



2018

# North Bay Village ADA Transition Plan



February 2018

## **PURPOSE**

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

The purpose of the Plan is to ensure that the citizens of the Village are provided full access to the Village's programs, services and activities in as timely a fashion as is reasonably possible. The Village's elected officials and staff believe the ability to accommodate disabled persons is essential to good customer service, the quality of life Village residents seek to enjoy and to effective governance.

## **Mission and Goals of North Bay Village**

### *Village Mission Statement*

The Village Commission will work to serve the diverse community and enhance the quality of life for all inhabitants of this "Three Island Paradise" by preserving our natural resources, stimulating economic activity, maintaining a safe environment, and improving the appearance of the Village through effective and transparent leadership.

### Village-Wide Goals

- ❖ Provide a Professional Village Government: Financially Responsible with Personal Customer Service.
- ❖ Develop a Strong Sense of Community Identity and Pride.
- ❖ Maintain our Beautiful and Quaint Village on the Bay.
- ❖ Strive to Create an On-going Great Place to Live for all Generations.

## ***STATEMENT OF ACCESSIBILITY***

North Bay Village shall make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination based on disability, unless the Village can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity. The Village will not place surcharges on individuals with disabilities to cover the cost involved in making programs accessible. The Village will assess all programs services, activities, and structures for ADA Compliance, and will work to reduce accessibility barriers annually, until all barriers are eliminated.

## ***INTRODUCTION***

The Americans with Disabilities Act (ADA) of 1990 is a civil rights statute that prohibits Discrimination against people who have disabilities and includes provisions which applies to public entities such as state and Village governments. Specifically, Title II requires nondiscrimination on the basis of disability, in state and local government services. These “public entities”, including departments, agencies, or other instrumentalities, are required to comply with the ADA.

Title II of ADA therefore requires that all programs, services and activities of public entities, including those considered “instrumentalities” of the government, assure that individuals with disabilities have access to all of their programs, services and activities. 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 ADA, State and local governments, public entities or agencies are required to perform self-evaluations of their current facilities and services, relative to the accessibility requirements of ADA. The agencies are then required to develop a Transition Plan to address any deficiencies. The Plan is required to be updated periodically until all accessibility barriers are removed. The Plan is intended to achieve the following:

- A. Identify physical obstacles that limit the accessibility of Village services to individuals with disabilities;
- B. Describe the methods to be used to make the services accessible;
- C. Provide a schedule for making the access modifications; and
- D. Identify the public officials responsible for implementation of the Transition Plan.

Accessibility is not only for individuals with needs related to mobility disabilities, but also for individuals with needs related to speech, cognitive, vision and hearing disabilities. There are many potential barriers to accessibility of State or Village services. This plan will review the following potential barriers:

- ❖ **Physical Barriers:** Parking, path of travel, doors, service counters, restrooms, drinking fountains, sidewalks, public-right of ways, public facilities, pedestrian equipment, etc.
- ❖ **Programmatic Barriers:** Building Signage, customer interaction/communication, curb ramps, emergency signals, opportunities to participate in Village events.

## STEPS TO COMPLIANCE

### 1. Designating an ADA Coordinator

**Purpose:** The appointed ADA Coordinator must be familiar with the Village'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. The Village's ADA Coordinator is:

Marie Bennett  
ADA Coordinator/Title VI Coordinator  
1666 Kennedy Causeway Suite 300  
Phone: 305-756-m7171 E-Mail: mbennett@nbvillage.com

### 2. Providing Notice About ADA Requirements

**Purpose:** A Village must provide public notice about the rights of the public under the ADA and the responsibility of the Village 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 Village facilities might include many individuals that would not be readily identifiable. A Village has the responsibility to determine the most effective way to provide notice. A notice on a Village website lends itself to both the requirement for wide notice and the requirement for continuing notice. The website must in itself be accessible.

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 e-mail address, or a postal address.

North Bay Village provides ongoing public notice through the Village's website. Residents and members of the general community are encouraged to provide guidance and input regarding the accessibility to all Village facilities by contacting the ADA Coordinator.

