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INTRODUCTION

The purpose of this plan is to ensure that the City of Alexandria creates reasonable, accessible paths of travel in the public right-of-way for everyone, including people with disabilities.

The City of Alexandria has made a significant and long-term commitment to improving the accessibility of their pedestrian facilities. The Transition Plan identifies physical barriers and prioritizes improvements that should to be made throughout the City of Alexandria. This Transition Plan describes the existing policies and programs to enhance the overall pedestrian accessibility.

Background

The Americans with Disabilities Act (ADA) of 1990 is a civil rights statute (hereinafter referred to as the Act) that prohibits discrimination against people who have disabilities. There are five separate Titles (sections) of the Act relating to different aspects of potential discrimination. Title II of the Act specifically addresses the subject of making public services and public transportation accessible to those with disabilities. With the advent of the Act, designing and constructing facilities for public use that are not accessible by people with disabilities constitutes discrimination.

The Act applies to all facilities, including both facilities built before and after 1990. As a necessary step to a program access plan to provide accessibility under the ADA, state and local government, public entities or agencies are required to perform self-evaluations of their current facilities, relative the accessibility requirements of the ADA. The agencies are then required to develop a Program Access Plan, which can be called a Transition Plan, to address any deficiencies. The Plan is intended to achieve the following:

- (1) identify physical obstacles that limit the accessibility of facilities to individuals with disabilities,
- (2) describe the methods to be used to make the facilities accessible,
- (3) provide a schedule for making the access modifications, and
- (4) identify the public officials responsible for implementation of the Transition Plan.

The Plan is required to be updated periodically until all accessibility barriers are removed.

Applicability to State Department of Transportation

The requirements of the ADA apply to all public entities or agencies, no matter the size. The transition plan formal procedures as outlined in 28 C.F.R. section 35.150 only govern those public entities with more than 50 employees. The obligation to have some

planning method to make facilities ADA-accessible is required for all public entities. This includes State Departments of Transportation (hereinafter referred to as Departments) and the extensive public transportation systems that they manage. The development or updating of a Transition Plan is now an ongoing activity or a goal at many Departments. A principal challenge of this activity to the Departments, as opposed to other government agencies that manage public facilities, is the need to cope with the overall size and geographic extent of the public facilities that a Department of Transportation manages. These public facilities can involve thousands of miles of public rights-of-way.

METHODOLOGY

The material in this report is based on information obtained through websites, questionnaires filled out by some departments, and interviews with the ADA coordinator or other contacts at some departments as well as input from guidance documents from the Federal Highway Administration (FHWA), the Department of Justice (DOJ), and the US Access Board. All contacts were made with the understanding that individual state status, progress, or data would not be reported or compared, but that any information obtained would be used in an effort to help comply with the development and updating of the ADA Transition Plan.

STEPS TO COMPLIANCE

The ideal scenario for meeting the requirements of the Act with regard to the accessibility of facilities in the public right-of-way would involve the following steps:

- (1) designating an ADA Coordinator,
- (2) providing notice to the public about ADA requirements,
- (3) establishing a grievance procedure,
- (4) developing internal design standards, specifications, and details,
- (5) assigning personnel for the development of a Transition Plan and completing it,
- (6) approving a schedule and budget for the Transition Plan, and
- (7) monitoring the progress on the implementation of the Transition Plan.

The following is an expansion on each of the requirements for this ideal scenario.

Step 1 - Designating an ADA Coordinator

Each Department must designate at least one responsible employee to coordinate ADA compliance. The benefits of having an ADA Coordinator are that:

- It makes it easier for members of the public to identify someone to help them with questions and concerns about disability discrimination,
- It provides a single source of information so questions by the Department staff and from outside the Department can be answered quickly and consistently, and

- It provides an individual who can focus on and who can be instrumental in moving compliance plans forward.

The person who is appointed to this position must be familiar with the Department's operation, trained in the requirements of the ADA and other laws pertaining to discrimination, and able to deal effectively with local governments, advocacy groups, and the public. It is assumed that the coordinator is given sufficient time free of other responsibilities to carry out the Coordinator's functions. Possible locations for the position within a Department are the Office of the Commissioner, the Civil Rights Office, the Legal Department, the Planning Department, or the Public Involvement Department.

Step 2 - Providing Notice About the ADA Requirements

A Department must provide public notice about the rights of the public under the ADA and the responsibility of the Department under the ADA. Providing notice is not a one time requirement, but a continuing responsibility. The audience of those who may have an interest in accessibility on Department facilities might include a large number of individual citizens that would be not be readily identifiable. Groups that are likely to include the target audience include public transit users and advocacy groups. A Department has the responsibility to determine the most effective way to provide notice. A notice on a Department website lends itself to both the requirement for wide notice and the requirement for continuing notice. The website must in itself be accessible. The Department of Justice has provided a model that could be followed by Departments on their website. See "Notice under the Americans with Disabilities Act" on their web page, <http://www.ada.gov/pccatoolkit/chap2toolkit.htm>, for more information.

Public Outreach Programs

The opportunity for the disabled community and other interested parties to participate in developing the Transition Plan is an integral part of the process. The dissemination of information and requests for comments can take place through awareness days, newsletters, and websites. The ability to comment must be linked with public access to information databases. Possible sources of input to the Transition Plan are activists, advocacy groups, general citizens, organizations that support the rights of the disabled, elected officials, other agencies, a Governor's Committee on People with Disabilities or other such body, or a state ombudsman. Comments can be obtained through comment forms at meetings, transcriptions of meetings, a dedicated hotline, an email address, or a postal address.

Step 3 - Establishing a Grievance Procedure

A Department is required to adopt and publish procedures for resolving grievances arising under Title II of the ADA. The procedures are intended to set out a system for resolving complaints of disability discrimination in a prompt and fair manner. Complaints

would typically be directed to the Department's Office of Civil Rights. It is generally thought that filing a complaint with a Department is an appropriate first step, in that it provides an opportunity to resolve a local issue at the local level. However, the exhaustion of a Department's grievance procedure is not a prerequisite to filing a complaint with either a federal agency or a court. The Department of Justice has provided a model for Departments to follow. See "Grievance Procedure under the Americans with Disabilities Act" at <http://www.ada.gov/pcatoolkit/noticetoolkit.pdf> for more information.

Step 4 - Development of Internal Standards, Specifications, and Design Details

The Architectural and Transportation Barrier Compliance Board (alternatively called the Access Board) has developed accessibility guidelines for pedestrian facilities in the public right-of-way. The Federal Highway Administration has recognized these as its currently recommended best practices. A Department can adopt these accessibility guidelines into their own system of standards, specifications, and design details with modifications to meet local conditions. Development of design standards and design details within the Department allows for consistency in the application of ADA requirements for new facilities.

See <http://www.access-board.gov/prowac/guide/PROWGuide.htm> for more information

Step 5 - The ADA Transition Plan

The Transition Plan (hereinafter referred to as the Plan) should consist of the following elements:

1. A List of Physical Barriers that Limit Accessibility of Individuals with Disabilities (the Self-Evaluation),
2. A Detailed Description of the Methods to Remove these Barriers and Make the Facilities Accessible,
3. A Schedule for Taking the Necessary Steps,
4. The Name of the Official Responsible for Implementation,
5. A Schedule for Providing Curb Ramps, and
6. A Record of the Opportunity Given to the Disability Community and Other Interested Parties to Participate in the Development of the Plan.

