CITY OF MORENO VALLEY, CALIFORNIA

PUBLIC RIGHT OF WAY ACCESS AMERICANS WITH DISABILITIES ACT TRANSITION PLAN

ADA ACCESS – PUBLIC WORKS DEPARTMENT

City of Moreno Valley
Public Works Department
14177 Frederick Street
Moreno Valley, CA 92552
951.413.3130

September 1, 2010

This document will be made available in alternative formats upon request
Please contact:
City ADA Project Administrator
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951.413.3130

ACKNOWLEDGEMENTS

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Council District 2: Richard A. Stewart
Council District 3: Robin N. Hastings
Council District 4: Bonnie Flickinger
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Public Right of Way Access ADA Advisory Committee

Mel Alonzo, Risk Division Manager/ADA Coordinator
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ADOPTION OF PLAN

On September 14, 2010, the City of Moreno Valley City Council passed a resolution adopting the City of Moreno Valley Public Right Of Way Access Americans with Disabilities Act (ADA) Transition Plan dated September 1, 2010.

RESOLUTION NO. 2010-81

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADOPTING THE CITY OF MORENO VALLEY PUBLIC RIGHT OF WAY ACCESS AMERICANS WITH DISABILITIES ACT TRANSITION PLAN

WHEREAS, Title II of the Americans with Disabilities Act ("ADA") which provides that state and local government agencies shall be prohibited from discriminating against persons with disabilities, or from excluding participation or denying benefits of programs, services or activities to persons with disabilities, was enacted by the Federal government in 1990; and

WHEREAS, The City must meet Title II and the California Building Code, Title 24, of the California Code of Regulation requirements for ADA standards; and

WHEREAS, the City of Moreno Valley has approved and adopted the City of Moreno Valley Transition Plan for Title II Compliance of the Americans with Disabilities Act in 1995; and

WHEREAS, it has been determined to be in the City's best interests that the Public Right of Way Access Americans with Disabilities Act Transition Plan focusing on public right of way access be formally adopted by the City Council;

WHEREAS, the City of Moreno Valley needs to update the document every two years to maintain compliance with current ADA requirements as well as update the facilities database;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS: to adopt the City of Moreno Valley Public Right of Way Access Americans with Disabilities Act Transition Plan and to authorize the City Engineer to update this document every two years.

APPROVED AND ADOPTED this 14th day of September, 2010.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

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ATTACHMENTS (When Available and Upon Request)

1. ADA Request for Accommodation Form
2. ADA Complaint / Grievance Form

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1. ADA - Final Rules, Title II, July 26, 1991and Applicable Amendments (incorporated by reference)

1.0 INTRODUCTION

On January 10, 1995 City Council approved and adopted Resolution 95-3 Americans with Disabilities Act (ADA) Transition Plan. The necessity of the Plan was established when the ADA became Federal law in 1990 (Title II) which specified that a public agency may not directly or indirectly deny opportunities to or exclude persons with disabilities from programs, services, and/or activities. The 1995 ADA Transition Plan focused primarily on City programs and facilities. The City made changes to procedures and programs as well as facility modifications to be in compliance consistent with the 1995 ADA Transition Plan. The 1995 ADA Transition Plan provided cursory coverage of ADA issues within the public right-of-way which with the passage of time and legal findings needed a more focused implementation plan.

In order to meet Federal and State mandates for ADA and Title 24 compliance within the public right-of-way, the Public Works Department is recommending the adoption of the proposed Resolution approving the Public Right of Way Access Americans with Disabilities Act (ADA) Transition Plan. This plan will be an extension of the original approved 1995 ADA Transition Plan.

The main purpose of the *Public Right of Way Access Americans with Disabilities Act (ADA) Transition Plan* is to develop policies and practices for implementing physical pedestrian improvements within the public right-of-way of the City of Moreno Valley. The goal is to optimize the pedestrian experience, to provide safe and usable pedestrian facilities for all pedestrians, and to assure compliance with all federal, state and local regulations and standards.

The ADA requires all public agencies to develop an ADA Transition Plan for the installation of curb ramps or other sloped areas at all locations where walkways cross curbs. The plan must address public right of way access compliance and requirements. The main purpose of the ADA Transition Plan is to describe the curb ramp and other pedestrian facility needs in the City and to outline the recommended procedures for implementing and scheduling remedial work to provide a complying system of curb ramps, sidewalks and pedestrian disability warning devices.

The ADA Transition Plan covers the City of Moreno Valley in its entirety. The City has a wide variety of facilities within the public right-of-way. These facilities include streets and roadway, vehicular and pedestrian bridges, vehicular and pedestrian signal systems, signage systems, on-street parking facilities, walkways, sidewalks with curb ramps at intersections and buffers, pedestrian activity areas and unimproved open spaces.

Background

The Americans with Disabilities Act (ADA), the world's first comprehensive civil rights law for people with disabilities, was enacted on July 26, 1990. The ADA is a companion civil rights legislation to the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973. The ADA prohibits discrimination on the basis of disability in employment, state and local government, public accommodations, commercial facilities, transportation, and telecommunications. It also applies to the United States Congress.

To be protected by the ADA, one must have a disability or have a relationship or association with an individual with a disability. An individual with a disability is defined by the ADA as a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such impairment, or a person who is perceived by others as having such impairment. The ADA does not specifically name all of the impairments that are covered.

1.1 The Americans with Disabilities Act (ADA)

The ADA is divided into five parts, covering the following areas:

Title I: Employment - Title I requires employers with 15 or more employees to provide qualified individuals with disabilities an equal opportunity to benefit from the full range of employment-related opportunities available to others. For example, it prohibits discrimination in recruitment, hiring, promotions, training, pay, social activities, and other privileges of employment. It restricts questions that can be asked about an applicant's disability before a job offer is made, and it requires that employers make reasonable accommodation to the known physical or mental limitations of otherwise qualified individuals with disabilities, unless it results in undue hardship.

Title II: State and Local Government (Public Services) - Title II covers all activities of State and local governments regardless of the government entity's size or receipt of Federal funding. Title II requires that State and local governments give people with disabilities an equal opportunity to benefit from all of their programs, services, and activities, such as public meetings, employment, recreation programs, aging, health and human services programs, libraries, museums, and special events. State and local governments are required to follow specific architectural standards in the new construction and alteration of their buildings and facilities. They also must relocate programs or otherwise provide access in inaccessible older buildings, and communicate effectively with people who have hearing, vision, or speech disabilities. Public entities are not required to take actions that would result in undue financial and administrative burdens. They are required to make reasonable modifications to policies, practices, and procedures where necessary to avoid discrimination, unless they can demonstrate that doing so would fundamentally alter the nature of the service, program, or activity being provided. **A *Transition Plan* is intended to outline the methods by which physical or structural changes will be made to effect the non-discrimination policies described in Title II. It is under this title that this Public Right of Way Access ADA Transition Plan is prepared.**

Title III: Public Accommodations - Title III requires places of public accommodation to be accessible to and usable by persons with disabilities. The term “public accommodation” as used in the definition is often misinterpreted as applying to public agencies, but the intent of the term is to refer to any privately funded and operated facility serving the public.

