

# ADA TRANSITION PLAN

## PUBLIC RIGHT OF WAY



April 1, 2019

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# Introduction

## Transition Plan Need and Purpose

The Americans with Disabilities Act (ADA), enacted on July 26, 1990, is a civil rights law prohibiting discrimination against individuals on the basis of disability. ADA consists of five titles outlining protections in the following areas:

1. Employment
2. State and local government services
3. Public accommodations
4. Telecommunications
5. Miscellaneous Provisions

Title II of ADA pertains to the programs, activities and services public entities provide. As a provider of public transportation services and programs, the City of Hastings must comply with this section of the Act as it specifically applies to public service agencies. Title II of ADA provides that, "...no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity." ([42 USC. Sec. 12132](#); [28 CFR. Sec. 35.130](#))

As required by Title II of [ADA, 28 CFR. Part 35 Sec. 35.105 and Sec. 35.150](#), the City of Hastings has conducted a self-evaluation of its facilities within public rights of way and has developed this Transition Plan detailing how the organization will ensure that all of those facilities are accessible to all individuals. This document serves as a supplement to the City of Hastings Transition Plan covering buildings, services, programs and activities.

## ADA and its Relationship to Other Laws

Title II of ADA is companion legislation to two previous federal statutes and regulations: the [Architectural Barriers Acts of 1968](#) and [Section 504 of the Rehabilitation Act](#) of 1973.

The Architectural Barriers Act of 1968 is a Federal law that requires facilities designed, built, altered or leased with Federal funds to be accessible. The Architectural Barriers Act marks one of the first efforts to ensure access to the built environment.

Section 504 of the Rehabilitation Act of 1973 is a Federal law that protects qualified individuals from discrimination based on their disability. The nondiscrimination requirements of the law apply to employers and organizations that receive financial assistance from any Federal department or agency. Title II of ADA extended this coverage to all state and local government entities, regardless of whether they receive federal funding or not.

## Agency Requirements

Under Title II, City of Hastings must meet these general requirements:

- Must operate their programs so that, when viewed in their entirety, the programs are accessible to and useable by individuals with disabilities ([28 C.F.R. Sec. 35.150](#)).
- May not refuse to allow a person with a disability to participate in a service, program or activity simply because the person has a disability ([28 C.F.R. Sec. 35.130 \(a\)](#)).
- Must make reasonable modifications in policies, practices and procedures that deny equal access to individuals with disabilities unless a fundamental alteration in the program would result ([28 C.F.R. Sec. 35.130\(b\) \(7\)](#)).
- May not provide services or benefits to individuals with disabilities through programs that are separate or different unless the separate or different measures are necessary to ensure that benefits and services are equally effective ([28 C.F.R. Sec. 35.130\(b\)\(iv\) & \(d\)](#)).
- Must take appropriate steps to ensure that communications with applicants, participants and members of the public with disabilities are as effective as communications with others ([29 C.F.R. Sec. 35.160\(a\)](#)).
- Must designate at least one responsible employee to coordinate ADA compliance [[28 CFR Sec. 35.107\(a\)](#)]. This person is often referred to as the "ADA Coordinator." The public entity must provide the ADA coordinator's name, office address, and telephone number to all interested individuals [[28 CFR Sec. 35.107\(a\)](#)].
- Must provide notice of ADA requirements. All public entities, regardless of size, must provide information about the rights and protections of Title II to applicants, participants, beneficiaries, employees, and other interested persons [[28 CFR Sec. 35.106](#)]. The notice must include the identification of the employee serving as the ADA coordinator and must provide this information on an ongoing basis [[28 CFR Sec. 104.8\(a\)](#)].
- Must establish a grievance procedure. Public entities must adopt and publish grievance procedures providing for prompt and equitable resolution of complaints [[28 CFR Sec. 35.107\(b\)](#)]. This requirement provides for a timely resolution of all problems or conflicts related to ADA compliance before they escalate to litigation and/or the federal complaint process.

**This document has been created to specifically cover accessibility within the public rights of way and does not include information on City of Hastings programs, practices, or building facilities not related to public rights of way.**

## Self-Evaluation

### Overview

The City of Hastings is required, under Title II of the Americans with Disabilities Act (ADA) and 28CFR35.105, to perform a self-evaluation of its current transportation infrastructure policies, practices, and programs. This self-evaluation will identify what policies and practices impact accessibility and examine how the City of Hastings implements these policies. The goal of the self-evaluation is to verify that, in implementing the City of Hastings policies and practices, the department is providing accessibility and not adversely affecting the full participation of individuals with disabilities.

The self-evaluation also examines the condition of the City of Hastings Pedestrian Circulation Route/Pedestrian Access Route) (PCR/PAR) and identifies potential need for PCR/PAR infrastructure improvements. This will include the sidewalks and curb ramps that are located within the City of Hastings rights of way and bicycle/pedestrian trails and parking lots located on public property. Any barriers to accessibility identified in the self-evaluation and the remedy to the identified barrier are set out in this transition plan.