Periodic updates to the Transition Plan are required in order to ensure on-going compliance. Some of these key steps are described further below.

The Self-Evaluation

The first task involved in preparing an ADA Transition Plan is conducting an inventory of existing physical barriers in the facilities operated by the Department and listing all the barriers that limit accessibility. This is often referred to as the

self-evaluation process. Possible inventory approaches are on-ground surveys, windshield surveys, aerial photo studies, or drawing reviews.

Standards set for each of these issues can be found in the US Architectural and Transportation Barriers Compliance Board's *Accessible Rights-of-Way: A Design Guide*, Chapter 3 "*Best Practices in Accessible Rights-of-Way Design and Construction*". Refer to their website at <http://www.accessboard.gov/prowac/guide/PROWGuide.htm> for more information.

The information developed through the inventory process has to be quantified and presented as a baseline so that progress can be monitored and measured. The inventory information can be presented in a variety of ways including Aerial Photos, a Database or Spreadsheet, Marked Up Drawings, or a Geographic Information System (GIS).

Self-evaluation also takes place after the Transition Plan is complete. Periodic reviews and updates to the Plan must be conducted to ensure ongoing compliance with ADA requirements. Self-evaluation activities would then consist of reviewing the Plan to determine the level of compliance, and determine if any additional areas of upgrade are needed. If deficiencies are found, these are catalogued and the Transition Plan updated to detail how and when the barriers to pedestrian access would be removed.

Step 6 - Schedule and Budget for Improvements

The Transition Plan should include a schedule of improvements to upgrade accessibility in each year following the Transition Plan. Remediation work can be presented for an independent remediation program or as an integral part of regularly scheduled maintenance and improvements project such as Resurfacing Projects, Roadway Rehabilitation and Reconstruction Projects, and Signal System Installation Projects. All new projects, regardless of funding sources, would include pedestrian elements that are consistent with the ADA guidelines.

Funding Sources

The most immediate source of funds for remediation efforts is the incorporation of improvements into existing programmed remediation projects, incorporation into programmed signalization projects, and incorporation into programmed maintenance work. An accessibility improvement program could be developed as a stand alone project through the Transportation Improvement Program. Potential sources of funding for accessibility improvements also include the following:

- o Congestion Mitigation/Air Quality Program,
- o Highway Safety Improvement Program,
- o National Highway System Improvements Program,

- o Railway – Highway Crossing Program,
- o Recreational Trail Program,
- o Safe Routes to School Program,
- o State and Community Traffic Safety Program,
- o Surface Transportation Program,
- o Transportation Enhancement Activities Program.

Additional federal funding sources for different elements of pedestrian projects and programs can be found at http://www.fhwa.dot.gov/civilrights/ada_qa.htm#q30.

Prioritization

The prioritization of improvements that may not be included in an existing programmed project can be based on a number of factors. Generally, priority should be given to transportation facilities, public places, and places of employment. Other factors to consider when prioritizing improvements may include:

- o Citizen requests or complaints regarding inaccessible locations,
- o Pedestrian level of service,
- o Population density,
- o Presence of a disabled population,
- o Cost

Step 7 – Monitoring the Progress

In order to be effective, the Transition Plan needs to be utilized in yearly planning of projects and funding decisions, and also needs to be periodically reviewed for compliance and validity. The Transition Plan should be viewed as a “living document” and updated regularly to reflect changes in real world conditions and to address any possible new areas of noncompliance. Changes to a sidewalk such as the installation of a newspaper vending machine, or the relocation of a light pole, can create new access problems that were not evident when the plan was drafted. Regular updates to the plan will also result in monitoring compliance and the effectiveness of priorities set in the Plan itself.

Conclusion to the Process

The ideal conclusion to the Transition Plan process is the elimination of the barriers listed in the Transition Plan and the acceptance of the requirements of the Act as an everyday reality in all future work going forward. Due to the magnitude of the task and the other priorities that a municipality faces, the ideal scenario has not universally played out.

EVALUATION OF BARRIERS

The City of Alexandria has a two-tiered system to identify and assess obstacles in the public right of way: a Preliminary Evaluation and a Detailed Evaluation. The barriers used in the evaluations are based on the *Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way* (ADA Guidelines) from the U.S. Architectural and Transportation Barriers Compliance Board.

Inventory & Evaluation

In an effort to remove barriers to streets and sidewalks, the City of Alexandria has inventoried all curbs and sidewalks within the City of Alexandria jurisdiction. The inventory procedure is intended to identify a comprehensive list or inventory of all curbs and sidewalks in the City of Alexandria jurisdiction that are not ADA compliant. This is composed of an effort to both fully inventory all of the infrastructure that is present and then to identify those items in the system which are not compliant with ADA requirements.

Prior to this study, in 2010 the city had completed a Sidewalk Analysis Plan. That plan can be referenced for rating information pertaining to the sidewalk system.

The City of Alexandria has developed its inventory of the existing system in five steps:

Step 1: Aerial Maps

Aerial maps of Alexandria were used to map the locations on the system that include sidewalks and/or curbs.

Step 2: Field Evaluation and Inventory

Once the system of sidewalks and curbs had been mapped, a field investigation of each was completed to measure and/or evaluate the following characteristics of each segment of sidewalk and curb.

The following attributes were to be collected for sidewalks and ramps.

- Measured width
- Cross slope observation (2% maximum)
- Heaving
- Continuity
- Joint condition
- Ramp width
- Ramp slope
- Ramp turning space

- Ramp clear space
- Detectable warnings

The above items were considered and a summary “Condition Rating” was given as follows:

- A – ADA Compliant, no concerns (green)
- B – Minor problem noted, but no immediate needs (orange)
- C – One major problem or multiple minor problems, needs some attention (yellow)
- D – Multiple major problems, possibly impassible for wheelchairs (pink)
- F – Broken, impassable by wheelchairs, difficult for pedestrians (red)

Examples of sidewalk and ramp ratings are provided in Appendix A and in the Alexandria Sidewalk Analysis Plan.

Step 3: Preparation of a Map of Compliant and Non-Compliant features

A map has been produced that identifies all the sidewalks and ramps and their rating. The map can sort by sidewalks or ramps. The maps can be found in Appendix A.

Step 4: Request for Review and Public Input

As part of the Transition Planning process, the plan will be made available for comment. The plan will be posted on the City of Alexandria’s website and on display at the following locations:

Alexandria-Monroe Public Library, 117 E Church Street
Alexandria City Hall, 125 N Wayne Street

The comment period will be from February 20th to March 22nd, 2013.

Step 5: Update of the Inventory

After receiving input from the public review and staff the inventory will be updated as needed. This will provide a comprehensive list of the needs that exist in the system.

METHODS TO REMOVING BARRIERS

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

The City of Alexandria bases barrier removal priorities on two factors: location and the accessibility condition of the intersection.

Location Priority

According to the *Accessible Rights-of-Way: A Design Guide*, “the DOJ regulation imposes a specific construction requirement... specifies a priority for locating (curb ramps) at: State and local government offices and facilities; transportation; places of public accommodation; places of employment; and other locations.” Following this guidance, the City identified its location priority as follows:

1. Intersections serving government facilities (red),
2. Intersections serving commercial and employment centers (yellow), and
3. Intersections serving other areas (green).