Title IV: Telecommunications - This Title covers regulations regarding private telephone companies and requires common carriers offering telephone services to the public, to increase the availability of interstate and intrastate telecommunications relay services to individuals with hearing and speech impairments.

Title V: Miscellaneous Provisions - This title contains several miscellaneous regulations, including construction standards and practices, provisions for attorney's fees, and technical assistance provisions.

1.2 Local Government's Responsibility Under Title II

Title II mandates that a public entity, such as the City of Moreno Valley, operate each service program or activity so that the service program or activity when, viewed in its entirety, is readily accessible to and usable by individuals with disabilities. Title II of the ADA is similar to Section 504 of the Rehabilitation Act of 1973, but differs in that Section 504 applies only to government agencies that receive federal financial assistance.

Title II dictates that a public entity must evaluate its services, programs, policies, and practices to determine whether they are in compliance with the nondiscrimination requirements of the ADA. The regulations detailing compliance requirements were issued in July 1991. A self-evaluation is required and intended to examine activities and services, to identify and correct any that are not consistent with the ADA. The entity must then proceed to make the necessary changes resulting from the self-evaluation. The ADA also requires that a transition plan be prepared, to describe any structural or physical changes required to make programs accessible.

The ADA states intent not to apply lesser standards than are required under other federal, state, or local laws; therefore, the law that requires the most accessibility has precedence. This intent has particular application with respect to the City's obligations under Section 504 or under Title 24 of the California Code of Regulations, which in some cases, exceed ADA requirements with respect to structural and physical changes.

As described in Title 28 of the Code of Federal Regulations, Section 35.150(a) (also referred to as the ADA Rules), a public entity is not necessarily required to make each of its existing facilities accessible to and usable by individuals with disabilities. Nor does it require a public entity to take any action that would threaten or destroy the historical significance of an historic property. If the public entity can demonstrate that a modification would fundamentally alter the nature of its service, program, or activity, or cause undue financial and administrative burdens, it is not required to make that particular modification.

A self-evaluation analysis for Facility Evaluation was part of the "Americans with Disabilities Act Transition Plan (ADATP) approved by the City Council on January 10, 1995. Limited funds were allocated to bring existing streets, curb, and ramps into ADA compliance. The above noted ADATP was general in it approach to complying with the Title II requirements within the public RIGHT-OF-WAY. This transition plan, which is considered an extension of the 1995 ADATP, deals specifically with public right-of-way access compliance and requirements.

This Transition Plan should be updated for the first three years and then an as-needed basis to reflect barriers removed, new ADA requirements, database update of work in progress, and any other information that clarifies the City's commitment and support of Americans with disabilities.

2.0 THE CITY'S ADA TRANSITION PLAN REQUIREMENT

Where structural changes to facilities will be undertaken to achieve program accessibility, a public entity that employs 50 or more persons must develop, within six months of January 26, 1992, a transition plan setting forth the steps necessary to complete such changes. That plan is to identify physical obstacles in the public entity's facilities that limit the accessibility of its programs or activities to individuals with disabilities; describe in detail the methods that will be used to make the facilities accessible; specify the schedule for taking the steps necessary to achieve compliance; and indicate the official responsible for implementation of the plan. As noted in Section 1.2, The City's 1995 ADA Transition Plan incorporated the ADA requirement to achieve compliance.

In addition to those requirements set forth above, in the event a public entity has responsibility or authority over streets, roads, or walkways, the transition plan is to include a schedule for providing curb ramps or other sloped areas where pedestrian walks cross curbs, giving priority to walkways serving entities covered by the ADA.

The City's *Public Right of Way Access ADA Transition Plan* addresses these latter requirements for curb ramps, or other sloped areas, are limited to public right-of-way within the City's control. The Plan incorporates by reference any existing or future City Curb (Access) Ramp and/or Sidewalk Database.

The ADA does not designate a specific code or standard for curb ramps to be provided or modified pursuant to 35.150 (d) (2). Title II gives government agencies a choice between the Uniform Federal Access Standards (UFAS) and the American with Disabilities Act Accessibility Guidelines (ADAAG) as a standard for renovations. For the purpose of the *Public Right of Way Access ADA Transition Plan*, each sidewalk, curb ramp/access ramp site is evaluated based on the requirements of ADAAG.

2.1 ADA Compliance Coordinators and Access Advisory Committee

The Public Works Department (PWD) would administer the City's ADA transition plan within the public pedestrian right-of-way (curb ramp, sidewalk and other improvement programs). The City ADA Coordinator, ADA Project Administrator (ADAPA) and if applicable, the ADA Access Advisory Committee (ADAAAC) would provide oversight and guidance for City ADA compliance activities for curb, access ramp, sidewalk improvement programs and traffic disability warning devices.

The official responsible for implementation of the City's ADA Transition Plan improvements with respect to ADA access issues within the public right-of-way (include but not limited to: curbs, ramps, sidewalk and other improvement programs) is the ADA Project Administrator, located in PWD. The City Engineer shall designate the ADA Project Administrator. The current designee is:

Mr. Guy Pegan
Senior Engineer, P.E.
Public Works Department

14177 Frederick Street
Moreno Valley, CA 92552
951.413.3130
guyp@moval.org

The regulations require state and local governments with 50 or more employees to designate an employee responsible for coordinating compliance with ADA requirements. The official responsible for citywide compliance with ADA Title II requirements is the City ADA Coordinator (ADAC). The ADA Coordinator is responsible for coordinating the efforts of the government entity to comply with Title II and investigating any complaints where the entity may have violated Title II. The City ADA Coordinator is responsible for tracking the City's *Public Right of Way Access ADA Transition Plan.* The City's Interim City Manager designated the City ADA Coordinator as the Risk Manager on January 19, 2010. The current appointee and contact is:

Mr. Mel Alonzo, Risk Manager
City ADA Coordinator
14177 Frederick Street
Moreno Valley, CA 92552
951.413.3130
mela@moval.org

ADA Access Advisory Committee (ADAAAC)

The City of Moreno Valley may establish an ADA Access Advisory Committee ("Advisory Committee") comprised of City Administrators, other technical professionals representing various Departments and Divisions of the City of Moreno Valley, and members of the public at large to represent the disabled community (goal is to have a minimum of three such members). The committee should include representative from the following:

- Public Works Department – Administration Division
- Public Works Department – Maintenance and Operations Division
- Public Works Department – Transportation Engineering Division
- Public Works Department – Land Development Division
- Public Works Department – Capital Projects Division
- Human Resources Department – Risk Management Division
- City Attorney's Office
- Members representing the interest of the disabled community

The initial Advisory Committee members are listed in the Acknowledgement section at the beginning of this report. The City Manager will be responsible for appointing/replacing the ADAAC Members/Departments/Divisions, when necessary. The Committee may meet periodically to discuss issues related to barrier removal and access along the City's public right-of-way. If the Advisory Committee is disbanded or becomes inactive at any time during the life of this Transition Plan, the responsibilities of the Advisory Committee under this Transition Plan, as set forth, will be assigned to its successor, if any, or to the ADA Coordinator or his/her assignee (such as the ADA Project Administrator).