### 3. Establishing a Grievance Procedure

**Purpose:** The Village 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. The Village's Grievance Procedure is as follows:

## **North Bay Village 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 North Bay Village. North Bay Village's 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 (see complaint form). 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:

Marie Bennett  
ADA Coordinator/Title VI Coordinator  
1666 Kennedy Causeway Suite 300  
Phone: 305-756-m7171 E-Mail: mbennett@nbvillage.com

Within 15 calendar days after receipt of the complaint, Marie Bennett or her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, Marie Bennett or her 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 North Bay Village and offer options for substantive resolution of the complaint.

If the response by Marie Bennett or her designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the Village Manager or his designee.

Within 15 calendar days after receipt of the appeal, the Village Manager or his designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Village Manager or his 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 Marie Bennett or her designee, appeals to the Village Manager or his designee, and responses from these two offices will be retained by North Bay Village for at least three years.

## North Bay Village Title VI and ADA Complaint of Discrimination

Complainant Name:	Address:
Phone Number:	E-mail Address:

Please list the names, addresses and phone numbers of any witnesses:

Location of Incident:	Date of Incident:
-----------------------	-------------------

Discrimination Because of:	<input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> Nation Origin <input type="checkbox"/> Sex <input type="checkbox"/> Age <input type="checkbox"/> Handicap/Disability <input type="checkbox"/> Income Status <input type="checkbox"/> Retaliation <input type="checkbox"/> Other
----------------------------	--

Please explain **how**, **why**, **when** and **where** you believe you were discriminated against. Include as much background information as possible about the alleged acts of discrimination. Additional pages may be attached if needed.

Complainant Signature:	Date of Signature:
------------------------	--------------------

**Note: Alternate means of filing complaint, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.**  
 If you have any questions, please contact Jenice Rosado at (305)756-4141 or by email at [jrosado@nbvillage.com](mailto:jrosado@nbvillage.com)

#### 4. DEVELOPMENT OF INTERNAL STANDARDS, SPECIFICATIONS, AND DESIGN DETAILS

**Purpose:** 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. North Bay Village has adopted these accessibility guidelines into the Village’s system of standards, specifications, and design details with modifications to meet local conditions. Development of design standards and design details 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

#### 5. THE ADA TRANSITION PLAN

##### a. List of Physical Barriers (the self-evaluation)

**Purpose:** A public entity may not deny the benefits of its programs, activities, and services to individuals with disabilities because its facilities are inaccessible. A public entity's services, programs, or activities, when viewed in their entirety, must be readily accessible to and usable by individuals with disabilities. This standard, known as "program accessibility," applies to all existing facilities of a public entity. Public entities, however, are not necessarily required to make each of their existing facilities accessible. Village owned public facilities/amenities include:

PUBLIC FACILITY	LOCATION	ADA ACCESSIBLE	ELEVATOR
Dr. Paul Vogel Community Park	7920 West Drive, Harbor Island North Bay Village, FL 33141	YES	n/a
Philip Schonberger Tot Lot	1841 Galleon Street, Treasure Island, North Bay Village, FL 33141	YES	n/a
Village Hall	1666 Kennedy Causeway, North Bay Village 33141	YES	YES
North Bay Village Police Department	1666 Kennedy Causeway, North Bay Village 33141	YES	YES
North Bay Village Police Department	1841 Galleon Street, NBV, FL 33141	YES	YES
U.S. Post Office	1666 Kennedy Causeway 101 North Bay Village, FL 33141	YES	YES
North Bay Village Public Works	1841 Galleon Street North Bay Village FL 33141	YES	YES

A self-evaluation/assessment of each of the Village's facilities has been completed. The self-evaluations were made of existing baseline conditions at each of the facilities listed in the table above.

The Village's facilities are reviewed using several "baseline" conditions, including:

- a) Access to parking and entry into the facilities themselves;
- b) Access to a clear and distinct path of travel;
- c) Access to programs and services themselves;
- d) Access to public areas and restrooms; and
- e) Access to related amenities.

