

Everyone's City: Crafting the MAPO's Americans with Disabilities Act Transition Plan

2018 AMPO ANNUAL CONFERENCE

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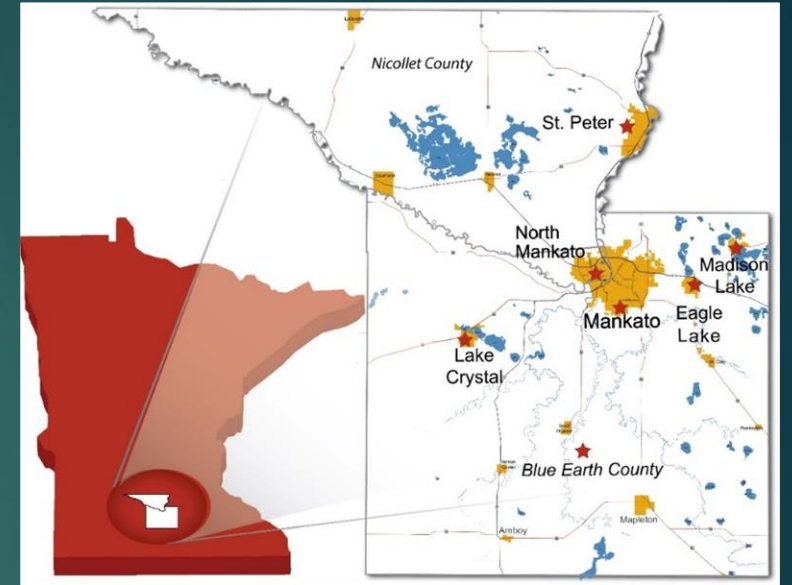
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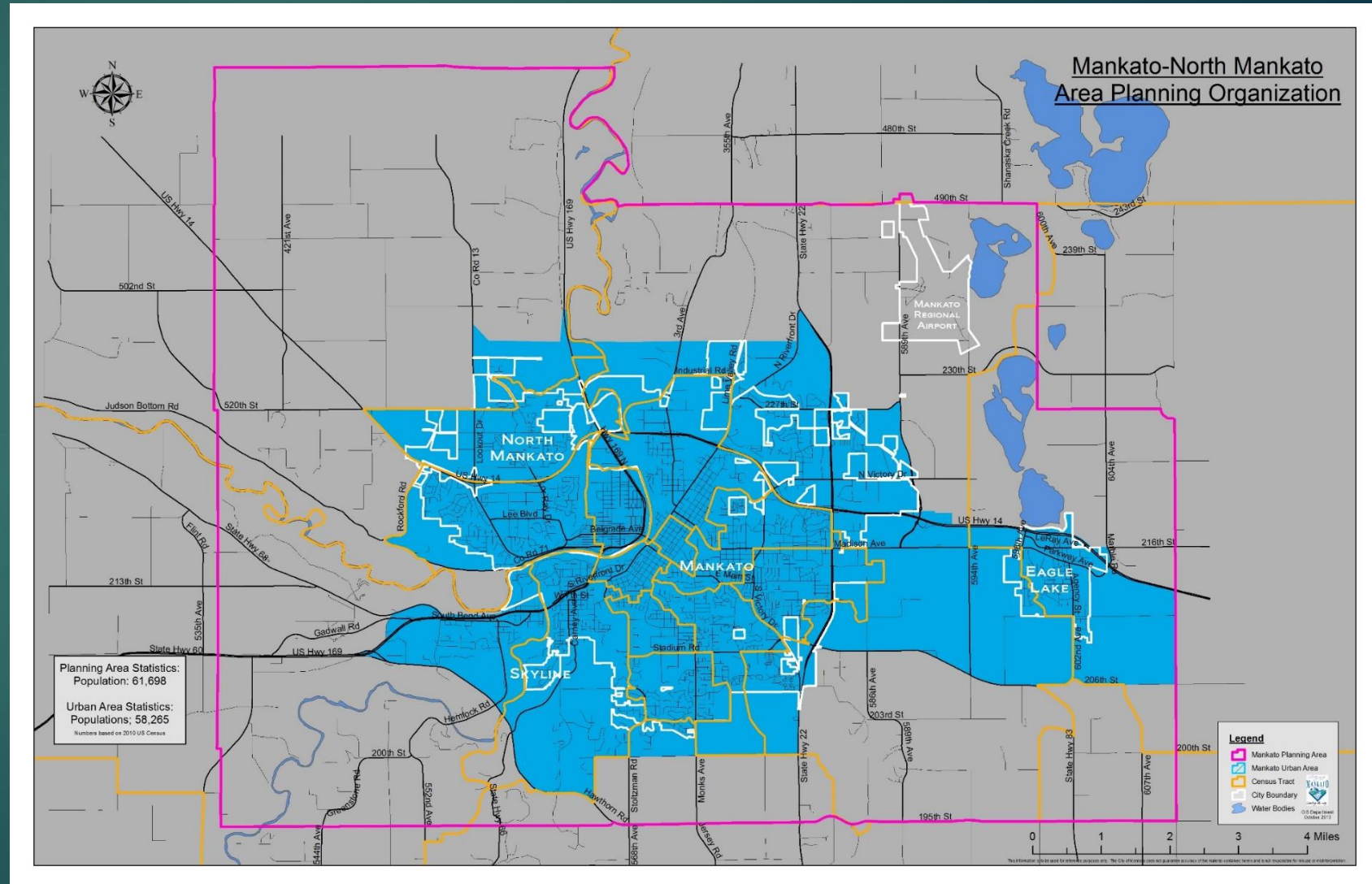
MAPO Overview

