these nuances?

>> Holly Simone: Yes, my comments are --

>> Bonnie Denis: Then I'll come back to you Harriotte.

>> Harriotte Hurie Ranvig: That's fine.

>> Holly Simone: That they're making enough changes that what is not accessible as a ramp or railing should be brought up to code. But I think that there could be alternatives for a different way to have access into the

first floor, and possibly if there was something, to use a ramp or something covered, to get to the second, I don't know. I'm spit balling on that. That is not the cost of an elevator.

But my point is if they were to purposely provide a bedroom and a bathroom and access to common areas, if they were on the second floor, and maybe the third floor was other bedrooms, then they would have access to what everyone else has, other than they don't sleep on the third floor.

So I don't know if our remarks should say that they must have one floor that is accessible with a bedroom, a bathroom, and laundry. It looks like they're not going to have laundry. They could easily move laundry upstairs.

>> Bonnie Denis: So if people have substantive replies to Holly's then I'll take those before moving on to Harriotte. I saw Henry and Lian.

>> Lian Guertin: This is Lian. I have the clarifications that I found, if we want to give those.

>> Bonnie Denis: Okay. And then Henry.

>> Lian Guertin: So they are planning to put an accessible bath in the basement and on the first floor. And have an accessible, although they're asking for noncompliance as far as the ramp, entrance to the first floor and the basement, although it does not appear that there would be a way to get between them without going outside.

There is laundry in the basement that they are not -- they're asking for a variance to not make the laundry accessible because they say there's no accessible bedrooms.

And the bedrooms are only on the second and third floor, which are not planned to be accessible.

>> Bonnie Denis: Thank you. Henry?

>> Henry Hardy: Henry Hardy.

My brief comment with regard to the possibility of having some floors be accessible and common areas be accessible, and some floors with bedrooms not being fully accessible, is that separate is not equal. And I think that while having partial compliance is better than no compliance, it's not an acceptable substitute; and this is not really a serious effort to comply; it's a serious effort not to comply, in my opinion. Thank you.

>> Bonnie Denis: Thank you, Henry.

>> Harriotte Hurie Ranvig: There's something in the chat. Could you read it?

>> Bonnie Denis: I'll share it.

Ian Lian, is this on the same? Because I want Harriotte to be able to make comments.

>> Lian Guertin: This is on the same note as Henry's. I want to second that of, the only way that I can envision them having an accessible bedroom without having an elevator would be to add a single bedroom or two on the first floor, which I don't think would be an acceptable alternative, because it would be separating a disabled resident to that one floor.

And there are common spaces on the second and third floor, and also it's a college dorm, social things are going to be happening in people's rooms, so by not adding an elevator, you would be basically not allowing a disabled resident to participate in much of the social atmosphere of the dorm.

And I don't see -- if they're putting an elevator in the second floor, they should put it all the way to the third floor. They should just make the whole thing accessible.

>> Bonnie Denis: Thank you.

Harriotte?

>> Harriotte Hurie Ranvig: Well, it's closely on Holly --

>> Bonnie Denis: I'm going to pause you for one second.

Thank you, people, for sharing things. But I would ask that if you could raise a hand or message me privately if there's something you want me to share, but let's not use the chat because not everybody can access the chat and I want to ensure everybody can participate fully.

So I will share those after Harriotte's speaking, but I want to -- let's try not to use the chat as a feature of talking in meeting. Thank you.

All right, Harriotte, thank you.

>> Harriotte Hurie Ranvig: I did read through it, and it's striking how much they're just disinterested in making any real substantive change.

And I think, I may have written to you, Bonnie, or someone I wrote to, that the Cambridge Insight Meditation Center solved all of their problems -- and this is a different building -- but primarily by making a ground floor right at street level, elevator that went up to all three floors. And this is an old building.

And they have two accessible bathrooms, and common space and dining area on the first floor.

And one last question that I'm not aware of, but I believe that all these private university institutions get federal funds, so there's no way that they should be able to avoid being ADA compliant. And I'm not deeply enough steeped in the regulations and the law, but it just occurs to me that if they had to make one serious change, it would be the elevator all the way up and down, and it would be one accessible bathroom and bedroom on the second floor. I think there are four total as I recall from the plan. That would be 25%.

Anyway, that's it. Thank you.

>> Bonnie Denis: Thank you, Harriotte.

Yes; so fair housing, and MAAB has more stringent standards of accessibility requirements; and because they are doing such a substantial renovation, they would be required to comply, you're correct. But that's what they're seeking a variance to do, is to skirt that.

And I wish variances because weren't a thing, you know? In this day and age, we should be striving to update things and make them accessible and build new things fully accessibly, and we're still not, unfortunately.

So our power here is saying whether or not we think it complies with -- or meets the standards for being granted a variance. And I agree with everybody else here; but before I get into anything substantive, I want to add, I'm going to talk about the things in the chat, and then if -- I think Jamie is maybe the only one who hasn't, so if you have anything I'm happy to hear that as well.

In the chat, Crystal pointed out that anyone could become temporarily or long-term disabled at any time; broken limbs happen, and with college students, that can happen more often.

Crystal linked to -- wow, words are hard -- the story in the Tufts Daily on this particular building, so I too had

found that it seemed to be a frat building; but I guess in 2019, the frat was temporarily dissolved and Tufts bought the building from the national frat organization. So it's Tufts- owned and not owned by the frat, so it might not be intended to be a frat house.