3.0 PUBLIC RIGHT OF WAY ACCESS ADA TRANSITION PLAN

3.1 Introduction

The purpose of this section is to summarize pedestrian access needs in the City of Moreno Valley and to outline the recommended procedures for the prioritization, implementation and scheduling of remedial work to provide an evaluation of ADA complying curb (access) ramps and public sidewalks (only those within the City's Right-of-way and control), and may include other pedestrian detectable warning devices.

The timing to process an ADA access transition plan within the public right-of-way that catalogs, prioritizes, and schedules improvements necessary to remove access barriers is a long process. A Geographic Information System (GIS) based inventory will help provides a detailed picture of non-compliance and allows for targeted use of funds earmarked for ADA improvements as funds are available. This Public Right of Way Access ADA Transition Plan includes sidewalk access transitions and other ADA application requirements. As long as funds are limited, the focus on curb ramp construction and/or replacement, ensuring safe transition of person of disabilities out of the road area, is primary over other sidewalk barriers and improvements.

3.2 Inventorying Curb (Access) Ramp, Sidewalk, and Other Barriers

The statistics to be contained in this transition plan may be compiled from a Geographic Information System (GIS) database specially developed for the City of Moreno Valley or field investigation and included into a GIS Database. Upon completion of a citywide inventory of all locations (street corners being a priority), the City Curb Ramp, Sidewalk, and Barrier Database will be updated. The database will include curb ramps and sidewalk constructed and barrier removal as identified by City staff. The Public Works Department (PWD) shall be responsible for overseeing the curb ramp, sidewalk, and other ADA barrier inventory collection and database update.

Until such time as the City's database for curb ramp, sidewalk, and other barrier inventory has been completed and a priority list has been establish, City inspectors are available to inspect sidewalks to determine if repairs are necessary, either upon request by a property owner or any concerned citizen. Deficiencies determined to meet ADAAG requirements for repair will be included in the Sidewalk Database, with a higher priority for repair as funds become available. Persons with disabilities may also contact the City's Public Works Department specifically the ADAPA, with any questions, to schedule a access inspection, file a ADA Request for Accommodation (Attachment #1), or file an ADA Complaint/Grievance Form (Attachment #2). The City keeps databases for the conditions of sidewalks, access ramps, and other pathways to comply with ADA issue. These databases are updated on an on-going process and will be used to meet ADA requirements.

The database, once completed, will be available for public inspection at the office of the Public Works Department, 3 business day advance notice is requested. Please contact the ADAPA for any information concerning this Database.

Curb ramp and sidewalk barriers/deficiencies inventory collection process for the Curb Ramp, Sidewalk, and Other Barrier Database, shall commence 120 days after the City Council approves the Public Right of Way Access ADA Transition Plan and program funding source. See table 5 for sample field inventory information collection sheet.

3.3 Curb Ramp, Sidewalk, and Other ADA Standards

Curb ramps shall be installed at all locations, including mid-block crosswalks, where they are missing and necessary for access to sidewalks. Although the ADA does not specifically mandate replacement of all existing curb ramps that may not reflect new construction standards (as described in Federal Register, Volume 56, No. 144, ADA Rules and Regulations, Section 35.150), non-conforming curb ramps will be replaced under this plan as will deficient sidewalk areas. A high priority is to reconstruct curb ramps and sidewalks at locations where existing ramps and sidewalks have a condition that may impede a path of travel to a City program or activity. Examples are vertical displacement of the curb ramp, broken or cracked concrete, deteriorated conditions, steep slopes, narrow widths, high gutter lips, and offset locations.

City curb ramp and sidewalk standards shall meet or exceed current federal, state and local accessibility regulations and standards. The ADA Project Administrator is responsible to ensure developed City standards for curb ramp and sidewalk construction and reconstruction are updated. Copies of the City's standard curb ramp and sidewalk details are available from the ADAPA.

The Public Works Department has updated the City's "Standard Plans" manual to meet current ADA requirements which includes sidewalks, ramps, and driveways for residential, commercial, and industrial access. The City also incorporates the latest ADA requirements into its design plans and specifications to meet State and Federal mandates.

3.4 Priorities for Construction and Replacement

The City's is endeavoring to ensure equal access to the public right-of-way (sidewalks, curb ramps, etc.) for pedestrians with disabilities by identifying all areas of potential deficiency and by making necessary structural improvements. The assignment of priorities for curb ramp, sidewalk and other construction and reconstruction is intended to guide the selection of locations, to incorporate federal guidance, and to address specific concerns of the local disability community.

The priorities for curb ramp and sidewalk construction and replacement are grouped into three phases. The first phase, initially highest priority is requests by qualified persons with disabilities, until the annual priority list is established and approved. The second priority phase, evaluates the specific curb ramp and sidewalk with respect to its physical location within the city and to predominating adjacent land uses. The third phase which is the lowest priority, evaluates the curb ramp and sidewalk with respect to its physical attributes. Replacement of curb ramps has priority over the replacement of sidewalk. A table will be created for the public's convenience summarizing the priorities of each phase. See sample table 4.

3.4.1 Phase I, (Highest Priority): Requests from Qualified Persons with Disabilities

The City recognizes that it will take some time to complete the inventory and subsequent improvement as reference in the *Public Right of Way Access ADA Transition Plan*. Therefore, the City will evaluate requests from qualified persons with disabilities and proceed with the necessary improvements to ensure access for people with disabilities living and working in Moreno Valley during the lengthy transition period and the establishment of a database. Generally, requests come from residents with disabilities who wish to get to from their home or work place to transportation, school, medical facilities or other areas to accommodate their activities of daily living. The priority for this phase will include new infill curb ramps and sidewalks as well as replacement of existing non-compliant curb ramps and sidewalks, applying Location Priorities, Tier 1 – Tier 5 and the Point System for final priority refinement.

Upon completion of the curb ramps and sidewalk database and priority list in Phase II, the City will continue its policy of reviewing curb ramps and sidewalks upon request by qualified individuals with disabilities at locations not otherwise scheduled and budgeted for improvement. These requests will be considered for the highest priority with curb ramps having a higher priority over sidewalks and other disabilities warning devices. The related forms are provided in Attachment 1, ADA Request for Accommodation.

3.4.2 Phase II, Curb Ramp and Sidewalk Replacements and Access Connector

This phase is reviewing the City Wide Database and setting priorities for new construction and replacement construction based upon the lack of physical condition of existing curb ramps and sidewalks, by applying Location Priorities, Tier 1 – Tier 5 and for final refinement the Point System priority.