### Summary

In the summer of 2018 the City of Hastings conducted an inventory of pedestrian facilities within its public right of way consisting of the evaluation of the following facilities:

- 46 miles of sidewalks
- 1,103 pedestrian ramps
- 29 miles of trails
- 10 traffic control signals
- 32 public parking lots

A detailed evaluation on how these facilities relate to ADA standards is found in Appendix C and will be updated periodically.

### ADA Coordinator

In accordance with 28 CFR 35.107(a), the City of Hastings has identified a Public Right of Way Implementation Coordinator to oversee the Hastings policies and procedures. Contact information for this individual is located in Appendix B.

## Policies and Practices

### Previous Practices

Since the adoption of the ADA, the City of Hastings has striven to provide accessible pedestrian features as part of the city's capital improvement projects such as street reconstruction projects and mill and overlay projects. Recently, additional information was made available as to the methods of providing accessible pedestrian features. The City of Hastings updated their procedures to accommodate these methods. This increased exposure to training improved the City of Hastings ability to understand available options and to explore the feasibility of implementing accessibility improvements. This information also assisted in providing guidance for developing transition plans.

### Policy

The City of Hastings goal is to continue to provide accessible pedestrian transportation facilities as part of the City of Hastings capital improvement projects. The City of Hastings has established ADA design standards and procedures as listed in Appendix D. These standards and procedures will be kept up to date with nationwide and local best management practices.

The City of Hastings will consider and respond to all accessibility improvement requests. Requests for accessibility improvements can be submitted to the City of Hastings, see contact information in Appendix B. All accessibility improvements that have been deemed reasonable will be scheduled consistent with transportation priorities. The City of Hastings will coordinate with external agencies to ensure that all new or altered pedestrian facilities within the City of Hastings jurisdiction are ADA compliant to the maximum extent feasible.

The City of Hastings has set forth the following schedule goals for improving the accessibility of its pedestrian facilities within the City jurisdiction. Please note, Rating 1 is fully complaint...Rating 5 is fully non-compliant.

1. Improve pedestrian ramps and sidewalks within annual reconstruction project for all pedestrian ramps rated as a 3, 4 or 5 and for all deficient sidewalk segments. And, evaluate benefit versus cost for ramps rating 2.
2. Improve pedestrian ramps within annual mill and overlay project for all pedestrian ramps rated as a 3, 4, or 5. And, evaluate benefit versus cost for ramps rating 2.
3. Annually re-inspect pedestrian ramps and sidewalk system for reconstruction project, mill and overlay project and new development where upgrades were made.
4. Re-evaluate City's entire pedestrian ramp, sidewalk, trail and parking lot system once every five years.
5. Provide budget request for funding to create a stand-alone project to improve the most poorly rated pedestrian ramps, sidewalks, trails and parking lots not listed on the five year capital improvement plan.

# Improvement Schedule

## Priority Areas

City of Hastings has identified specific locations as priority areas for planned accessibility improvement projects. These areas include:

1. Areas adjacent to reconstruction projects and mill and overlay projects.
2. Pedestrian ramps with low ratings and sidewalk with access limiting deficiencies.
3. Areas with highest pedestrian ADT
4. Areas with highest probability of need (parking lots and trails, and those identified by advocacy groups using these transportation systems, Chamber of Commerce, and other civic or governmental organizations)
5. Areas of public comment meeting the above criteria.

Additional priority will be given to any location where an improvement project or alteration was constructed after January 26, 1991, and accessibility features were omitted.

## External Agency Coordination

Many other agencies are responsible for pedestrian facilities within the jurisdiction of the City of Hastings. The City of Hastings will coordinate with those agencies to track and assist in the facilitation of the elimination of accessibility barriers along their routes.

## Schedule

The City of Hastings has set the following schedule goals for improving the accessibility of its pedestrian facilities within the City of Hastings jurisdiction:

1. The combined street reconstruction projects and mill and overlay projects run a current pace of approximately 3.0 miles per year. With 100 miles of streets in Hastings, the current pace to reconstruct and mill and overlay will reach every street, pedestrian ramp, and sidewalk in approximately 30 years.
2. An additional stand-alone project may be added if funding is available through an approved budget request through City Council for pedestrian ramps and sidewalks. Additional funding will reduce the timeline with amount dependent on size of project approved. Currently, ordinance deems property owners responsible for upgrading deficient sidewalk segments on their property.
3. An additional stand-alone project may be added if funding is available through an approved budget request through City Council for trails and parking lots. Additional funding will reduce the timeline with amount dependent on size of project approved.

## **Implementation Schedule**

### **Methodology**

The City of Hastings will utilize two methods for upgrading pedestrian facilities to the current ADA standards. The first and most comprehensive of the two methods are the scheduled street reconstruction projects and mill and overlay projects. All pedestrian facilities impacted by these projects will be upgraded to current ADA accessibility standards. The second method is the stand alone sidewalk and ADA accessibility improvement project. These projects will be incorporated into the Capital Improvement Program (CIP) on a case by case basis as determined by the City of Hastings staff as approved through stand-alone budgetary requests through the City Council. The City of Hastings CIP, which includes a detailed schedule and budget for specific improvements, is included in Appendix E.