Thank you so much for finding this; I did not see this in my Googling. So that, I think, makes a difference in terms of the arguments we want to make because I too agreed with Lian on, if this is a frat and they're making significant changes, there's absolutely no reason to not make it fully accessible.

So Lian, and Crystal.

>> Lian Guertin: Yeah, I just -- that affects the argument we make of the, okay, if they can show these three things, then maybe I guess could possibly apply, so we want to figure out how we want to word that; and do we think that if it's only ever going to be first- year housing, they can show those other things that we would consider saying it was okay, or do we think that, no, not even then? So that would be a thing to sort out, given that that apparently is a possibility, that I didn't think it was.

>> Bonnie Denis: Great. Crystal?

>> Crystal H.: Hi, this is Crystal.

Sorry for sending messages in the chat. I was thinking that it would be easier and not interrupt people, but I didn't realize it wasn't available to everyone.

So as someone who was a Tufts student, the other thing is note on the campus that this is primo real estate for students who select their dorm rooms after the first year or sometimes after the first semester. Because it's on Professors Row, which is really close to a lot of the academic quad and also the social life.

This is -- I mean, there's a reason why it was a frat house. Because it's a really good location. This is a very desirable location for students to be.

And it should just be -- sorry.

>> Bonnie Denis: Thank you; I appreciate that. And no worries; we are all learning constantly, and none of us are perfect, so thank you for taking the note.

Jamie, did you have anything before --

>> Jamie Perconti: I don't have anything to add on the specific variance request. I do want to disagree with you a bit on your general comment about variances shouldn't exist. Because not all organizations that are seeking to build something or do something are Tufts. Like there are small projects and realistic constraints, and that is why this process exists; and I think it's good that it exists. I just don't think Tufts should be trying to get out of doing what the ADA says they're supposed to do. That's not what variances are supposed to be for.

>> Bonnie Denis: This is Bonnie. Thank you; I appreciate the call- in. I just -- yeah, I get frustrated by, you know, people like Tufts doing this; and other organizations spending millions of dollars and even small organizations when they just don't want to do it, when it's a small thing and they don't want to seek out any help to be able to do it.

You know, I think outdoor dining is a prime example of that. The city is offering \$10,000 to each restaurant to make things accessible, when they just -- they don't want to engage with it.

I get frustrated and there's a little bit of hyperbole there, but you're absolutely right; so thank you.

Lian, you put your hand back up.

>> Lian Guertin: Yeah, I have a question for Crystal, because apparently they have more familiarity with the Tufts dorms.

And the point about this being a central location makes me wonder where the existing accessible dorms are.

And so the one I'm seeing listed online with an elevator is Harleston. Do you happen to know, is that also centrally located, or is it out of the way? Are there others that you know about that are accessible and centrally located?

>> Crystal H.: This is Crystal. If you spell it for me, if it's okay to spell it for me in the chat, that would be fine. Then I can get you an answer in a moment.

>> Lian Guertin: Okay. Sure. Let me also click on it and see if it has an address.

It does not appear to give me an address, so let me send it to you.

I'm just going to put the link to that one, because that was the easiest thing for me to copy.

>> Bonnie Denis: This is Bonnie. It looks to be 30 Lower Campus Road, if that means anything.

>> Lian Guertin: I'm just going to send it to everyone because I can't send it to Crystal directly.

>> Crystal H.: Great. Hold on.

>> Lian Guertin: And then I'm sending another one, Sophia Gordon Hall is the one listed for juniors and seniors. And there are some that it doesn't say.

(Pause)

>> Bonnie Denis: Crystal?

>> Crystal H.: Okay. So Harleston Hall used to be South Hall, is not a horrible location, but it's not ideal.

Professors Row is just like where it is at.

Gordon Hall is -- so if you look at Tufts on Professors Row and the (indiscernible) -- or the quad are the highly desirable places to be. The further you get from Professors Row or the further you get from the quad on Professors Row, like the further toward College Ave., it's less desirable.

So of these three locations, the ex- frat house is the most desirable. And I mean, in my admittedly personal opinion, it also depends on whether the student is like an arts major or whatnot, and wants to be closer to (), in which case Sophia Gordon Hall would be (indiscernible).

Regardless, in terms of general student life and in terms of closeness to the health center, the bookstore and the quad, and the Tufts shuttle stops, the 114 Professors Row ex- frat house is the most desirable of those options.

>> Lian Guertin: That is useful information, thank you.

>> Bonnie Denis: This is Bonnie. Thank you.

Yeah, so I spoke with Michael [Name] from the Boston Center for Independent Living a little bit about this, and he brought up many of the things the rest of you have brought up. You know, we talk about the substantial impact, right -- I'm trying to look at what it says -- would result in accessible -- unreasonable cost without substantial benefits for people with disability.

So in terms of the substantial benefits, the questions are, like Lian said, are there options? And it sounds like

maybe there aren't. Tufts didn't talk about that at all in their application, but I think it would be perfectly reasonable for us to say, we believe that there would be substantial benefits, and they don't prove that there aren't. Please come back with more of that.

Some things we didn't touch upon are the terrain, like how does this compare versus the rest of campus? And Crystal, that's a good point to talk about the shuttle access, because I think especially for students with disabilities, that might be really critical. And if they have to go further to get to it, that's a problem.

I unfortunately can't find my notes from my conversation with Michael because I'm using two computers, and I had them well prepared for last week, and got a little discombobulated.

But, yeah, we're all in agreement here that they haven't shown that it's not possible to do, that it wouldn't provide substantial benefit. That it would be too high a cost.