Accessibility Condition

Using the data from the field evaluation, the accessibility Condition Rating can be determined. This letter grade is A through F, A being the most accessible and F being the least accessible.

Priority Rank

In order to determine the overall priority of an intersection, or priority rank, the City of Alexandria will use a matrix to match the location priority to the condition rating.

PUBLIC COMPLAINT PROCESS

The public complaint process is an integral part of the Transition Plan. Public complaints or requests may often drive the prioritization of improvements. To file a complaint or a request regarding accessibility of a sidewalk or curb ramp, contact the ADA Coordinator in writing and describe the issue in detail, including the location. The ADA Coordinator will route this information to the appropriate department for inspection and possible action. That department will then respond to the ADA Coordinator with its findings, and the ADA Coordinator will record the formal response and reply to the complainant/requestor.

All complaints or requests will be kept on file and will include the response. Appendix B is a copy of the City's public Grievance Procedure for Pedestrian Facilities in the Public Right-of-Way.

NEW CONSTRUCTION & ALTERATIONS

In order to ensure the correct design of curb ramps, sidewalks, and crosswalks in new construction and alterations, the City of Alexandria has adopted the *Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way* (see Appendix B for a copy of the resolution). Whenever there is an intersection improvement project or new construction project, any affected curb ramps, sidewalks, and crosswalks will be rebuilt to these ADA design guidelines, where feasible and reasonable.

SCHEDULE

As opportunity allows, the City of Alexandria will make efforts to improve the ADA Accessibility of pedestrian facilities in the public right-of-way. As stated in the *Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way*, "compliance is required to the extent practicable within the scope of the project." There will be times when it is technically infeasible to provide technical compliance: for example, if clear space at the top of the ramp is obstructed by a building or the slope of a hill is so extreme as to prevent a reasonable slope for a ramp in both directions. The inventory process may not account for such situations and could show a high-priority rating when all feasible actions have been taken.

Additionally, given a program as broad and comprehensive as the City of Alexandria's pedestrian network, the City of Alexandria 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. Under this concept, the City of Alexandria may choose not to install a sidewalk at some locations (or to install them as a lower priority later), as long as a reasonable path of travel is available even without the sidewalk.

RESPONSIBLE INDIVIDUAL

The official responsible for the implementation of the City of Alexandria's ADA Transition Plan for the pedestrian facilities in the public right-of-way is:

Eric Schmidt
City Councilman
125 N. Wayne St.
Alexandria, IN 46001
Email: eric@cityofalexandria.net Phone: (765) 724-4633

PUBLIC INPUT

The City of Alexandria provided opportunities for individuals to comment on this Transition Plan, which included:

- ☐ Document copies available at the local public library
- ☐ Document made available on Alexandria's website
- ☐ Open house and presentation at a public meeting on February 19, 2013

The City published a legal notice in the local newspaper, The Alexandria Times-Tribune. The legal notice announced the availability of the Transition Plan draft at the local public library and the City Hall with easy public access. This notice also provided instructions regarding the timetable for comments and where to send them. Public comments were accepted for a period of no less than 30 days, ending March 22, 2013.

Formal adoption of the Transition Plan took place on September 17, 2013. It will be available on the web and by written formal request to the ADA Coordinator.

APPENDIX A

Curb Ramp & Sidewalk Ratings

- ***Curb Ramp Ratings***
- ***Curb Ramp Rating Maps***
- ***Sidewalk Ratings w/ Cost Estimates***
- ***Sidewalk Rating Maps***
- ***Curb Ramp Rating Examples***

Curb Ramp Ratings East Sector

Intersection	Grade
N Harrison & Church St	B
N Harrison & Washington St	B
N Harrison & Berry St	B
N Harrison & Water St	B
N Harrison & Church St	B
Church St & Wayne St	C
Church St & Lincoln St	F
Washington St & Wayne St	F
Washington St & Clinton St	F
Berry St & Wayne St	F
Berry St & Clinton St	F
N Harrison & Broadway St	B
N Harrison & John St	B
N Harrison & Mill St	C
Washington St & SR 9	C
N Harrison & SR 28	F
N Harrison & Grant St	B
N Harrison & Johnson St	B
N Harrison & Buchanan St	B
N Harrison & Pierce St	B
N Harrison & Filmore St	B
N Harrison & Taylor St	B
N Harrison & Polk St	B
N Harrison & Tyler St	B
N Harrison & Van Buren St	B
N Harrison & Jackson St	B
N Harrison & Monroe St	B
N Harrison & Madison St	B
N Harrison & Garfield St	B
Monroe St & Sullivan St	F
Monroe St & Lincoln St	F
Monroe St & Walnut St	F
Monroe St & Fremont St	F
Garfield St & Lincoln St	F
John St & Lincoln St	F
John St & Walnut St	F
Lincoln St & Madison St	F
Lincoln St & Broadway St	F
Washington St & Walnut St	C
Washington St & Edgeway Dr	F
Walnut St & Church St	F
Walnut St & John St	F
Walnut St & Broadway St	F
Walnut St & Madison St	F

■ Intersections serving Government Facilities

■ Intersections serving Commercial and Employment Centers

■ Intersections serving other areas

A- *ADA Compliant, no concerns*

B- *Minor problem noted, but no immediate need*

C- *One major problem or multiple minor problems, needs some attention*

D- *Multiple major problems, possibly impassible for wheelchairs*

F- *Broken, impassible by wheelchairs, difficult for pedestrians*

Curb Ramp Ratings West Sector

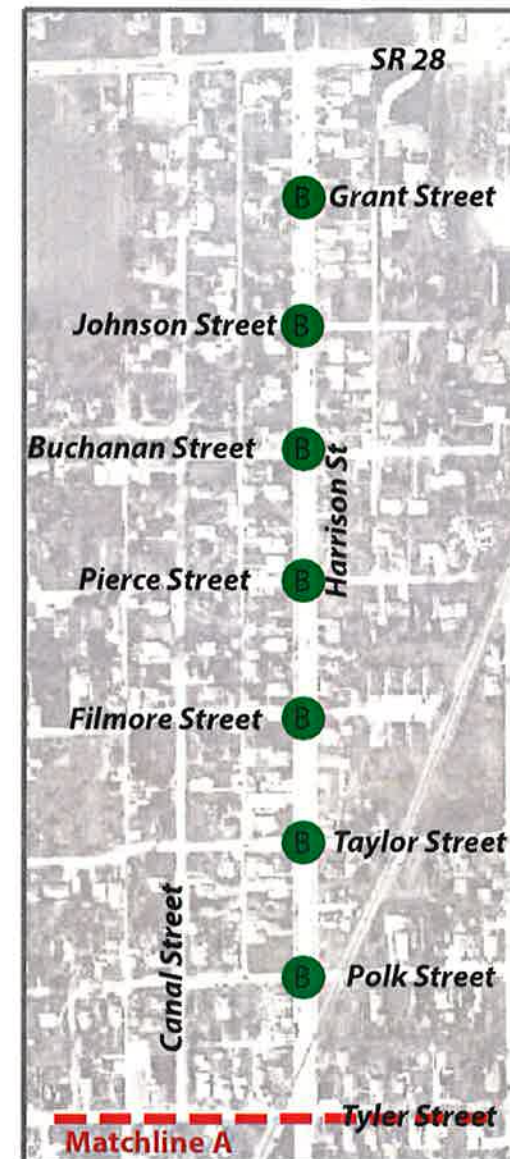
Intersection	Grade
Tyler St & Central Av	F
Church St & Canal St	F
Church St & West St	F
Washington St & Black St	F
Berry St & Canal St	F
Broadway St & Canal St	F
John St & Canal St	F
Washington St & Canal St	D
Washington St & West St	D
Tyler St & Minnesota St	C
Tyler St & Liberty St	C
Monroe St & Minnesota St	F
Monroe St & Spencer St	F
Monroe St & Liberty St	F
Monroe St & Central Av	F
Monroe St & Sheridan St	F
Monroe St & Fairview St	F
Liberty St & Jackson St	F
Liberty St & Madison St	F
Madison St & Central Av	F
Madison St & Sheridan St	F
Madison St & Fairview St	C
Madison St & Belmont Av	F
Broadway St & West St	F
Broadway St & Liberty St	F
Broadway St & Pennsylvania St	F
Broadway St & Central Av	F
Broadway St & Sheridan St	F
John St & West St	F
Washington St & Pennsylvania St	A
Washington St & Central Av	A
Washington St & S Sheridan St	A
Washington St & Sheridan St	A
Washington St & Fairview St	A
Washington St & Belmont Av	A
Washington St & Indiana Av	A
Berry St & West St	F
Berry St & Black St	F
Berry St & Curve St	F
Berry St & Pennsylvania St	F
Berry St & Central Av	F
Canal St & Madison St	F
Canal St & Water St	F
West St & Water St	F
Black St & Water St	F