3.4.3 Phase III, Infill by Location Priorities

The City will establish list location (land use) priorities for new curb ramp and sidewalk infill activities where nothing (ramps and sidewalk) exist based upon U.S. Department of Justice ADA Title II Regulations, the City of Moreno Valley General Plan, and best practices of other jurisdictions applying Location Priorities, Tier 1 – Tier 5 and for final refinement the Point System priority.

3.4.4 City Wide Access Priority Refinement System

<u>By Location Priorities</u>

Tier 1: Within the right-of-way of Transit streets and centers [1]

A. Regional transit streets;
B. Transit centers;
C. Local Bus Routes and Bus Stops

Tier 2: Within the right-of-way of Public facilities (with 50 foot buffer unless otherwise noted)

A. City buildings (city offices, museums, libraries, senior centers, recreation centers, fire stations, etc.);
B. State and county buildings, including county medical centers;
C. Schools (community colleges; high school, junior high and elementary school programs with magnet programs for children with disabilities; and all other public schools);
D. Large public housing (OHA) sites and critical homeless services;
E. City parks and open space;
F. Other public facilities (reserved).

Tier 3: Within the public right-of-way adjacent to Privately-owned public accommodations[2] (50 foot buffer)

A. Commercial zoning areas and medical centers — (with an emphasis on doctor, medical and health offices; service sites of disability organizations; and major employment sites);
B. Special zoning areas limited to medical centers not listed above; transit oriented development; and housing and business mix;
C. Medium to high density housing and high rise apartments;
D. Other public accommodations (reserved).

Tier 4: Within the right-of-way of Locations that do not fall into any of the above groups but are within 50 feet of a sidewalk route.

Tier 5: Within the right-of-way of Locations that do not fall into any of the above groups and are greater than 50 feet from a sidewalk route. These locations are neither counted as "possible locations" nor scheduled for improvement.

[1] *Land Use and Transportation Element of the Moreno Valley General Plan*
[2] *Zoning designations are per the City of Moreno Valley General Plan and Zoning Map*

By Point System Priorities:

Check as many boxes that apply and then total, for an overall score.

☐ 25 –Safety: Where existing curb ramps and sidewalks within the public R.O.W. have a condition that may involve an unsafe path of travel or condition of use. Examples are excessive vertical displacement of the curb ramp, severely broken, deteriorated or cracked concrete /asphalt surface.

☐ 20 -Use: Where disability/pedestrians would benefit from new or reconstructed curb ramp and/or sidewalk installation providing a greater access for public use accommodations (public buildings, school, parks, etc.) where there exist continues (typically a user is present hourly throughout an 8 hour period any given day) daily disability/pedestrian traffic.

☐ 15 – Missing Link, Extension Connectivity: A curb ramp or sidewalk will be constructed/reconstructed between connecting segments of two existing sidewalks and/or curb ramps within an existing path of travel (that may involve raised utility conflicts,

physical barriers or other obstacles in the path of travel).

☐ 15 – Accessibility Enhancement of Existing ROW Facilities: To the maximum extent practicable, an existing curb ramp or sidewalk will be reconstructed when it does not meet current federal or state standards: narrow widths, gutter lips, offset locations, etc.

☐ 10 – Vehicle Volumes/Speed Factors: Where existing non-compliant or future ramps and sidewalks are adjacent to high vehicle volumes (above 50% of the street's ADT volume) or high speeds (45 MPH and above).

☐ 10 – Disability/Pedestrian Peak Volume: Locations where it has been determined by the Traffic Division or observation that there is a high disability/pedestrian volume (more then 20 individuals) for a relatively short time period (one hour or less during the weekday or weekend).

☐ 5 –Transportation Alternative: When a curb return has an existing curb ramp and conditions allow for the construction of an additional curb ramp along the same return, to provide a more direct access to a sidewalk, provided that traffic controls allow for the path of travel.

3.5 Annual Schedule for Curb Ramp, Sidewalk and Other ADA Access Facilities Construction and Reconstruction

The City of Moreno Valley has committed itself to the following schedule and methods for the annual construction or reconstruction:

A. The City of Moreno Valley will construct or reconstruct, as many curb ramps, sidewalks and other warning devices as funding allows as part of the City's annual budget for The (ADA) FUND until the City is ADA compliant.

   Curb ramps, sidewalks and other ADA access facilities will be at locations requested by persons with disabilities.

   Curb ramp upgrade will be at locations where streets will be overlaid, until all required curb ramps have been constructed or reconstructed if not in compliance with the ADA standards at those locations.

   Curb ramps, sidewalks and other ADA access facilities will be installed or reconstructed as required under other City street improvement projects.

   Curb ramps, sidewalks and other ADA access facilities located adjacent to City facilities will be constructed or reconstructed as part of projects to improve these facilities, where applicable.

   Curb ramps, sidewalks and other ADA access facilities will be installed on an infill basis as funding allows. To the extent practicable, the City will follow the priorities set forth above when installing curb ramps and sidewalks.

B. Additionally, the City anticipates an increase in curb ramps and sidewalks per year

because of constructed or reconstructed in the public right-of-way by others:

Curb ramps, sidewalks and other ADA access facilities will be constructed or reconstructed as a condition of private development (Subdivision Map Act exactions).

Utility companies are required to install new or upgrade curb ramps, sidewalk and other ADA access facilities at applicable locations where they excavate.

The State of California has installed curb ramps and other ADA access facilities along the portions of state highways that have been repaved. More curb ramps and other ADA access facilities may be installed along state highways in the City in conjunction with future improvement of these facilities.

3.6 Selection and Prioritization of Barrier Removal Projects

The ADA Project Administrator, and if applicable the ADA Access Advisory Committee shall make recommendations regarding barrier removal projects to be prioritized and funded from the *Annual ADA Compliance Curb Ramp Upgrades* (**The Fund**). The City Council has established this funding program as part of the Capital Improvement Program Budget. The recommendations of the Advisory Committee or the ADA Project Administrator shall be submitted to the City Engineer for review and approval. The City Engineer shall have final authority over the approval and authorization of project expenditures; however the City Engineer will not unreasonably disregard the recommendations of the ADA Coordinator, ADA Project Administrator, or the ADA Access Advisory Committee.

3.6.1 Addressing Barriers

The Fund may be used for the following projects: (1) Installing Compliant Curb Ramps, including Detectable Warning devices (at intersections where there are no curb ramps or where existing curb ramps do not meet current access standards); (2) Removing abrupt changes of level, whether caused by tree roots or any other deterioration or displacement of the surface of the path of travel within the City's rights-of-way; (3) Providing accessible crosswalks (by providing appropriate contrasting striping, providing accessible pedestrian crossing controls, and removing any abrupt changes in level affecting the path of travel across the street; crosswalk access does not require any effort to remove slopes or cross slopes consistent with the slope of the street for vehicle traffic and/or drainage); (4) Removing obstacles in the rights-of-way that narrow the pedestrian pathway to less than 36 inches; (5) Removing or providing Detectable Warnings for overhanging obstacles below 80 inches above the rights-of-way that are not detectible to a blind pedestrian using a cane; and (6) Removing excessive cross slopes perpendicular to the primary direction of travel along the pedestrian rights of way, where identified by ADAAG standards and ADA requirements.

