

ADA Compliance: Non-Local Parks -- No. 128702

Category
Subcategory
Administering Agency
Planning Area

**M-NCPPC
Development
M-NCPPC
Countywide**

Date Last Modified
Required Adequate Public Facility
Relocation Impact
Status

**May 04, 2012
No
None
On-going**

EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY11	Est. FY12	Total 6 Years	FY13	FY14	FY15	FY16	FY17	FY18	Beyond 6 Years
Planning, Design, and Supervision	1,925	0	100	1,825	600	350	350	225	150	150	0
Land	0	0	0	0	0	0	0	0	0	0	0
Site Improvements and Utilities	2,800	0	0	2,800	275	300	350	525	650	700	0
Construction	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0
Total	4,725	0	100	4,625	875	650	700	750	800	850	*

FUNDING SCHEDULE (\$000)

Current Revenue: General	350	0	50	300	50	50	50	50	50	50	0
G.O. Bonds	4,375	0	50	4,325	825	600	650	700	750	800	0
Total	4,725	0	100	4,625	875	650	700	750	800	850	0

DESCRIPTION

This program provides for an on-going comprehensive effort to ensure that all non-local parks and park 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 efforts to comply with the revisions to Title II of the ADA, which went into effect on March 15, 2011.

This program also includes policy development and advanced technical training for Department of Parks' architects and engineers to ensure that ADA compliance and accessibility are incorporated throughout the park system's planning, design and construction processes in order to ensure that parks and park facilities comply with the new revisions to Title II of the ADA.

The 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, recreational facilities, and playgrounds.

COST CHANGE

Increase due to: (1) FY12 supplemental appropriation; (2) additional funding required through FY16 for transition plan and necessary retrofits per ADA mandate; and (3) the addition of FY17 and FY18 to this ongoing project.

JUSTIFICATION

Montgomery County was selected by the DOJ for a Project Civic Access (PCA) review in 2006. PCA 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 districts as of 2011. DOJ has inspected over 112 County facilities, including 15 local parks that fall under the M-NCPPC's jurisdiction. Montgomery County and M-NCPPC entered into a settlement agreement with DOJ in August 2011. This agreement requires the County and M-NCPPC to remediate any problems identified by DOJ within a negotiated timeline and to place assurances for self assessing and remediation for the future, including efforts to comply with the new Title II requirements.

On September 15, 2010, DOJ approved revisions to Title II of the ADA, which impact park and recreational facilities such as swimming pools, recreation facilities, and playgrounds. Local and State governments are required to comply with these revisions, which went into effect on March 15, 2011; full compliance is required by March 15, 2012. The revised Title II of the ADA requires local and state governments, within one year of the effective date of the Act, to conduct a self-evaluation of all parks.

OTHER

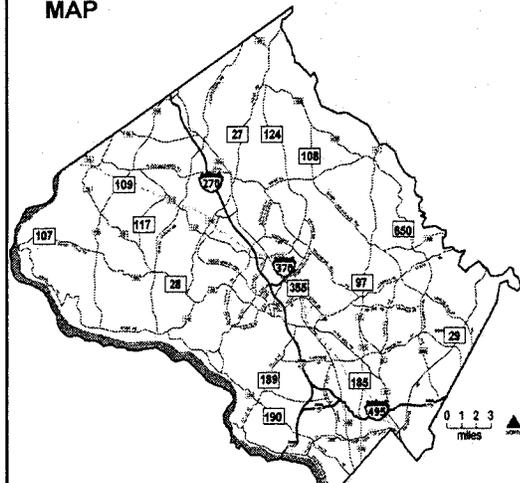
\$50,000 is budgeted for required ADA retrofits to leased properties that cannot be funded with general obligation bonds.

FISCAL NOTE

FY12 Supplemental Appropriation of \$325,000 GO Bonds, was approved to fund a federally mandated study of all park facilities to identify and correct access issues. Expenditure of these funds begins in FY13.

OTHER DISCLOSURES

- * Expenditures will continue indefinitely.

<p>APPROPRIATION AND EXPENDITURE DATA</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>Date First Appropriation</td> <td style="text-align: center;">FY12</td> <td style="text-align: right;">(\$000)</td> </tr> <tr> <td>First Cost Estimate</td> <td></td> <td></td> </tr> <tr> <td>Current Scope</td> <td style="text-align: center;">FY12</td> <td style="text-align: right;">4,725</td> </tr> <tr> <td>Last FY's Cost Estimate</td> <td></td> <td style="text-align: right;">1,700</td> </tr> <tr> <td colspan="3"> </td> </tr> <tr> <td>Appropriation Request</td> <td style="text-align: center;">FY13</td> <td style="text-align: right;">550</td> </tr> <tr> <td>Appropriation Request Est.</td> <td style="text-align: center;">FY14</td> <td style="text-align: right;">650</td> </tr> <tr> <td>Supplemental Appropriation Request</td> <td></td> <td style="text-align: right;">0</td> </tr> <tr> <td>Transfer</td> <td></td> <td style="text-align: right;">0</td> </tr> <tr> <td colspan="3"> </td> </tr> <tr> <td>Cumulative Appropriation</td> <td></td> <td style="text-align: right;">425</td> </tr> <tr> <td>Expenditures / Encumbrances</td> <td></td> <td style="text-align: right;">0</td> </tr> <tr> <td>Unencumbered Balance</td> <td></td> <td style="text-align: right;">425</td> </tr> <tr> <td colspan="3"> </td> </tr> <tr> <td>Partial Closeout Thru</td> <td style="text-align: center;">FY10</td> <td style="text-align: right;">0</td> </tr> <tr> <td>New Partial Closeout</td> <td style="text-align: center;">FY11</td> <td style="text-align: right;">0</td> </tr> <tr> <td>Total Partial Closeout</td> <td></td> <td style="text-align: right;">0</td> </tr> </table>	Date First Appropriation	FY12	(\$000)	First Cost Estimate			Current Scope	FY12	4,725	Last FY's Cost Estimate		1,700				Appropriation Request	FY13	550	Appropriation Request Est.	FY14	650	Supplemental Appropriation Request		0	Transfer		0				Cumulative Appropriation		425	Expenditures / Encumbrances		0	Unencumbered Balance		425				Partial Closeout Thru	FY10	0	New Partial Closeout	FY11	0	Total Partial Closeout		0	<p>COORDINATION</p> <p>United States Department of Justice County Attorney's Office Department of General Services ADA Compliance: Local Parks, PDF 128701</p>	<p>MAP</p> 
Date First Appropriation	FY12	(\$000)																																																			
First Cost Estimate																																																					
Current Scope	FY12	4,725																																																			
Last FY's Cost Estimate		1,700																																																			
Appropriation Request	FY13	550																																																			
Appropriation Request Est.	FY14	650																																																			
Supplemental Appropriation Request		0																																																			
Transfer		0																																																			
Cumulative Appropriation		425																																																			
Expenditures / Encumbrances		0																																																			
Unencumbered Balance		425																																																			
Partial Closeout Thru	FY10	0																																																			
New Partial Closeout	FY11	0																																																			
Total Partial Closeout		0																																																			