Curb Ramp Ratings *South Sector*

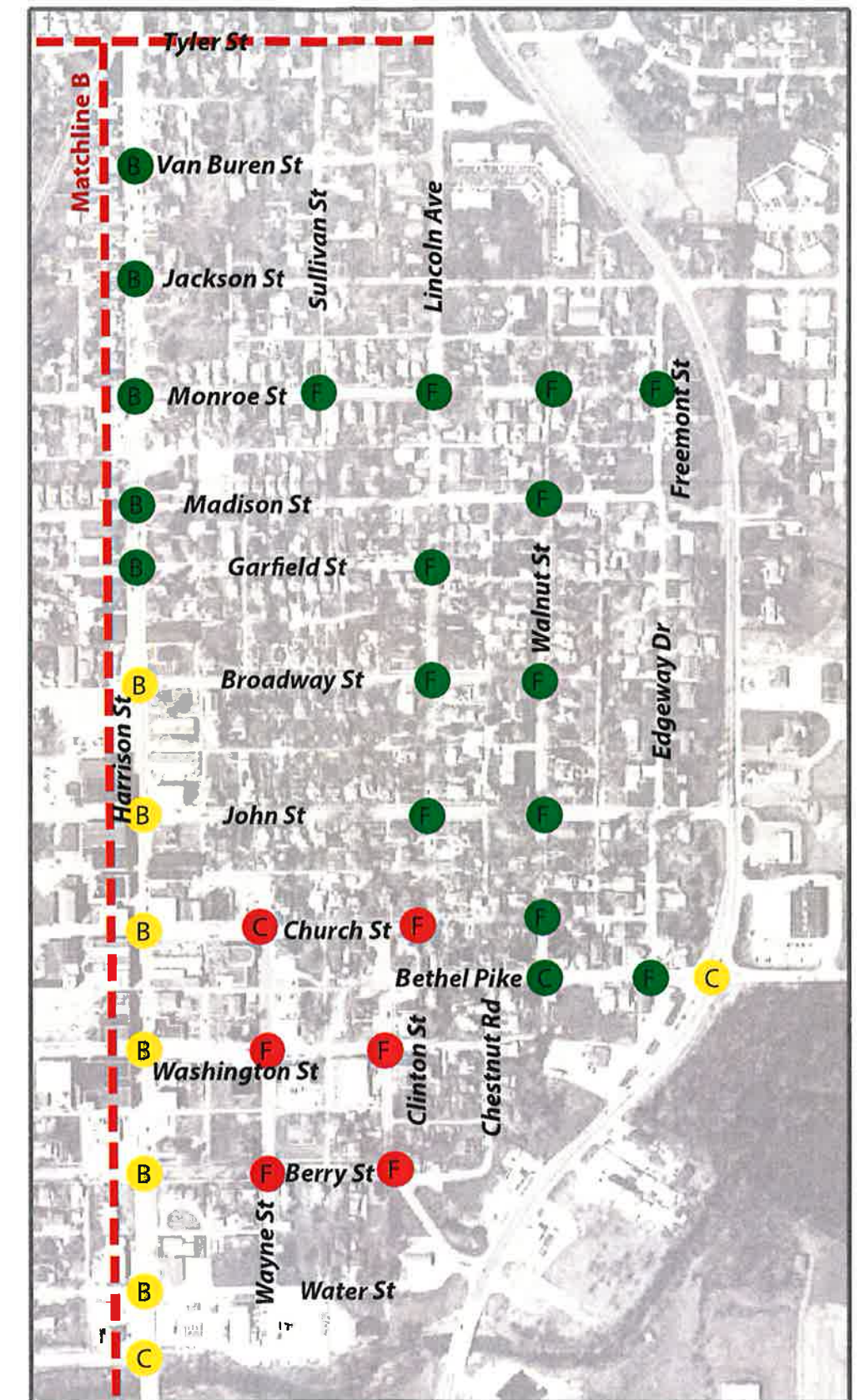
Intersection	Grade
S Harrison & Wayne Av	B
S Harrison & 3rd St	B
S Harrison & 4th St	C
S Harrison & 5th St	B
S Harrison & 6th St	C
S Harrison & Cook St	B
S Harrison & 9th St	B
Timberlake Pkwy & Quail Run	C
Quail Run & Blue Heron Rd	C

LEGEND:

- Intersections serving Government Facilities
 - Intersections serving Commercial and Employment Centers
 - Intersections serving other areas
- A- ADA Compliant, no concerns
 B- Minor problem noted, but no Immediate need
 C- One major problem or multiple minor problems, needs some attention
 D- Multiple major problems, possibly impassible for wheelchairs
 F- Broken, impassable by wheelchairs, difficult for pedestrians



North Harrison Street



East Section

LEGEND:

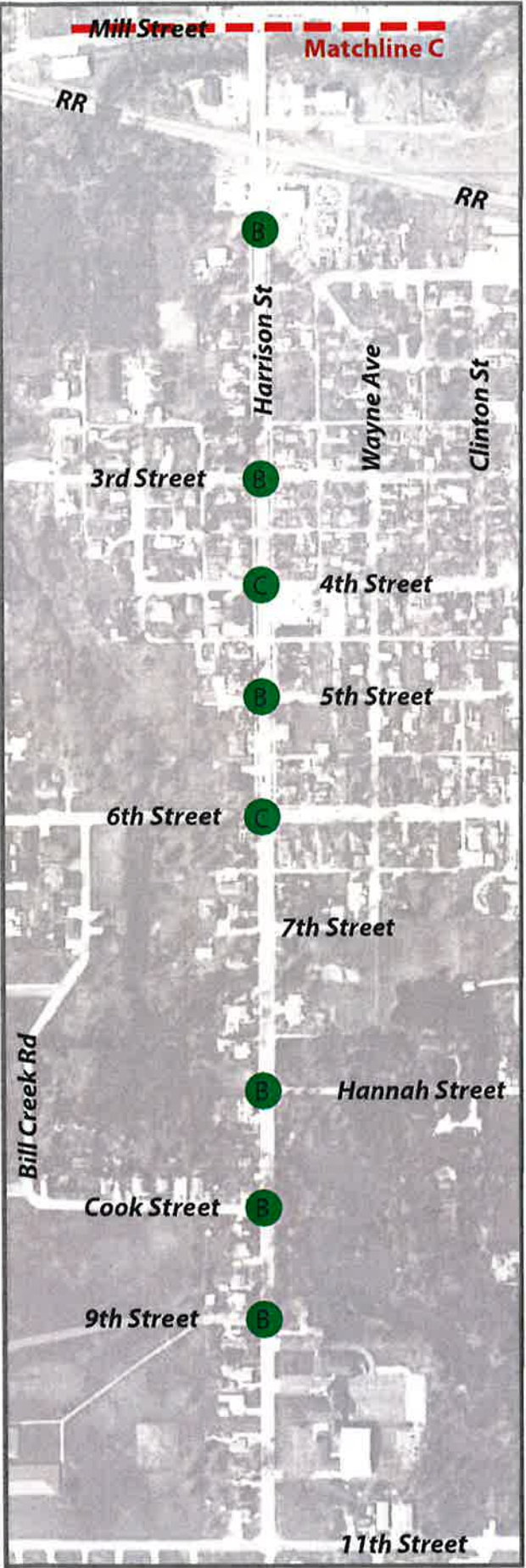
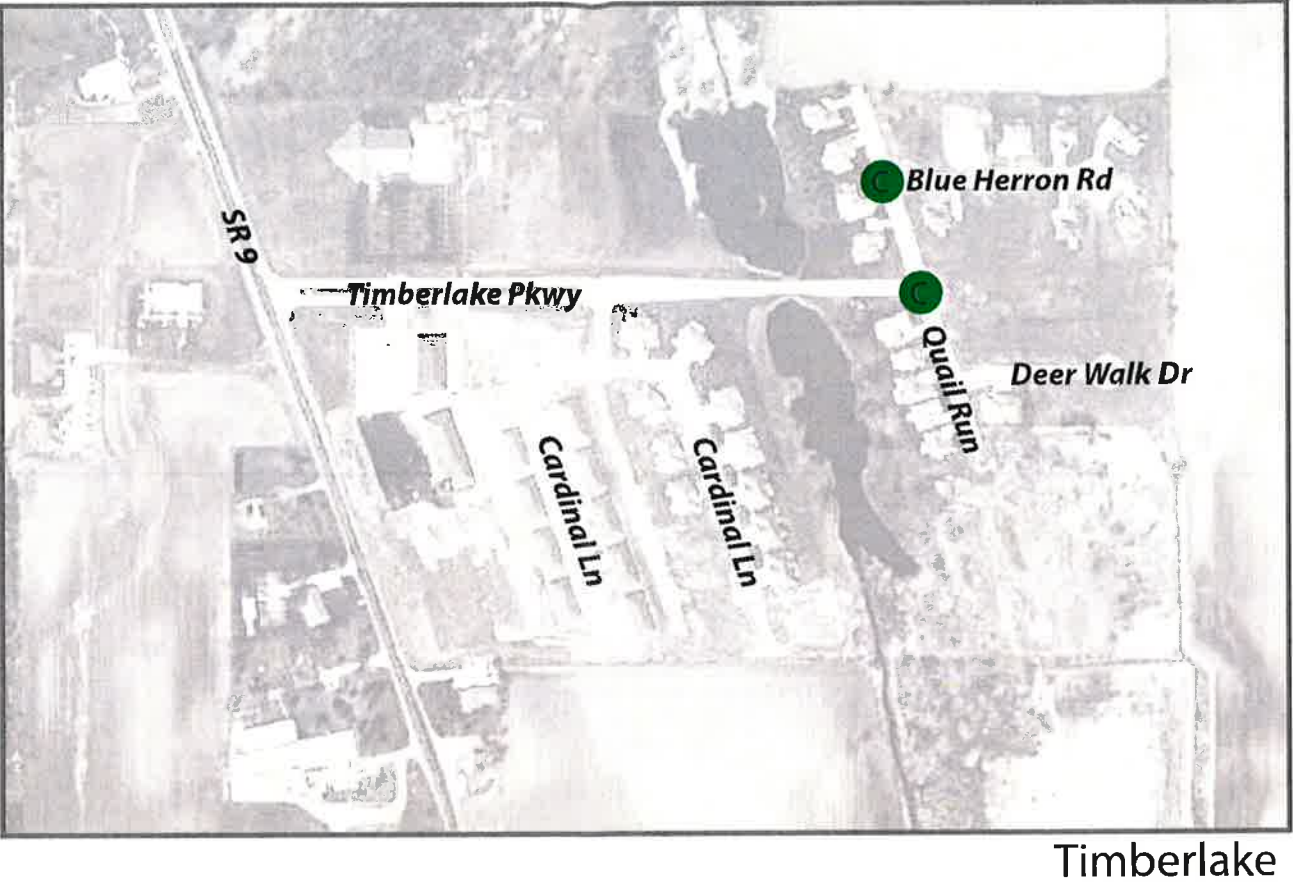
- Intersections serving Government Facilities
- Intersections serving Commercial and Employment Centers
- Intersections serving other areas

- A- ADA Compliant, no concerns
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LEGEND:

