



Agenda Item No. _____

File Code No. 530.01

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 22, 2008

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Americans With Disabilities Act Transition Plan Update Report

RECOMMENDATION:

That Council accept the City's Americans With Disabilities Act Transition Plan Update Report.

EXECUTIVE SUMMARY:

The City awarded a \$259,044 contract with Gilda Puente-Peters, Architects (GPPA), an Americans with Disabilities Act (ADA) Consulting Specialist, to update the City's 1991 ADA Transition Plan. This original Transition Plan was developed in compliance with the 1990 ADA. Though the City had consistently worked to remove physical barriers that prevent access for people with disabilities, and to promote alternate programs to create access where barriers could not be removed, the City believed it important to take the lead in preparing a report updating the Transition Plan. The item before Council is the acceptance of this new Transition Plan Update Report (Update Report).

Parallel to completing the Update Report, staff worked to develop new resources which included a new public accessibility website, refining the internal ADA compliance structure, revising the ADA Notice and Grievance Structure, and a new Communications Assistance Policy listing resources to help staff comply with the ADA.

With input from the public and a significant amount of information created as part of GPPA's work for access and programmatic accessibility, staff created an Accessibility Action Plan. This included a list of proposed Capital and other improvements to remove access barriers and improve service to the disabled community. The proposed Capital Improvements fit within the available funding set aside for this category of work in the Fiscal Year 2008-2009 General Fund Capital Program. The process to create the City's Six-Year Capital Improvement Program Reports will be used to determine future accessibility improvements.

DISCUSSION:

BACKGROUND

The ADA, enacted on July 26, 1990, requires that public agencies operate each service, program, or activity in such a way that when viewed in their entirety, they are accessible to, and usable by, people with disabilities. Where physical modifications of facilities were determined necessary to achieve program accessibility, public agencies were required to implement improvements to transition from any limited physical access, to modern accessibility requirements by 1995. Hence, a Transition Plan was created.

In 1991 and 1992, in compliance with the new law, the City promptly completed its Transition Plan. The City also completed a Self-Evaluation that documented how it ensures City programs are accessible to individuals with disabilities. An ADA Grievance Procedure was included for processing complaints, which identifies roles and responsibilities within the City to implement compliance. These documents provided an analysis of the physical accessibility to facilities, as well as the required assessment of City programs, services, and activities.

Program accessibility can be achieved by a number of methods; including, but not limited to:

- Alteration of existing facilities to remove architectural barriers.
- Relocation of activities or services from inaccessible to accessible buildings.
- Redesign of equipment.
- Assignment of accessibility aides, or delivery of services at alternate accessible sites.

Since the early 1990's, the City made further progress in removing architectural barriers in public buildings as part of any facility's new construction and remodeling. Examples include remodeling the Police Department lobby, the City Hall basement, and the Eastside Library restrooms. The City also repaired and installed new sidewalks and access curb ramps as part of the annual Streets Fund Capital Program.

It had been over 15 years since the City completed a comprehensive review of program accessibility and architectural barriers, so staff concluded that an update of the City Transition Plan would be appropriate. To initiate this effort, in November 2006, the City awarded a \$259,044 contract to GPPA to update the City's Transition Plan and Self-Evaluation and prepare the Update Report. GPPA's work spanned both General Fund and Enterprise Fund facilities, and each fund paid their proportionate share of the assessment work.

PROJECT DESCRIPTION

GPPA's work was phased to allow for the quick and efficient identification of necessary Capital Improvements for improved public accessibility. Initially, two well attended (30-40 people) meetings were held in February and May 2008. The purpose of the meetings was to confirm the community's support of the proposed scope of work and to learn what the community's priorities were for an access-orientated Capital Improvements. As a result of this input, staff initiated the Central Library Restrooms Remodel Project, scheduled for construction in summer 2008. Staff also initiated creating internal and external ADA related resources that were not initially anticipated, such as information on the City's website.

The work included Detailed Accessibility Surveys and General Evaluations of architectural barriers, review of Program Accessibility, a General Evaluation of the City's public right of way, and the training of staff on design and maintenance of ADA features. One hundred thirty-nine City facilities were analyzed for physical and program accessibility. Seventy-one of those are the responsibility of the City's Enterprise Funds, such as the Harbor, Airport buildings, etc. The remaining sixty-eight facilities are the responsibility of the General Fund, such as City Hall, Parks, and Libraries.

Detailed Accessibility Surveys were completed for nine General Fund facilities: City Hall, the Police Department building, the 630 Garden Street building (Public Works and Community Development departments), the Central Library, the Eastside Library, the Alice Keck Park Memorial Gardens, the Westside Center, Mackenzie Park, and the Cabrillo Pavilion Arts Center. This was a thorough analysis of public area compliance with ADA codes, itemizing thousands of site-specific building features, including photos and site sketches. This information was used to create a list of required and enhanced accessibility improvements.