### **Public Outreach**

The City of Hastings recognizes that public participation is an important component in the development of this document. Input from the community has been gathered and used to help define priority areas for improvements within the jurisdiction of the City of Hastings.

Materials for public outreach activities are included in Appendix F. Public outreach for the creation of this document consisted of the following activities:

1. Comments at a public meeting
2. The City of Hastings ADA Public Right of Way Implementation Coordinator will continue to be available for questions or discussion.

### **Grievance Procedure**

Under the Americans with Disabilities Act, each agency is required to publish its responsibilities in regards to the ADA. A draft of this public notice is provided in Appendix G. If users of the City of Hastings facilities and services believe the City of Hastings has not provided reasonable accommodation, they have the right to file a grievance.

In accordance with 28 CFR 35.107(b), the City of Hastings has developed a grievance procedure for the purpose of the prompt and equitable resolution of citizens' complaints, concerns, comments, and other grievances. This grievance procedure is outlined in Appendix H.



## **Monitor the Progress**

This document will continue to be updated as conditions within the City of Hastings evolve. With each main body update, a public comment period will be established to continue the public outreach.

## **Appendices**

**A. Glossary of Terms**

**B. ADA Coordinator**

**C. Self Evaluation**

**D. Agency ADA Design Standards and Procedures**

**E. Cost Information**

**F. Public Outreach Materials**

**G. Public Notice**

**H. Grievance Procedure & Form**

## Appendix A – Glossary of Terms

**ABA:** See Architectural Barriers Act.

**ADA:** See Americans with Disabilities Act.

**ADA Transition Plan:** Mn/DOT's transportation system plan that identifies accessibility needs, the process to fully integrate accessibility improvements into the Statewide Transportation Improvement Program (STIP), and ensures all transportation facilities, services, programs, and activities are accessible to all individuals.

**ADAAG:** See Americans with Disabilities Act Accessibility Guidelines.

**Accessible:** A facility that provides access to people with disabilities using the design requirements of the ADA.

**Accessible Pedestrian Signal (APS):** A device that communicates information about the WALK phase in audible and vibrotactile formats.

**Alteration:** A change to a facility in the public right-of-way that affects or could affect access, circulation, or use. An alteration must not decrease or have the effect of decreasing the accessibility of a facility or an accessible connection to an adjacent building or site.

**Americans with Disabilities Act (ADA):** The Americans with Disabilities Act; Civil rights legislation passed in 1990 and effective July 1992. The ADA sets design guidelines for accessibility to public facilities, including sidewalks and trails, by individuals with disabilities.

**Americans with Disabilities Act Accessibility Guidelines (ADAAG):** contains scoping and technical requirements for accessibility to buildings and public facilities by individuals with disabilities under the Americans with Disabilities Act (ADA) of 1990.

**APS:** See Accessible Pedestrian Signal.

**Architectural Barriers Act (ABA):** Federal law that requires facilities designed, built, altered or leased with Federal funds to be accessible. The Architectural Barriers Act marks one of the first efforts to ensure access to the built environment.

**Capital Improvement Program (CIP):** The CIP for the Transportation Department includes an annual capital budget and a five-year plan for funding the new construction and reconstruction projects on the county's transportation system.

**Detectable Warning:** A surface feature of truncated domes, built in or applied to the walking surface to indicate an upcoming change from pedestrian to vehicular way.

**DOJ:** See United States Department of Justice

**Federal Highway Administration (FHWA):** A branch of the US Department of Transportation that administers the federal-aid Highway Program, providing financial assistance to states to construct and improve highways, urban and rural roads, and bridges.

**FHWA:** See Federal Highway Administration

**Pedestrian Access Route (PAR):** A continuous and unobstructed walkway within a pedestrian circulation path that provides accessibility.

**Pedestrian Circulation Route (PCR):** A prepared exterior or interior way of passage provided for pedestrian travel.

**PROWAG:** An acronym for the *Guidelines for Accessible Public Rights-of-Way* issued in 2005 by the U. S. Access Board. This guidance addresses roadway design practices, slope, and terrain related to pedestrian access to walkways and streets, including crosswalks, curb ramps, street furnishings, pedestrian signals, parking, and other components of public rights-of-way.

**Right of Way:** A general term denoting land, property, or interest therein, usually in a strip, acquired for the network of streets, sidewalks, and trails creating public pedestrian access within a public entity's jurisdictional limits.

**Section 504:** The section of the Rehabilitation Act that prohibits discrimination by any program or activity conducted by the federal government.

**Uniform Accessibility Standards (UFAS):** Accessibility standards that all federal agencies are required to meet; includes scoping and technical specifications.

