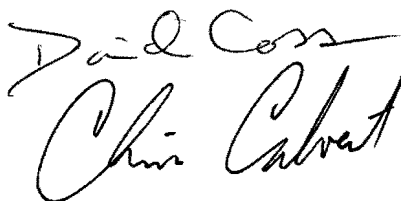


1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2011-72

INTRODUCED BY:



A RESOLUTION

**ADOPTING THE CITY OF SANTA FE UPDATED ADA TRANSITION PLAN AND
SELF EVALUATION.**

WHEREAS, the Americans with Disabilities Act, 42 U.S.C. 12101-12213 (ADA) was enacted in 1990; and

WHEREAS, the ADA is landmark legislation that provides comprehensive civil rights protection to individuals with disabilities in the areas of employment, public accommodations, state and local government services and programs and telecommunications; and

WHEREAS, the ADA prohibits local governments from discriminating on the basis of disability; and

WHEREAS, in 1992, the City of Santa Fe prepared a Self Evaluation and Transition Plan as required by Title II of the ADA, and

WHEREAS, in accordance with the Transition Plan, the City implemented regulations that provided civil rights protections to individuals with disabilities in employment, public accommodations and municipal services and programs; and

1 **WHEREAS**, additionally, the Transition Plan identified which modifications were
2 needed at City facilities to make the facilities accessible for persons with disabilities and also
3 guided the implementation of the modifications; and

4 **WHEREAS**, the ADA mandates that every public entity re-evaluate its current
5 programs, services and policies to determine whether they are in compliance with Title II of the
6 ADA; and

7 **WHEREAS**, the City hired a consultant to update the City's ADA Transition Plan; and

8 **WHEREAS**, the consultant conducted barrier assessment surveys of City owned
9 buildings, parks and public rights-of-way that lead to City facilities; and

10 **WHEREAS**, the consultant conducted a self evaluation with City staff relating to the
11 needs of persons with disabilities in service situations at all City programs and services; and

12 **WHEREAS**, the ADA Transition Plan Update documents the steps taken by the City to
13 evaluate services and programs to ensure compliance with ADA requirements; and

14 **WHEREAS**, where it was determined that the City is not currently in compliance, the
15 Transition Plan Update outlines actions to be taken in order to bring City facilities, services and
16 programs into compliance as required by the ADA; and

17 **WHEREAS**, under Title II, a public entity may not deny the benefits of its programs,
18 services, and activities to individuals with disabilities by maintaining inaccessible facilities,
19 which house these programs, services and activities; and

20 **WHEREAS**, a public entity's programs, services, and activities, when viewed in their
21 entirety, must be made accessible to and usable by individuals with disabilities; and

22 **WHEREAS**, the Governing Body recognizes that the Mayor's Committee on Disability
23 generously gave their time and provided information to make the Transition Plan Update
24 possible.

25 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**

1 CITY OF SANTA FE that the Governing Body hereby adopts the ADA Transition Plan Update
2 (“2011 Transition Plan”) by reference.

3 **BE IT FURTHER RESOLVED** that the 2011 Transition Plan shall be available for
4 public inspection in the City Clerk’s Office, on the City’s Website and in the office of the City’s
5 ADA Coordinator. The Transition Plan Barrier Assessment Survey shall also be available for
6 inspection in the office of the ADA Coordinator.

7 **BE IT FURTHER RESOLVED** that the 2011 Transition Plan shall be implemented in
8 the following manner:

- 9 • The 2011 Transition Plan shall be maintained and updated for the duration of the
10 Transition Planning period.
- 11 • The 2011 Transition Plan is a working document that shall be modified as barriers
12 are removed or alterations are made.
- 13 • City staff responsible for overseeing the barrier-removal projects will document all
14 ADA improvements/upgrades.
- 15 • Technical infeasibility, if any, to meet necessary accessibility compliance shall be
16 documented and filed as part of the City’s records, by the Engineer-of-Record on the
17 project.
- 18 • The City shall provide accessibility site audits (inspections) of on-going projects as
19 part of the project closeout/certification.
- 20 • Documentation and verification of barrier-mitigation will be integrated into the City’s
21 2011 Transition Plan on a regular basis to ensure that barriers are "checked-off" and
22 the Plan is current with a record of barrier-mitigation work.
- 23 • Annual reports of barrier-mitigation work shall be provided to City Council.
- 24 • Identified in the Transition Plan are proposed facilities barrier-mitigation sorted and
25 assigned by the following City programs/plans:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

- Infrastructure Capital Improvement Plan (CIP) FY 2011-2015 (Public Works Department Director)
- 2009 Parks Bond Implementation Program (Parks/Trails/Watershed Division Director)

BE IT FURTHER RESOLVED that the City shall continue to plan for a biannual "ADA Transition Planning budget" that will be used to plan mitigation of barriers identified in the Plan that are not part of any CIP project or Bond program. This budget will be in addition to and separate from funds required for any ADA improvements and upgrades triggered on account of CIP projects and Bond Programs. The scope of work and budget for all such CIP and bond projects must incorporate the improvements triggered by applicable Federal, State and local accessibility regulations and codes.

BE IT FURTHER RESOLVED that maintenance of accessible features is an integral part of the City's plan to transition into a more accessible destination. The 2011 Transition Plan includes the following City maintenance programs:

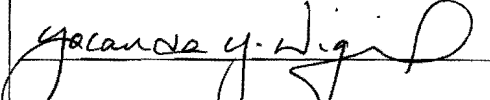
- Facilities Maintenance Program (Facilities Maintenance Division Director)
- Parking Facilities Operations & Maintenance Program (Parking Division Director)

PASSED, APPROVED and ADOPTED this 14th day of December, 2011.



DAVID COSS, MAYOR

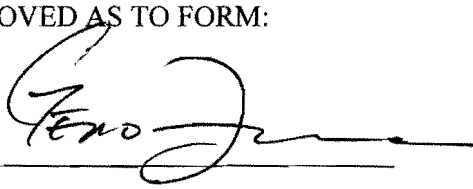
ATTEST:



YOLANDA Y. VIGIL, CITY CLERK

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

APPROVED AS TO FORM:



GENO ZAMORA, CITY ATTORNEY

M/Melissa/Resolutions 2011/ADA Transition Plan