- ▶ Mankato/North Mankato Area Planning Organization (an MPO)
- ▶ 2012: Established in response to 2010 Census
- ▶ Cities of Mankato, North Mankato, Eagle Lake, Skyline, counties of Blue Earth and Nicollet, townships of Belgrade, LeRay, Mankato, Lime, South Bend



MAPO Planning & Urbanized Area

- ▶ Planning Area
Population: 61,698
- ▶ Urbanized Area
Population: 58,265
- ▶ 131 square miles



ADA & Companion Legislation

ADA

- ▶ Civil rights legislation that prohibits discrimination based on disability
- ▶ 1990, 42 U.S.C. § 12101
- ▶ Imposes accessibility requirements on public accommodations
- ▶ Amended in 2008 with changes effective January 1, 2009

Companion Legislation

- ▶ Architectural Barriers Acts, 1968
 - ▶ Require facilities designed, built, altered, leased w Federal funds be accessible
- ▶ Section 504 of Rehabilitation Act, 1973
 - ▶ Protects qualified individuals from discrimination based on disability



ADA Title II

- ▶ Pertains to the programs, activities, & services public entities provide, specifically to local public service agencies & local transportation agencies
- ▶ “...no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity.”
- ▶ 42 USC. Sec. 12132; 28 CFR. Sec. 35.130



Partner Agency Requirements (selected)

- ▶ MAPO partner agencies must conduct Self-Evaluations of facilities within public rights-of-way and develop a Transition Plan detailing how the agency will ensure that all facilities are accessible to all individuals.
- ▶ Must operate programs so that, when viewed in entirety, programs are accessible and usable by individuals with disabilities [28 CFR SEC. 35.150].
- ▶ May not refuse to allow a person with a disability to participate in a service, program, or activity because that person has a disability [28 CFR SEC. 35.130 (A)].

Partner Agency Requirements

- ▶ Must make reasonable modifications to policies, practices and procedures that deny equal access to individuals with disabilities [28 C.F.R. SEC. 35.130(B) (7)].
- ▶ May not provide services or benefits to individuals with disabilities through programs that are separate or different unless the separate or different measures are necessary to ensure that benefits and services are equally effective [28 C.F.R. SEC. 35.130(B)(IV) & (D)].
- ▶ Must take appropriate steps to ensure that communications with applicants, participants and members of the public with disabilities are as effective as communications with others [29 C.F.R. SEC. 35.160(A)].

Partner Agency Requirements

- ▶ Must designate at least one responsible employee to coordinate ADA compliance: the "ADA Coordinator." [28 C.F.R SEC. 35.107(A)].
- ▶ Must establish a grievance procedure for prompt and equitable resolution of complaints [28 C.F.R SEC. 35.107(B)]. Provide for timely resolution of all problems/conflicts related to ADA compliance before they escalate to litigation and/or the federal complaint process.



