PUBLIC RIGHT-OF-WAY ACCESSIBILITY TRANSITION PLAN

FOR THE

CITY OF CRYSTAL LAKE

DRAFT FOR PUBLIC COMMENT

2021

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Introduction

In an effort to continuously improve the City of Crystal Lake's (City) existing pedestrian system; this document was prepared in accordance with the Americans with Disabilities Act (ADA) to serve as the Public Right-of-Way Accessibility Transition Plan (Transition Plan) for the City. Included in this document are the results of a self-evaluation that addresses accessibility barriers within City programs, activities and services.

Purpose

The federal legislation known as the American with Disabilities Act (ADA), enacted on July 26, 1990 and later amended effective January 1, 2009, provides comprehensive civil rights protections to qualified persons with disabilities from discrimination on the basis of disability. Title II of the ADA prohibits discrimination in all services, programs, and activities provided to persons with disabilities by State and local governments, including transportation. Local public agencies (LPA) with more than 50 full or part-time employees are required to perform self-evaluations of their current facilities relative to the accessibility requirements of the ADA and then establish a plan to correct any deficiencies. A self-evaluation is also required by Section 504 of the Rehabilitation Act for all entities receiving federal financial assistance, including federal highway aid for transportation projects. The process of self-evaluation for accessibility provides a framework for communities to develop a Transition Plan that identifies barriers, prioritizes actions to address barriers and then sets forth a schedule to implement those actions.

The Transition Plan used to implement compliance must include the following elements:

- Designate officials responsible for implementation;
- Provide public notice and opportunity for public participation;
- Develop a grievance procedure;
- Adopt design standards and guidelines;
- Prepare a self-evaluation;
- Schedule and budget for improvements to achieve compliance; and
- Monitor progress.

This Transition Plan incorporates these elements and provides a method for the City to schedule and implement ADA required improvements to existing pedestrian sidewalks and pathways.

Officials Responsible for Implementation

Local public agencies must designate at least one responsible employee to coordinate ADA compliance for public rights-of-way. This position must be familiar with the local public agencies operation, be properly trained in ADA public right-of-way requirements, and be able to effectively communicate with governmental agencies, advocacy groups and the public. For the duration of the self-evaluation and Transition Plan schedule, the City has designated an ADA Coordinator as the official responsible to oversee implementation of the Transition Plan. Any comments, additions or suggestions about this plan may be directed to the ADA Coordinator as follows:

ADA Coordinator
Nick Hammonds
Assistant to the City Manager
100 W. Woodstock Street
Crystal Lake, IL 60014
(815) 459-2020
nhammonds@crystallake.org

Public Notice

Local public agencies must provide the public an opportunity to provide input on the Transition Plan prior to adoption. The City of Crystal Lake hosted an Open House on September 18, 2017 at City Hall ~~to~~ for the public to submit comments on this Transition Plan. The City will re-open the comment period in the 2021 calendar year through the City's website as the City will be re-evaluating much of the City-owned facilities. The exact dates of the comment period will be announced through the City website, City Newsletter, and social media. Once the inspections and evaluations are complete, the updated Transition Plan Draft will be available for comment~~.~~. A copy of the current ADA transition plan is available on the City website at www.crystallake.org and by request to the ADA Coordinator. Any resident may address their concerns or comments to the ADA Coordinator listed in this document.

Grievance Procedure

This Grievance Procedure is established to meet the requirements of the ADA. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in employment practices and policies or the provision of services, activities, programs, or benefits by the City. The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of the complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than sixty (60) calendar days after the alleged violation to the City's ADA Coordinator.

Within 15 calendar days after receipt of the complaint, the City's ADA Coordinator will contact the complainant to discuss the complaint and possible resolutions via in-person meeting, phone call, or email exchange*. Within 15 calendar days after the discussion, the City's ADA Coordinator will respond in writing, and, where appropriate in a format accessible to the complainant, such as large print, Braille, or audiotape. The response will explain the position of the City and offer options for substantive resolution of the complaint. If the response by the City's ADA Coordinator does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision of the ADA Coordinator within 15 calendar days after receipt of the response to the City Manager or his designee.

Within 15 calendar days after receipt of the appeal, the City Manager or his designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the City Manager or his designee will respond in writing and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by the ADA Coordinator, appeals to the City Manager or his designee, and the responses from the ADA Coordinator and the City Manager or his designee will be kept by the City for at least three years.