One thing I noted in the application they said that the value of the project was -- I think it was \$2.1 million, but if you look further into the documentation, they say that what they're spending is over \$3 million.

And so obviously, one of those numbers is incorrect. Because I don't think they would be spending a million more dollars than they think the project is worth. But if they are, then that's even more egregious that they're saying they can't spend this money.

The ramp in particular, it was listed at around \$168,000 to make it compliant. I mean, there's absolutely no reason on a project scope this size that that would be considered excessive.

So I think in terms of the outdoor elevator, I know they talked about elevators some. They said it was kind of a small property. But I'm not certain that they've shown that that isn't a possibility.

They talked about not wanting to lower the rear entrance because it would -- they didn't feel it would be worthwhile. But they didn't say that they couldn't put one in there.

So I think we -- I think we're probably all in agreement that we don't think this variance should be granted as is. And I want to get into the nuance of how we're going to write it up.

But I see Harriotte and Crystal, so let's take those comments, and then try and get into the nitty-gritty of it.

>> Harriotte Hurie Ranvig: Yeah. I just wanted to point out from what I recollect, the elevator would be \$840,000 or some such nonsense like that, and their complaint was it would require some structural changes.

And accessibility often requires structural changes. And that's kind of a part of the package.

And it's not -- I think they stated it is not a historic building. Correct me if someone has read in more detail. That's all.

>> Lian Guertin: That is what I remember. This is Lian.

>> Harriotte Hurie Ranvig: That's it. Thank you.

>> Bonnie Denis: Crystal?

>> Crystal H.: So one caveat I would have on the assessment of the work on the building is to remember that Tufts' relationship with the City is occasionally very strange, and perhaps could be described as fraught.

And so they may not have had the building assessed any time recently, and that number might be coming from the assessment of the city on the current value of the building.

And that might be the weirdness with, oh my goodness, they're spending so much on construction, on like more than the building is worth, according to them.

I don't know that that's the case, but don't hinge like -- it is an important point to make, I believe, but I would suggest not hinging a lot of the written arguments on it.

>> Bonnie Denis: This is Bonnie. Thank you. So I'm looking at it now, and it's saying that the value of the work under question 10 is \$1.2 million, the assessor's value -- I just had it, it was like right underneath, let me search --

>> Lian Guertin: \$2.174 million.

>> Bonnie Denis: And then further on Page 11, it says the cost of the work is estimated as \$2.3 million.

Which -- oh, they're saying that the cost to do this work.

>> Harriotte Hurie Ranvig: What's the one point --

>> Bonnie Denis: No; that's without the -- huh.

This application is so dense. Let me finish this, and then I see your hand, Jamie.

So it talks about the renovation includes cosmetic upgrades, and a gut renovation, and exterior work, landscape upgrades, and the repair of the fire escape. The cost of the work is estimated at \$2.3 million, and that triggers full accessibility.

So I believe that's what they're spending even without doing this accessibility work.

And that I think makes it a little bit harder to -- so to make the common areas accessible, they're estimating \$430,000.

And for the ramp, and the rear entry with a ramp or lift, and the other front- door stuff, 837.

The elevator they're estimating at \$472,000.

>> Harriotte Hurie Ranvig: Hmm.

>> Bonnie Denis: But I think they would need to make other modifications to make the elevator worth it.

Jamie?

>> Jamie Perconti: I think Henry had a hand up before I did.

>> Bonnie Denis: Sorry, I did not even see that. Henry, and then Jamie?

>> Henry Hardy: Thank you. I don't know how to make the little yellow hand in the corner there so I was physically raising my hand.

>> Bonnie Denis: I had something on the screen where I didn't see it. My apologies. I'm trying to look at the application as well. So, my fault.

>> Henry Hardy: But thank you, Jamie.

I'm going to pass it back to you, and re- collect my thoughts here. Go ahead, Jamie.

>> Jamie Perconti: Just for reference, the Raise Hand button is in the menu at the bottom of the Zoom application. If you click Reactions, it gives you Raise Hand is like its own row and there are a few other things in the row. And all the other ones go away after a moment, and raise hand you have to go back and click lower your hand when you're done having your hand raised.

I just wanted to point out that the first of those numbers that you were referring to, Bonnie, in question 10, that is relating to a past permit from March of 2021. So that \$1.2 million is a different project, and perhaps we could find out what that was from the permit number, but it's not the same number. So that's all I wanted to point out.

>> Bonnie Denis: This is Bonnie. Thank you.

Henry?

>> Henry Hardy: Okay. Thanks.

Just looking at the map, it looks to me like this location is in Medford. Why is this on our plate?

>> Lian Guertin: This is Lian. I think that --

>> Holly Simione: Front door is in Somerville.

>> Lian Guertin: Looking at it, on Google maps, when I put in the address it said Medford. When I said show me the boundaries of Somerville, it was in a different spot.

So I think it is technically in Somerville, and just the address is weird or something.

>> Holly Simione: The front- door rule.

>> Lian Guertin: I had that same question.

>> Henry Hardy: Okay. This was Henry, and that was my question. Thank you.

>> Holly Simione: I don't know if it matters, but they have been not paying taxes for their property to the City for a very long time. (Indiscernible) as to why. I know that has nothing to do with a variance request, but when if we look at how this is not feasible because of cost, I certainly can say that we know they are not paying the City taxes.

>> Bonnie Denis: This is --

>> Harriotte Hurie Ranvig: May I follow on that for a split second?

