




**CITY OF DELRAY BEACH**

**ADMINISTRATIVE POLICIES AND PROCEDURES**

<b>DEPARTMENT:</b>	Human Resources	<b>POLICY NUMBER:</b>	GA-25
<b>SUBJECT:</b>	Title VI and Nondiscrimination Policy	<b>SUPERSEDES:</b>	GA-25, Rev. 1
<b>REVISION:</b>	2	<b>EFFECTIVE DATE:</b>	Oct 11, 2022
<b>APPROVED BY:</b>	 Terrence R. Moore ICMA-CM, City Manager		

**PURPOSE**

The purpose of this Administrative Policy is to inform the public that the City of Delray Beach (hereinafter the Agency) values diversity and welcomes input from all interested parties, regardless of cultural identity, background, or income level. Moreover, the Agency believes that the best programs and services result from careful consideration of the needs of all of its communities and when those communities are involved in the transportation decision-making process. Thus, the Agency does not tolerate discrimination in any of its programs, services, or activities.

**POLICY**

Pursuant to Title VI of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973; Age Discrimination Act of 1975; Section 324 of the Federal-Aid Highway Act of 1973; Civil Rights Restoration Act of 1987; and other federal and state authorities, the City of Delray Beach will not exclude from participation in, deny the benefits of, or subject to discrimination anyone on the grounds of race, color, national origin, sex, age, disability, religion or family status.

**NONDISCRIMINATION ASSURANCES**

Every three years, or commensurate with a change in executive leadership, the Agency must certify to Federal Highway Administration (FHWA) and Florida Department of Transportation (FDOT) that its programs, services, and activities are being conducted in a nondiscriminatory manner. These certifications are termed 'assurances' and serve two important purposes. First, they document Agency commitment to nondiscrimination and equitable service to its community. Second, they serve as a legally enforceable agreement by which the Agency may be held liable for breach. Those wishing to view the Agency's Nondiscrimination Assurance may do so by visiting the Agency website or administration offices.

**PROCEDURE**

The City of Delray Beach has established a discrimination complaint procedure and will take prompt and reasonable action to investigate and eliminate discrimination when found. Any person who believes that he or she has been subjected to discrimination based upon race, color, national origin, sex, religion, age, disability or family status in any Agency program, service or activity may file a complaint with the Agency Title VI/Nondiscrimination Coordinator.

Agency Title VI/Nondiscrimination Coordinator

Jason M. Kaufman, P.E.  
Engineering Division Manager  
Swinton Operations Center  
434 S. Swinton Avenue  
Delray Beach, Florida 33444  
[kaufmanj@mydelraybeach.com](mailto:kaufmanj@mydelraybeach.com)  
Hearing Impaired: 1-800-955-8770 or 1-800-955-8771

If possible, the complaint should be submitted in writing and contain the identity of the complainant; the basis for the allegations (i.e., race, color, national origin, sex, religion, age, disability, or family status); and a description of the alleged discrimination with the date of occurrence. If the complaint cannot be submitted in writing, the complainant should contact the Title VI/Nondiscrimination Coordinator for assistance.

The Title VI/Nondiscrimination Coordinator will respond to the complaint within thirty (30) calendar days and will take reasonable steps to resolve the matter. Should the Agency be unable to satisfactorily resolve a complaint, the Agency will forward the complaint, along with a record of its disposition to the appropriate FDOT District Office.

The Agency Title VI Coordinator has 'easy access' to the Agency Chief Executive Officer (CEO) and is not required to obtain management or other approval to discuss discrimination issues with the CEO. However, should the complainant be unable or unwilling to complain to the Agency, the written complaint may be submitted directly to Florida Department of Transportation (FDOT). FDOT serves as a statewide clearinghouse for Title VI purposes and will either assume jurisdiction over the complaint or forward it to the appropriate federal or state authority for continued processing:

**Florida Department of Transportation  
Equal Opportunity Office  
ATTN: Title VI Complaint Processing  
605 Suwannee Street MS 65  
Tallahassee, FL 32399**

If it is determined, the complaint originated from a Local Agency Program (LAP) project, the complaint will be provided to the FDOT and/or Federal Highway Administration (FHWA). The Agency will attempt to resolve all issues; however, only FHWA can accept, investigate, and issue findings under Title VI, which is specific to the classes of race, color, and national origin.

**ADA/504 POSTED STATEMENT**

Section 504 of the Rehabilitation Act of 1973 (Section 504), the Americans with Disabilities Act of 1990 (ADA) and related federal and state laws and regulations forbid discrimination against those who have disabilities. Furthermore, these laws require federal-aid recipients and other government entities to take affirmative steps to reasonably accommodate those with disabilities and ensure that their needs are equitably represented in transportation programs, services, and activities.

