



## Legislation Text

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**File #:** 19-686, **Version:** 1

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**SUBJECT:** Approval of the 2019/2020 Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan Report Pursuant to Federal Requirements Set Forth by Title II of the ADA and Section 504 of the Rehabilitation Act of 1973

### **REPORT IN BRIEF**

Present the ADA Self-Evaluation and Transition Plan (referred to as Plan) for the 2019/2020 years as required by Title II of the ADA and Section 504 of the Rehabilitation Act of 1973. This Plan is an update from the previous 2015/2016 years report. The Plan includes evaluations for all City owned buildings, streets, parks, programs and services for compliance with Title II of the ADA and Section 504 of the Rehabilitation Act of 1973.

### **RECOMMENDATION**

**City Council** - Adopt a motion accepting and filing the 2019/2020 Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan Report

### **ALTERNATIVES**

1. Approve, as recommended by staff; or,
2. Approve, subject to conditions other than recommended by staff (identify specific findings and/or conditions amended to be addressed in the motion); or,
3. Deny; or,
4. Refer to staff for reconsideration of specific items (specific items to be addressed in the motion); or,
5. Continue to a future meeting (date and time to be specified in the motion).

### **AUTHORITY**

Section 504 of the Rehabilitation Act of 1973, and the American with Disabilities Act of 1990.

### **CITY COUNCIL PRIORITIES**

Not Applicable

### **DISCUSSION**

The Federal Americans with Disability Act (ADA) was signed into law in 1990. As part of the law, all Government Agencies that provide public programs, services or access to facilities are required to perform a self-evaluation for ADA requirements. If issues for non-compliance are discovered, a plan to transition the deficiencies to compliant is to be developed. City projects involving Federal funding must meet either State or Federal ADA Standards, whichever is more restrictive. In addition, the Department of Housing and Urban Development (HUD) requested the City continue to do a Self-

Evaluation Report every two (2) years to meet HUD requirements.

The City formed an ADA Committee that is responsible for the evaluation, prioritization and recommendation of the work to be done. The Committee is comprised with representatives from Engineering, Inspection Services, Public Works (including Parks and Facilities), Risk Management and Personnel. The committee has met and continues to meet quarterly to evaluate and recommend any alterations.

The City has a Grievance Procedure in place as part of this report.

The City of Merced has completed its Self-Evaluation and Transition Plan for all City owned facilities, programs and services. The following is a summary of the Committee's findings and recommendations:

### **Public Access:**

The Public Works and Engineering Staff have surveyed a number of existing intersections within the City, and have identified those with handicapped accessible ramps and those that need to be constructed. This survey was completed prior to the previous 2015/2016 report. Over the years, since the last report, projects have been completed to add accessible ramps to intersections in need of modifications. This also includes replacement of sidewalks where they did not exist or were not compliant per ADA. The City has also completed numerous Capital Improvement Projects (CIP). Public Works has also constructed new ramps and fixed a large number of sidewalks throughout the City. The City has also utilized a phone application called "Merced Connect". With this new tool, citizens can submit, track, and view nearby service requests through their smartphones as well as online.

For the upcoming years, the City has a number of handicapped ramp projects planned. Some of these ramps will be part of Parks and HUD projects, while others will be part of street improvement projects.

An evaluation of City-owned buildings and facilities for accessibility has been completed by the Building Department, and their recommendations for alterations are included in this report. During the evaluation of the current City owned facilities, it was observed that most facilities that had been constructed prior to the adoption of ADA had the greatest number of deficiencies. This was to be expected. As these facilities become renovated, ADA upgrades are incorporated. Staff has and will continue to accommodate persons with disabilities, at the deficient locations, to ensure the service that the individual is inquiring about is available to them.

### **Park Sites:**

The Engineering and Building staff have evaluated park sites for street accessibility and ramps during the City wide survey for ADA compliance and has made recommendations for alterations. The Committee has reviewed the recommendations and prioritized the alterations. It has been recommended that as existing park sites are getting developed or modified, required alterations will also be included to ensure ADA compliance. Some of these upgrades have since been completed such as the upgrades to Stephen Leonard Park, McNamara Park and Applegate Park.

## **Buildings:**

City buildings have been evaluated for ADA compliance, and recommendations have been made by the Committee. The majority of the deficiencies were minor such as signage, handicap parking, door handles and restroom alterations. Since the last report, some of the items have been upgraded while others still require alterations. City staff has and will continue to accommodate persons with disabilities, at the deficient locations, to ensure that the program or service that the individual is inquiring about is available to them.

Several buildings, including the Central Police Station, Airport hangar and the Public Works Corporation Yard are considerably older and are slated to be replaced once funding becomes available. In the interim, the Committee has recommend proposed alterations to improve access and usage until new facilities are constructed.

## **Summary:**

The City has made tremendous efforts to meet the needs of persons with disabilities. Since the last report from the years of 2015/2016, the City of Merced have completed a number of alterations to comply with ADA. Some of these upgrades include re-constructing approximately 60 curb ramps, replacing 1,773 feet of sidewalk (not including what was done by CIP), grinding of 6,557 trip hazards in concrete (mainly sidewalks) and upgrades made to City parks including an ADA compliant play structure at Applegate Park.

The City is able to utilize a number of avenues and resources to meet its goal, such as:

1. When any new private development is done within the City, the developer may be responsible for upgrading frontage for any ADA deficiencies depending on the valuation of the project;
2. The City's on-going Capital Improvement Projects, including existing street intersections curb ramps that need replacement;
3. Park Reserve funds;
4. Building Maintenance replacement funds;
5. Grant Funding's such as Community Development Block Grants (CDBG), Congestion Mitigation and Air Quality (CMAQ) grants and Safe Route to School; and,
6. Senate Bill 1 (SB1) Transportation Package and the self-help sales tax known as Measure V.

The City of Merced and its staff continues to put universal access to all of its facilities in the forefront, and will continue to monitor the City's progress to the Committee and City Council

## **IMPACT ON CITY RESOURCES**

No appropriation of funds is required.

## **ATTACHMENTS**

1. Self-Evaluation and Transition Plan