



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

Category	General Government	Date Last Modified	03/10/24
SubCategory	County Offices and Other Improvements	Administering Agency	General Services
Planning Area	Countywide	Status	Ongoing

## EXPENDITURE SCHEDULE (\$000s)

Cost Elements	Total	Thru FY23	Est FY24	Total 6 Years	FY 25	FY 26	FY 27	FY 28	FY 29	FY 30	Beyond 6 Years
Planning, Design and Supervision	19,690	15,415	75	4,200	700	700	700	700	700	700	-
Site Improvements and Utilities	21,056	6,462	6,794	7,800	1,050	1,550	1,300	1,300	1,300	1,300	-
Construction	30,447	12,989	3,358	14,100	2,100	2,600	1,850	2,350	2,850	2,350	-
Other	1,327	915	112	300	50	50	50	50	50	50	-
<b>TOTAL EXPENDITURES</b>	<b>72,520</b>	<b>35,781</b>	<b>10,339</b>	<b>26,400</b>	<b>3,900</b>	<b>4,900</b>	<b>3,900</b>	<b>4,400</b>	<b>4,900</b>	<b>4,400</b>	<b>-</b>

## FUNDING SCHEDULE (\$000s)

Funding Source	Total	Thru FY23	Est FY24	Total 6 Years	FY 25	FY 26	FY 27	FY 28	FY 29	FY 30	Beyond 6 Years
Current Revenue: General	5,055	936	1,119	3,000	500	500	500	500	500	500	-
G.O. Bonds	49,529	16,909	9,220	23,400	3,400	4,400	3,400	3,900	4,400	3,900	-
PAYGO	11,364	11,364	-	-	-	-	-	-	-	-	-
Recordation Tax Premium (MCG)	6,572	6,572	-	-	-	-	-	-	-	-	-
<b>TOTAL FUNDING SOURCES</b>	<b>72,520</b>	<b>35,781</b>	<b>10,339</b>	<b>26,400</b>	<b>3,900</b>	<b>4,900</b>	<b>3,900</b>	<b>4,400</b>	<b>4,900</b>	<b>4,400</b>	<b>-</b>

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

Appropriation FY 25 Request	3,900	Year First Appropriation	FY11
Appropriation FY 26 Request	4,900	Last FY's Cost Estimate	63,900
Cumulative Appropriation	47,120		
Expenditure / Encumbrances	41,839		
Unencumbered Balance	5,281		

## 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

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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

FY25: MLK Outdoor Pool, Germantown Outdoor Pool, Sandy Spring Fire Station, Coffield Community Center

FY26: Bethesda Outdoor Pool, 401 Hungerford Drive, 8818 Georgia Avenue

## COST CHANGE

Cost increase is due to the addition of expenditures in FY29 and FY30 for this ongoing project. FY24 reflects a \$180k transfer in current revenue general funds to Facility Site Selection.

## 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

FY24: \$180k transfer in current revenue general funds to Facility Site Selection.

## DISCLOSURES

Expenditures will continue indefinitely.

## COORDINATION

United States Department of Justice, Department of Health and Human Services, Department of Transportation, Office of the County Attorney, Montgomery County Public Schools, Revenue Authority, Maryland-National Capital Park and Planning Commission, and Department of General Services.