The Agency will make every effort to ensure that its facilities, programs, services, and activities are accessible to those with disabilities. The Agency will also make every effort to ensure that its advisory committees, public involvement activities and all other programs, services and activities include representation by communities with disabilities and disability service groups.

The Agency encourages the public to report any facility, program, service, or activity that appears inaccessible to those who are disabled. Furthermore, the Agency will provide reasonable accommodation to individuals with disabilities who wish to participate in public involvement events or who require special assistance to access facilities, programs, services, or activities. Because providing reasonable accommodation may require outside assistance, organization or resources, the Agency asks that requests be made at least five (5) calendar days prior to the need for accommodation.

Questions, concerns, comments, or requests for accommodation should be made to the Agency ADA Officer:

Duane D'Andrea  
HR Director / ADA Coordinator  
Delray Beach City Hall  
100 NW First Avenue, Delray Beach, FL 33444  
Email: [dandread@mydelraybeach.com](mailto:dandread@mydelraybeach.com)  
Phone: (561) 243-7042  
Hearing Impaired: 1-800-955-8770 or 1-800-955-8771

## LIMITED ENGLISH PROFICIENCY (LEP) GUIDANCE

Title VI of the Civil Rights Act of 1964, Executive Order 13166, and various directives from the US Department of Justice (DOJ) and US Department of Transportation (DOT) require federal-aid recipients to take reasonable steps to ensure meaningful access to programs, services, and activities by those who do not speak English proficiently. To determine the extent to which LEP services are required and in which languages, the law requires the analysis of four factors:

- The number or proportion of LEP persons eligible to be served or likely to be encountered by the City/County's programs, services or activities;
  - The frequency with which LEP individuals come in contact with these programs, services or activities;
  - The nature and importance of the program, service, or activity to people's lives and;
  - The resources available to the City/County and the likely costs of the LEP services.
1. Using census data, the Agency has determined that LEP individuals speaking English less than well represent approximately **13.1%** of the community. The Agency realizes that such statistical data can become outdated or inaccurate. Therefore, the Agency contacted local law enforcement, social services agencies and the school board to validate the proportion of LEP served by those entities. **Spanish and Haitian Creole** was reported to be the prevalent LEP language with an estimate of **5%** eligible to be served.
  2. The Agency **has** received requests for translation or interpretation of its programs, services or activities into **Spanish and Haitian Creole** or other language(s). In addition, Agency sponsored community outreach or public events **are** attended by significant numbers of LEP individuals/ speakers. Thus, the Agency estimates its contact with LEP individuals to be **moderate**.
  3. The Agency believes that transportation is of critical importance to its public, as access to health care, emergency services, employment, and other essentials would be difficult or impossible without reliable transportation systems. In that spirit, the agency defines as Title VI/Nondiscrimination Plan essential any document that advises the public of how to access nondiscrimination and public involvement policies, as well as those that impact public safety, health and welfare and emergency services. A full list of translated documents is available on the Agency website or by contacting the Agency Title VI/Nondiscrimination Coordinator.

4. The Agency is fortunate to house within/near its jurisdiction one or more institutions of higher education which have extensive language resources. Further, the Agency maintains cordial relationships with faith based and/or community organizations that offer competent language services at low or no cost to the Agency. Finally, the Agency **employs fifty-six (56) Spanish speakers and fifteen (15) Haitian Creole speakers that are paid to be accessible to interpret and/or provide translation services as needed per City policy "Language Incentive Pay". These proficient Spanish and Haitian Creole speakers work in various departments throughout the City (i.e. Purchasing, Community Improvement, City Manager, Fire, Human Resources, Ocean Rescue, Parks and Recreation, Police, Development Services, Finance and Utilities).**

The analyses of these factors suggest that LEP services **are** required at this time. At a minimum, the Agency commits to:

- Maintain a list of employees who competently speak the LEP language(s) and who are willing to provide translation and/or interpretation services.
- Distribute this list to staff that regularly has contact with the public.
- Provide public notification in the LEP language of the availability of language assistance, free of charge.

The Agency understands that its community characteristics change and that the four factor analysis may reveal the need for more or varied LEP services in the future. As such, it will at least triennially examine its LEP plan to ensure that it remains reflective of the community's needs.

Persons requiring special language services should contact the Agency's Title VI/Nondiscrimination Coordinator.