>> Bonnie Denis: Yes.

>> Harriotte Hurie Ranvig: Harriotte speaking. And in fact, because I've been on the steering committee for our () in Somerville, it's very clear, Tufts pays 25% of their tax bill to Boston. Okay? Where they have locations in Boston.

But we just thought we so desperately needed a nonprofit or whatever they think they are in this city 15 or more years ago that we haven't been able to corner them in the right way or persuade them to pay any taxes, sufficiently speaking.

So, that's all. Thank you.

>> Bonnie Denis: This is Bonnie. I think, you know, the taxes, while unfortunate, are not the thing that we can use to go against this.

>> Harriotte Hurie Ranvig: No.

>> Bonnie Denis: However, I tried to find it, and I haven't been able to. I've been in Somerville quite some time. I know that within the past ten years, there was a big thing where Tufts built some new housing and they did not want to make it accessible throughout. They specifically wanted to congregate the accessible rooms in just one building on just one floor.

And I don't know what the outcome of that was, but this isn't the first time that they've done this. And I'm looking at an article now from 2018, which is not that far past, and they're talking about different halls that still have stairs, and inaccessible spaces.

So there's a lot at Tufts that already hasn't been updated, and I think the main thing is they are -- they have spent \$2 million purchasing a building. They're putting in an additional \$2 million of renovations and they're balking at doing the same to make it accessible.

And I think, to Henry's point of Tufts has deep pockets, I think it's not infeasible for them to do.

So we should be focusing on, is it technologically feasible? Have they shown there would not be substantial benefit? I think the answer to the first one is, it is technologically feasible, if difficult; and it would have substantial benefit.

So there's a lot here. I am not as well-versed in the nuance of the technical details, and I know that when BCIL does their commentary, they get heavily into that.

I could try to do that. I'm not certain how good a job I would do. But I think doing a narrative version of this is why we think it's important and this is what we'd want to see for them to prove these things, might be a better way for us to go with our comments, if people agree with that.

Lian?

>> Lian Guertin: Yeah, this is Lian. Yeah, I agree with that. I think that we shouldn't be trying to like do the technical analysis ourselves; we should just be saying, they have not demonstrated that it's technologically infeasible.

And these are all the reasons that it would provide substantial benefit, and like these are the things that they would need to show to make it reasonable to grant this variance and have a fairly stringent -- they would have to show that nobody is ever going to specifically ask to live here, that there is equivalent housing in terms of --

>> Bonnie Denis: Lian, can you just let me get these points down?

>> Lian Guertin: Yes.

>> Bonnie Denis: Would need to show that nobody will specifically request to live here.

>> Lian Guertin: That there is equivalent housing in terms of both facilities and location, and that there are multiple options for students to choose in housing if they require accessibility.

>> Harriotte Hurie Ranvig: Excuse me. Do you mean there should be or there already are, Lian? Harriotte speaking.

>> Lian Guertin: That the requirement of granting the variance would be that there are already other options -- there are already a variety of other options in similar locations, which I'm pretty sure the answer is that there aren't. But I would need them to demonstrate that to consider granting it.

And I think part of the demonstrating the technological infeasibility would be --

Actually, no, I think -- I think we can just leave out the part about, that I was saying about in addition to monetary expense of they would have to show that it would have an effect on the number of students that could be housed comfortably; I think, no, even if it does, they should still do it.

So, yeah, I think just focusing on the lack of equivalent options and the, "You didn't show technological infeasibility."

>> Bonnie Denis: Okay. Henry?

>> Henry Hardy: Sorry, I'm having trouble finding the unmute button. This is Henry Hardy.

I appreciate Lian's comments, and I think they're very thoughtful.

I have some concerns, going back to my comment that separate is not equal.

I mean, just to take the counterfactual, let's suppose that every other dorm and every other tuft building was compliant. Excepting for this one.

And now they're saying, well, we don't want to make this one compliant. Would that be okay? I don't think it would.

I don't think that having some dorms which are segregated and some dorms which are unsegregated is okay. Because when we're talking about a building not being accessible, we're talking about a building not being accessible to a protected class of persons, just like if we were talking about a building not being accessible to gay people. Or if we were talking about a building not being accessible to black people. Or to any other protected group.

So I don't think that we should suggest to them that, well, if you did this, that and the other thing, then this would be okay. That's really muddying our message, and that's not the question that's on our plate.

What they've presented us isn't okay. Full stop.

And it wouldn't be okay even if everything else on the Tufts campus was compliant. Even if Tufts was a poor, historically black college or university that was struggling to make ends meet. It would not be okay.

Because it doesn't meet the statutory and regulatory requirement. It just doesn't. It's not close. It's not in the ballpark.

And so I think that we should focus on your concerns, Lian, but I don't think that we should post it to them, well, if you promise us these things, which we can't enforce or even know, then it would be okay, because we don't have a way to enforce who they put in there in the future, or what purpose they put that property to. We don't even have a way to know that.

But it concerns me if this is historically been a property associated with a private organization, an elite, racist, private organization, then they flip the property, they're renovating it, then they're going to flip it back to the club owners?

I mean, this is really something I'm very uncomfortable with. But even if none of these factors were in play and even if Tufts didn't have dirty hands, in some respects as far as these issues historically, I think we could just -- I think it's most useful for us to narrowly focus on, they had to reach this far, and they had to reach this far, and they had to reach this far, and they didn't reach any of them. Period.

