



Americans with Disabilities Act Right-of-Way Transition Plan

This document has been developed in accordance with Federal requirements outlined in Section 504 of the Rehabilitation Act of 1973 and Title II of the American with Disability Act to inform the public on the progress the City of Sarasota is making towards compliance, updating policies, and defining the City's continued commitment towards improving the quality of life of every residents.



1. Introduction & Background

The Americans with Disabilities Act (ADA) Right-of-Way Transition Plan establishes the City of Sarasota's ongoing commitment to providing equal access to all its public programs, services and activities for persons with disabilities. The City's first developed a Transition Plan in 2015 and since has outline a plan for meeting specific goals. The City has long thrived to meet ADA regulation not only in the public right-of-way but within its municipality buildings, public parks, recreation area. The Public Works Department has also implemented ADA review process into its Capital Improvement Projects (CIPS). To develop this plan, the City of Sarasota is undertaking a comprehensive evaluation of its facilities and programs to determine what types of access barriers exist for individuals with disabilities. This specific update is primarily focused on ADA accessibility along City rights-of way, but also captures other areas in which the City is focusing on full ADA compliance. The ADA Transition Plan process recognizes that full ADA compliance requires vigilant attention to the evolving nature of City programs, facilities, and infrastructure, standards for accessibility, technology, and perspectives on human disability. Regular review and updates to a City's compliance plan form the City's commitment to continual review, adaptation, planning, and financial commitment towards subsequent annual updates will track progress on right-of-way access, but will also include continued identification of previously unrecognized access barriers

1.1 Introduction to the ADA

The ADA, enacted on July 26, 1990, provides comprehensive civil rights protections to persons with disabilities in the areas of employment, state and local government services, and access to public accommodations, transportation and telecommunications. The ADA is companion civil rights legislation with the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973. This legislation mandates that qualified disabled individuals shall not be excluded from participation in, denied the benefit of, or be subjected to discrimination under any program or activity. The Act also protects employees with disabilities, with certain protections and requires employers to make reasonable accommodation for applicants and employees with disabilities.

Persons Protected under the ADA

In the ADA, the term disability means, with respect to an individual:

- (1) A physical or mental impairment that substantially limits one or more of the major life activities of such individual;
- (2) A record of such an impairment; or
- (3) Being regarded as having such an impairment.

If an individual meets any one of these three tests, that person is an individual with a disability for purposes of coverage under the ADA.

Under Title II, it prohibits state and local governments from discriminating against persons with disabilities or from excluding participation in or denying benefits of programs, services or activities to persons with disabilities. It is under this Title that this ADA Transition Plan has been prepared. The ADA Transition Plan is intended to outline the methods by which physical or structural changes will be made to affect the nondiscrimination policies described in Title II.

The administrative requirements contained in Title II that apply to the City are:

- Designation of an ADA Coordinator responsible for overseeing Title II compliance;
- Development of an ADA grievance/complaint procedure;
- Completion of a self-evaluation of facilities, programs and services; and
- Development of a transition plan if the self-evaluation identifies any accessibility deficiencies

1.2 Background

This initial plan introduces a path for the City to self-evaluate and form a transition plan that its departments will revise during Public Works and Utilities projects and will be used to help guide future planning and implementation of necessary accessibility improvements. The City will update the plan annually and present



to the City Commissioners and the Citizens with Disability Board for review and approval during budgeting period.



2. Notice of the City of Sarasota Policy

The City of Sarasota is committed to becoming the safest, most business and family friendly city providing safe pedestrian access to its many amenities. Fair and humane treatment of everyone, especially those with disabilities, is reflective of our character as a city and community.

Preventable access barriers to city services, programs, activities, or employment for disabled persons present an unwelcoming and unprofessional impression, and limit the city's potential and sense of community.

In accordance with the requirements of title II of the Americans with Disabilities Act of 1990 ("ADA"), the City of Sarasota will not discriminate against qualified individuals with disabilities based on disability in its services, programs, or activities.

