Legislation Details (With Text)

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Title:	RESOLUTION ADOPTING A TRANSITION PLAN FOR PUBLIC RIGHT-OF-WAY.		
Sponsors:			
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Attachments:	1. Exhibit A		

Date	Ver.	Action By	Action	Result
2/12/2018	1	City Council	adopted	

RESOLUTION ADOPTING A TRANSITION PLAN FOR PUBLIC RIGHT-OF-WAY.

CITY PROPOSAL:

WHEREAS, in accordance with 28 C.F.R. 35.150, a public entity that employs 50 or more persons shall develop a transition plan for the implementation of Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities act of 1990 (ADA); and

WHEREAS, the transition plan shall provide a schedule for providing curb ramps within the right-of-way, describe the methods used to make facilities within the right-of-way accessible, and indicate the official responsible for implementation of the plan; and

WHEREAS, the city has completed a self-evaluation and transition plan for public right-of-way, “Plan”, and has provided an opportunity for interested parties to comment; and

WHEREAS, the Plan includes a schedule and identifies the improvements to be made in compliance with ADA and Section 504 of the Rehabilitation Act of 1973; and

WHEREAS, the city council held a committee of the whole meeting to review and discuss the Plan on October 19, 2017.

THEREFORE, BE IT RESOLVED, that the city adopts the Transition Plan for Public Rights of Way, which is attached hereto as Exhibit A.

FURTHER RESOLVED, that the city designates the city of Duluth human rights officer as the ADA Title II coordinator.

FURTHER RESOLVED, that the city designates the city engineer as the public right-of-way ADA coordinator.

STATEMENT OF PURPOSE: This resolution adopts the Transition Plan for Public Right-of-Way (“Plan”) for the city. The Plan required the city to first complete a self-evaluation of our pedestrian access and infrastructure within our public right-of-way for compliance with ADA. After the assessment was complete, we completed a schedule for implementation of our areas of priority for improvement. The process took a year to complete, and involved seven public meetings, an on-line survey and outreach to over 30 agencies and organizations in town. That outreach including individuals with disabilities and persons that use walking as their primary form of transportation. The city’s ADA grievance procedures are included in the Plan. The Plan is supported by Duluth’s commission on disabilities. Upon adoption by council, the Plan will be forwarded to the federal highway Administration for acceptance. This plan will need to be updated every five years.