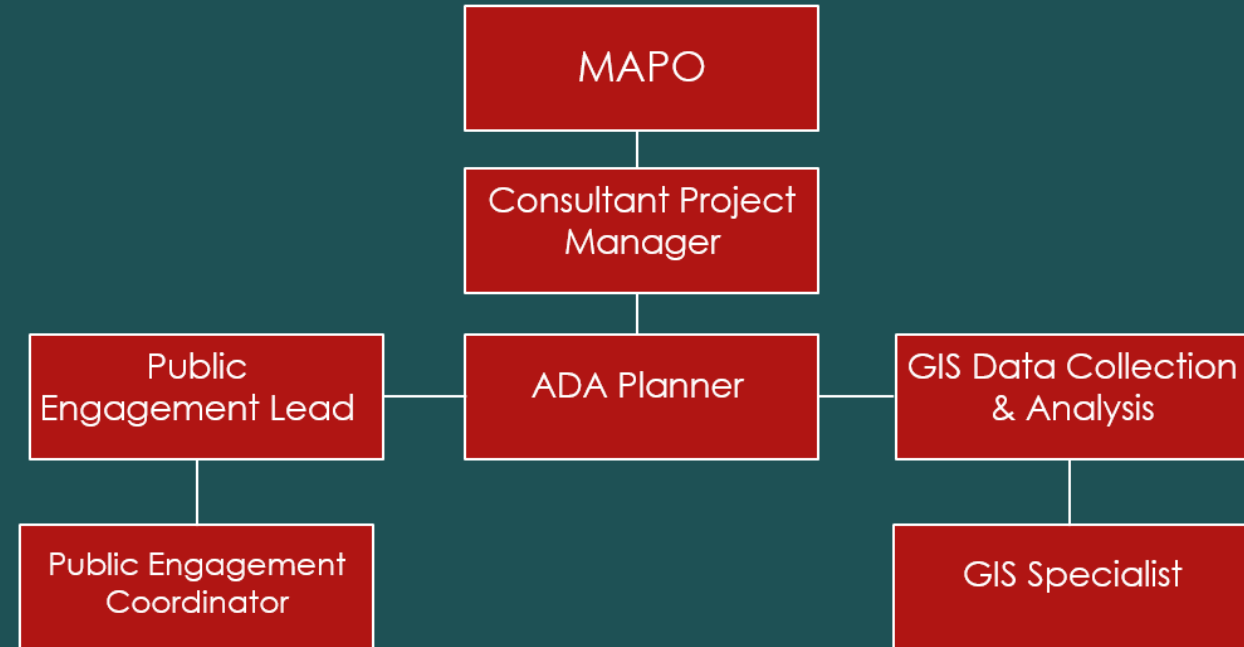
FHWA & MnDOT Guidance

- ▶ In 2016, FHWA and MnDOT provided background on ADA, the legal basis for compliance, the MPO role, and the intended outcome from increased emphasis
- ▶ Requires development of ADA Transition Plans for each local agency with greater than 50 employees
- ▶ Goal was to have all MPOs self-certify their planning process and document ADA compliance



Initiation Process

- ▶ Decision to hire consultant
- ▶ RFP released July, 2017
 - ▶ Sidewalk & Curb Ramp Inventory
 - ▶ Policy Review
 - ▶ Plan Development
 - ▶ Management System
 - ▶ Public Involvement
- ▶ Project initiated September 2017



