



## Board Report

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**File #:** 19-0623, **Version:** 1

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- a. Receive a Status Report on the Americans with Disabilities Act Transition Plan;
- b. Support a recommendation to the Board to add an Americans with Disabilities Act Transition Plan Update for County Parks Facilities Project to the RMA Fiscal Year 2019-20 capital work program, pending consideration by the Budget Committee regarding funding.

**RECOMMENDATION:**

It is recommended that the Capital Improvement Committee:

- a. Receive a Status Report on Americans with Disability Act (ADA) Transition Plan;
- b. Support a recommendation to the Board to add an Americans with Disabilities Act Transition Plan Update for County Parks Facilities Project to the RMA Fiscal Year 2019-20 capital work program Five-Year Capital Improvement Plan, pending consideration by the Budget Committee regarding funding

**SUMMARY:**

In 2013, the County of Monterey RMA-Facilities Division conducted an Americans with Disabilities Act (ADA) Transition Plan Update (Plan Update) for selected County facilities. This Plan Update was limited to a budget of \$100,000 and excluded County Parks facilities. It did include, however, a limited narrative-based assessment of Toro Park to address accessibility issues that were likely common to most County Parks facilities.

In June 2019, a County reorganization placed County Parks under the Resource Management Agency (RMA). Shortly thereafter, RMA conducted an administrative review of County Parks' policies and practices. This review revealed that a comprehensive ADA Plan Update had not been completed for all County Parks' facilities.

To comply with the American with Disabilities Act of 1990 Title II-Public Services (hereafter referenced as Title II of the ADA), RMA proposes to procure consultant services to conduct assessments of the nine (9) County Parks, at an estimated project cost of \$403,513. The assessments would include, but not be limited to: tent camping areas, RV camping areas, rifle ranges, nature trails, picnic areas, playgrounds, museums, sports courts and fields, boat launches, restrooms, showers, rental lodges, and motor raceways with associated facilities.

Upon identifying the need to update the ADA Plan to include County Parks Facilities, the RMA placed the Facility Security Assessment Project approved in Fiscal Year (FY) 2018-19 for \$130,000 on hold. The ADA Plan Update for County Parks Facilities Project (Project), and associated costs, was not included in the 2020-24 Five-Year Capital Improvement Program (CIP), so it was not considered for funding in the RMA's FY 2019-20 Adopted Budget. Staff requests that the Capital Improvement Committee (CIC) receive a report on the status of the ADA Transition Plan and support the RMA's recommendation to the Board of Supervisors to add the Project to the RMA FY 2019-20 capital work program, pending consideration by the Budget Committee regarding funding for the project.

**DISCUSSION:**

Development of an ADA Transition Plan is a requirement of the federal regulations implementing the Rehabilitation Act of 1973, which requires that all organizations receiving federal funds make their programs available without discrimination toward people with disabilities. The Rehabilitation Act of 1973, which has become known as the "civil rights act" of persons with disabilities, states that:

No otherwise qualified handicapped individual in the United States shall, solely by reason of handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. (Section 504)

Subsequent to the enactment of the Rehabilitation Act of 1973, Congress passed the Americans with Disabilities Act (ADA) on July 26, 1990. Title II of the ADA provides that public entities must identify and evaluate all programs, activities, and services and review all policies, practices, and procedures that govern administration of the entity's programs, activities, and services.