I mean, that is my suggestion, but I take it in good heart, your concerns, Lian, and they're not misplaced. I just think that we should try to focus on what we can say to the people making the decision that will affect their

decision, and that's going to be based on the statute and the regulation.

And we can just say, look, they had to prove their case and they didn't do it.

Thank you.

>> Bonnie Denis: This is Bonnie. Thank you, Henry.

I just want to do a quick time check. It's 6:00 p.m. and we do have other things on the agenda I definitely want to get to. So I want to try to wrap this up, but I see Harriotte, and Lian, and then -- let's try to just agree on what we're going to do with this, but I appreciate those comments, Henry, and I kind of agree.

So, Harriotte?

>> Harriotte Hurie Ranvig: Yeah, I'm just adding to the -- what's our best fuel to have them pay attention? And we've been speaking about it, and I'm sure you've got it in the comments: Location. Not only must the building be accessible, but this is a very powerful location. Which adds to the accessibility.

And if they decline -- if they get their variant, they're not really making it fully accessible; therefore -- and I don't know if that's a strong enough argument, location. But at least it's something.

And maybe we -- others other than myself can rank that piece, but I do think centralized location is very important for folks with disabilities.

That's it. Thank you.

>> Bonnie Denis: Thank you.

Lian?

>> Lian Guertin: Yeah; just, I think location absolutely is, especially on a campus like Tufts, which does have a lot of hills.

And also to Henry, thank you. I agree and that has helped me reframe things. I think I was trying to figure out an argument that I thought would work, but, no, we shouldn't even suggest that. You're correct; we should just say that their argument is that there are other accessible housing options, and we don't think that is a sufficient argument, because there is not the same options as far as location and choice. And those are important. And so, yes, I agree wholeheartedly, and thank you for saying that.

>> Bonnie Denis: Crystal, if it's brief?

>> Crystal H.: Yes. Sorry. A really succinct argument to make might be that anyone in a manual retractor (?) who is at Tufts would be far better off being on Professors Row, which is a flat road to the campus bookstore, and which has less of the hills required to get to any classroom, because it is () to almost all of the classrooms on campus.

>> Bonnie Denis: Thank you.

Holly?

>> Holly Simone: I would like to suggest that we move to a vote or some type of agreement so we can move on to the next thing on the agenda. I think everyone has incredible comments and positions, and I value all of them, but in the sense that it is 6:05, and there are three members who have to be here to vote, I want to make

sure that I am present, because I have a very short ().

>> Bonnie Denis: Thank you. Lian, is this -- are you going to motion?

Lian, you're muted.

>> Holly Simone: I just wanted to add --

>> Lian Guertin: Sorry.

>> Holly Simone: Sorry. I just wanted to add that what everyone said here tonight should be submitted to the board that will be making this decision, because it's very important and you have a direct voice that way and you can also attend.

But I just want the voting to happen now, at least, understanding.

>> Lian Guertin: Yes, definitely, and I agree on time. The one thing I don't want to get missed is I think it is important to also touch on the other parts of the variance. Even if they manage to get the not having an elevator granted, there are other parts that should still not be granted.

The -- the most important -- sorry. Go ahead.

>> Bonnie Denis: This the Bonnie. Was there anything that people wanted to say yes, this sounds fine? Because I think there wasn't, and we shouldn't take them item by item. I think we should just say that we do not think any of these should be granted, because they have not met these things to show that they shouldn't do it.

So I don't think we need to do them one by one; I think we should say none of these meets these bars.

>> Lian Guertin: Okay; can I mention the one that --

>> Bonnie Denis: Sure.

>> Lian Guertin: -- I thought would be touched on? I think specifically the, not having accessible restrooms on the upper stories, because they're saying we don't need this because there's no way to get there, and I think that is one that is important to specifically call out as no, even if there's not an elevator to the upper stories, there should still be an accessible restroom, because people get hurt and don't want to have to leave their housing, and will find ways to get in and out, but if they can't use the restroom that's there, that doesn't work.

And also, yeah, people will have guests and help their guests in, () restroom.

So that is one that I specifically think has the potential to, if the elevator isn't granted, get wrapped into, okay, it's fine because there's not an accessible route there. I think it is an important one to have, anyway.

>> Bonnie Denis: This is Bonnie. I see your point, but I'm not sure that trying to break down specifics is going to be beneficial to us, because every single one could be a -- if not this, then that. Right?

If you don't do the ramp, then you don't need to do the other things on the first floor because people can't get in, and so you haven't done those; you don't need the restrooms, and I just -- I think it leaves open room for nuance that we don't need to leave, but I'm happy to discuss that separately.

We've got 22 minutes, so, Jamie?

>> Jamie Perconti: I was going to suggest- slash- ask, would the procedurally appropriate thing to do here be for one of the full Commissioners to make -- to motion to recommend against approving the variance to

the -- is it the --

>> Bonnie Denis: Massachusetts Architectural Access Board?

>> Harriotte Hurie Ranvig: MAAB, yes.

>> Jamie Perconti: And then we have -- like what's going to happen in practice is that Bonnie is going to write up our reasoning on that and submit it to them, but do we need to like formally establish that, or would that just be as part of passing that motion?

>> Lian Guertin: Why don't I make a motion. I motion to deputize Bonnie to write a -- memo, is that the right word? To MAAB expressing the Commission's opinion that this variance should not be approved, and laying out the arguments that we have discussed in this meeting.

>> Holly Simione: I second. I, Holly Simione, second that motion.

