

# CLACKAMAS COUNTY BOARD OF COUNTY COMMISSIONERS

## Policy Session Worksheet

**Presentation Date:** 04/25/17      **Approx Start Time:** 1:30 pm      **Approx Length:** 45 minutes

**Presentation Title:** Americans with Disabilities Act Transition Plan for the Public Rights-of-Way

**Department:** Transportation & Development (DTD)

**Presenters:** Mike Bezner, Assistant Director; Stephen Williams, Principal  
Transportation Planner

**Other Invitees:** Barbara Cartmill, DTD Director

### **WHAT ACTION ARE YOU REQUESTING FROM THE BOARD?**

Placing the Americans with Disabilities Act Transition Plan for the Public Rights-of-Way (ADA Transition Plan) on the agenda for the BCC business session agenda for May 4, 2017 for a public hearing and consideration for adoption.

### **EXECUTIVE SUMMARY:**

The Americans with Disabilities Act of 1990 (ADA) requires that all local governments and all their programs and facilities, no matter the funding source, provide equal access for those with disabilities. These requirements are enforced by the Department of Justice and the courts. One of the requirements for all governments is the development and adoption of an ADA Transition Plan. Typical practice in larger governments is the development of ADA Transition Plans by departments to address the accessibility issues within the responsibilities of that department.

The DTD ADA Transition Plan has been developed by DTD to address accessibility requirements within the public rights-of-way under county control, including those under county maintenance within incorporated cities. This Policy Session is to inform the BCC of the findings contained in the plan and request holding a public hearing and then adopting the DTD ADA Transition Plan.

The ADA Transition Plan focuses in the following areas:

- 1) Providing information required by the ADA on the ADA Coordinator and Implementing Official, public notice and grievance procedures.
- 2) Evaluation of existing ADA accessibility facilities within the public rights-of-way including curb ramps and pedestrian actuated traffic signals.
- 3) Evaluation of DTD procedures and practices that result in the installation of new ADA facilities through either private development or public projects.
- 4) Priorities for improvements to ADA facilities identified through involvement of those living with disabilities.
- 5) Schedule for full removal of all barriers to accessibility based on recent rates of improvement to ADA facilities.
- 6) Budget requirements for removal of all barriers to accessibility.

The Department of Transportation and Development has begun the process of implementing the recommendations of the ADA Transition Plan by proceeding with staff training, and changes to standards and procedures recommended in the plan. In addition, DTD is in the process of developing a project to improve between 15 and 20 curb ramps along Oak Grove Boulevard between Oatfield Road and River Road using funds for Curb Ramp Improvements included in the FY2017 budget. Specific locations for improvements and schedule have not yet been determined.

**ACTIONS TO DATE:**

This is the first presentation by DTD to the BCC on the ADA Transition Plan or ADA accessibility issues.

**FINANCIAL IMPLICATIONS (current year and ongoing):**

The FY2017 Budget and Work Program includes \$180,000 for a Curb Ramp Improvement project. The same sum was included in the Prospectus for FY2018, FY2019 and FY2020. Although a number of other DTD projects include improvements to curb ramps or traffic signals within the scope of a larger project, this is the only current or ongoing financial commitment.

**STRATEGIC PLAN ALIGNMENT:**

- How does this item align with your Department's Strategic Business Plan goals?  
This plan will help DTD to meet the following goal as it applies to access to the transportation system by those with disabilities: "Provide repair, construction, preservation and emergency response services to the traveling public so they can live, work, conduct business, recreate and travel safely on a well-maintained County transportation system."
- How does this item align with the County's Performance Clackamas goals?  
The ADA Transition Plan aligns with Performance Clackamas goals to "Build Strong Infrastructure" and "Ensure Safe, Healthy and Secure Communities."

**LEGAL/POLICY REQUIREMENTS:**

Adoption of the ADA Transition Plan is a legal requirement under the Americans with Disabilities Act of 1990.

**PUBLIC/GOVERNMENTAL PARTICIPATION:**

DTD conducted two cycles of public/governmental involvement for the ADA Transition Plan. At the beginning of the development of the plan in spring 2016 DTD conducted outreach to those with disabilities. At that time DTD also meet with governmental agencies with responsibilities for those with disabilities as well as with intergovernmental coordinating groups to secure input on this issue. After completion of the draft plan a public/governmental review process took place during March 2017 that included news releases, public notice on the county website, and publication in the County Weekly Update. In addition, a summary of the plan was sent to all the cities in the county as well as TriMet and Oregon Department of Transportation, all senior centers, all libraries and those who responded to the outreach in spring 2016.

**OPTIONS:**

- 1) At the May 4 Business Meeting, conduct a public hearing and consider the ADA Transition Plan for the Public Rights-of-Way for adoption.
- 2) Take no action.

**RECOMMENDATION:**

Staff respectfully recommends Option #1.

**ATTACHMENTS:**

- 1) Draft ADA Transition Plan for the Public Rights-of-Way

**SUBMITTED BY:**

Division Director/Head Approval \_\_\_\_\_

Department Director/Head Approval \_\_\_\_\_

County Administrator Approval \_\_\_\_\_

For information on this issue or copies of attachments, please contact  
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