3.6.2 General Prioritization Standards

The following general principles shall be used to prioritize projects to be funded through The Fund. Requests for installation of a Compliant Curb Ramp (highest priority) or removal of a specific sidewalk barrier or barriers should have the next highest priority (see Section 3.4.1). After addressing these requests, priority will be given to rights-of-way serving as note in Sections 3.4.2, and 3.4.3, which identify areas along important transportation corridors

adjacent to or in the vicinity of State and local government offices and facilities; places of public accommodation such as commercial and business zones; facilities containing employers; and other areas such as residential neighborhoods and undeveloped regions of the City. In all planned projects, consideration will also be given to the severity of existing barriers and overall efficiency of project work. Special consideration may be given to the removal of barriers in lower priority categories before removing barriers in higher priority categories if such prioritization may be more effective or efficient use of resources.

3.6.3 Annual Selection Process

Every year, the ADAPA, and if applicable, the ADAAAC, will select and prioritize a list of barrier removal projects no later than 120 calendar days after the beginning of the new fiscal year. This list will be provided to the City Engineer, who will approve a final list no later than 180 calendar days after the beginning of the new fiscal year. The list of barrier removal projects approved by the City Engineer will be included in the Annual Report. The list of barrier removal projects may be revised by the City Engineer, in consultation with the ADAPA, during the course of the fiscal year.

3.6.4 Limitations on Barrier Removal

Under no circumstances will the City be obligated to remove any barrier if removal of such barrier would create an undue burden or a fundamental alteration, or if removal of such barrier would be technically infeasible or structurally impracticable. To the extent that the City determines that it would be an undue burden or fundamental alteration to remove a particular barrier, or that removal of a particular barrier would be technically infeasible or structurally impracticable, it must include such a determination in its regular reports as set forth in this document. In situations where it is technically infeasible or structurally impractical, the City will make every effort to provide modifications that would improve the existing conditions to facilitate access. For example, if a curb ramp is required along a curb adjacent sidewalk street, whereby the existing street grade is approximately 8%, installing a 8.33% curb ramp would be impractical. In such a case, the City would still install a curb ramp relative to the street grade plane using the minimum required 12-inch run for every 1-inch rise depending on the curb height obstacle. In such situations, installing a 10-foot ramp may also be considered to more than meet the minimum 1:12 slope requirement. There may also be special circumstances where 10% - 12.5% sloped ramps may be more favorable than no ramps due to the obstacle that may make the situation completely infeasible or impracticable to meet ADA requirements [28 C.F.R. Part 36 Appendix A, §4.1.6(3)(a)(i) and (ii)]. The documentation of this modification will be included as part of the project files as well as noted in this Transition Plan database. Further, under no circumstances will the City be obligated to initiate eminent domain proceedings against a property owner in order to address any barrier.

3.6.5 Barriers under Control of Third-Party Entities

Certain barriers in the public right-of-way involve elements under the control of entities other than the City of Moreno Valley. The City has no obligation to remove such barriers unilaterally. The City may, but has no obligation to, seek funding or participation in barrier removal work from such third-party entities, which may include transit agencies, local utilities, or other entities that maintain equipment in the public rights-of-way. Any

contribution of money for barrier removal work by third-party entities or any work done by such third-party entities to remove barriers will be in addition to the work done based on the other obligations set forth in this Transition Plan. Money from The Fund may be appropriated to supplement work performed under this section at the discretion of the City Engineer.

3.7 Funding

3.7.1 ADA Compliance Curb Ramp Upgrade Fund (The Fund)

The City has dedicated annually a minimum of $200,000 of its Measure "A" funds, for a budget used exclusively to install compliant curb ramps, remove barriers in the pedestrian rights of way (including sidewalks, etc.), and administrated cost. This fund will be known as the "**The Fund**." All work described in this Transition Plan shall be paid for through this fund. Projects using the money from this fund will be selected by the City's ADAAAC, ADAPA or appointed staff with reference to the general guidelines set forth in this Transition Plan and with approval of the City Engineer. A City-wide database (see Section 3.2) will be used to construct tables (see Table 1-3) to track locations, cost, and overall Transition Plan performance for the annual report. Upon joint determination by the ADAAAC, ADAPA, appointed staff and the City Engineer that all necessary Compliant Access ramps have been installed and barriers have been removed at all required locations; the funding under this Paragraph shall no longer be required.

3.7.2 Leveraging Additional Funding Sources and City Programs

As part of the preparation of the Annual Capital Improvement Plan Budget, the City's ADA Project Administrator will annually assess how to best leverage additional City funds, if any, and/or additional City Programs, if any, that can be used to install Compliant Access Ramps or remove barriers along the City's public right-of- way or enhanced detectable warning devices.

3.7.3 Additional Funding

If any new, permanent, transportation funding source for street maintenance is created during the life of this Transition Plan (through a ballot measure or otherwise), some portion of this additional revenue source may be dedicated to The Fund. ADA barrier removal work done in conjunction with street overlays and reconstruction, using dedicated funding, and work affecting barriers under the control of third party entities may occur from time to time through separate funding sources.

3.7.4 Annual Exhaustion of the ADA Fund

The City contemplates that the amount of the **The Fund** will be allowed to accrue until a minimum of $100,000 is available for expenditure on a project at one time in order to maximize the amount of work that can be accomplished. Any funds not used in any given fiscal year(s) will be carried over into the succeeding year(s). Any expenditure(s) that exceed the amount of money in the Fund in a given fiscal year(s) will be credited in the succeeding fiscal year(s). In the event that the City allocates funds in excess of the annual obligation to the Advisory Committee Fund in any given year, such excess funds will be credited toward its future obligations in each succeeding fiscal year. If the Transition Plan is terminated early based on a petition by the City that it has otherwise met its financial obligations, this annual

minimum allocation requirement shall also cease.

3.8 ADA Request for Accommodation

The City will provide opportunities for interested persons, including individuals with disabilities or organizations representing individuals with disabilities to participate in the development of the Public Right of Way Access ADA Transition Plan by submitting comments and making specific recommendations.

The City will maintain on file a list of persons consulted with respect to the Plan, the surveys, and a description of modifications made, for a minimum period of 3 years beyond the formal adoption of this document.

The City has listed the accommodation procedures below, providing for prompt and equitable resolution of complaints alleging any action that would be prohibited by Title II. The City's public right-of-way ADA Access Transition Plan, ADA Request for Accommodation form is contained In Attachment 1.

