



# ADA Compliance: Non-Local Parks

(P128702)

|               |             |                      |          |
|---------------|-------------|----------------------|----------|
| Category      | M-NCPPC     | Date Last Modified   | 10/25/22 |
| SubCategory   | Development | Administering Agency | M-NCPPC  |
| Planning Area | Countywide  | Status               | Ongoing  |

## EXPENDITURE SCHEDULE (\$000s)

| Cost Elements                    | Total  | Thru FY22 | Rem FY22 | Total<br>6 Years | FY 23 | FY 24 | FY 25 | FY 26 | FY 27 | FY 28 | Beyond<br>6 Years |
|----------------------------------|--------|-----------|----------|------------------|-------|-------|-------|-------|-------|-------|-------------------|
| Planning, Design and Supervision | 2,279  | 1,082     | 117      | 1,080            | 180   | 180   | 180   | 180   | 180   | 180   | -                 |
| Site Improvements and Utilities  | 10,469 | 5,142     | 407      | 4,920            | 820   | 820   | 820   | 820   | 820   | 820   | -                 |
| TOTAL EXPENDITURES               | 12,748 | 6,224     | 524      | 6,000            | 1,000 | 1,000 | 1,000 | 1,000 | 1,000 | 1,000 | -                 |

## FUNDING SCHEDULE (\$000s)

| Funding Source           | Total  | Thru FY22 | Rem FY22 | Total<br>6 Years | FY 23 | FY 24 | FY 25 | FY 26 | FY 27 | FY 28 | Beyond<br>6 Years |
|--------------------------|--------|-----------|----------|------------------|-------|-------|-------|-------|-------|-------|-------------------|
| Current Revenue: General | 602    | 251       | 51       | 300              | 50    | 50    | 50    | 50    | 50    | 50    | -                 |
| G.O. Bonds               | 10,064 | 3,991     | 373      | 5,700            | 950   | 950   | 950   | 950   | 950   | 950   | -                 |
| PAYGO                    | 1,882  | 1,882     | -        | -                | -     | -     | -     | -     | -     | -     | -                 |
| State Aid                | 200    | 100       | 100      | -                | -     | -     | -     | -     | -     | -     | -                 |
| TOTAL FUNDING SOURCES    | 12,748 | 6,224     | 524      | 6,000            | 1,000 | 1,000 | 1,000 | 1,000 | 1,000 | 1,000 | -                 |

## APPROPRIATION AND EXPENDITURE DATA (\$000s)

|                             |       |                          |        |
|-----------------------------|-------|--------------------------|--------|
| Appropriation FY 24 Request | 1,000 | Year First Appropriation | FY12   |
| Cumulative Appropriation    | 7,748 | Last FY's Cost Estimate  | 12,748 |
| Expenditure / Encumbrances  | 6,252 |                          |        |
| Unencumbered Balance        | 1,496 |                          |        |

## PROJECT DESCRIPTION

This program provides for an on-going comprehensive effort to ensure that all parks and park facilities are built, renovated, and maintained in compliance with Title II of the Americans with Disabilities Act (ADA) and the 2010 ADA Standards for Accessible Design. This program includes both the correction of deficiencies identified by the United States Department of Justice (DOJ) during its proactive Project Civic Access assessment of various park facilities, the results of a comprehensive self- evaluation process as well as efforts to comply with the revisions to Title II of the ADA, which went into effect on March 15, 2011. Improvements may include, but are not limited to, grading, pavements, site amenities, drainage improvements, building modifications, signage, etc. and are often combined with other projects.

## COST CHANGE

Increase due to the addition of two fiscal years to this ongoing project.

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## PROJECT JUSTIFICATION

Montgomery County was selected by the DOJ for a Project Civic Access (PCA) review in 2006. The PCA is a proactive, ongoing initiative of the Disability Rights Section of the DOJ Civil Rights Division to ensure ADA compliance in local and state governments throughout the country. Montgomery County and M-NCPPC entered into a Settlement Agreement with DOJ on August 16, 2011, that required the County and M-NCPPC to remediate specific issues identified by DOJ within a negotiated timeline, conduct a comprehensive self-evaluation, and develop a Transition Plan for barrier removal, including efforts to comply with the updated Title II requirements.. All self-evaluations were completed ahead of schedule and the Final Transition Plan submitted in August 2016 and subsequently accepted by DOJ. The Final Transition Plan provides a summary of all barriers found, a strategy and timeline for their removal, as well as planning level cost estimates. The Final Transition Plan identified approximately 13,600 barriers with a projected planning level cost estimate of \$31m for barrier removal systemwide, although actual costs are expected to be significantly higher based upon work completed to date.

## OTHER

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

## FISCAL NOTE

FY21 and FY22, reduction of \$50,000 each year for fiscal capacity; FY19 Special Appropriation of \$100k in State Aid. FY18 Appr. for \$100k Bond Bill for MLK Recreational Park. FY18 reduction of \$10k in Current Revenue for fiscal capacity. FY18 reduction of \$49k in Current Revenue to reflect the FY18 Savings Plan. Prior year partial capitalization of expenditures through FY16 totaled \$3,648,000.

## DISCLOSURES

Expenditures will continue indefinitely. M-NCPPC asserts that this project conforms to the requirement of relevant local plans, as required by the Maryland Economic Growth, Resource Protection and Planning Act.

## COORDINATION

United States Department of Justice, County Attorney's Office, Department of General Services, ADA Compliance: Local Parks, PDF 128701.