



Agenda Item:

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## COUNCIL COMMUNICATION City Manager's Office

### GENERAL INFORMATION

Agenda Date: 7/26/04

Communication No.:

04-375

Agenda Item Type: Resolution

Roll Call

No.:

Submitted by: Donald M. Tripp, Park and Recreation Director

### SUBJECT—

ADA Transition Plan, Phase II

### SYNOPSIS—

Approve Phase II of the Americans with Disabilities Act (ADA) Transition Plan for the City of Des Moines' public facilities (see summary of facilities and an itemized list of cost estimates in Exhibit "A")

### FISCAL IMPACT—

Phase II of the ADA Transition Plan is estimated to cost \$3,080,520. Cost of completing Phases I (\$410,425) and Phase II of the Transition Plan totals \$3,490,945. A third phase of the Transition Plan is currently being studied and involves the repair of existing and the construction of new curb cuts/ramps in sidewalks throughout the City of Des Moines. A cost estimate is not yet available for Phase III. Funds in the amount of \$1,800,000 are currently budgeted in FY06 through FY09 in the Capital Improvement Program (CPO34/ENG990000/BLD042) to complete as much of Phase II as possible. Should additional funding be needed, it will be requested through the CIP Budget process. Completion of Phase I of the Transition Plan is scheduled for July 2005

## **RECOMMENDATION—**

Approval.

## **BACKGROUND—**

The Americans with Disabilities Act (ADA) of 1990 recognizes and protects the civil rights of people with disabilities. It covers a wide range of disability, from physical conditions affecting mobility, stamina, sight, hearing, and speech to conditions such as emotional illness and learning disorders. The ADA addresses access for three specific areas: 1) the workplace (Title I); 2) state and local government services (Title II); and 3) places of public accommodation and commercial facilities (Title III).

ADA guidelines required a Transition Plan to have been completed by all agencies by July 26, 1992. Members of the City's Access Advisory Board developed an initial Transition Plan in the early 1990's. The Plan was received and filed by Council at that time. The Plan was partially updated in early 2002 by the City Engineering staff (on file with the City Clerk's Office). On June 19, 2002, the City of Des Moines' Access Advisory Board approved and recommended to the City Council to send out a Request for Proposal (RFP) to hire a consultant to complete a Transition Plan for all public facilities and spaces for the City of Des Moines. On July 8, 2002, by Roll Call No. 02-1704, the City Council approved the issuance of an RFP. On December 16, 2002, by Roll Call 02-2977, the City Council awarded a contract to RDG Bussard-Dikis for the development of an ADA Transition Plan for the City of Des Moines.

A thorough assessment of almost all City buildings and facilities was conducted by RDG during the first six months of 2003 culminating in a report that includes: 1) The identification of each non-compliant accessible element listed in the American Disabilities Act Accessibility Guidelines (ADAAG); 2) A brief description of each that are of non-compliance; 3) A proposed solution to bring non-compliant elements into compliance; and, 4) A conceptual cost estimate for completing the work required to bring the non-compliant elements into compliance. In an effort to assist the City's Access Advisory Board with ranking the items, the consultant provided additional needs analysis in the report.

Following receipt of the facilities' assessment and suggested implementation plan from RDG, a Transition Plan Committee of the City's Access Advisory Board was formed. Its purpose was to rank the most urgent non-compliant items found in the assessment, and recommend to the full Access Board the items that should be included in Phase I and Phase II of the overall project. The ranking and estimate of cost for Phase II is included in Exhibit "A". The Committee based its selections on the guidelines noted above, particularly the criteria of the magnitude of the impact on disabled persons, ease of accomplishment, and cost. Phase I is expected to be completed by the end of FY05 and includes expenditure of all designated Capital Improvements Program (CIP) funds for this project in FY04 and FY05. Phase II is expected to be completed over several years and currently has funding in the amount of \$1,800,000 budgeted in the CIP for fiscal years '06 through '09.

Because of the magnitude of task and time it would have taken to complete, an inventory and evaluation of needed curb cuts/ramps at intersections throughout the City's sidewalk system was

not completed with the rest of the City's facilities assessment. That inventory is planned for later this calendar year (2004) and will involve assistance from Drake University's Rehabilitation Program and the City of Des Moines' Public Works and Parks and Recreation Departments.

The AAB voted to endorse this recommendation at their regular meeting of June 16, 2004, by a unanimous vote.