### *Sidewalk Assessment*

North Bay Village completed a field inventory of sidewalks to assess the overall condition of these features throughout the Village and to determine the level of accessibility and physical locations of any barriers. By conducting a condition assessment, the Village was able to identify sidewalk maintenance needs and necessary improvements. The goal is for the Village is to identify any physical barriers and provide better accessibility to residents through improved connectivity between neighborhoods, commercial corridors, and other community resources.

Village representatives conducted the sidewalk inventory and documented each location where sidewalks were missing, crosswalks, or pedestrian facilities were missing. Village staff will utilize this assessment to identify barriers to accessibility and develop sidewalk improvement projects for inclusion in the Corrective Plan. Sidewalk improvement projects will be implemented as funding is identified, or in association with other Village projects that necessitate construction in the Village street right-of-way or on Village property.

[Space Intentionally Left Blank]



**Legend:**

- AB - Arecible Beacoming
- C - Crosswalk Missing
- D - Missing Truncated Dome Surface
- OHH - Obstruction by Fire Hydrant
- OS - Obstruction by Signage
- OLP - Obstruction by Light Pole

**North Bay Trails Navigation of 13**



Treasure Island

## ACTION PLAN

Through these self-evaluations, deficiencies in the Village's facilities that diminish the ability of disabled persons to benefit from the programs, services and activities have been identified. The Village has not identified any barriers to access for Village facilities.

Priority will be given to gaps in sidewalk continuity and barriers to public rights of way. The Village will focus primarily on *Treasure Island*. Treasure Island is also the portion of the Village that contains the majority of Village and public facilities. This includes the Village Hall, Treasure Island Elementary School, a bustling commercial district, the Village Police Department, Public Works Facilities, US Postal Services, and Philip Schonberger Tot Lot. Secondly, the Village will focus on barriers that exist on Harbor Island. Finally, the Village will focus on barriers that exist on public right away on North Bay Island; however, no work will be done in the residential areas of North Bay Island. All homes on North Bay Island are in a private gated community.

- 1. Removal of Movement Barriers:** The images below indicate common movement barriers along treasure island. Power line poles, signage, and mail boxes impede the narrow sidewalks. A long-term goal of the Village is to bury power lines. This project is in the preliminary planning phases and is *estimated to cost \$11.1 Million to accomplish*



2. **Improve Curb Ramps and Crosswalks:** North Bay Village has invested heavily in improving curb ramps and walkways leading to public facilities. Most recently improvements were completed at both public parks and along JFK Causeway. The Village recommends the installation Audible Beacons at each intersection along JFK Causeway. Improvements include adding a curb ramp, installing detectable warning, and installing high visibility crosswalks. The images below demonstrate where there is no curb ramp, and limited other pedestrian facilities.



3. **Installation of Truncated Domes:** Truncated Domes shall be installed at the bottom of each curb ramp to indicate the transition from the sidewalk to the street.



### **Short Term Goals**

*FY 2018-2019:* Village is planning on addressing the reconstruction of roadways, inclusive of sidewalk upgrades, in or around Winter 2018. The Village continues to seek grant funding to develop a Complete Streets Master Plan with the goal of improving the overall walkability of the Village.

*FY 2020-2021:* The Village will incorporate the installation of pedestrian crossing signage at each intersection along North Treasure and South Treasure Drives into the Capital Improvement Plan and will seek grant funding to supplement this expense.

*Ongoing:* The Village continues to monitor the community needs by identifying any physical obstacles that limit the accessibility of facilities to individuals with disabilities, and consider methods to modify facilities within reasonable financial measures.

## **RESPONSIBLE STAFF AND TRAINING FOR VILLAGE STAFF ON ADA COMPLIANCE**

The Public Works Department will be responsible for implementing the suggested improvements found in the ADA Transition Plan, and updating the Plan regularly.

To ensure effective implementation of this plan, and to afford staff with the tools necessary to provide better accessibility, the Village will provide the following training on the following topics for staff:

1. ADA Transition Plan training for key members of the Village staff
2. Specialized training for field staff who may deal with the public as part of their job duties.
3. ADA Coordinator training
4. Other ADA Training courses provided by the Department of Transportation