Complaints of alleged noncompliance and grievances concerning ADA access in the public right-of-way access ramps and sidewalks should be directed to the ADA Coordinator.

Accommodation Response: In responding to request(s) for structural improvement brought through the ADA Accommodation process, the ADA Coordinator and ADA Project Administrator are limited to the funds in The Fund. In the event that these allocated funds are insufficient or already spent, subsequent improvements will be prioritized and scheduled in subsequent fiscal years.

3.8.1 Community Outreach Program

The ADA Coordinator or other appointed City staff may develop and oversee the City's Community Outreach Program. The Community Outreach Program would be designed to seek input from the public regarding the City's ongoing barrier removal efforts. As part of its Community Outreach Program, the ADA Coordinator should hold annual community meetings for the first two years of the Compliance Period to discuss the City's Transition Plan and to help further identify new and existing physical barriers to access along the City's pedestrian rights of way. After the first two years of the Compliance Period, the ADA Coordinator (or designee) may hold additional community meetings at its discretion, but it is preferred that community meetings be held at least once every five years.

3.8.2 Public Participation

City of Moreno Valley residents will be able to take advantage of the following outreach efforts:

- **Outreach to Persons with Visual Impairments**: The ADA Transition Plan can be made available to persons who are visually impaired via large print text document and Braille master copy. Persons with visual impairments who have access to software that converts text to audio will be provided the document via e-mail, floppy disks or CDs. The California Access News has a free telephone reader service for individuals who are blind or with visual impairments that includes information on the ADA Transition Plan.

- **Consumer Survey**: A study team may develop and distributed a pedestrian and disabled access consumer survey to identify hotspot locations or physical barriers to walking.
- **Press Releases**: A study team may create and distributed press releases to cover the following topics: project kick-off, consumer surveys, transportation fairs and the draft ADA Transition Plan.
- **Web Site**: A City of Moreno Valley web site can be created to disseminate information about the project.
- **Public Workshop**: The ADA Coordinator can hold a public community outreach workshop on barrier removal efforts. The City's residents will be able to submit formal comments about this effort, either in written form or at a public workshop.

3.9 ADA Complaint/Grievance

The City has listed the complaint/grievance procedures (within public right-of-way) below, providing for prompt and equitable resolution of complaints alleging any action that would be prohibited by Title II. The City's ADA Complaint/Grievance Form with related procedures and information is contained in Attachment 2.

The complaint/grievance request should be made and include the name, address and telephone number of the individual requesting the accommodation (see Attachment 2 for ADA Complaint/Grievance Form). The request should contain the location of the program, service, activity, or facility where the accommodation is required and a description of why the accommodation is needed.

Complete the form and submit it to:

ADA Coordinator
Risk Management
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552-0805
951.413.3130 (phone)
951.413.3170 (fax)

Within thirty (30) calendar days of the written request, the ADA Coordinator or the ADA Project Administrator will respond to the individual filing the complaint. If the response does not satisfactorily resolve the issue, the individual making the request may file a formal grievance with the City Manager's office. All requests for accommodation received by the ADA Coordinator or ADA Project Administrator will be kept by the City of Moreno Valley for at least three (3) years.

3.9.1 Filing an ADA Complaint/Grievance

This procedure (within public right-of-way) is established to meet the requirements of the Americans with Disabilities Act (ADA). It may be used by those who wish to file a complaint alleging discrimination on the basis of the disability as it relates to facilities or lack thereof within the public right-of-way in the City of Moreno Valley.

Step 1 – The Written Complaint/Grievance: The complaint should be in writing and contain information about the alleged discrimination such as name, address and phone number of the complainant and location, date and description of the problem (see Attachment 2 for Filing an ADA Complaint/Grievance Form). Alternative means of filing complaints will be made available for persons with disabilities upon request. Contact the ADA Coordinator to request this information in an alternate format or the "Request for Accommodation" or "ADA Grievance" form. The complaint should be submitted by the complainant as soon as possible, but no later than ninety (90) calendar days after the alleged violation (or discovery thereof) to:

ADA Coordinator
Risk Management
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552-0805
951.413.3130 (phone)
951.413.3170 (fax)

Step 2 – Meeting with the ADA Coordinator: Within thirty (30) calendar days of the written complaint, the ADA Coordinator will meet with the complainant to discuss the complaint and possible resolutions.

Within thirty (30) calendar days after the meeting, the ADA Coordinator or the ADA Project Administrator will respond in writing or in a format accessible to the complainant. The response will explain the position of the City of Moreno Valley and offer options for resolution of the complaint.

Step 3 – Appeal to the City Manager: If the response by the ADA Coordinator or the ADA Project Administrator does not satisfactorily resolve the issue, the complainant may appeal the decision, within fifteen (15) calendar days after receipt of the response, to the City Manager or an appointed representative.

Within fifteen (15) calendar days after receipt of the appeal, the City Manager, or an appointed representative, will meet the complainant to discuss the complaint and possible resolutions. Within fifteen (15) calendar days after the meeting, the City Manager, or an appointed representative, will respond in writing or in a format accessible to the complainant of final resolutions to the complaint.

All written complaints received by the ADA Coordinator or the ADA Project Administrator, appeals to the City Manager, and responses from the ADA Project Administrator and the City Manager, will be kept by the City of Moreno Valley for at least three (3) years.

3.9.2 Funding Allocations for Barriers Removals Addressed in Complaint/Grievance Filings

In responding to request(s) for structural improvement brought through the ADA Complaint/Grievance process, the ADA Coordinator and the ADA Project Administrator are limited to the funds in The Fund. In the event that these allocated funds are insufficient or

already spent, subsequent improvements will be prioritized and scheduled in subsequent fiscal years.

3.10 Monitoring and Tracking

The ADA Coordinator or the ADA Project Administrator Should:

- Coordinate inspection of curbs, access ramps and sidewalks installations to ensure that they are constructed or reconstructed properly and within acceptable tolerances; and
- Ensure that all curbs, access ramps and sidewalks installed by the City or by others (under permit) are logged in the City's database; and
- In conjunction with the ADA Coordinator's or the ADA Project Administrator's annual activities report for the ADA Access Advisory Committee and/or the City Manager, supplying information on the various activities to comply with the *Public Right of Way Access ADA Transition Plan*. Annual reports for a minimum period of 3 years beyond the formal adoption of this document shall be published on the City's website within 120 days of the new fiscal year and made available upon request.