In 1993, the County of Monterey conducted a physical audit of County facilities to identify facility barriers and develop recommendations for alterations to meet state and federal accessibility standards. The facilities surveyed included:

1. Courthouses
2. Social Services
3. East Laurel Facility
4. Public Health and Administration
5. Libraries
6. Probation
7. Agricultural Commissioner
8. Adult Detention Facilities
9. Telecommunications Services
10. Parks Department
11. Natividad Medical Center

In 2013, the RMA-Facilities Division conducted an ADA Plan Update for selected County facilities listed below:

1. Monterey County Animal Services Center
2. Department of Health, Public Guardian
3. Superior Court of California - Monterey
4. Superior Court of California - King City
5. Social & Employment Services-Seaside District office
6. Castroville Public Library
7. County of Monterey Administrative Center
8. East & West Wing Courthouse Building
9. District Attorney & Public Defender
10. Adult Rehabilitation Facility
11. Probation Department - Juvenile Center
12. Agricultural Commissioner - Administration Co-op Extension
13. Probation Department - Administration & Adult Services
14. Juvenile Court/Administration

15. County Library - Marina
16. **Toro County Park** (limited observation and summary)
17. County Corporation Yard-East Laurel Facility

Following the June 2019 County reorganization that placed County Parks under the Resource Management Agency (RMA), RMA conducted an administrative review of County Parks' policies and practices. The review revealed that an ADA Plan Update had not been completed for County Parks Facilities beyond a limited observation and narrative summary completed for Toro Park.

To comply with Title II of the ADA for County Parks Facilities, RMA proposes to procure consultant services to conduct ADA Architectural Barriers Act (ABA) assessments for the nine County Parks:

1. Nacimiento Park
2. Jacks' Peak Park
3. Laguna Seca
4. Manzanita Park
5. Royal Oaks Park
6. San Antonio Lake Park-North Shore
7. San Antonio Lake Park-South Shore
8. San Lorenzo Park
9. Toro Park

The ADA Plan Update for County Parks Facilities Project will include:

1. Individual site evaluations using various applicable codes, standards, and regulations.
2. Individual reports for each park facility, including photographs and a narrative description of identified deficiencies with code references, itemized corrective recommendations, and associated costs.
3. Assessment data will be provided to the County in a format that will allow for easy incorporation into the County ADA transition plan.

Total Project cost is estimated at \$403,513 to conduct assessments of County Parks Facilities including, but not limited to: tent camping areas, RV camping areas, rifle ranges, nature trails, picnic areas, playgrounds, museums, sports courts and fields, boat launches, restrooms, showers, rental lodges, and motor raceways with associated facilities.

ADA/ABA Reports for Nine (9) County Parks	\$383,513
County Project Management Oversight:	\$ <u>20,000</u>
Total Project Costs	\$403,513

This Project, and associated costs, was not included in the FY 2020-24 Five-Year CIP, so it was not considered for a funding allocation by the Board of Supervisors.

Staff recommends that the Capital Improvement Committee receive a report on the status of the ADA Transition Plan and support RMA's recommendation to the Board of Supervisors to add the ADA Plan Update for County Parks Facilities Project to the RMA FY 2019-20 capital work program, pending consideration by the Budget

Committee regarding funding.

OTHER AGENCY INVOLVEMENT:

This report was reviewed by the Office of the County Counsel-Risk Management and County Administrative Office and is scheduled to be presented to the Budget Committee on August 28, 2019.

FINANCING:

When the need for the ADA Plan Update for County Parks Facilities was identified, an approved Parks Facility Security Assessment Project was placed on hold to focus on developing a scope of work for the Plan Update for County Parks Facilities Project. The FY 2018-19 Adopted Budget for Fund 401, RMA004, included \$130,000 in funding toward the Parks Facility Security Assessment. At the time the Security Assessment project was placed on hold, \$5,024 of its allocated funding had been expended. Staff will recommend to the Budget Committee that the remaining funds, \$124,976, be reassigned toward the ADA Plan Update for County Parks Facilities Project, as well as funding considerations for the remaining \$278,537 to complete the project.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The Plan Update provides recommendations regarding improvements for accessibility and health and safety of County facilities. Provision of adequate County facilities and infrastructure increases accessibility and safety, enhances the work environment for County staff and accommodations for occupants, and improves the quality of life for County residents while supporting economic development.

- X Economic Development
- X Administration
- X Health & Human Services
- X Infrastructure
- X Public Safety

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