



# Council Communication

Office of the City Manager

Date

November 23, 2009

Agenda Item No. 41  
Roll Call No. 09-  
Communication No. 09-812  
Submitted by: Donald M. Tripp, Director of  
Parks and Recreation  
Jeb E. Brewer, P.E.  
City Engineer

## AGENDA HEADING:

Approving Phase III ADA Transition Plan, Curb Ramps

## SYNOPSIS:

Recommend approval of Phase III of the Americans with Disabilities Act (ADA) Transition Plan, Curb Ramps. The third phase of the Transition Plan involves the repair of existing and the construction of new curb cut ramps in sidewalks throughout the City of Des Moines. This is the final component of the full ADA Transition Plan.

## FISCAL IMPACT:

Amount: Cost to be determined. However, it is anticipated \$538,000 will be expended over the next two years.

Funding Source: \$538,000 in FY 2009-010. Budgeted in the Capital Improvement Program (CPO38/ENG990000/SID095), Sidewalk Improvement, page 4. In order to fully implement the final plan the project will need additional funding allocated in future years.

## ADDITIONAL INFORMATION:

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 (AAB) 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.

On February 23, 2004, by Roll Call No 04-393, the City Council approved Phase I of the Transition Plan for the first 14 facilities. On July 26, 2004 by Roll Call No. 04-1584 the City Council approved Phase II of the Transition Plan for the remainder of city facilities. 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.

The inventory and evaluation of curb ramps has now been completed with the assistance and cooperation of the Public Works and Engineering Departments. In order to complete the full ADA Transition Plan, the Park and Recreation Department has developed a Phase III Curb Ramp Transition Plan that includes the inventory and evaluation of intersection curb ramps within the city and prioritizes and coordinates the repair and replacement of these sidewalks with the various City Departments involved in the construction and reconstruction activities.

This Plan was presented to the AAB for the purpose of establishing a priority for the replacement and repair of the curb ramps for incorporation into the transition plan in compliance with ADA Guidelines. The AAB approved the Phase III Transition Plan Curb Ramps as presented at their regular meeting on October 21, 2009.

#### **PREVIOUS COUNCIL ACTION(S):**

Date: July 26, 2004

Roll Call Number: 04-1584

Action: Phase II of the Americans with Disabilities Act (ADA) Transition Plan for City of Des Moines' public facilities. (Council Communication No. 04-375) Moved by Coleman to approve. Motion Carried 7-0.

Date: February 23, 2004

Roll Call Number: 04-393

Action: Phase I of the Americans with Disabilities (ADA) Transition Plan. (on file in City Clerk's Office). (Council Communication No. 04-079) Moved by Hensley to approve. Motion Carried 7-0.

Date: December 16, 2002

Roll Call Number: 02-2977

Action: Contract for development of an Americans with Disabilities Act (ADA) Transition Plan for City of Des Moines' public facilities with RDG Bussard Dikis, (William Dikis, Partner), \$74,750. (Council Communication No. 02-641). Moved by Coleman to approve. Motion Carried 7-0.

#### **BOARD/COMMISSION ACTION(S):**

Access Advisory Board

Date: October 21, 2009

Action: Approved the Phase III Transition Plan Curb Ramps as presented

Date: June 19, 2002

Action: 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

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE**

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