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## City of Carson City Board of Supervisors Agenda Report

Date Submitted: December 17, 2007 Agenda Date Requested: Jan 3, 2008

Time Requested: Consent

To: Mayor and Board Members

From: Patrick Pittenger, Transportation Program Manager

**Subject Title:** Action to approve a policy and procedure for ADA inquiries and requests to improve the City's response to such inquiries and requests related to pedestrian facilities.

**Staff Summary:** Public Works Department staff are seeking to improve the City's response for inquiries and requests related to the Americans with Disabilities ACT (ADA) as it relates to pedestrian facilities. This policy was previously approved by the Carson City Regional Transportation Commission at its November 14, 2007, meeting.

Type of Action Requested:  () Resolution	(check one) () Ordinance	
(_X_) Formal Action/Motion	n () Other (Speci:	fy)
<b>Does This Action Require A Busine</b>	() Yes (X) No	

**Recommended Board Action:** I move to approve a policy and procedure for ADA inquiries and requests to improve the City's response to such inquiries and requests related to pedestrian facilities.

Explanation for Recommended Board Action: In 2007, a disabled Carson City resident filed a complaint against Carson City with the U.S. Department of Justice related to pedestrian facilities. Public Works staff responded quickly to remedy the issues, and the Federal Highway Administration's (FHWA) Nevada Division found Carson City to have successfully corrected the issues. The finding was supported by the FHWA's Office of Civil Rights. However, the need for a structured process to receive and consider inquiries and requests was identified. The policy and procedure would result in an improved process with increased documentation. This policy was previously approved by the Carson City Regional Transportation Commission at its November 14, 2007, meeting.

Applicable Statute, Code, Policy, Rule or Regulation: N/A

Fiscal Impact: N/A

Funding Source: N/A

Alternatives: Modify policy and procedure.

Prepared By: Patrick Pittenger, Transportation Program Manager

Reviewed By:

| Date: | 12/26/07 |
| Date: | 12/26

Supporting Material: Policy and procedure document.

(Vote Recorded By)

# PUBLIC WORKS POLICY AND PROCEDURE AMERICANS WITH DISABILITIES ACT INQUIRIES/REQUESTS

Approved by Carson City Regional Transportation Commission: November 14, 2007

#### **POLICY:**

It is the policy of Carson City Public Works Department to respond to all Americans with Disabilities Act (ADA) inquires or requests regarding pedestrian accommodations. All requests will be investigated, documented and those that are found to be eligible will be acted upon as soon as practicable.

#### PROCEDURE:

1. Request Tracking:

Any ADA, pedestrian related request received by a City employee must be documented and reported to the Public Works Director (Director) or designee immediately.

Information that must be contained in the report include:

- Requesting party's name, telephone number,
- Address,
- Carson City staff member responsible for responding to report,
- Address/location of alleged ADA issue (see attached Request for ADA Accommodation Form).
- 2. The Director will ensure that the request is investigated by appropriate personnel.
- 3. Investigation reports will be submitted to the Director within thirty (30) business days. The Director will make the determination if the request is a matter of ADA compliance.
- 4. The Director or designee will respond to the requesting party regarding the determination of the request and if valid, the project status.
- 5. If the Director determines that the request is eligible, it will be acted upon by personnel or contractors assigned by the Director or designee. Projects will be completed in as soon as practicable given budget availability, time to complete the project and in the event of multiple projects, priortization.
- 6. Following the completion of a project correcting the ADA accommodation, a final report will be provided to the Director. The Director or designee will then inform the requesting party of the project completion. Additionally, at the Director's discretion, a resolution report will be submitted to the FHWA representative.
- 7. All documentation of inquiries, requests, investigations and resolutions will be kept on file with the Public Works Department for a period of 3 years.

### **DEFINITIONS:**

1. "Inquiry or Requests" for the purposes of this policy means a written inquiry or request from an individual or group regarding pedestrian accommodations to include, but not to be limited to side walks, cross walks, railing, etc.) as it relates to the Americans with Disabilities Act.

## **CARSON CITY PUBLIC WORKS / RTC REQUEST FOR ADA ACCOMMODATION**

REQUESTOR'S NAME:		•	
ADDRESS:			
HOME PHONE:			
ADDRESS OR LOCATION OF REQUESTED			
REASON FOR REQUEST:			
REQUESTOR'S SIGNATURE:	DATE:	!	
The Request for ADA Accommodation must b			

**Andrew Burnham Public Works Director** Carson City Public Works 3505 Butti Way Carson City, NV 89701 Office: 775-887-2355

Request ADA Accommodation.doc November 14,2007