

Americans with Disabilities Act (ADA): Compliance -- No. 361107

Category
Subcategory
Administering Agency
Planning Area

General Government
County Offices and Other Improvements
General Services
Countywide

Date Last Modified
Required Adequate Public Facility
Relocation Impact
Status

January 10, 2010
No
None.
On-going

EXPENDITURE SCHEDULE (\$000)

| Cost Element | Total | Thru FY09 | Est. FY10 | Total 6 Years | FY11 | FY12 | FY13 | FY14 | FY15 | FY16 | Beyond 6 Years |
|-----------------------------------|---------------|-----------|-----------|---------------|--------------|--------------|--------------|--------------|--------------|--------------|----------------|
| Planning, Design, and Supervision | 1,826 | 0 | 0 | 1,826 | 296 | 306 | 306 | 306 | 306 | 306 | 0 |
| Land | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Site Improvements and Utilities | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Construction | 18,174 | 0 | 0 | 18,174 | 704 | 2,194 | 3,194 | 3,694 | 4,194 | 4,194 | 0 |
| Other | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 20,000 | 0 | 0 | 20,000 | 1,000 | 2,500 | 3,500 | 4,000 | 4,500 | 4,500 | * |

FUNDING SCHEDULE (\$000)

| | | | | | | | | | | | |
|--------------------------|---------------|----------|----------|---------------|--------------|--------------|--------------|--------------|--------------|--------------|----------|
| Current Revenue: General | 2,500 | 0 | 0 | 2,500 | 0 | 500 | 500 | 500 | 500 | 500 | 0 |
| G.O. Bonds | 17,500 | 0 | 0 | 17,500 | 1,000 | 2,000 | 3,000 | 3,500 | 4,000 | 4,000 | 0 |
| Total | 20,000 | 0 | 0 | 20,000 | 1,000 | 2,500 | 3,500 | 4,000 | 4,500 | 4,500 | 0 |

OPERATING BUDGET IMPACT (\$000)

| | | | | | | | | | | | |
|-------------------|--|--|--|--------------|------------|------------|------------|------------|------------|------------|--|
| Program-Staff | | | | 1,826 | 296 | 306 | 306 | 306 | 306 | 306 | |
| Program-Other | | | | 560 | 40 | 60 | 100 | 120 | 120 | 120 | |
| Net Impact | | | | 2,386 | 336 | 366 | 406 | 426 | 426 | 426 | |
| WorkYears | | | | | 6.0 | 6.0 | 6.0 | 6.0 | 6.0 | 6.0 | |

DESCRIPTION

This program provides for an on-going comprehensive effort to ensure that County buildings and other facilities are built and maintained in compliance with Title II of the Americans with Disabilities Act (ADA) and the ADA Accessibility Guidelines (ADAAG) standards. This program includes both the correction of deficiencies identified by the United States Department of Justice (DOJ) during its proactive Project Civic Access (PCA) assessment of 112 County facilities and an assessment by the County of all County government buildings and facilities not included in the PCA assessment and remediation of any deficiencies identified by that assessment. The program also includes policy development and advanced technical training for County architects and engineers to ensure that ADA compliance and accessibility are incorporated throughout the County's planning, design and construction process in order to ensure that all new County facilities are fully compliant with Title II and the ADAAG standards. Proposed new Title II requirements include revisions to the existing 1991 ADAAG and additional standards for facilities not addressed in the 1991 ADAAG including swimming pools, recreation facilities, and playgrounds. These new guidelines are in the proposed rulemaking process.

JUSTIFICATION

Montgomery County was selected by the DOJ for a Project Civic Access review in 2006. Project Civic Access is a proactive, ongoing initiative of the Disability Rights Section (DRS) of the DOJ Civil Rights Division to ensure ADA compliance in local and state governments throughout the Country. DOJ has completed reviews and signed settlement agreements with over 150 jurisdictions to date. DOJ has inspected approximately 112 County Government buildings and facilities. In addition, they have inspected polling places, ball fields, golf courses, and local parks. Montgomery County received a draft settlement agreement from DOJ in March 2009 and is now negotiating a legally binding settlement agreement to address the findings, both those related to buildings and other facilities and those related to policies. This agreement will require the County to remediate any problems identified by DOJ within a negotiated timeline and to place assurances for self assessing and remediation for the future.

OTHER

The following County facilities are scheduled for ADA corrections:

FY11: Mid County Regional Services Center, Silver Spring Health Center, Damascus Senior and Children Centers, Silver Spring Regional Health Center, Up County Regional Services Center.

FY12: Executive Office Building, Council Office Building, District Courthouse, Dennis Avenue Health Center and Supply Building, Bethesda Library, Long Branch Library.

OTHER DISCLOSURES

- * Expenditures will continue indefinitely.

APPROPRIATION AND EXPENDITURE DATA

| | | |
|------------------------------------|------|---------|
| Date First Appropriation | FY11 | (\$000) |
| First Cost Estimate | FY11 | 20,000 |
| Current Scope | | |
| Last FY's Cost Estimate | | 0 |
| Appropriation Request | FY11 | 1,000 |
| Appropriation Request Est. | FY12 | 2,500 |
| Supplemental Appropriation Request | | 0 |
| Transfer | | 0 |
| Cumulative Appropriation | | 0 |
| Expenditures / Encumbrances | | 0 |
| Unencumbered Balance | | 0 |
| Partial Closeout Thru | FY08 | 0 |
| New Partial Closeout | FY09 | 0 |
| Total Partial Closeout | | 0 |

COORDINATION

United States Department of Justice
Department of Health and Human Services
Department of Transportation
County Attorney's Office
Montgomery County Public Schools
Revenue Authority
Maryland-National Capital Park and Planning Commission
Department of General Services

MAP