Effective Communication: The City of Sarasota will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City of Sarasota's programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: The City of Sarasota will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all its programs, services, and activities. For example, individuals with service animals are welcomed in offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the City of Sarasota, should contact the office of the ADA Coordinator, as soon as possible but no later than 48 hours before the scheduled event. The ADA request form, found here and on the City of Sarasota website, may be used for this purpose.

Additionally, requestors may directly communicate their request with the city department organizing the event, or, for all City Council meetings and public hearings, the City Clerk's office.

The City of Sarasota will not place a surcharge on an individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

The ADA does not require the City of Sarasota to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

Guideline Standards: The City of Sarasota adopts the ADA Accessibility Guidelines (ADAAG) (2010) for use in evaluating and remedying barriers to accessibility in existing facilities and in construction of new facilities where services, programs and activities will be provided to the public. The City of Sarasota adopts the proposed ADA Public Right-of-Way Accessibility Guidelines (PROWAG) (2011) for use in evaluating and remedying barriers to accessibility in public rights-of-way.

Complaints that a program, service, or activity of the City of Sarasota is not accessible to persons with disabilities should be directed to the city's ADA Coordinator via the form linked to the City of Sarasota web page or directly to:

Stacie L. Mason, SPHR, SHRM-SCP
Human Resources Department
Ste 204, 111 S Orange Ave
Sarasota, FL 34236
Ph :941-951-3634 Ext : 3744
Fax : 941-951-3636
Stacie.mason@sarasotagov.com



3. Implementation Progress

The City has made substantial progress towards ADA compliance since 2014 by allocating funding and designing projects to address ADA accessibility. The Public Works Department, through its Annual Road Resurfacing Program, Capital Improvement Projects of road reconstruction, street beautification, and intersections retrofits, has diligently review plans and implement considerable changes to adhere to ADA standard for ramp and pedestrian signalization.

Additionally, the Public Works Department has completed a Citywide Sidewalk Connectivity Plan since March 2016 that will address missing sections and segments of sidewalk, so pedestrians can have a continuous and safe path to their destination

3.1 Programs and Ordinances:

To fund those various ADA projects that are mostly intersection ramp improvements, the City has incorporated a new project number: L-O-S 001809 Intersection Improvements described as “installation of ADA Ramps and pedestrian signals at various locations within the City, as required for street improvements”.

3.2 Right of Way Infrastructures:

The City has recently engaged in a steady pace of Signalized Intersection (SI) and Non-Signalized Intersection (NSI) improvement projects due to Capital Improvement, streetscapes, annual resurfacing project warranting the need to construct new ADA ramp access and retrofit, where necessary, outdated pedestrian signalization infrastructures such as new pedestrian pole or relocation, new push button, new signal-head or relocation, new signal timing design or adjustment, traffic loop inductor relocation or adjustment, etc. Below is a partial list of awarded contracts to design and construction new sidewalk, signalized and non-signalized intersection improving walkability and accessibility of pedestrian while complying to the most recent ADA standards for NSI and SI intersections.



4. Plan to Achieve Right of Way Compliance

The City of Sarasota has committed to a defined program of annual capital investment in public infrastructure and facilities. Additionally, the City has committed renewed emphasis on long range planning and coordinated design of public spaces to incorporate accessibility needs for all of the city's citizens and visitors.

The City's Capital Improvement Program (CIP) is especially well-suited to incorporate the inventory findings and annual commitment by the City to remediate non-compliant sidewalks, curb ramps, and other public accesses located in the rights-of-way.

The City is completing the City-wide sidewalk repair work in the CIP in the form of annual time and material contracts with specific repair locations prioritized and directed by the City Engineer. The City Engineer will incorporate the inventory report of the MPO contractor into his prioritization of repair work to assign the sidewalk contractors. The work will be prioritized by geographical "Division"-type, and then further sorted into "Tiers". The Divisions rank the deficiencies based on the type of location usage while the Tiers address the elements by condition and quality.