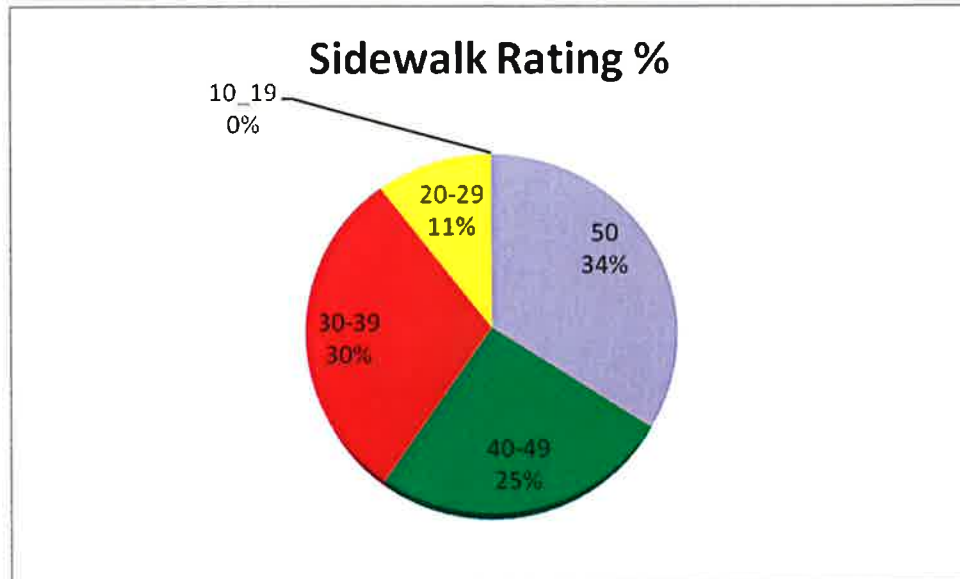
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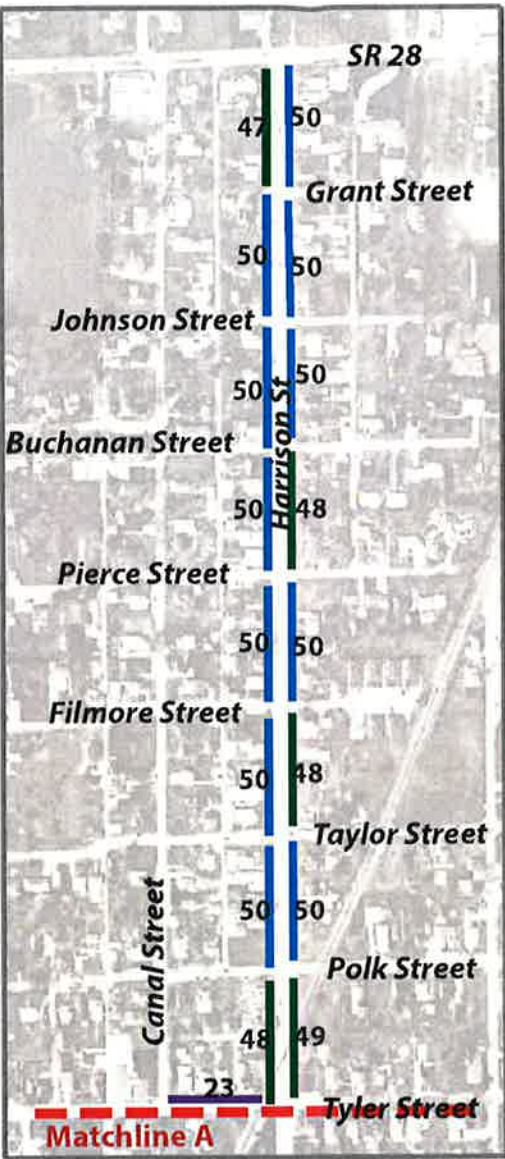
Sidewalk Ratings and Cost Estimates

(see the Sidewalk Infrastructure Improvement Plan for rating sheets)

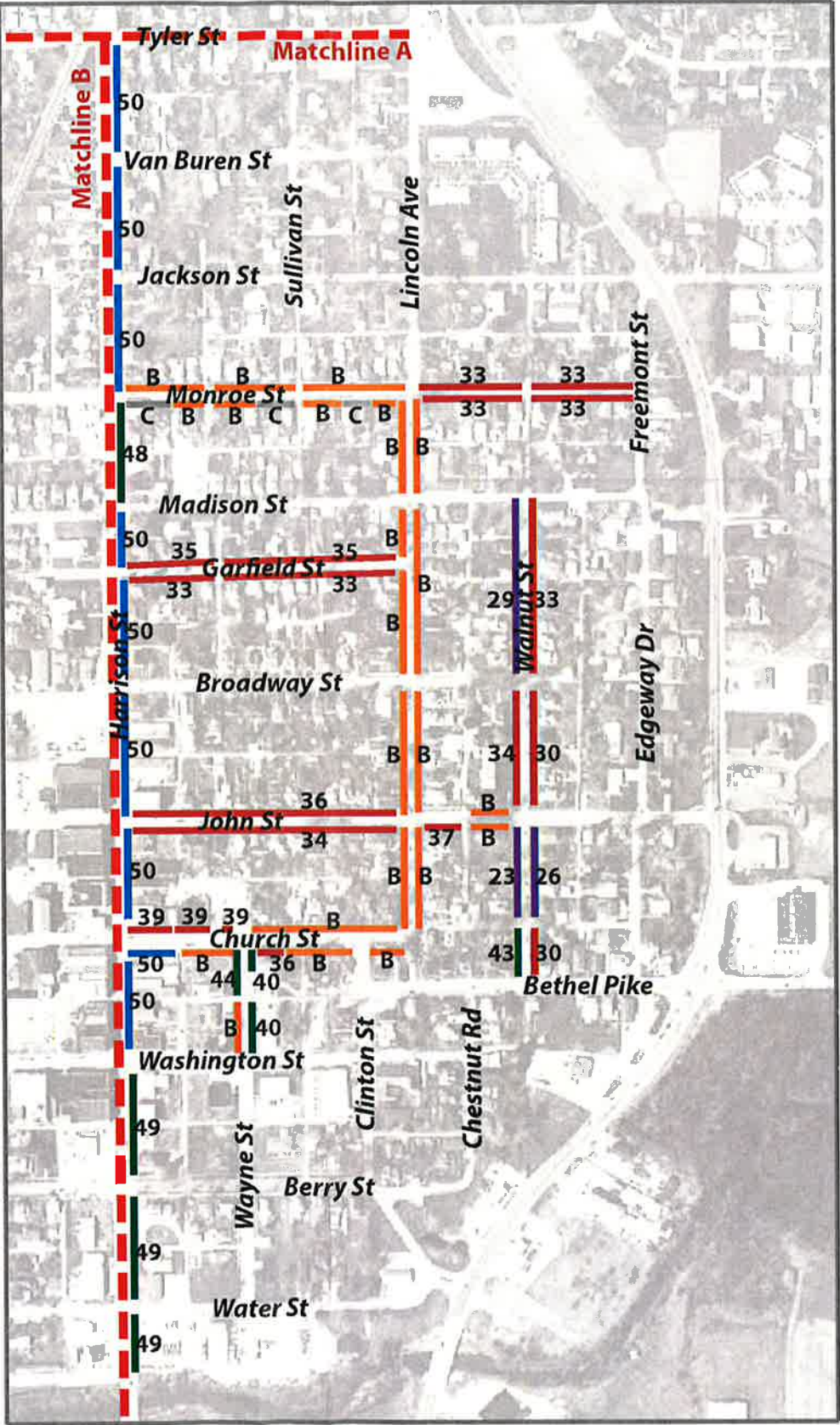
Sidewalk Rating	Length (ft.)	Length (brick)	%	Total Cost
50	21,625	304	33%	\$0
40-49	16,012	599	24%	\$0
30-39	19,108	440	29%	\$664,800
20-29	6,562	0	10%	\$232,222
10_19	0	0	0%	\$0
Brick	882	12,392		\$511,511
Other (no walk)	1,524	471	2%	\$63,533
TOTAL:	65,713	14,206	79,919	\$1,472,066



- N. Harrison Street
- E. Church Street
- E. Garfield Street
- E. John Street
- E. Monroe Street
- Lincoln Street
- N. Wayne Street
- Walnut Street
- E. Berry Street
- E. Washington Street
- S. Wayne Street