>> Bonnie Denis: Before I call to approve it, Adrienne popped up on camera so I wanted to make sure you didn't have a comment on this.

>> Adrienne Pomeroy: No, I'm here; I've been listening.

I do think it's a travesty in 2022 that a well-known and well-respected university such as Tufts is dragging their feet, but -- especially because they have an office for accessibility where it says you, as a student, can make accommodation requests and accessibility requests so you can be successful there. So I find that interesting, but....

>> Holly Simione: I think your comment is very well said about such an institution that we hold in regard here.

>> Adrienne Pomeroy: Yeah, people come from all over the world to go to Tufts. It's one of those places.

>> Holly Simione: We would recommend that we add that at the end of our statement. If anyone else disagrees, or agrees, I think it's very powerful, Adrienne.

>> Adrienne Pomeroy: You lose relevance if you don't want to be open and inclusive to everybody.

>> Bonnie Denis: I'm writing this down. Okay. Great. So all in favor of the motion, aye?

(Aye vote taken.)

>> Bonnie Denis: Great, motion passes unanimously. I will get that written and sent prior to Monday morning, as I have promised the Architectural Access Board.

Going back, so other -- Harriotte, I'm going to apologize, I'm not certain --

>> Harriotte Hurie Ranvig: No, it's not essential. Next time, next time.

>> Bonnie Denis: I promise it will --

>> Harriotte Hurie Ranvig: No, no, no.

>> Bonnie Denis: So I'm going to skip a little bit out of order. I'm not going to do the elected officers because I don't think we have time for that discussion.

So, accessible parking funds update, the City councilor, J.T. Scott and Councilor Clingan put forward a resolution at City Council a couple of weeks ago, authorizing the Commission to disburse at their discretion and according to the procedures they deemed fit any funds allocated to the account.

What that means is we don't need to come up with a list of every single thing and we don't need to go before council to get permission; they trust that we are going to use the funds responsibly, and according to the law for how those funds can be used.

And we simply need to work with city staff on accessing the funds.

On that note, the city finance director, Ed Bean [ph], was also at that council meeting and he is going to work with us on procurement and how to request funds.

There is a meeting scheduled for next week --

>> Adrienne Pomeroy: Thursday, yes.

>> Bonnie Denis: Thursday, yes, thank you, Adrienne. Adrienne and I will be meeting with Director Bean, and some of his staff and possibly another Commissioner, but we need to sort that out.

It was just scheduled. And we're going to go over the basics.

He also was going to try and talk to some other municipalities about how they manage the funds.

I spoke with a couple of folks, I spoke with an ADA coordinator, and somebody else who's a chair of a commission, and they submit requests, and it goes through the procurement process, and then the money is spent. That's all handled for them, and I imagine it will go similarly in Somerville.

So that's in process. And I hope to come back to you for next month's meeting with a, this is how we ask for the things.

So let's have some ideas ready to go on how we want to start spending money.

I can say I did a quick Google search, and several of the commissions have very formalized scholarship programs, where we have people apply each year. I know that's one of the things we talked about.

It might be a little late to do that for this particular year, but I think it's a really great one to look at, like other people have detailed, they've laid out, this is what we do. Here's our process. Here's what we're looking for. They have applications. And I think there's a lot out there for us to have mentors and have people we can talk to to model something off of. So that one might be really good to get in place for next year without us needing to do a lot of the work to create something from scratch.

Some of the other things might be a little trickier, like we've talked about accessible recreation. I know that Somerville Alliance for Safe Streets has also been interested in how we can get accessible bikes here. The Town of Acton just did that. And the difference I can see is that the towns that have done this have recreation facilities with staff that are there, and Somerville doesn't really have that. So it might be trickier for us to do. Still totally worth looking into but might require a little bit more money, a little bit more effort. But, yeah, hopefully we can start moving on this soon.

So the big thing I want to talk about: The Commissioner appointment process update. As you all know, we -- the call was put out in April for Commissioners, and myself and Adrienne and Holly conducted interviews. And we made recommendations of associate commissioners, Henry Hardy, Harriotte Ranvig and Colleen Downing [ph] and Deborah Haber [ph] who had applied, and after a month of sitting on those recommendations last week, the administration informed me that because of a lack of applicants and a lack of diversity in the applicant, they will not be moving anybody forward.

They've said that they would like to put out the call again, and nobody will be barred from being considered once they put out that call again, but my personal feelings -- I have a lot of them, but I think if they're seeking

the diversity that I think they're seeking, there's little chance anybody would get moved forward because you're not a person of color.

And I'm going to let Holly speak to that further.

>> Holly Simone: When I saw the explanation that was sent to us, I saw Bonnie and Adrienne, I was concerned because we followed very strict rules. Adrienne ensured that our process was appropriate. We used the exact same set of questions that we asked all of the candidates.

We considered our decisions based on what a person had to offer that was unique, that was something that maybe wasn't already represented, either their experience, their lives, their family members, possibly even how they identified as being disabled.

We cannot and would not ask someone to describe that, but many of the applicants did discuss that. And we did not vote for all candidates, but those that we did approve I felt very strongly met the two goals, which was to be a resident of the city, and to identify as one who has a disability.

But I have been asking for the documentation to understand the three pieces that were stated to why they wanted to find more candidates, and one I was looking for was the specific document.

We bring it forward, what does the mayor's team look at next? What are their pieces? Because if we've met the two that are on the posting, please tell us what was lacking?