4.1 Divisions

The City will separate the work to be completed into divisions based on the location. The Divisions are grouped based on the pedestrian use of the roadways. The Divisions are as follows:

- Division 1- High Use Pedestrian Areas – The areas that would be included in this Division would be near government owned buildings, schools, hospitals, etc.
- Division 2- Citizen Complaints or Request.
- Division 3- Functionally Classified Roadways – Functionally Classified Roadways are roadways that are designated as arterials and collectors that are eligible for federal funding through the MPO or the Alabama Department of Transportation.
- Division 4- Local Roadways – Local roadways would include all other roadways that are not included in the other divisions and would include subdivisions and industrial areas.

4.2 Tiers

The work will be divided into two Tiers: barriers and curb ramps. The priority will be to address the insufficient curb ramps to allow disabled individuals to access the services and facilities offered by the City. After and during the installation/repair of the curb ramps, barriers shall be corrected or removed.

The City's public right-of-way sidewalk network can only be made accessible with the installation and retrofitting of curb and ramps. Therefore, compliant curb and ramps will be installed at all locations where they are necessary. Existing ramps not meeting current ADA standards set forth in the current PROWAG shall be retrofitted or replaced.

To obtain the level of accessibility desired, the removal of barriers is essential to providing access to specific elements under the jurisdiction of the City. Barriers will include any physical obstructions, damaged sidewalk, and non-compliant sidewalk that prevents any individual from accessing walkways serving the City's facilities. ADA barriers may be due to broken or displaced sidewalks, or they may arise to improper slopes due to improper initial placement of the sidewalk, or, frequently, due to the improper slope of a driveway that intersects the sidewalk. Additionally, ADA barriers may exist if the sidewalk is not the appropriate width required by the ADA guidelines.

Barriers due to broken or displaced sidewalks will be given priority over sidewalks that are in good repair but are non-compliant exclusively due to slope or width deficiencies.

4.3 Schedule to repair or replace.

The City Capital Improvement Program will be the primary mechanism for the City to reach ADA compliance for sidewalks and curb ramps. City Public Works crews will make emergency repairs, but the bulk of the planned



work identified by this inventory will be completed by approved contractors. It is anticipated that majority of the City's accessibility deficiencies are due to:

- a) Outdated design and infrastructures
- b) Complete absence of curb ramps
- c) Presence of major barriers such lack of dedicated right-of-way, above and below ground utilities, trees, etc.
- d) Discontinued access due to missing sidewalk or other public services

The City will continue to pursue other funding sources outside of internal capital funds to complement programmed work and to expedite public access compliance. Depending on the extent of the accessibility requirements and impacts, an improvement may be programmed for completion within or beyond 5 years.

Width and slope deficiencies will be addressed as higher priority repair work is accomplished. It is anticipated that no specific work will be targeted where the only deficiency in the sidewalk is an intervening improper driveway slope, absent other factors to merit specific attention. This type of deficiency will be addressed prospectively in new development construction inspection and permitting.

In summary, the City is committed to:

- A. continue to repair or modify curb ramps and sidewalks annually until the City is ADA Compliant. The City will repair or modify non-compliant curb ramps when roadways are altered through resurfacing as indicated by the Department of Justice/Department of Transportation Joint Technical Assistance.
- B. continue to pursue grants that are available to repair or replace non-compliant curb ramps and sidewalk segments.
- C. require private developments to install, improve, or implement accessible facilities within the right-of-way as allowed under the current City Codes.
- D. required utility companies to install new curb ramp and sidewalk when they excavate under existing sidewalks and ramps.



5. Plan Approval

This Transition Plan is a commitment to the citizens of this great City of Sarasota to make our community one of the safest, most business and family-friendly cities in the United States by aggressively addressing the needs of the disabled. This Plan can only succeed through public collaboration, strategic vision, and financial stewardship. Our intention is to also provide an annual revision to track our progress.

If you have any questions or comments, do hesitate to contact the City of Sarasota ADA coordinator.



6. Enclosure A: ADA ROW RELATED PROJECTS LIST

Attached list reflects smaller and Capital Improvement Projects partially and/or exclusively to the public right-of-way to meet ADA guidelines. Those projects may be planned or constructed by different agencies, departments, or entities with the City of Sarasota limits in a 5 Fiscal Year projection.