

Americans with Disabilities Act (ADA): Compliance (P361107)

Category General Government
 Sub Category County Offices and Other Improvements
 Administering Agency General Services (AAGE29)
 Planning Area Countywide

Date Last Modified 11/17/14
 Required Adequate Public Facility No
 Relocation Impact None
 Status Ongoing

Total	Thru FY14	Rem FY14	Total 6 Years	FY 15	FY 16	FY 17	FY 18	FY 19	FY 20	Beyond 6 Yrs
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EXPENDITURE SCHEDULE (\$000s)

	Total	Thru FY14	Rem FY14	Total 6 Years	FY 15	FY 16	FY 17	FY 18	FY 19	FY 20	Beyond 6 Yrs
Planning, Design and Supervision	6,321	2,121	0	4,200	700	700	700	700	700	700	0
Land	0	0	0	0	0	0	0	0	0	0	0
Site Improvements and Utilities	1,514	1,514	0	0	0	0	0	0	0	0	0
Construction	29,938	497	6,641	22,800	3,800	3,800	3,800	3,300	4,300	3,800	0
Other	227	227	0	0	0	0	0	0	0	0	0
Total	38,000	4,359	6,641	27,000	4,500	4,500	4,500	4,000	5,000	4,500	0

FUNDING SCHEDULE (\$000s)

Current Revenue: General	4,500	0	1,500	3,000	500	500	500	500	500	500	0
G.O. Bonds	30,982	1,841	5,141	24,000	4,000	4,000	4,000	3,500	4,500	4,000	0
PAYGO	2,518	2,518	0	0	0	0	0	0	0	0	0
Total	38,000	4,359	6,641	27,000	4,500	4,500	4,500	4,000	5,000	4,500	0

APPROPRIATION AND EXPENDITURE DATA (000s)

Appropriation Request	FY 16	4,500
Supplemental Appropriation Request		0
Transfer		0
Cumulative Appropriation		15,500
Expenditure / Encumbrances		5,310
Unencumbered Balance		10,190

Date First Appropriation	FY 11	
First Cost Estimate		
Current Scope	FY 15	38,000
Last FY's Cost Estimate		38,000
Partial Closeout Thru		0
New Partial Closeout		0
Total Partial Closeout		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 2010 Standards for Accessible Design (2010 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 County facilities, 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 those assessments. The program also includes policy development, advanced technical training for County architects and engineers to ensure that ADA compliance and accessibility are incorporated throughout the County's planning, staff training, design and construction process in order to ensure that County facilities are fully compliant with Title II of the ADA. In September 2010 revised Title II ADA regulations, including the 2010 Standards, were issued by DOJ. The new 2010 Standards include revisions to the 1991 ADA Accessibility Guideline (ADAAG) standards and supplemental standards for features not addressed in the 1991 ADAAG including pools, recreation facilities, ball fields, locker rooms, exercise rooms, picnic areas, golf courses, playgrounds and residential housing. The Title II ADA regulations require jurisdictions to proactively address the supplemental standards by bringing all features addressed in the supplemental standards into compliance with the 2010 Standards.

Estimated Schedule

The following facilities are listed per settlement agreement with the Department of Justice:

FY 15: Noyes Library, Montgomery Aquatic Center, Chevy Chase Library, Kensington Park Library, Bauer Drive Community Recreation Center (CRC), Long Branch Pool, Potomac CRC, Longwood CRC, Clara Barton Neighborhood Recreation Center, Twinbrook Library, Long Branch Library, Upcounty Regional Services Center.

FY16: 8818 Georgia Avenue - Silver Spring Health and Human Services Regional Center, 5th District Police, Outpatient Addictions Services, 703 Avery Road, Lawrence Court Halfway House, 3rd District Police, 401 Hungerford Drive, Kensington Volunteer Fire Department (VFD) Station 25, Council Office Building, Judicial Center, Historic Silver Theatre, Sandy Spring VFD Station 40.

In the following cases, ADA compliance will be achieved through replacement facilities in stand alone projects: 2nd District Police, Silver Spring Library, Wheaton Regional Library, Dennis Avenue Health Center, Judicial Center, Children's Resource Center.

Justification

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Montgomery County was selected by 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, ballfields, golf courses, and local parks. Montgomery County signed a legally binding settlement agreement to address the findings in August, 2011. MNCPPC was a co-signer of the Agreement. The Agreement requires the County to remediate all problems identified by DOJ within a negotiated timeline and to survey all remaining buildings, facilities and programs not surveyed by DOJ. Programs and facilities must be surveyed within a three year time frame, with approximately 80 completed each year. The County is required to send a report of its findings to DOJ each year with a proposed remediation plan and timeline.

Fiscal Note

Shifted \$500,000 in GO Bonds from F18 to FY19 due to fiscal affordability.

Disclosures

Expenditures will continue indefinitely.

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, Montgomery County Public Schools