

To: **Mayor and City Council**
Through: **Ryan Schroeder, City Manager**
From: **Ross Beckwith, Public Works & Parks Director/City Engineer**
Date: **April 23, 2018**

Americans with Disabilities Act - Transition Plan for Public Right Of Way

BACKGROUND INFORMATION:

The Americans with Disabilities Act (ADA), enacted on July 26, 1990 is a civil right law prohibiting discrimination against individuals on the basis of disability. The law protects qualified individuals with disabilities from discrimination on the basis of disability in services, programs and activities provided by state and local government entities. The law specifically pertains to the programs, activities and services public entities provide.

As a public entity that employs 50 or more persons, West St. Paul is required to comply with the section of the law as it specifically applies to public service agencies. To remain in conformance with this law while continuing our current practices we have completed a Transition Plan for Public Right of Way.

The Transition Plan for Public Right of Way is a document that includes a detailed review of the City's existing pedestrian infrastructure within city right of way and outlines a long-term transition plan for how to achieve full compliance with the ADA regulations of this existing infrastructure. Historically, the city has reviewed these on a project-by-project basis. The county and state are responsible for plans in their respective right of way within West St. Paul.

Data collection was performed by City staff during the summer of 2017. Findings revealed that 16% of our sidewalks and 11% of our pedestrian ramps are fully compliant to today's standards. The remaining are partially compliant or require additional repair or replacement before fully conforming to the current ADA regulations.

Full compliance with ADA regulations will take many years to complete based on the number of infrastructure changes needed and associated costs. The law does not require a specific schedule or timeframe to be in full compliance, however it does require that the city has a plan in place.

As part of the requirement for the Transition Plan for Public Right of Way, a public outreach/grievance process to resolve comments, concerns and questions from citizens was included. The information and form will remain on the City's website and at City Hall.

FISCAL IMPACT:

The Transition Plan for Public Right of Way, in line with the City's current practice, continues to propose to upgrade the existing non-compliant pedestrian facilities as the city completes capital infrastructure projects. These include reconstruction and mill/overlay projects as well as any large infrastructure projects that require the replacement of pedestrian facilities within the public right of way.

STAFF RECOMMENDATION:

Staff recommends that City Council adopt the attached Resolution adopting the Americans with Disabilities Act Transition Plan for Public Right of Way.