

# Commentary on the Model Transition Plan

## Introduction

This is general information that outlines why the agency has developed a transition plan.

## Self-Evaluation

### Overview

Many policies, practices and programs are not unique to public right of way, and should be coordinated with other agency transition plans and procedures. Examples of some of the non-infrastructure items that fall into these categories are open houses, websites, etc. The remainder of this document focuses on the infrastructure in the public right of way. Example Self-Evaluations are included in this package.

### Summary

This is intended as a generic summary of the Agency system, outlining what was reviewed in the Self-Evaluation.

## Policies and Practices

### Previous Practices

Since the ADA requirements date back to the 1990's, it is helpful to take credit for what has been accomplished. List details relating to any specific curb ramp project, sidewalk replacement program or street reconstruction program that has improved accessibility in your jurisdiction.

An example from Hennepin County is as follows:

#### ***1993 Curb Ramp Construction***

*During 1993, Minneapolis led a project to provide or improve accessibility on various county roads within the city in accordance with standards at that time. Hennepin County participated in this effort through cost-sharing or funding a portion of the cost.*

#### ***1997 Curb Ramp Construction***

*During 1997, the Transportation Department implemented a project to remove accessibility barriers and install curb ramps at intersections along various county roads in accordance with standards at that time. This effort included*

*the construction of curb ramps along 22 different county roads in 17 different cities within Hennepin County.*

### ***Transportation Department ADA Implementation Initiative***

*During 2011, Hennepin County will make progress on the department's CSAH 23, CSAH 36, and CSAH 152 federally-funded overlay work related to the I-35W Bridge collapse and the included pedestrian ramp work. Additionally during 2011 the Transportation Department will make progress on its 2011 ADA Pedestrian Ramp project. Lesson learned from these projects will be incorporated into this document.*

## **Policy**

This section reiterates that the City acknowledges the requirements set forth by the ADA and will work to meet them.

Any particular individual policy regarding justification for APS can also be included in this section or included in an appendix and referenced in this section.

## **Improvement Schedule**

### **Priority Areas**

Certain areas within an agency's jurisdiction should receive more attention than others. Locations in the vicinity of places of public use, i.e. City Hall, educational uses, and/or medical uses should be improved first if discretionary funding is allocated to ADA improvements. Maintenance and capital improvement projects are not required to be rescheduled to improve these priority areas, but that may be one technique used to accomplish accessibility improvements in these areas.

### **External Agency Coordination**

In many instances jurisdictions overlap. In an example of a MnDOT highway crossing a County Route within a City, each of the three agencies share responsibility for providing ADA improvements at that intersection. Even if an agency bears no fiscal responsibility for providing that pedestrian infrastructure, the fact that it falls within their jurisdiction makes them responsible for providing accessibility.

### **Schedule**

A general schedule for providing accessible improvements is needed. This can be as simple as stating that improvements will be made during the agencies XX street reconstruction program. It is suggested that more detail be provided.

## ADA Coordinator

An ADA Coordinator requirement is not unique to public right of way. This position is required for other aspects of ADA and should be coordinated with the Agencies other transition plans and procedures.

ADA Coordinator's Role:

Title II of the ADA requires all state or local government entities with 50 or more employees to appoint a responsible person to coordinate the administrative requirements of ADA compliance and to respond to complaints filed by the public. The name and contact information for the responsible person is required to be publicly advertised.

The drafters of the ADA modeled this position after the 504 Coordinator that had been required under the Rehabilitation Act. Title II of the ADA stipulates five major administrative duties:

1. Publicize the name and contact information of the designated ADA Coordinator responsible to oversee compliance;
2. Administer and write self-evaluation of the programmatic barriers in services offered by the local government;
3. Establish a complaint/grievance procedure to respond to complaints of noncompliance from the public;
4. Develop a transition plan if structural changes are necessary for achieving program accessibility; and
5. Retain the self-evaluation for three years.

## Implementation Schedule

### Methodology

This section lists the general ways that the agency will achieve compliance. This may include dedicated ADA improvement projects, traffic signal replacement projects, street and utility projects, mill and overlay projects, and/or sidewalk replacement projects.

### Public Outreach

This section should outline the public process used to help develop this document. General parameters can be listed here with detailed information in the appendix. An example from Hennepin County is as follows:

#### *Public Involvement*

*During the winter and spring of 2011, the Transportation Department hosted four ADA Transition Plan open houses to*

*engage to public on accessibility and ADA compliance. Two were in Minneapolis, one was in Brooklyn Center, and one was in Golden Valley. There were an estimated 50 attendees to the four open house; disability groups, advocacy groups, cities, and consultants were all represented.*

## **Grievance Procedure**

The grievance procedure requirement is not unique to public right of way. This procedure is required for other aspects of ADA and should be coordinated with the Agencies other transition plans and procedures. Included in the appendix of this document is a draft public notice. This public notice is one aspect of ADA that is required to be adopted and posted for the public.

In addition to their formal process, Hennepin County also includes an informal process as described here:

The Department understands that members of the public may desire to contact department staff and discuss ADA issues without filing a formal grievance. Members of the public wishing to do this may contact staff using the contact information in the **Key Department Staff Contact Information** section of Appendix B. Contacting department staff to informally discuss ADA issues is welcomed by staff and does not limit a person's ability or right to file a formal grievance at a later time.

## **Monitor the Progress**

This document will need to be updated as conditions changes. As redevelopment happens and demographics change, so will an agency's priority areas. ADA requirements continue to evolve and the agency will likely make progress in constructing accessibility improvements. No timelines are mandated for updates. It is suggested that one short term update be scheduled to report any immediate improvements made, with further updates scheduled at that time. Appendices should be updated more regularly to keep the document up to date.

## Appendices

### **A. Self-Evaluation Results**

Insert the detailed information here. See package attachments for examples.

### **B. Schedule / Budget Information**

Insert detailed information here from CIP with a summary on ADA improvements

### **C. Public Outreach**

Insert detailed information here, such as public comments, sign in sheets, etc.

### **D. Grievance Procedure**

Insert detailed information here. Coordinate with the other aspects of the agency requirements.

### **E. Contact Information**

Insert detailed contact info here.

### **F. Agency ADA Design Standards and Procedures**

Include the standard and details that the agency uses here. The MnDOT version of PROWAG has been included in the package for your use.

### **G. Glossary of Terms**

Add additional terms if needed.