**United States Access Board:** An independent federal agency that develops and maintains design criteria for buildings and other improvements, transit vehicles, telecommunications equipment, and electronic and information technology. It also enforces accessibility standards that cover federally funded facilities.

**United States Department of Justice (DOJ):** The United States Department of Justice (often referred to as the Justice Department or DOJ), is the United States federal executive department responsible for the enforcement of the law and administration of justice.

## **Appendix B – ADA Coordinator**

### **ADA Title II Coordinator**

Name: City Administrator

Address: 101-4<sup>th</sup> St, Hastings MN 55033

Phone: 651.480.2350

E-mail: See Contact Information posted on City Website

### **Public Right of Ways ADA Implementation Coordinator**

Name: John Caven, Assistant City Engineer

Address: 1225 Progress Dr, Hastings MN 55033

Phone: 651.480.2334

E-mail: [jcaven@hastingsmn.gov](mailto:jcaven@hastingsmn.gov)

## Appendix C – Self-Evaluation

### Results

Item	Rating	Rating Description	Number	Percentage
Pedestrian Ramps	1	Excellent condition. Fully compliant.	278	25.2%
	2	Excellent condition. Minor compliance criteria not met.	334	30.3%
	3	Functional but missing vital compliance criteria.	289	26.2%
	4	Mostly non-compliant. Moderate compliance criteria not met.	177	16.1%
	5	Fully non-compliant. Major compliance criteria not met.	25	2.2%
Total:			1103	
Item	Rating	Discontinuity Location*	Number	Percentage
Sidewalks (46 miles)		At Driveway	58	3.9%
		With No Driveway	1443	96.1%
Total:			1501	
Item	Rating	Location	Number	Percentage
Trails (29 miles)		System Wide	266	100.0%
	Total:			266
Item	Rating	Rating Description	Number	Percentage
Parking Lots (32 Public)		Fully compliant	5	15.6%
		Non-compliant	27	84.4%
Total:			266	

*Discontinuity (more than one can occur at any one location)	Number
1/4" or greater vertical deflection	584
1/4" or greater horizontal deflection	219
Cracks	383
Tree root displacement	98
Smoothness of surface	452

Mapping of the condition assessment of the pedestrian ramps and sidewalks adjacent to roadway corridors and trails and parking lots can be found at the city's ADA Transition Plan webpage:

<https://www.hastingsmn.gov/ADA>

### Criteria

Table 1. List of common problems, solutions and costs.

Table 1. Cost Estimate










Problem	Description	Problem	Solution (Depends on Severity)	Planning Level Costs
Vertical Discontinuity	 <ul style="list-style-type: none"> <li>● 1/4" or greater discontinuity. Sidewalk panel heaved, sunk, or twisted due to tree roots or frost.</li> </ul>	<ul style="list-style-type: none"> <li>● Tripping hazard</li> <li>● Wheelchair mobility issue</li> </ul>	<ul style="list-style-type: none"> <li>● High side ground down to remove tripping hazard</li> </ul>	\$200/joint
<ul style="list-style-type: none"> <li>● Low side raised using mud jacking</li> </ul>			\$250/panel	
<ul style="list-style-type: none"> <li>● Replace concrete panel.</li> </ul>			\$13/sf	
<ul style="list-style-type: none"> <li>● Replace concrete panel with cutting out tree root or removing whole tree.</li> </ul>			\$13/sf + \$1000 per tree (depends trunk diameter)	
Horiztonal Discontinuity	 <ul style="list-style-type: none"> <li>● 1/4" or greater discontinuity. Sidewalk cracked.</li> </ul>	<ul style="list-style-type: none"> <li>● Tripping hazard</li> <li>● Wheelchair mobility issue</li> </ul>	<ul style="list-style-type: none"> <li>● Saw and seal crack</li> </ul>	\$50/LF
<ul style="list-style-type: none"> <li>● Replace panel(s)</li> </ul>			\$13/sf	
Cracking	 <ul style="list-style-type: none"> <li>● 1/4" or greater discontinuity. Sidewalk cracked.</li> </ul>	<ul style="list-style-type: none"> <li>● Tripping hazard</li> <li>● Wheelchair mobility issue</li> </ul>	<ul style="list-style-type: none"> <li>● Saw and seal crack</li> </ul>	\$50/LF
<ul style="list-style-type: none"> <li>● Replace panel(s)</li> </ul>			\$13/sf	
Spalling / Uneven Surface	 <ul style="list-style-type: none"> <li>● Sidewalk surface exhibits spalling, pitting, or other surface deterioration.</li> </ul>	<ul style="list-style-type: none"> <li>● Tripping hazard</li> <li>● Wheelchair mobility issue</li> <li>● Aesthetically displeasing</li> </ul>	<ul style="list-style-type: none"> <li>● Apply concrete resurfacer to make a thin repair</li> </ul>	\$250/panel
<ul style="list-style-type: none"> <li>● Replace panel(s)</li> </ul>			\$13/sf	
Spray Patch / Uneven Surface	 <ul style="list-style-type: none"> <li>● Bituminous surface exhibits cracks or uneven spray patch.</li> </ul>	<ul style="list-style-type: none"> <li>● Tripping hazard</li> <li>● Wheelchair mobility issue</li> <li>● Aesthetically displeasing</li> </ul>	<ul style="list-style-type: none"> <li>● Apply bituminous crack filler</li> </ul>	\$100/100ft
<ul style="list-style-type: none"> <li>● Overlay pavement</li> </ul>			\$1,500/50ft	