I spoke with Hannah for a while, and --

>> Bonnie Denis: This is Bonnie. That would be Hannah Carillo; she's the liaison to the mayor, one of the liaisons to the mayor.

>> Holly Simone: When I have asked her to reply, () myself and other members voting can speak with her liaison about this more, to understand what is documented, I -- I believe that diversity, equity, inclusion is purposeful. It is something we should all be doing without having to call on it. I believe that representing all different people, including looking at a person's race is important. But I do not believe that our commission or any commission should be required to have a count of or a representative of. We are to be diverse, we are to have equity, and we are to include everyone that we ().

And I don't want to say anything bad about Hannah; I'm not saying anything about anyone on this call. I'm not saying anything bad about the mayor. This isn't one fault of anyone. But it is concerning that we don't have the information to do our jobs so that we can get people on boards, on commissions.

>> Holly Simone: Adrienne, you've been working on this a long time, trying to get this to happen. Bonnie, even longer.

And I am really sorry to deliver that news, but I will be drafting a note. She's taking back my requests and my questions, and I'd like to see -- I personally would like them to review and explain why. And I don't think we can force racial equality. I think we should seek racial equality. I think we should always try to ensure that. But if we do not have a candidate or we have reached out and we cannot find interest in a candidate, based on what one piece of themselves, I don't feel that we should not look at the other candidates that themselves have other things that are diverse.

>> Bonnie Denis: Thank you.

I see the hands raised, and I want to go to Henry first, and I want to apologize as well to you, and Harriotte. But especially you, Henry. You've been going through this for quite some time, and I'm appalled, and I'm sorry

that you've been subjected to this.

>> Henry Hardy: Oh, Bonnie, I have nothing but love for you and everybody on this Commission, and Adrienne. It's not personal. And I have to keep reminding myself not to take it as a personal affront, but there's an institutional problem here.

We have statutory requirements to have some people who are representative of a protected class of persons on the commission to protect their interests. And that class of protected persons is persons with disabilities.

And that's the legal standard that we have to meet.

If I felt that black folks were coming to this commission and being treated with disrespect or pushed away, or they wanted to apply and they weren't encouraged or they weren't permitted to, that would be a problem.

However, there's another issue here, which is the issue of democracy. There is a democratic process, and it's a process prescribed by law. And the law says, and the guidance says, that if there's a vacancy, it's to be filled it's not to be left open.

What's happening is not congruent with the intent of the law. And it's not congruent with the guidance about how this Commission is supposed to be constituted.

And the reason that those vacancies are supposed to be filled is so that a committee doesn't get starved into submission by not having its appointments filled, or it doesn't get starved into inactivity or non-existence, because there is something that has a statutory existence and we have certain statutory rights.

We need to talk to the ACLU or the National Lawyers Guild. We need to have some pushback on this. Not because it impacts me personally, because it doesn't; I can do everything I want to do here. I can say my part, as an associate commissioner, and I'm not subject to being removed by the mayor as an associate commissioner.

However, if this Commission doesn't have its roles filled, it will not be able to carry out its statutory function.

And that's what's at risk here. And that is unacceptable. And it puts at risk not just me and not just this Commission, but all the disabled people in Somerville that we are responsible to.

So I think we need to take some legal counsel and see where we can go with this. It's not acceptable to me. And I am disappointed, but not surprised. Thank you.

>> Bonnie Denis: Thank you, Henry.

Quickly because we've only got a few minutes, I will say that I have reached out to an employment lawyer. I know the commission is unpaid, but I do believe this would fall under employment law because we are technically employees. It states right on our call for members that we do not discriminate based on those protected classes.

And I'll point out that race is not something that we asked about in the submission, so it's something that we can make guesses about, but it wasn't explicitly asked for. So that's a thing as well.

But I do want to just note that you can do everything as associate Commissioner currently because of how I preside as chair. That's not a given. And I would like that to be a given, but Lian and I won't be on this Commission forever, and as it currently stands, the only three members are a person who does not identify as having a disability, a city staffer, and one person with a disability.

So the Commission would not meet any of those things and it would be entirely at the whim of the next chair how they would like to run their meetings.

So Jamie, and then Lian. We've got about three minutes.

>> Jamie Perconti: I just wanted to ask, have they said specifically that the lack of diversity was to do with race?

>> Bonnie Denis: It has not specifically been said to me. But I do believe that that is.

I'm not sure what's been said to Adrienne. If you've had further conversations outside of email that I've seen?

>> Adrienne Pomeroy: I'm just looking at the response that Hannah had sent to both of you. I think at around 2:30 this afternoon.

Let's see.

So the words that Hannah used were that the process is centered around inclusion, equity, and access. And that really the desire of this subsequent () call, it is not a rejection of the current slate; I want to be clear about that. But it is -- the hope of it is to cast a wider net in hopes of increasing diversity.

So that's the language that is being used.

>> Bonnie Denis: I will note that it says that they want to attract applicants who represent all corners of Somerville life. And as we've all pointed out before, we feel that the current commissioners and associate commissioners who we have recommended to be full commissioners do represent many aspects of Somerville life. We have diversity across socioeconomic status and education, and orientation, and gender, and there's a lot of, you know, differences in terms of the Somerville lives that we all lead. So it has not been stated explicitly in writing. I do firmly believe that it is about racial diversity.

But regardless, as Holly pointed out, we have not been presented anything that lists out what they are actually seeking or what would make somebody qualified or what would feel like enough applicants. There is nothing specific, and they have specifically said that as part of the transition process, they're re-evaluating policies, including these, and that re-evaluation remains ongoing, which to me is a constantly moving target without any written documentation. Because if we don't know where the bar is, I'm not sure how we hit it.