Process

INVENTORY COLLECTION

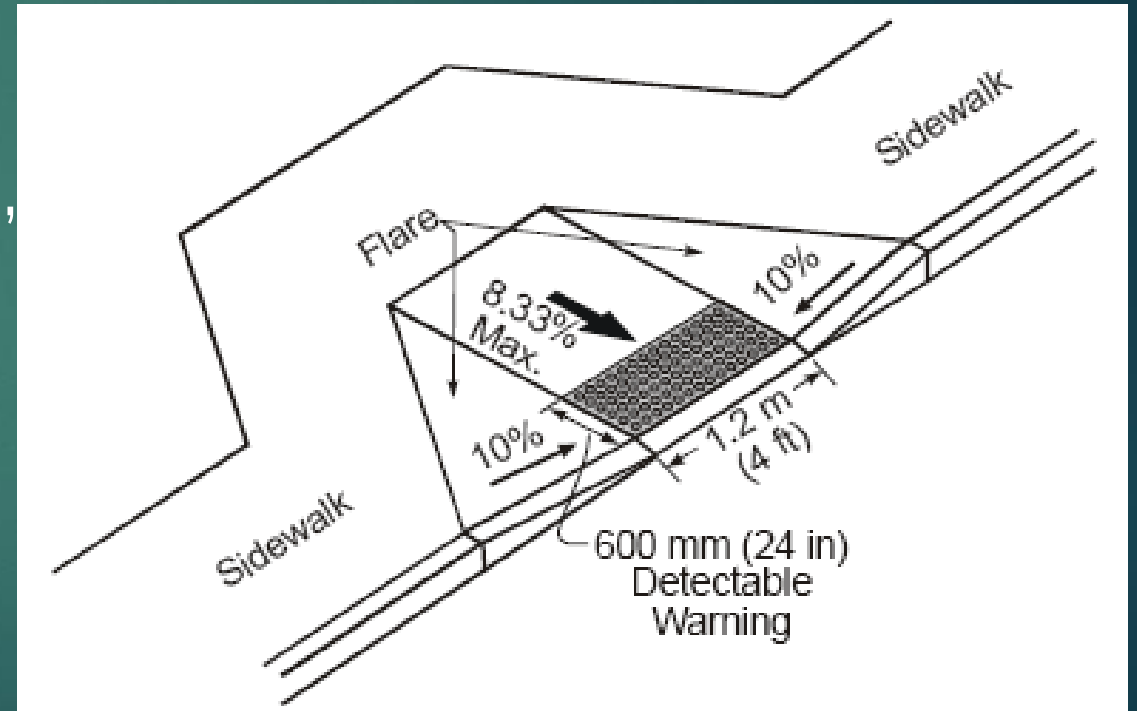
- ▶ Pedestrian Access Route (PAR) & Pedestrian Circulation Route (PCR)
 - ▶ Sidewalks, pedestrian ramps, trails, traffic signals, crosswalks, & transit facilities
- ▶ Identify location and condition of infrastructure, identify infrastructure needs
- ▶ Street networks and public right of way (ROW)



Process

INVENTORY COLLECTION

- ▶ Sidewalks, pedestrian ramps, trails, traffic signals, crosswalks, & transit facilities
- ▶ Slope $\leq 8.33\%$
- ▶ Cross Slope $\leq 2\%$
- ▶ Minimum gap clearance widths $\geq .5'$
- ▶ Detectable warnings
- ▶ Landing pads, accessibility
- ▶ Lack of ramps
- ▶ Horizontal lips $\geq .5''$
- ▶ Obstructions



Types of Deficiencies



Vertical discontinuity



Horizontal discontinuity



Cross slope



Cracking

Types of Deficiencies



Ponding



Vegetation



Spalling



Vertical Slope

Ramps & Curbs

Data collected

- ▶ Condition
- ▶ Dome type
- ▶ Landing size
- ▶ Ramp type
- ▶ Slope
- ▶ Detectable warning system

Maintenance issues

- ▶ Vertical discontinuity
- ▶ Gaps
- ▶ Steep cross slope
- ▶ Cracking
- ▶ Standing water
- ▶ Vegetation
- ▶ Spalling



Ramps & Curbs Condition Rating

1 – 4 scale of severity, based on:

- 1:** slopes, no noticeable cracks, no vertical discontinuities, no spalling, joints intact
- 2:** Uniform slopes, some cracks, vertical discontinuities less than $\frac{1}{4}$ ", no spalling, joints intact
- 3:** Gutter slope beyond flare flows back towards curb ramp at $< 1.5\%$, some large cracks and minor spalling, noticeable vertical discontinuities, joints beginning to deteriorate
- 4:** Gutter slope beyond flare flows back towards curb ramp at $> 1.5\%$, many cracks, multi-directional, excessive spalling, excessive vertical discontinuities, joints badly deteriorated, $> \frac{1}{2}$ " vertical discontinuities

Sidewalks & Trails

Maintenance issues

- ▶ Obstructions (hydrant, lighting/traffic signal, pole, manhole, water pipe, etc.)
- ▶ Vertical discontinuity
- ▶ Gaps
- ▶ Steep cross slope
- ▶ Cracking
- ▶ Standing water
- ▶ Vegetation
- ▶ Spalling

Data collected

- ▶ Condition
- ▶ Width
- ▶ Slopes
- ▶ Obstructions



Sidewalks & Trails Condition Rating

1 – 4 scale of severity, based on:

1: Sidewalk is smooth with no vertical discontinuities

2: Sidewalk has vertical discontinuities less than $\frac{1}{2}$ ", and the surface is passable

3: Sidewalk has vertical discontinuities greater than $\frac{1}{2}$ "

4: Sidewalk has crumbling, has many cracks, and is unpassable for wheelchairs in many spots