Table 1. Cost Estimate

Problem	Description	Problem	Solution (Depends on Severity)	Planning Level Costs
<b>Obstructed PAR</b> 	<ul style="list-style-type: none"> <li>● PAR is obstructed by object preventing full required 4 foot PAR width. Examples include light poles, hydrants, or other infrastructure.</li> </ul>	<ul style="list-style-type: none"> <li>● Wheelchair mobility issue</li> </ul>	<ul style="list-style-type: none"> <li>● Divert sidewalk or trail around object where possible, within ROW</li> <li>● Relocate object</li> </ul>	<ul style="list-style-type: none"> <li>\$13/sf</li> <li>\$0-10,000</li> </ul>
<b>Excessive Cross Slope</b> 	<ul style="list-style-type: none"> <li>● Cross slope exceeds 2%.</li> </ul>	<ul style="list-style-type: none"> <li>● Increased strain on arm strength of wheelchair user</li> <li>● Increased tipping hazard for wheelchair user</li> <li>● Increased slope increases slipping hazard in icy conditions</li> </ul>	<ul style="list-style-type: none"> <li>● Replace sidewalk panels. Replace driveway aprons and driveway approaches.</li> </ul>	<ul style="list-style-type: none"> <li>\$13/sf sidewalk + \$15/sf driveway apron and approach</li> </ul>
<b>Out of Compliance Pedestrian Ramp</b> 	<ul style="list-style-type: none"> <li>● Pedestrian ramp out of compliance. Examples include lack of landing, inconsistent PAR, width of curb opening, insufficient truncated domes. Also, excessive cross slope, running slope, and curb slope.</li> </ul>	<ul style="list-style-type: none"> <li>● Safety hazard for visually impaired or wheel chair user</li> </ul>	<ul style="list-style-type: none"> <li>● Replace pedestrian ramp within reconstruction project or mill and overlay project.</li> <li>● Replace pedestrian ramp within stand alone project.</li> </ul>	<ul style="list-style-type: none"> <li>\$5,500/pedestrian ramp</li> <li>\$8,000/pedestrian ramp</li> </ul>
<b>Out of Compliance Parking Lot Stalls</b> 	<ul style="list-style-type: none"> <li>● Parking lot parking stalls out of compliance. Examples include lack of spacing, width, access routes in insufficient number of vehicle and van accessible parking stalls.</li> </ul>	<ul style="list-style-type: none"> <li>● Safety hazard for users</li> <li>● Users to park further away from desired destination</li> </ul>	<ul style="list-style-type: none"> <li>● Add signage. Sandblast striping. Re-stripe parking lot before future CIP surface treatment or re-paving.</li> <li>● Add signage. Re-stripe parking lot after future CIP surface treatment or paving.</li> </ul>	<ul style="list-style-type: none"> <li>\$200 - \$2500 / parking lot</li> <li>\$200 - \$2000 / parking lot</li> </ul>



# **Appendix D – Agency ADA Design Standards and Procedures**

## **Design Procedures**

### **Intersection Corners**

Curb ramps or blended transitions will attempt to be constructed or upgraded to achieve compliance within all capital improvement projects. There may be limitations which make it technically infeasible for an intersection corner to achieve full accessibility within the scope of any project. Those limitations will be noted and those intersection corners will remain on the transition plan. As future projects or opportunities arise, those intersection corners shall continue to be incorporated into future work. Regardless on if full compliance can be achieved or not, each intersection corner shall be made as compliant as possible in accordance with the judgment of the City of Hastings staff. Limitations on why compliance was unobtainable and/or what improvements were possible will be documented.

### **Sidewalks / Trails**

Sidewalks and trails will attempt to be constructed or upgraded to achieve compliance within all capital improvement projects. There may be limitations which make it technically infeasible for segments of sidewalks or trails to achieve full accessibility within the scope of any project. Those limitations will be noted and those segments will remain on the transition plan. As future projects or opportunities arise, those segments shall continue to be incorporated into future work. Regardless on if full compliance can be achieved or not, every sidewalk or trail shall be made as compliant as possible in accordance with the judgment of the City of Hastings staff.

### **Traffic Control Signals**

Traffic control signals will attempt to be constructed or upgraded to achieve compliance within all capital improvement projects. There may be limitations which make it technically infeasible for individual traffic control signal locations to achieve full accessibility within the scope of any project. Those limitations will be noted and those locations will remain on the transition plan. As future projects or opportunities arise, those locations shall continue to be incorporated into future work. Regardless on if full compliance can be achieved or not, each traffic signal control location shall be made as compliant as possible in accordance with the judgment of The City of Hastings staff.