And given that something has changed every time we've tried to move through this process, I'm -- it feels a little disingenuous to me.

Lian, and then we need to wrap up.

>> Lian Guertin: Yeah. I'm going to try to stay civil because I find this entire thing appalling.

I have so many thoughts on this. The first is, I know it's not me, but apologies to all of the candidates who are waiting because it is absolutely ludicrous and unfair to you to put you through this.

I think one of the first things I'm wondering, is this happening to other commissions as well? Because it very much feels like it's an excuse to try to disempower the Commission, and without evidence that this is actually being applied across the board. It's hard to not think that.

As far as diversity and what that means, like as Bonnie said, there is an incredible amount of diversity on this Commission. It is true that we do not have very much racial diversity, and I'm not thrilled about that, but for the administration to keep saying diversity, diversity, and be completely ignoring the diversity that we do bring, it feels like a slap in the face, and an erasure of our identities, because it's just saying, well, it's not racial diversity so it doesn't count, except without specifically stating that.

The other question I have is, how is diversity being determined? Like I know we specifically ask about disability

identity, because that is part of the requirements of the commission. But I know when I applied, I wasn't asked about race or any other identities. And Bonnie said that wasn't part of this application process.

So how is diversity being determined? Is this just us -- clearly somebody is making assumptions, like who is making this? Like how are we saying that our current cast isn't diverse enough if we don't even have any way to know what their identities are?

And the last thing that I find probably the most problematic, going on the assumption that we are taking about racial diversity here as seems fairly clear, I think that racial diversity is great, and I would love to have it. I also think it is incredibly problematic to require it on a volunteer commission, because marginalized people are already asked to do unpaid labor all the time, and that is not a good thing. It's just something they need to do if they're going to have their rights met, or if they want other people to know anything about what to do, because nobody else wants to do the work.

And so it's a -- well, if you want it to happen, you have to do it.

Multiply marginalized people are even hit harder by this, while at the same time having on average fewer resources.

So if you are asking disabled people of color or disabled people who are multiply marginalized in some other way if it's not about race, then that's already a problem of your asking multiply marginalized people to do unpaid labor.

But in this case, it's going beyond the threat of, if you don't do it, nobody else will; to if you don't do it, we won't actively let anybody else, which that is just not okay.

Like if there are people of color who want to join the commission, that's amazing; I would love their input. But also they should not be required to put their time and energy into this.

And if the administration wants more racial diversity on the commission, they should start by actually () the commission and valuing the contributions of people who are here and making it possible to get things done so it feels like a worthwhile place for someone with limited resources to spend their resources because by saying we're not even going to put forth these people who have been putting in a lot of time and energy for months, that's not making it seem like a place that's worth to spend your energy if you don't have a lot of it.

And so it's completely not -- while being incredibly problematic in the implementation -- or in the -- just the idea of we must have people of color who already don't have as much time and energy doing this unpaid work, you're also making it less likely that they're going to want to apply.

>> Bonnie Denis: This is Bonnie. Thank you, Lian.

I would echo everything you said.

I have not seen anything from the administration with clear guidelines and I have not seen anything related to breaking down the structural barriers that exist to surveying and the budget just happened that was something that was requested by members of this Commission, in addition to City Councillors to provide support to the commissions, and nothing was put in the budget for it, which the mayor had control over it. So that's a problem.

Unfortunately, I do want to respect the captioner's time. Again, I'm sorry, and I wish there was something better for you. Holly and I will be continuing to ask questions. I am happy to talk about you, Henry, about speaking with a lawyer, and pass on anything I find.

I would hope as our liaison, Adrienne, that you are also talking to the administration about getting details because there really haven't been any. There's nothing clear, and we are presented this process as all boards and commissions need to have the same process. What you went through, putting out the call last year and trying to put people forth doesn't count; you need to do it over.

And now what we're being told is the process is ongoing and constantly changing.

And that's not consistent, and it's not fair, and in terms of other boards and commissions, I have not been able to do the research fully because some of it will require public records requests, but I do know that a candidate for the Zoning Board of Appeals was put forth last night. They are somebody who is currently serving in an alternate position, and they were put forth to be promoted to be full Commissioner. And when I pointed that out to Hannah and expressed my person because the ZBA had two open memberships, what I was told was the call did recently go out and there's not time to get the process completed before the summer recess. So there they are looking to bump this person up to be a full board member.

And I don't see how that's different than bumping our associates up to be full members. And I don't see why there not be being time should make them act differently from our commission if the process is supposed to be fair and equitable and the same across the board.

And if we're talking equitable, we know that that does not always mean equal. It means you take into consideration the other factor and that would be that this commission struggled to meet quorum for years, as worked incredibly hard to get people invested, has had people showing up, did put people forth in the previous administration, and nothing has happened because there has been a continued disinvestment in the commission.

So I would say equitable would be to move forward these appointments, especially knowing that there are going to be two more open seats as soon as we have people confirmed, and that would give them a better commission position to get more people in and still leave room for whatever diversity they feel is lacking.

So that's my thoughts.

Thank you, everyone. I'm going to motion to adjourn the meeting. That's the word.

Thanks.

>> Lian Guertin: I will second.

>> Bonnie Denis: Great. Good to see everybody.

>> Bye.

(People waving goodbye.)

(6:39 p.m.)