Annual Report

At the conclusion of each fiscal year until the end of the Compliance Period, the City's ADA Coordinator may provide a report ("Annual Report") to the City Council describing the actual work done to implement this Transition Plan during the previous twelve months and a prospective plan of projects the City plans on undertaking to improve access to pedestrian rights-of-way in the upcoming year. The Annual Report, for a minimum period of 3 years beyond the formal adoption of this document, will be completed within one hundred and twenty (120) days from the end of the fiscal year and will include:

- A summary or listing of all written complaints or requests for removal of particular barriers received since the prior report, including information specifying whether the City has taken action to remove the barrier.
- Summaries of work done to ensure access and/or remove access barriers in conjunction with asphalt overlay projects, projects completed with other available funds and projects completed with The Fund.
- A list of all barriers, if any, for which the City asserts that it has a Statutory Defense excusing installation of a compliant curb ramp, sidewalks or removal of an access barrier. If the City asserts that it has a Statutory Defense that limits its ability to remove a barrier or to install a curb ramp, or sidewalks that meets all current standards, the City will include in the report a written statement by the City Engineer (or his or her designee) providing the reasons for reaching that conclusion. To the extent that the City claims that installation of a fully compliant curb ramp, sidewalks or removal of an existing barrier would be an Undue Burden, the written statement will include his or her consideration of all resources available from The Fund and any other source of funding set forth in this Agreement as available for the removal of access barriers.
- Information regarding the removal of barriers along the public right-of-way from the City Engineer.
- Information describing efforts made by the City or Advisory Committee to leverage additional programs or funding sources to install compliant curbs, access ramps, sidewalks or remove access barriers in the public right-of-ways.

- Information regarding efforts at Community Outreach, and any action being taken as a result of such community outreach.

4.0 THE CITY'S OTHER TRANSITION PLAN

This transition plan relates solely to Curb (Access) Ramps, Sidewalks, and other pedestrian access ways within the Public Right Of Way. (ADA Rules, Title 28 CFR, Section 35.150 (d) (2).)

4.1 Buildings and Facilities Transition Plan

The City has already completed an "Americans with Disabilities Act of 1990 Transition Plan for Title II Compliance" program for equal access to public programs, services, and facilities which include existing facilities and new construction. The Transition Plan was approved by City Council on January 10, 1995. For more detail information on this Transition Plan, contact the Building Official at the City's Building and Safety Division. The Transition Plan was prepared and implemented in accordance with the ADA Title II requirements. (ADA Rules, Title 28 CFR, Section 35.150 (d) (3).

In 2002, the United States Court of Appeals for the Ninth Circuit, whose jurisdiction includes California, held for the first time that sidewalks constitute a service, program, or activity of a city and sidewalks are therefore subject to the ADA Title II program accessibility regulations. Barden v. Sacramento, 292 F.3d 1073 (9th Cir.2002). Before this ruling it was unclear if local government transition plans should address barrier removal from sidewalks, other than missing or unsafe curb ramps. This Right of Way Access ADA Transition Plan is an extension of the above mentioned Plan to address any deficiencies within the City's adopted 1995 ADA Transition Plan dealing specifically within the Public right-of-way.

5.0 DEFINITIONS

As used in this Transition Plan (Plan), the following terms shall have the meaning ascribed to them in this Section, which are consistent with the provisions of existing federal and state law, including the regulations promulgated there under. Except to the extent expressly stated to the contrary, any term not expressly defined in this Section or elsewhere in this Transition Plan that has an expressly defined meaning in either the ADA or the regulations promulgated there under ("Regulations") shall have the meaning ascribed to it by the ADA or the Regulations, in that order of preference. All other terms shall be interpreted according to their plain and ordinary meaning.

ADA/ADAAG: "ADA" means and refers to the Americans with Disabilities Act as contained at 42 U.S.C. § 12101 et seq. "ADAAG" means and refers to the Americans with Disabilities Act Access Guidelines, codified at Appendix A to 28 Code of Federal Regulations part 36 and at Appendix A to 49 Code of Federal Regulations part 37. "ADAAG Standards" means and refers to physical conditions that meet the new construction and/or alterations standards set forth in ADAAG.

Annual Report: "Annual Report" means, a report of the previous year activities and accomplishments (within 90 days) after the new fiscal year. The report should include such information as to the completion of access ramps, sidewalk, other barrier replacements or upgrades to meet the ADA requirement; accomplishment of the previous year and other information as to the long term progress of the ADA program.

Access Ramp: "Access Ramp" is used interchangeably with "curb cut or curb ramp."

Barriers: "Barriers" means and refers to curbs, access ramps and sidewalks that do not meet the ADAAG standard requirements for ADA accessibility or as noted herein.

Compliance Period: "Compliance Period" means and refers to the period of time for which this Transition Plan will be in effect. The Transition Plan shall become effective upon Final Approval, and remain in effect for up to 30 years. The City may dissolve the Transition Plan at any time upon a showing that it provides Program Access to Pedestrian Rights of Way or upon a showing that it has met or exceeded the monetary obligations specified in this Transition Plan. Alternatively, the Transition Plan will remain in effect until it dissolves automatically 30 years after Final Approval.

Compliant Curb Ramp: "Compliant Curb Ramp" means and refers to a curb ramp that is constructed to comply with state and/or federal law (whichever provides the higher access standard) in place at the time of construction. In the case of a location where it is Structurally Impracticable or Technically Infeasible to build a fully compliant curb ramp, or where construction of a fully compliant curb ramp would constitute a Fundamental Alteration of a service, program, or activity of the City of Moreno Valley or an Undue Burden on the City of Moreno Valley, a curb ramp that complies with access standards, or was constructed to the standards existing at the time of construction, or to the maximum extent feasible, will

constitute a Compliant Curb Ramp as long as the requirements set forth in this Transition Plan for justifying the reasons for the City to avoid full compliance are met.

Curb Ramp: "Curb Ramp" is used interchangeably with "curb cut or access ramp."

Detectable Warnings: "Detectable Warnings" means and refers to truncated domes which provide a tactile surface at the transition between the curb and the street, assisting pedestrians with Vision Disabilities in determining when they enter the street.

Final Approval: "Final Approval" means and refers to the date when the City Council approves the "Public Right of Way Access Americans with Disabilities Act (ADA) Transition Plan" for the City of Moreno Valley.

Fundamental Alteration: "Fundamental Alteration" means and refers to an action that, if taken by the City of Moreno Valley, would result in a fundamental alteration in the nature of the service, program or activity of Pedestrian Rights of Way in the City of Moreno Valley. If the City claims that any action otherwise required by this Transition Plan would constitute a Fundamental Alteration, the City shall have to demonstrate that such alteration would result, and the decision that an action would constitute a Fundamental Alteration, after considering all funds available for such work, and must be accompanied by a written statement of the reasons for reaching that conclusion.

Mobility Disability: "Mobility Disability" means and refers, with respect to an individual, to any physical or mental impairment or condition that substantially limits an individual's ability to move his or her body or a portion of his or her body and includes, but is not limited to, orthopedic and neuromotor disabilities and any other impairment or condition that limits an individual's ability to walk, maneuver around objects, ascend or descend steps or slopes, and operate controls. An individual with a Mobility Disability may use a wheelchair or motorized scooter for mobility, or may be Semi-Ambulatory.