### **Other Transit Facilities**

No transit facilities are currently present within the limits of the City of Hastings. The City of Hastings will work with future transit providers to ensure those facilities meet all appropriate accessibility standards.

### **Other policies, practices and programs**

Policies, practices and programs not identified in this document will follow the applicable ADA standards.

### **Design Standards**

The City of Hastings generally follows the guidelines identified in PROWAG when practical and feasible.

## Appendix E – Cost Information

### Cost Information

#### Unit Prices

Construction costs for upgrading facilities can vary depending on each individual improvement and conditions of each site. Costs can also vary on the type and size of project the improvements are associated with. Listed below are representative 2018 planning level costs for some typical accessibility improvements based on if the improvements are included as part of a retrofit type project, or as part of a larger comprehensive capital improvement project. Please note, this estimate does not include a large percentage of the 46 mile City sidewalk system that contains a slightly out of compliant 2.5% cross slope. The City will allocate its limited resources towards upgrading the most pressing and productive non-compliant locations.

Cost Estimate						
Item	Rating	Rating Description	Number	Percentage	Planning Level Unit Cost	Planning Level Cost
Pedestrian Ramps	1	Excellent condition. Fully compliant.	278	25.2%	\$ -	\$ -
	2	Excellent condition. Minor compliance criteria not met.	334	30.3%	\$ -	\$ -
	3	Functional but missing vital compliance criteria.	289	26.2%	\$ 5,500.00	\$ 1,589,500.00
	4	Mostly non-compliant. Moderate compliance criteria not met.	177	16.1%	\$ 5,500.00	\$ 973,500.00
	5	Fully non-compliant. Major compliance criteria not met.	25	2.2%	\$ 5,500.00	\$ 137,500.00
Total:			1103		\$ -	\$ 2,700,500.00
Item	Rating	Discontinuity Location*	Number	Percentage	Planning Level Unit Cost	Planning Level Cost
Sidewalks (46 miles)		At Driveway	58	3.9%	\$ 9,000.00	\$ 522,000.00
		With No Driveway	1443	96.1%	\$ 700.00	\$ 1,010,100.00
Total:			1501			\$ 1,532,100.00
Item	Rating	Location	Number	Percentage	Planning Level Unit Cost	Planning Level Cost
Trails (29 miles)		System Wide	266	100.0%	\$ 1,500.00	\$ 399,000.00
	Total:			266		\$ 399,000.00
Item	Rating	Rating Description	Number	Percentage	Planning Level Unit Cost	Planning Level Cost
Parking Lots (32 Public)		Full compliant	5	15.6%	\$ -	\$ -
		Non-compliant	27	84.4%	\$ 2,500.00	\$ 67,500.00
Total:			266			\$ 67,500.00
						\$ 4,699,100.00

*Discontinuity (more than one can occur at any one location)	Number
1/4" or greater vertical deflection	584
1/4" or greater horizontal deflection	219
Cracks	383
Tree root displacement	98
Smoothness of surface	452

#### Priority Areas

Based on the results of the self-evaluation, the estimate costs associated with eliminating accessibility barriers within the targeted priority areas is as follows:

1. Areas adjacent to reconstruction projects and mill and overlay projects.
2. Pedestrian ramps with low ratings and sidewalk with access limiting deficiencies.
3. Areas with highest pedestrian ADT
4. Areas with highest probability of need (assisted living facilities, schools, government offices, medical facilities, churches, parking lots, trails, etc.

5. Areas of public comment meeting the above criteria.

Note: Adjacent pedestrian facilities are not required to be upgraded for surface treatment type projects such as chip seals, seal coats, crack seals, pothole patching and skin patching.

### **Entire Jurisdiction**

Based on the results of the self-evaluation, the estimate costs associated with providing ADA accessibility within the entire jurisdiction is \$4,699,100. (Note: This value does not address replacement of existing sidewalk with non-complaint cross slopes most commonly at found to be 2.5%.

This amount signifies a significant investment that the City of Hastings is committed to making in the upcoming years. A systematic approach to providing accessibility will be taken in order to absorb the cost into the City of Hastings budget for improvements to the public right of way.

1. Reconstruction CIP: <https://www.hastingsmn.gov/ADA>
2. Mill and Overlay CIP: <https://www.hastingsmn.gov/ADA>

## **Appendix F – Public Outreach Materials**

### **Public Meeting**

A public meeting was held February 27, 2019 to obtain public comments on this plan. Entire public was notified on Facebook, KDWA Radio, Hastings Star Gazette and City Website. Outreach materials were sent to entities most likely to be concerned with the ADA Transition Plan. These entities include:

1. State Owned Properties
2. Dakota County Owned Properties
3. City Owned Properties
4. ISD #200 Properties
5. Medical Facilities
6. Senior Living Facilities
7. Churches
8. YMCA
9. Advocacy Groups Utilizing System
10. Chamber of Commerce
11. HEDRA

A complete property list is on file and available upon request.