*Each grievance involves a unique set of factors which include, but are not limited to: The specific nature of the disability; the essential requirements, benefits to be derived and nature of the service, program or activity at issue; the health and safety of others; and whether or not reasonable accommodations would constitute a fundamental alteration to the program, service or activity, or undue hardship on the City. Accordingly, termination of a grievance at any level, whether through granting of relief or otherwise, shall not constitute a precedent upon any other complaints.

Design Standards and Guidelines

The Department of Justice's revised regulations for Titles II and III of the Americans with Disabilities Act of 1990 (ADA) were published in the Federal Register on September 15, 2010. These regulations adopted revised, enforceable accessibility standards called the 2010 ADA Standards for Accessible Design, "2010 Standards." On March 15, 2012, compliance with the 2010 Standards was required for new construction and alterations under Titles II and III. The Federal Highway Administration and the Illinois Department of Transportation have public right-of-way accessibility design specifications and details, as well. The "Standard Specifications for Road and Bridge Construction in Illinois", current edition and the 2010 ADA Standards for Accessible Design will apply to and govern all proposed improvements for ADA compliance.

- Illinois Department of Transportation Highway Standards Section Title 424 Portland Cement Concrete Sidewalk (Curb Ramps and Detectible Warnings)
- ADA Standards for Accessible Design Section Title 406 Curb Ramps and Title 705 Detectable Warnings

Self-Evaluation

Identifying Barriers

An element of ADA Title II compliance requires the City to examine its facilities, buildings, public areas, services, policies, and practices and the effects thereof to determine whether there are barriers to participation by people with disabilities. For this Transition Plan, this process includes the identification of existing and planned accessible paths of travel for public facilities and programs, as well as evaluation of the buildings and areas themselves, to facilitate prioritization.

For local public agencies with responsibility or authority over streets, roads and walkways, the self-evaluation and Transition Plan must include curb ramps and other pedestrian facilities. Curb ramps, sidewalks, pedestrian signals, and other pedestrian facilities are to be reviewed for compliance with recent design standards. For example, specific items for curb ramps that are to be reviewed include the presence of appropriate detectable warnings, slopes, and level landings.

The City has a two-tiered system to identify and assess barriers in the public right of way:

1. A Preliminary Evaluation of intersections including the curb ramps and adjacent sidewalks.

2. A Detailed Evaluation of intersections, sidewalks and crosswalks within the City's roadway capital improvement plan (CIP). Detailed evaluations will be updated periodically as the City's programs and future roadway capital improvement projects are completed.

Preliminary Evaluation

The preliminary evaluation of curb ramps and sidewalks includes a comprehensive overview of the pedestrian network to determine which intersections are most obviously non-compliant to the current ADA guidelines. The preliminary inventory evaluates the following criteria for curb ramps and adjacent sidewalks:

- Is there a curb opening with a ramp?
- Does the curb ramp have a compliant color contrasting detectable warning?
- Are any obstructions or significant cracks present?
- Does the sidewalk appear to be smooth without grade breaks?
- Is the width of the curb ramp where it meets the asphalt pavement a minimum of 48 inches?
- Is the depth of the upper landing a minimum of 48 inches?
- Is the maximum ramp running slope less than 8.33%?
- Is the maximum ramp cross slope less than 2%?
- Is the upper landing less than 2% in all directions?

The preliminary evaluation was most recently completed in 2014 utilizing an iPad application specifically designed for this type of evaluation. The City will be conducting another preliminary evaluation of all ADA ramps and crossings throughout the City starting in the summer of 2021 with the use of summer interns and an updated iPad application. If the curb ramps or sidewalks do not meet the criteria outlined above, the intersection will be deemed "Non-Compliant". If the item did meet the above criteria it would be deemed "Compliant".

Detailed Evaluation

A very detailed evaluation of existing intersections, crosswalks, sidewalks, pedestrian signals, and other pedestrian facilities is conducted on a project-by-project basis concurrent with the City's capital improvement program including the annual street resurfacing program and other stand-alone capital improvement projects. A detailed evaluation requires the measurement of specific physical attributes of the item in question such as width, running slope and gaps. Mechanical elements for signalized intersections will also be measured to determine compliance to the identified ADA barriers.

Non-conforming accessibility issues discovered through the detailed evaluation will be addressed as part of the capital improvement project.