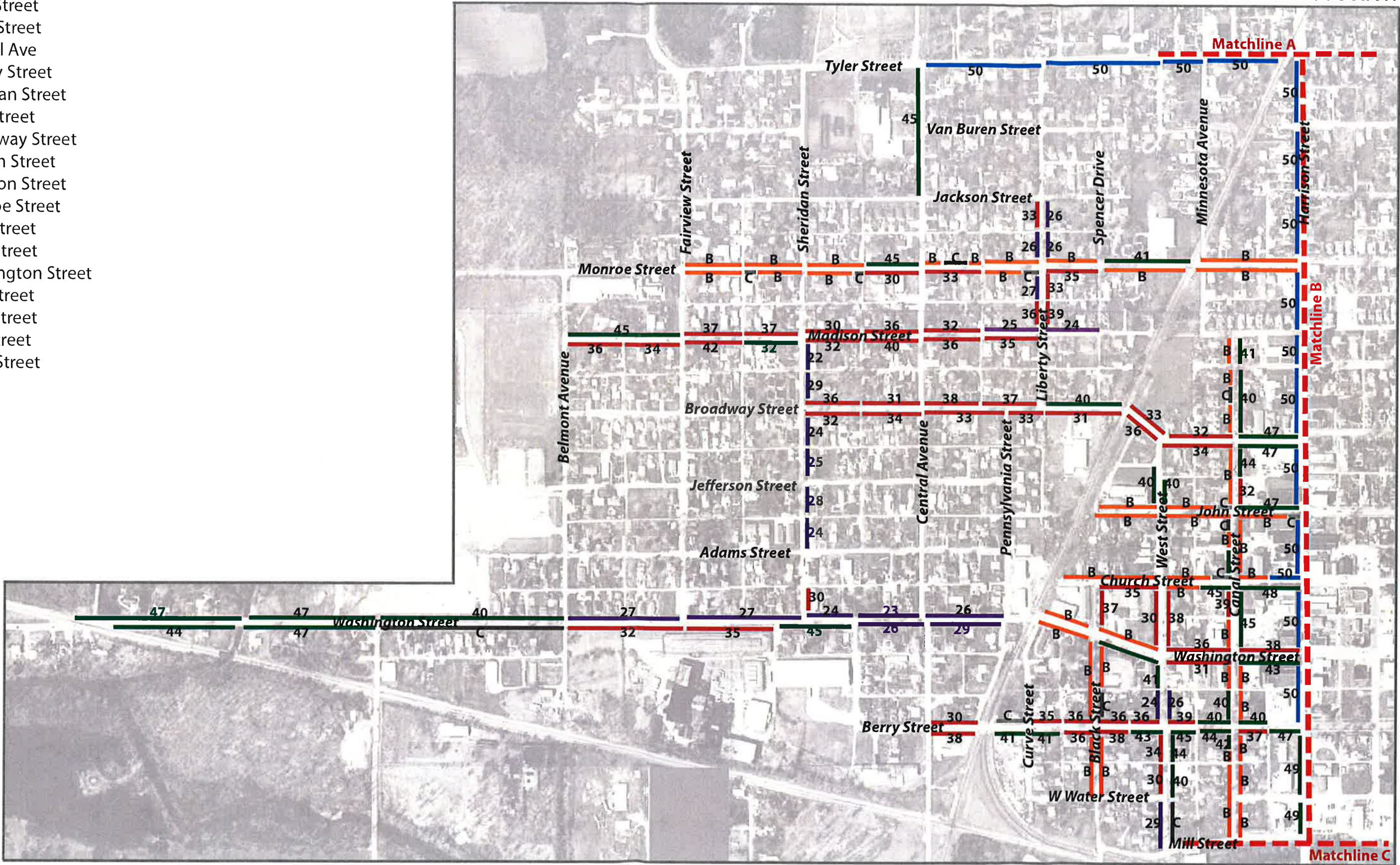


North Harrison Street

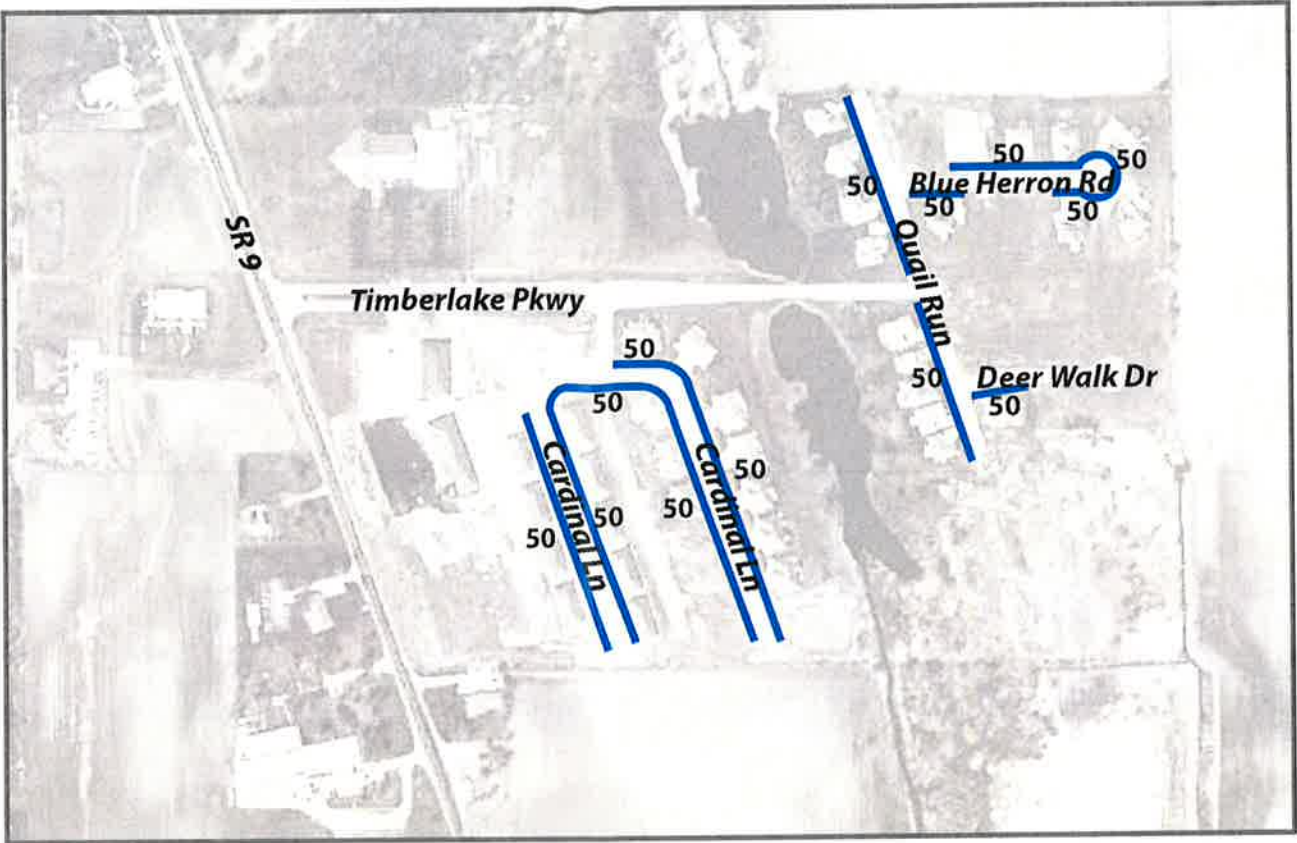


East Section

- N. Black Street
- N. Canal Street
- N. Central Ave
- N. Liberty Street
- N. Sheridan Street
- N. West Street
- W. Broadway Street
- W. Church Street
- W. Madison Street
- W. Monroe Street
- W. Tyler Street
- W. John Street
- W. Washington Street
- S. Black Street
- S. Canal Street
- S. West Street
- W. Berry Street