The meeting was held in the City of Hastings Council Chambers to allow HCTV best access to feature this topic. A live feed was set up for at home viewers through Facebook.

### **City of Hastings Website**

Additional information can be found on the City's website  
<https://www.hastingsmn.gov/ADA>

### **Outreach Materials**

1. Letter – January 29, 2019
2. Post Card – February 15, 2019
3. Informational Brochure



January 29, 2019

Re: Public Meeting Notice – 6pm Wednesday, February 27, 2019 at Hastings City Hall Council Chambers  
Improving Accessibility in Hastings

Dear Property Owner:

The City of Hastings would like to invite you to a Public Informational Meeting to be held at Hastings City Hall (101-4<sup>th</sup> Street, Hastings MN 55033) at 6pm on Wednesday, February 27<sup>th</sup> in the Council Chambers.

A brief presentation will be provided at the meeting to update you on the draft Americans with Disabilities Act (ADA) Transition Plan being considered. Please refer to the enclosed brochure and visit the City of Hastings website for more information:

<https://www.hastingsmn.gov/city-government/city-departments/public-works/ada-transition-plan>

**We strongly encourage you to attend as your comments are crucial to improve accessibility for all in the City of Hastings.**

If you cannot attend the Public Meeting feel free to contact the City at the number below or provide a comment using the link on the website referenced above. Your feedback is always welcome but responding by March 8<sup>th</sup> ensures it will be included in the ADA Transition Plan.

We look forward to seeing you at the meeting!

Sincerely,

A handwritten signature in black ink that reads "John Caven".

John Caven, P.E.  
Assistant City Engineer  
651.480.2334

Enclosure

Cc: Mayor and City Council  
Parks & Recreation Commissioners  
Julie Flaten, Interim City Administrator  
Nick Egger, Public Works Director  
Ryan Stempski, City Engineer

## ADA COORDINATOR

The City of Hastings has identified an ADA Coordinator to oversee ADA Compliance within public right-of-way.

### John Caven, P.E.

Assistant City Engineer

1225 Progress Drive

Hastings, MN 55033

Phone: 651-480-2334

[jcaven@hastingsmn.gov](mailto:jcaven@hastingsmn.gov)

The City of Hastings goal is to bring all facilities to compliance. Moving forward, all non-compliant pedestrian ramps within the construction limits of annual City roadway improvement projects will be replaced. For more information on the project list for the next five years please visit [www.hastingsmn.gov/ADA](http://www.hastingsmn.gov/ADA)

For questions, comments or concerns feel free to contact the ADA Coordinator.



## IMPROVEMENT PLAN

The City of Hastings has set forth the following schedule of goals for improving the accessibility of its pedestrian facilities within the City jurisdiction:

1. Improve all deficient pedestrian ramps and sidewalks within the annual street reconstruction program areas.\*
2. Improve all deficient pedestrian ramps within the annual mill and overlay program areas.
3. Re-inspect upgraded pedestrian ramps and the sidewalk system in the annual street reconstruction program and mill and overlay program areas.
4. Re-evaluate the City's entire pedestrian ramp, sidewalk, trail and parking lot system once every five years.
5. Provide budget requests for funding to create a stand alone project to improve the most poorly rated pedestrian ramps, sidewalks, trails and parking lots not listed in the five year capital improvement plan.



\*Note: City Ordinance states property owner is responsible for replacing deficient sidewalk segments not associated with a project.



## NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

### What is an ADA Transition Plan?

The Americans with Disabilities Act (ADA), enacted on July 26, 1990 is a civil rights law prohibiting discrimination against individuals on the basis of disability. This law includes providing ADA compliant infrastructure within the public right of way.

As a provider of public transportation, the City of Hastings must comply with this Act, and has developed an ADA Transition Plan detailing how the City will ensure that all of its facilities are accessible to all individuals. Pedestrian ramps, sidewalks, trails, and public parking lots are included.

In a reasonable timeframe, the City of Hastings will make all reasonable modifications to infrastructure to ensure that people with disabilities have an equal opportunity.





## IMPROVEMENT PLAN

The City of Hastings roadway system improvements are based on projects identified in the City's five year Capital Improvement Plan. Infrastructure will be addressed using the following criteria:

1. Areas adjacent to reconstruction projects and mill and overlay projects.
2. Pedestrian ramps with low ratings and sidewalks with access limiting deficiencies.
3. Areas with highest average daily pedestrian activity.
4. Areas with highest probability of need (assisted living facilities, schools, government offices, medical facilities, churches, parking lots, trails, etc.)
5. Other areas suggested by public comment which meet the above criteria.



## CURB RAMPS

Curb ramps allow people with mobility impairments to gain access to the sidewalks and safely travel to their desired destination.

Without curb ramps, these individuals are forced to travel in streets and roadways, are put in danger, and/or are prevented from reaching their destination.