Crosswalks, Traffic Signals, & Transit Facilities

- ▶ **Crosswalks** evaluated for general condition. Marked crosswalks assessed for marking visibility issues
- ▶ **Traffic Signals** inventoried for Accessible Pedestrian Signal (APS) availability, walk signal availability or countdown timers, and push button location/accessibility
- ▶ **Transit** stops and shelters inventoried for location and accessibility. Inventory included type of stop (sign, shelter, bench, etc.), dimensions and slope of the boarding area (if present), connection to PAR, and general condition rating

Process

INVENTORY COLLECTION

- ▶ GPS technology used to collect field data
- ▶ Imported into Esri ArcGIS for analysis, creation of geodatabase
- ▶ Trimble Geo7x and Trimble R2
- ▶ GPS points collected on county coordinate grid, horizontal accuracy less than one foot
- ▶ Photographs assigned per incidence

Trimble R2

Trimble Geo7x



Geodatabase Management System



Overhead



Incident photo

Process

PUBLIC ENGAGEMENT

- ▶ Per ADA Title II, required to provide equal opportunity to participate in Self-Evaluation & ADA Transition Plan by submitting comments on the process & outcomes
- ▶ Intensive public meeting schedule
- ▶ Project website w/ Grievance Form
- ▶ Websites for each MAPO partner
- ▶ News releases/social media
- ▶ Newsletter/Email list



Policy & Practice Review

- ▶ Title II requires Self-Evaluation of policies, practices, and programs
- ▶ Include any policies, guidance, or directives that inform staff activities or construction specifications
- ▶ **Goal** - verify that, in implementing policies and practices, agencies are providing accessibility that does not adversely affect the full participation of individuals with disabilities
- ▶ Examples:
 - ▶ City codes, relevant plans, ordinances, zoning, cooperative construction agreements, advisory guidance, etc.

Implementation

- ▶ Adoption/integration of plan(s) by partner agencies
- ▶ Designation of priorities
 - ▶ Rank by type/purpose of building and/or infrastructure, incident rating, location, PAR, concurrent or future projects
- ▶ Project scheduling/coordination
- ▶ Budgeting



Designation of Priorities

▶ **High Priority**

- ▶ Facilities including gov't, DMVs, license bureaus, public libraries, public & private primary & secondary schools, hospitals, health clinics/centers, public housing, homeless shelters, transportation hubs, parks, polling locations

▶ **Medium Priority**

- ▶ Central business districts, shopping malls, churches/places of worship, major employment sites, housing complexes/apartments

▶ **Lower Priority**

- ▶ Single-family residential areas, industrial areas, other areas not classified

Scheduling

- ▶ MAPO member agencies will utilize two methods for upgrading facilities:
- ▶ **Method One**
 - ▶ Scheduled street and utility improvement projects. All pedestrian facilities impacted by these projects will be upgrade to current ADA standards.
- ▶ **Method Two**
 - ▶ Stand alone sidewalk and ADA accessibility improvement projects. These projects will be incorporated into Capital Improvement Programs on a case-by-case basis.



Current and future progress

- ▶ Agency-specific ADA Coordinators being assigned
- ▶ Agency-specific grievance procedures in development, will be adopted by respective agencies
- ▶ Continue collaboration with public and between member agencies
- ▶ Continue monitoring, update to Transition Plan(s) as needed
- ▶ Unified & coordinated approach to ADA compliance within MAPO area



Questions & Contact

Paul Vogel

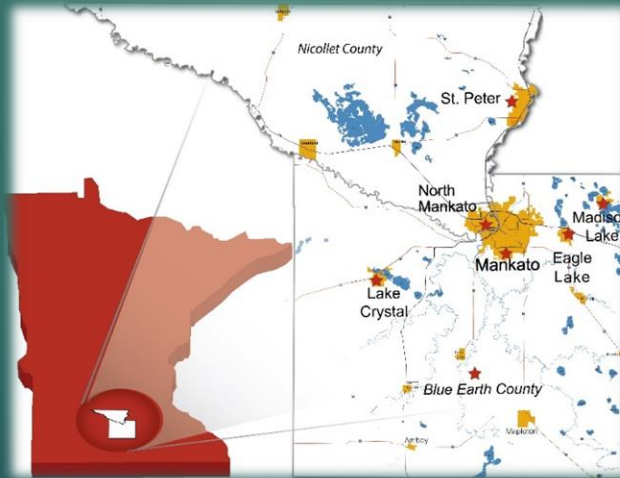
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