S. Harrison Street
W. 11th Street
Timberlake Addition



Timberlake



South Section

Curb Ramp Rating Examples

Grade 'A' – ADA compliant



Grade 'B' – Minor problem noted, but no immediate needs



Grade 'C' – One major problem or multiple minor problems, needs some attention



Grade 'D' – Multiple major problems, possibly impassible for wheelchairs



Grade 'F' – Broken, impassable by wheelchairs, difficult for pedestrians



APPENDIX B

Resolutions & Policies

- **ACCESSIBILITY GUIDELINES FOR STANDARDS FOR ACCESSIBLE DESIGN and GUIDELINES FOR PEDESTRIAN FACILITIES IN THE PUBLIC RIGHT-OF-WAY**
- **AMERICANS WITH DISABILITIES ACT (ADA) and ADA COORDINATOR AND PROCEDURES**
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ORDINANCE NO. 1585, 2012

AN ORDINANCE ADOPTING THE CITY OF ALEXANDRIA'S 2010 AMERICANS WITH DISABILITIES ACT STANDARDS FOR ACCESSIBLE DESIGN AND 2005 GUIDELINES FOR ACCESSIBLE PUBLIC RIGHTS

WHEREAS, the Americans with Disabilities Act was enacted on July 26, 1990, with Title II becoming effective on July 26, 1992; and

WHEREAS, the Department of Justice published revised regulations for Titles II and III of the Americans with Disabilities Act of 1990 "ADA" in the *Federal Register* on September 15, 2010; and

WHEREAS, city and state governments are required to insure non-discrimination on the basis of disability in all public programs, services and activities; and

WHEREAS, the City of Alexandria will complete a comprehensive evaluation of its facilities, services, activities and programs and will incorporate the results into a transition plan for implementation.

NOW, THEREFORE, be it ordained by the Common Council as follows:


SECTION 1. The City of Alexandria's 2010 Americans with Disabilities Act Standards for Accessible Design and 2005 Guidelines for Accessible Public Rights for public facilities, services, activities and programs are hereby adopted for implementation.

SECTION 2. This ordinance shall be in full force and effect from and after its adoption by the Common Council, approval by the Mayor and publication as required by law.

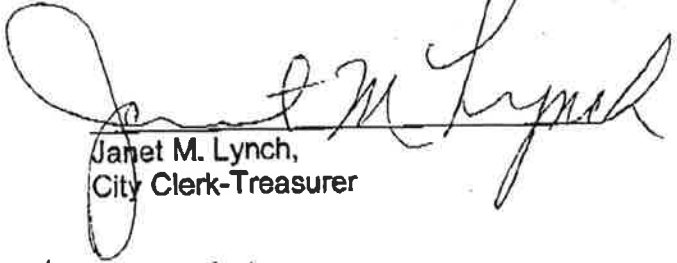
Adopted this 7th day of May, 2012.

Attest:


Janet M. Lynch,
City Clerk-Treasurer


President of Council

Presented by me to the Mayor of the City of Alexandria, Indiana this 7th day of May, 2012.


Janet M. Lynch,
City Clerk-Treasurer

Presented to me and signed this 7th day of May, 2012.


Jack Woods, Mayor

- **AMERICANS WITH DISABILITIES ACT (ADA) and ADA COORDINATOR AND PROCEDURES**
 - **Notice under the Americans with Disabilities Act**

City of Alexandria American with Disabilities Act (ADA) Grievance Procedure

PURPOSE: To implement procedures that assure that any employee or citizen who has a grievance alleging non compliance by the City of Alexandria with the provisions of the Americans with Disabilities Act may report and resolve that grievance by following the procedure outlined below.

PROCEDURE:

A. EMPLOYEE

Any employee who has a complaint alleging non compliance by the City of Alexandria with the provisions of the Americans with Disabilities Act shall resolve that complaint using the grievance procedure as outlined in the City of Alexandria Code of Ordinances.

B. CITIZENS

1. Any citizen who has a grievance alleging non compliance by the City with the provisions of the Americans with Disabilities Act may report the grievance to the ADA coordinator for the City of Alexandria. The grievance report shall be in writing, shall state the facts upon which the grievance is based and shall be signed by the aggrieved party.

At the time of adoption of this procedure, the ADA coordinator for the City of Alexandria is:

TBD

2. The ADA coordinator shall investigate all grievances in light of ADA legislation and the City of Alexandria's action plan. The ADA coordinator shall initiate the investigation within 3 days of receipt of a written grievance.

3. The ADA coordinator will respond in writing to the citizen's complaint within five working days of the completion of the investigation.

4. The written response of the ADA coordinator shall restate the grievance as received in writing. The report will state the section of the ADA with which the City is alleged not to be in compliance. The report will state the finding of the ADA coordinator. If the ADA coordinator finds the City is not in compliance with the provisions of ADA, the report will identify in the transition plan the schedule for compliance or identify the process and schedule to be used by the City to obtain compliance.

5. If it is the opinion of the ADA coordinator that compliance has been achieved and the citizen does not agree, the citizen may appeal the decision to the Mayor's Office using the same method prescribed above. The Mayor's Office shall respond to the citizen as stated above within ten working days of the receipt of the grievance from the citizen.

6. If the citizen does not agree with the findings of the Mayor's Office, the citizen may then appeal the grievance to the Public Safety Committee of the Alexandria City Council. The appeal to the Public Safety Committee shall be in

writing and must be filed with the Public Safety Committee within 10 work days of date of the Mayor's Office response.

7. The Public Safety Committee of the City Council will review the grievance at its next regularly scheduled meeting and report its findings to the citizen in writing. If the Public Safety Committee reaches a decision of non compliance, the response will state the steps to be taken by the City to obtain compliance.

City of Alexandria, Indiana American with Disabilities Act Grievance Process

FILING COMPLAINTS; PROCEDURE.

(A) Any person who claims to have been injured by an activity prohibited by this chapter may file a complaint with the Director. Such complaints shall be in writing and shall identify the person(s) alleged to have committed or alleged to be committing a discriminatory practice and shall state the facts upon which the allegations of a discriminatory practice are based. In situations where the grievant's disability requires assistance to submit a complaint in writing, the Director of the Human Resources Department may receive the complaint verbally. The Director shall prepare complaint forms and furnish them without charge to any person, upon request.

(B) All complaints must be filed 180 days following the occurrence of an alleged discriminatory practice. Upon filing or referral of any complaint, the Director shall within ten days provide notice of the complaint by furnishing a copy of such complaint to the persons named therein who allegedly committed an alleged discriminatory practice (hereinafter referred to as respondent). The respondent may file an answer to the complaint within 15 days of receipt of the written complaint.

NOTICE OF PUBLIC HEARING
Americans with Disabilities Act
ADA Transition Plan

Pursuant to Indiana Code 36-7-4-604, the City of Alexandria gives notice of a public hearing on the City's ADA Transition Plan. The public hearing on the Plan will be held at 7:00 p.m. Tuesday, February 19, 2013 at the Alexandria City Hall located at 125 N. Wayne St., Alexandria, IN 46001. All interested persons are welcome to attend this public hearing and to voice any comment to the Plan. Written comments to the proposed Plan can be submitted to:

Eric Schmidt, ADA Coordinator
125 N. Wayne St.
Alexandria, IN 46001
Email: eric@alexandriaindiana.net

A copy of the Plan will be available for review at the Alexandria City Hall and the Alexandria-Monroe Public Library.