Pedestrian Rights of Way: "Pedestrian Rights of Way" means and refers to all sidewalks and access paths over which the City of Moreno Valley has responsibility or authority, as well as all curb ramps and crosswalks serving such sidewalks and any other pathways used by pedestrians along public rights of way.

Statutory Defenses: "Statutory Defenses" means and refers to the City's right to assert under this Transition Plan that removal of any barrier or installation of a Compliant Curb Ramp is not required because such barrier removal or curb ramp installation would be Technically Infeasible, or Structurally Impracticable, or that it would constitute an Undue Burden or Fundamental Alteration.

Structurally Impracticable: "Structurally Impracticable" means and refers to circumstances in which the unique characteristics of terrain prevent the incorporation of accessibility features. If it is structurally impracticable to provide full access at any location along pedestrian rights of way, the City shall comply with access requirements to the extent that it is not structurally impracticable to do so. (See ADAAG § 4.1.1(5) (a)).

Technically Infeasible: "Technically Infeasible" means, with respect to an alteration of a facility or Public right-of-way, that it has little likelihood of being accomplished because existing physical or site constraints or a lack of public right-of-way prohibit modification or addition of elements, spaces, or features which are in full and strict compliance with the minimum requirements for new construction and which are necessary to provide accessibility (See ADAAG § 4.1.6(1) (j)).

Third-Party Entity: "Third-Party Entity" means an entity other than the City of Moreno Valley that controls certain barriers or elements of barriers in a Pedestrian Rights of Way. Transit agencies and local utilities are examples of Third Party Entities.

Title 24: "Title 24" means and refers to the regulations set forth at Title 24 of the California Code of Regulations.

Transit: Bus Routes.

Transit Centers: Bus stop locations.

Undue Burden: "Undue Burden" means and refers to an action that, if taken by the City of Moreno Valley, would result in an undue financial and administrative burden. In order to demonstrate that removal of a barrier would constitute an Undue Burden, after considering all resources available from the ADA Access Fund, and any other source of funding identified in this Agreement available for removal of sidewalk barriers, and must be accompanied by a written statement of the reasons for reaching that conclusion. In preparing such a statement, it may consider the usability of the existing facilities.

6.0 ABBREVIATIONS

ADA:	Americans with Disabilities Act
ADAC	ADA Coordinator
ADAPA:	ADA Project Administrator
ADAAG:	ADA Accessibility Guidelines
ADAAAC:	ADA Access Advisory Committee
ADAAAB:	ADA Accessibility Appeals Board
UFAS:	Uniform Federal Access Standards

Sample: Cost Estimate Tables

Three tables will be created: one for curb ramp, one for sidewalks and other for ADA facilities.

TABLE 1

Curb Ramp Program Status Totals

Tables	Location Types	Total Ramps	Cost Per Location	Total Cost Estimate	Comments
New Construction (No Ramp)					
Reconstruction (Non-compliant)					
TOTALS					

TABLE 2

Sidewalks Program Status Totals

Tables	Total Locations	Total Distance	Cost Per Location	Total Cost Estimate	Comments
New Construction (No Sidewalks)					
Reconstruction (Non-compliant)					
TOTALS					

TABLE 3

Other ADA Facilities Program Status Totals

Tables	Type of Improvements	Total Locations	Cost Per Location	Total Cost Estimate	Comments
New Construction					
Reconstruction (Non-compliant)					
TOTALS					

Other ADA devices/facilities within the public right-of-way to be tracked would be:

- Pedestrian push button relocation
- Install raised dome pads for the blind
- Bus stop pad not ADA compliant
- Additional audible devices for the blind
- Additional visual devices for the seeing impaired
- Crosswalk markings/realignment/legends

Sample: Summaries from the City (Access Ramp) Database

TABLE 4
Phase III (Access Ramp) Status by Land Use Area

Land Use Area	Possible Locations[1]	No (Ramp[3])	Non-Compliant (Ramp[4])
Tier 1: Transit Facilities	XXX	XXX	XXX
Tier 2: Public Facilities	XXX	XXX	XXX
Tier3: Public Accommodations	XXX	XXX	XXX
Tier4/5: Other	XXX	XXX	XXX
TOTALS	XXXX	XXXX	XXXX

Notes:

1. Number of Possible Locations by Land Use (Tiers 1-4)
2. Number of ADA Compliant Ramp Locations (Curb Ramps to be Retained by the City) by Land Use (Tier 1-4)
3. Number of No Curb Ramp Locations (Where New Curb Ramps Will be Constructed) by Land Use (Tiers 1-4)
4. Number of Nom-Compliant Ramp Locations (Where Existing Curb Ramps Will be Replaced) by Land Use (Tiers 1-4)

For the above table the same type of statistical summaries can be created for sidewalk, barriers, and other ADA requirements/devices from the City's databases.

TABLE 5
Sample: Field Inventory by Location with Cost Report Table

Location			Deficiency		Correction	Phase I Priority Criteria (H,M,L)			Correction Date	Estimated Cost
Location No.	Location Name	Area	Description	Barrier	Recommended Correction	(1) High Frequency Used	(2) Median Public Access	(3) Low All Other		
1										
2										
3										
4										
5										
6										
7										
8										

*** The above sample tables may be modified to suit the application of the particular date collection set.**

City of City of Moreno Valley
ADA Request for Accommodation

Requestor:

_____
Person Preparing Request

Relationship to Requestor:

_____ _____
(If different from Requestor) (If different from Requestor)

Contact Person
Street Address & Apt. No.: _____

City: _____ State: _____ Zip: _____

Phone: (_____) _____

E-mail:_____
Circle or bold preferred Method of Contact (US Mail, telephone, e-mail, other)
Please do not contact me personally (see contact-person information above).

Please specify any location(s) related to the requested accommodations:
_____
_____
_____

Attachment 1

City of City of Moreno Valley
ADA Complaint / Grievance Form

Complaint/Grievant:

_____
Person Preparing Complaint

Relationship to Grievant:

_____ _____
(If different from Grievant) (If different from Grievant)

Contact Person
Street Address & Apt. No.: _____

City: _____ State: _____ Zip: _____

Phone: (_____) _____

E-mail:_____
Circle or bold preferred Method of Contact (US Mail, telephone, e-mail, other)
Please do not contact me personally (see contact-person information above).

Please specify any location(s) related to the complaint or grievance (if applicable):
_____
_____
_____
_____

Please provide a complete description of the specific complaint or grievance:
_____
_____
_____
_____

Please state what you think should be done to resolve the complaint or grievance:
_____
_____
_____
_____

Attachment 2

Please attach additional pages as needed.

Signature: _____

Date: _____

Return to:

City of Moreno Valley, ADA Coordinator
Risk Management
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805

Upon request, reasonable accommodation will be provided in completing this form or copies of the form will be provided in alternative formats. Contact the ADA Coordinator at the address listed above or via telephone (951) 413-3130.