Facility, Building, and Public Area Evaluation

The preliminary evaluation of facilities, buildings, and public areas will include a comprehensive overview of the sites owned by the City to identify any non-compliant elements to the current ADA guidelines. The preliminary site evaluation will include, but is not limited to, inspection of the following

items:

- Accessible parking
- Door widths and entrances
- Heights and styles of railings, doorknobs, counters, etc,
- Ramps, elevators, and stairways, when applicable
- Horizontal and vertical clearances, protruding objects, and maneuvering clear zones.

The preliminary evaluation of City-owned buildings and public areas will begin in 2021 and a summary of the evaluation to date will be included in the updated ADA Transition Plan once completed.

Addressing Barriers

The City utilizes many different approaches in removing barriers in the public right-of-way, including proactively identifying and eliminating the barrier, responding to public grievances and ensuring the appropriate design and build-out of new construction.

Reasonable Accommodation Request

The City will attempt to provide relief to public right-of-way where a disabled person has requested help.

Prioritization

The City bases barrier removal on a number of factors including: location, condition, priority ranking, cost effectiveness and any other pertinent considerations of the removal.
The City has identified location priority as follows:

1. Citizen request/complaint
2. Identified in roadway capital improvement plan
3. Serving government or public school facilities
4. Serving the downtown business district and train stations
5. Serving other areas

Existing Conditions for Curb Ramps

Repairs to intersections will be dependent upon the annual budget, the streets selected for the annual resurfacing program and capital improvement program projects. In addition to locations that fall within the annual resurfacing program and/or a capital improvement project, the City also makes an effort to update 8-12 additional sidewalk ramps in areas deemed to be high priority areas, depending on construction budgets. Due to the limited funds available for sidewalk replacement, repairs for compliance may be grouped with geographic location in order to maximize the use of potential funds.

Throughout the City's sidewalk ramp network there exists locations where the sidewalk ramp leads to an existing driveway or to a location where a new curb ramp cannot be installed due to existing mature trees or utility structures. During the annual resurfacing program or capital improvement program project these existing sidewalk ramps are removed if there is no safe alternate location.

Construction Costs and Schedule

The estimated cost to correct the potentially non-compliant sidewalk ramps identified in the 2014 self-evaluation is approximately $2.50 million. However, with re-evaluation taking place in 2021, this cost estimate will be updated in future version of the Transition Plan.

Costs were based upon an average of the bid tabulations from recent sidewalk ramp repairs. Estimated work included all intersections marked as “non-compliant” and assumed the full removal and replacement of the sidewalk ramp. A 20% adjustment factor was added to the cost to account for additional contingency work and any engineering costs.

The estimated cost for updates to City-owned facilities, buildings, and public areas will be generated after the inspections that are to take place in 2021.

Schedule

The City will make reasonable efforts to improve the accessibility of pedestrian facilities in the public right-of-way through its annual resurfacing program and annual capital improvement projects. Compliance is required to the extent practicable within the scope of a project. As funds allow, special projects with funding specifically for ADA compliance or pedestrian improvements can be considered.

Over the past 7 years, the City has brought an average of 140 ramps up to compliance per year. At this current rate, the City anticipates that all ramps will be complaint in 16 years, or by the year 2037 assuming the annual resurfacing budget remains comparable to the current amount.

The schedule for bringing all of the City-owned facilities up to compliance will be generated after the updated inspection and evaluation that will take place in 2021.

There will be times when it is technically infeasible to provide compliance due to the physical and topographic limitations of an area. The inventory process may not account for such situations. The City will make efforts to select areas with high priority and solvability where feasible before moving to lower priorities.

Additionally, given the breadth of the program and the size of the City’s pedestrian network, the City will follow the concept of Program Access under Title II of the ADA. Program Access does not necessarily require a public entity to make each of its existing facilities accessible to and usable by individuals with disabilities, as long as the program as a whole is accessible. The City may choose to not install a sidewalk at some locations or may choose to lower their priority if a reasonable path of travel is available even without a sidewalk.

Monitor Progress

In order to be effective, the Transition Plan needs to be utilized in planning and funding decisions. Therefore, it is important to update the Transition Plan regularly to reflect changes in real world conditions and to address any possible new areas of non-compliance. Regular updates will also result in monitoring compliance and the effectiveness of priorities set in the plan itself. The City is committed to acting on the guidelines set forth in this document and also to actively revising and amending the Plan as progress is made.