The Update Report includes an updated Self-Evaluation. Staff worked with GPPA to consider and proceed with revisions to City policies. Program related resources that have been refined as a result of the project include:

- An ADA compliance structure and plan.
- A revitalized Accessibility Committee To Staff.
- A new public accessibility website.
- A new internal City Intranet Portal site containing resources to assist staff in complying with the ADA.
- A revised ADA Notice and Grievance Policy.
- A new Communications Assistance Requests Policy, with a list of resources available to help staff comply with such requests.

Also included in the work was a customized Disabled Access Compliance Training Program for selected City staff.

Project Management included formation of a multi-departmental Steering Committee. The Committee met monthly with GPPA to review contract progress and assist in developing a prioritized list of potential Capital Improvements. In addition, presentations to the City's Access Advisory Committee to Staff (AACCS) were made as the project progressed.

The City was provided with project progress deliverables as they were completed, such as accessibility survey reports, proposed policies changes, and training. This allowed the City to start using and implementing changes to facilities and policies as the project work progressed without having to wait until its completion. The contract work took eighteen months to complete.

A final public meeting to describe the completed work was held on June 12, 2008. The staff presentation of the City's ADA program was well received. Input included a suggestion to share with other cities the Update Report. These and other items were addressed at the AACCS June 20, 2008 committee meeting.

IMPLEMENTATION

City staff has become much more aware of not only what is necessary to comply with the ADA, but also how to demonstrate leadership in access for the community.

For the thousands of building features analyzed in the nine Detailed Accessibility Surveys, approximately \$459,000 of required improvements were identified. These costs included the proposed \$300,000 for the Central Library Restroom remodel, which was funded in Fiscal Year 2007-2008 General Fund Capital Program and is scheduled to start construction this summer. The remaining \$159,000 is less than the \$200,000 budgeted in the current Fiscal Year 2008-2009 General Fund Capital Program budget. The proposed work includes improvements at City Hall, the Central Library, the Eastside Library, the Westside Community Center, and the Police Department, for the removal of miscellaneous barriers or installation of signage. With the anticipated remaining \$41,000 in the current budget, staff is planning other accessibility enhancements, and initiating a thorough analysis of City facility signage needs. It is anticipated that this will not be just for the minimum required signage, but also for signage that would enhance access, including possibly using the City's ADA website as a resource to help people navigate city facilities.

The current Fiscal Year 2008-2009 work will be coordinated with existing Facilities Planned Maintenance programs to maximize effectiveness. We may find in the actual implementation that some work can be deferred to the upcoming Two-Year 2009-2011 Financial Plan Capital Program. Accessibility improvements are a significant priority, and in the spirit of the ADA, we will implement modifications and improvements in an efficient and reasonable way.

The next bi-annual Six-Year Capital Program Report, which is scheduled to be submitted to Council by February 2009, is proposed to include a report on the status of implementation of the Transition Plan and all its elements. Since this bi-annual report is the basis for the preparation of the 2009-2011 Financial Plan Capital Program, and the annual budget, it will be a simple way to institutionalize the continued updating of the Transition Plan. Another key component is continued input from the AACS and other members of the disability community to ensure that we meet their needs.

The Update Report and Technical Appendices consist of 13 binders of reports and documentation. Instead of making several copies of this significant amount of information to be distributed to each Department, all the documents have been placed on the City's computer system's Intranet. This will save on making paper copies and make all of the Update Report generally more accessible to all City employees. The Update Report is available for public viewing in the City Clerk's Office. The Update Report and the Self-Evaluation Technical Appendix will be available to view on the City's website at: <http://www.santabarbaraca.gov/Government/Accessibility/Reports/>.

CONCLUSION

The ADA Transition Plan Update Report produced results which included a refocused staff compliance structure, new and revised accessibility policies, a training plan for staff, and online staff compliance and public accessibility resources. The end results produced an ADA Transition Plan Update and comprehensive database, which lists high priority changes to various City facilities, a funding plan for facilities as part of the Capital Improvement Program, and a plan to address right of way and accessibility signage needs.

Using existing resources, such as the Intranet Portal site and the Six-Year Capital Program Report, we will continue to update the Transition Plan and avoid having a static Transition Plan sitting on a shelf. After talking to other cities, this will be a unique, proactive approach. We hope this will be seen as an example for other cities to follow.

PREPARED BY: Pat Kelly, Assistant Public Works Director/City Engineer/sk

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office