



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

Category	General Government	Date Last Modified	03/11/21
SubCategory	County Offices and Other Improvements	Administering Agency	General Services
Planning Area	Countywide	Status	Ongoing

EXPENDITURE SCHEDULE (\$000s)

Cost Elements	Total	Thru FY20	Rem FY20	Total 6 Years	FY 21	FY 22	FY 23	FY 24	FY 25	FY 26	Beyond 6 Years
Planning, Design and Supervision	15,417	11,117	100	4,200	700	700	700	700	700	700	-
Site Improvements and Utilities	22,788	6,254	5,134	11,400	1,900	1,900	1,400	1,400	2,400	2,400	-
Construction	18,668	5,535	2,033	11,100	1,850	1,850	1,350	1,350	2,350	2,350	-
Other	1,127	735	92	300	50	50	50	50	50	50	-
TOTAL EXPENDITURES	58,000	23,641	7,359	27,000	4,500	4,500	3,500	3,500	5,500	5,500	-

FUNDING SCHEDULE (\$000s)

Funding Source	Total	Thru FY20	Rem FY20	Total 6 Years	FY 21	FY 22	FY 23	FY 24	FY 25	FY 26	Beyond 6 Years
Current Revenue: General	3,235	-	235	3,000	500	500	500	500	500	500	-
G.O. Bonds	39,424	8,300	7,124	24,000	4,000	4,000	3,000	3,000	5,000	5,000	-
PAYGO	11,364	11,364	-	-	-	-	-	-	-	-	-
Recordation Tax Premium (MCG)	3,977	3,977	-	-	-	-	-	-	-	-	-
TOTAL FUNDING SOURCES	58,000	23,641	7,359	27,000	4,500	4,500	3,500	3,500	5,500	5,500	-

APPROPRIATION AND EXPENDITURE DATA (\$000s)

Appropriation FY 22 Request	4,500	Year First Appropriation	FY11
Cumulative Appropriation	35,500	Last FY's Cost Estimate	58,000
Expenditure / Encumbrances	29,038		
Unencumbered Balance	6,462		

PROJECT 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. 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

FY21: 14705 Avery Rd., Germantown Outdoor Pool, MLK Outdoor Pool, Pre-Release Center - Phase II (Residential), 401 Hungerford Dr., Coffield Community Center.

FY22: Olney Aquatic Center, Executive Office Building - Phase II, Montgomery County Conference Center, Clara Barton Community Center, Holiday Park Community Center - Phase II, Pre-Release Center - Phase III (Courtyard).

PROJECT JUSTIFICATION

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. M-NCPPC 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. Prior to FY20, the County was required to send a report of its findings to DOJ each year with a proposed remediation plan and timeline.

FISCAL NOTE

Funding switch in FY18 for \$2,800,000 between Current Revenue: General and GO Bonds (Bond Premium).

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, and Montgomery County Public Schools.