Example: Pre Project Non-Compliant



Example: Post Project Compliant



## SIDEWALKS, TRAILS & PARKING LOTS

Sidewalks and trails are the corridors that allow individuals access from parking lots to their choice of destinations.

Cracks, surface smoothness, slopes and obstructions play a role in the safety of a pedestrian access route.

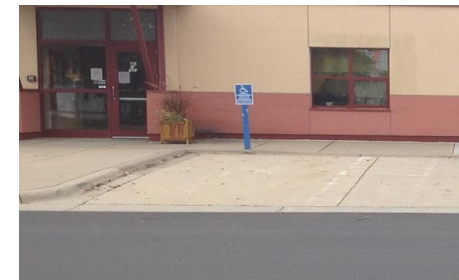
Example: Non-Compliant Sidewalk



Example: Non-Compliant Trail



Example: Non-Compliant Parking Lot







**PUBLIC MEETING NOTICE**

**ADA TRANSITION PLAN  
FEBRUARY 27, 2019 AT 6PM  
HASTINGS CITY HALL COUNCIL CHAMBERS**

- A brief presentation will be provided at the meeting to update you on making the City's walkable community accessible to all.
- Your comments at this meeting are welcome!
- Can't make it to the meeting? You can still participate by watching the live stream on Facebook and giving your input online.
- For more information, including an informational brochure, please visit [www.hastingsmn.gov/ADA](http://www.hastingsmn.gov/ADA) or call the Engineering Department at 651.480.2334.

**THANK YOU FOR YOUR CONSIDERATION!**



City of Hastings  
Public Works/Engineering  
1225 Progress Dr.  
Hastings, MN 55033

## Appendix G – Public Notice

As part of the ADA requirements the City has posted the following notice outlining its ADA requirements:

### Public Notice

In accordance with the requirements of title II of the Americans with Disabilities Act of 1990, the City of Hastings will not discriminate against qualified individuals with disabilities on the basis of disability in the City of Hastings services, programs, or activities.

**Employment:** The City of Hastings does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under title I of the Americans with Disabilities Act (ADA).

**Effective Communication:** The City of Hastings 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 Hastings 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 Hastings will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all the City of Hastings programs, services, and activities. For example, individuals with service animals are welcomed in the City of Hastings 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 the City of Hastings program, service, or activity, should contact the City Administrator as soon as possible but no later than 48 hours before the scheduled event.

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

The City of Hastings will not place a surcharge on a particular 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.

## **Appendix H – Grievance Procedure & Form**

Prior to filing a grievance the public is strongly encouraged to contact the ADA Coordinator to discuss any concerns regarding City facilities. The ADA Coordinator role is designed to provide a point of contact for the public to address concerns. Contact information for the ADA coordinator can be found in Appendix B of this document. Concerns can be submitted online at <https://www.hastingsmn.gov/ADA> or mail in the form provided within this document.

### **City of Hastings: Grievance Procedure under the Americans with Disabilities Act**

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the City of Hastings. The City of Hastings Personnel Policy governs employment-related complaints of disability discrimination.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of 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 60 calendar days after the alleged violation to the ADA Coordinator. Contact information can be found in Appendix B of this document.

Within 15 calendar days after receipt of the complaint, ADA Coordinator or his designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, ADA Coordinator or their designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the City of Hastings and offer options for substantive resolution of the complaint.

If the response by ADA Coordinator or their designee does not satisfactorily resolve the issue, the complainant and/or their designee may appeal the decision within 30 calendar days after receipt of the response to the City Administrator or their designee.

Within 30 calendar days after receipt of the appeal, the City Administrator or their designee will meet with the complainant to discuss the complaint and possible resolutions. Within 30 calendar days after the meeting, the City Administrator or their 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 ADA Coordinator or his designee, appeals to the City Administrator or their designee, and responses from these two offices will be retained by the City of Hastings in accordance with state and federal law.

**Title II of the Americans with Disabilities Act  
Discrimination Complaint Form**

**SIDEWALK OR PEDESTRIAN RAMP WITHIN PUBLIC ROAD RIGHT OF WAY**

Instructions: Please fill out this form completely and return to the City of Hastings  
John Caven, Assistant City Engineer, 1225 Progress Dr, Hastings MN 55033  
jcaven@hastingsmn.gov  
651.480.2334

Date \_\_\_\_\_

Complainant Contact Information

Name \_\_\_\_\_

Address \_\_\_\_\_

Phone (\_\_\_\_\_) \_\_\_\_\_

Email \_\_\_\_\_

Preferred method to be contacted \_\_\_\_\_

Best approximate time of day to be contacted \_\_\_\_\_

Complaint (Please Describe):

Location:

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*To better understand the issue, the City of Hastings will make every attempt to contact (and meet when appropriate) complainant within 15 days of receipt of this form. The City of Hastings will respond in writing to complainant within an additional 15 days to explain position and offer options for substantive resolution of the complaint.*