## **PUBLIC INVOLVEMENT**

In order to plan for efficient, effective, safe, equitable and reliable transportation systems, the Agency must have the input of its public. The Agency spends extensive staff and financial resources in furtherance of this goal and strongly encourages the participation of the entire community. The Agency hosts an informative website that advises the public how it can access information and provide input. The Agency also holds public meetings, workshops and other events designed to gather public input on program/project planning and construction. Further, the Agency sponsors, attends and participates in other community events to promote its services to the public. Finally, the Agency is constantly seeking ways of measuring the effectiveness of its public involvement.

Persons wishing to request special presentations by the Agency; volunteer in any of its activities; offer suggestions for improvement; or to simply learn more about Agency programs and services should visit –

<https://www.delraybeachfl.gov/our-city/things-to-know/accessible-delray-beach>

Or contact –

Duane D'Andrea  
HR Director / ADA Coordinator  
Delray Beach City Hall  
100 NW First Avenue, Delray Beach, FL 33444  
Email: dandread@mydelraybeach.com  
Phone: (561) 243-7042  
Hearing Impaired: 1-800-955-8770 or 1-800-955-8771

## **DATA COLLECTION**

FHWA regulations require federal-aid recipients to collect racial, ethnic, and other similar demographic data on beneficiaries of or those affected by transportation programs, services and activities. The Agency accomplishes this through the use of census data, American Community Survey reports, Environmental Screening Tools (EST), driver and ridership surveys, its community development department and other methods. From time to time, the Agency may find it necessary to request voluntary identification of certain racial, ethnic, or other data from those who participate in Agency programs, services or activities. This information assists the Agency with improving service equity and ensuring effective outreach. Self identification of personal data to the Agency will always be voluntary and anonymous. Moreover, the Agency will not release or otherwise use this data in any manner inconsistent with the FHWA regulations.

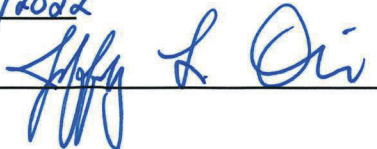
**TITLE VI/ NONDISCRIMINATION ASSURANCE**

Pursuant to Section 9 of US DOT Order 1050.2A, the City of Delray Beach "Subrecipient" assures the Florida Department of Transportation (FDOT) that no person shall on the basis of race, color, national origin, sex, age, disability, family or religious status, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, the Florida Civil Rights Act of 1992 and other nondiscrimination authorities be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination or retaliation under any program or activity.

The Subrecipient further assures FDOT that it will undertake the following with respect to its programs and activities:

1. Designate a Title VI Liaison that has a responsible position within the organization and access to the Subrecipient's Chief Executive Officer.
2. Issue a policy statement signed by the Chief Executive Officer, which expresses its commitment to the nondiscrimination provisions of Title VI. The policy statement shall be circulated throughout the Subrecipient's organization and to the general public. Such information shall be published where appropriate in languages other than English.
3. Insert the clauses of *Appendices A and E* of this assurance in every contract subject to the Acts and the Regulations
4. Develop a complaint process and attempt to resolve complaints of discrimination against sub-recipients. Complaints against the Subrecipient shall immediately be forwarded to the FDOT District Title VI Coordinator.
5. Participate in training offered on Title VI and other nondiscrimination requirements.
6. If reviewed by FDOT or USDOT, take affirmative action to correct any deficiencies found within a reasonable time period, not to exceed ninety (90) calendar days.
7. Have a process to collect racial and ethnic data on persons impacted by your agency's programs.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all federal funds, grants, loans, contracts, properties, discounts or other federal financial assistance under all programs and activities and is binding. The person whose signature appears below is authorized to sign this assurance on behalf of the Subrecipient.

Dated 7/27/2022  
by , Chief Executive Officer

## APPENDICES A and E

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "Contractor") agrees as follows:

- (1.) **Compliance with Regulations:** The Contractor shall comply with the Regulations relative to nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation (hereinafter, "USDOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this Agreement.
- (2.) **Nondiscrimination:** The Contractor, with regard to the work performed during the contract, shall not discriminate on the basis of race, color, national origin, sex, age, disability, religion or family status in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The Contractor shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
- (3.) **Solicitations for Subcontractors, including Procurements of Materials and Equipment:** In all solicitations made by the Contractor, either by competitive bidding or negotiation for work to be performed under a subcontract, including procurements of materials or leases of equipment; each potential subcontractor or supplier shall be notified by the Contractor of the Contractor's obligations under this contract and the Regulations relative to nondiscrimination on the basis of race, color, national origin, sex, age, disability, religion or family status.
- (4.) **Information and Reports:** The Contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the *Florida Department of Transportation*, the *Federal Highway Administration*, *Federal Transit Administration*, *Federal Aviation Administration*, and/or the *Federal Motor Carrier Safety Administration* to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a Contractor is in the exclusive possession of another who fails or refuses to furnish this information the Contractor shall so certify to the *Florida Department of Transportation*, the *Federal Highway Administration*, *Federal Transit Administration*, *Federal Aviation Administration*, and/or the *Federal Motor Carrier Safety Administration* as appropriate, and shall set forth what efforts it has made to obtain the information.
- (5.) **Sanctions for Noncompliance:** In the event of the Contractor's noncompliance with the nondiscrimination provisions of this contract, the *Florida Department of Transportation* shall impose such contract sanctions as it or the *Federal Highway Administration*, *Federal Transit Administration*, *Federal Aviation Administration*, and/or the *Federal Motor Carrier Safety Administration* may determine to be appropriate, including, but not limited to:
  - a. withholding of payments to the Contractor under the contract until the Contractor complies, and/or
  - b. cancellation, termination or suspension of the contract, in whole or in part.
- (6.) **Incorporation of Provisions:** The Contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The Contractor shall take such action with respect to any subcontract or procurement as the

*Florida Department of Transportation, the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration* may direct as a means of enforcing such provisions including sanctions for noncompliance. In the event a Contractor becomes involved in, or is threatened with, litigation with a sub-contractor or supplier as a result of such direction, the Contractor may request the *Florida Department of Transportation* to enter into such litigation to protect the interests of the *Florida Department of Transportation*, and, in addition, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.

- (7.) **Compliance with Nondiscrimination Statutes and Authorities:** Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21; The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects); Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex); Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27; The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age); Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex); The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms “programs or activities” to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not); Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 -- 12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38; The Federal Aviation Administration’s Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex); Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations; Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100); Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).





**ITEM C**



City of Delray Beach

# ADA Self-Evaluation & Transition Plan

Prepared by:

**Kimley»Horn**

1920 Wekiva Way, Suite 200

West Palm Beach, FL 33411



9/20/2018

**ITEM C**



# Table of Contents

<b>1.0</b>	<b>Introduction</b> .....	<b>1</b>
1.1	Legislative Mandate .....	1
1.2	ADA Self-Evaluation and Transition Plan Development Requirements and Process .....	1
1.3	Discrimination and Accessibility .....	1
1.3.1	Physical Barriers .....	2
1.3.2	Programmatic Barriers .....	2
1.3.3	Ongoing Accessibility Improvements.....	2
1.3.4	City of Delray Beach Approach .....	2
<b>2.0</b>	<b>Public Outreach</b> .....	<b>3</b>
<b>3.0</b>	<b>Self-Evaluation and Summary of Findings</b> .....	<b>7</b>
3.1	ADA Coordinator .....	7
3.2	Notice Under the Americans with Disabilities Act.....	7
3.3	Grievance Procedure and Grievance Form.....	8
3.4	Standards and Details Review .....	9
3.5	Facilities Review .....	10
3.5.1	Sidewalk Corridors .....	10
3.5.2	Railroad Crossings with Pedestrian Accommodations .....	12
3.5.3	Signalized Intersections .....	14
3.5.4	Transit Facilities .....	14
3.6	Maintenance Versus Alterations.....	14
3.7	FHWA Guidance on Closing Pedestrian Crossings.....	15
3.8	Prioritization .....	16
3.9	Conclusion .....	20
3.9.1	ADA Action Log.....	20
3.9.2	ADA Progress Monitoring Database.....	20
<b>4.0</b>	<b>Facility Costs</b> .....	<b>22</b>
4.1	Facilities Cost Projection Overview .....	23
4.2	Implementation Schedule.....	23
4.3	Recent Projects .....	24
4.4	Funding Opportunities .....	24
4.4.1	Federal and State Funding.....	24
4.4.2	Local Funding.....	25
4.4.3	Private Funding .....	26
4.5	Next Steps.....	26



**Appendices ..... 29**

- Appendix A: Notice Under the Americans with Disabilities Act
- Appendix B: Accommodation Request Resource List
- Appendix C: Grievance Procedure
- Appendix D: Design Standards Review
- Appendix E: Evaluated Sidewalk Corridors
- Appendix F: Facility Reports
- Appendix G: Intergovernmental Agreement between the Board of County Commissioners of Palm Beach County and the City of Delray Beach

**List of Tables**

Table 1. Summary of Curb Ramp Issues at Unsignalized Intersections..... 12

Table 2. Summary of Issues at Railroad Crossings ..... 13

Table 3. Prioritization Factors for Unsignalized Intersections ..... 17

Table 4. Prioritization Factors for Sidewalk Corridors ..... 18

Table 5. Prioritization Summary for Sidewalk Corridors..... 19

Table 6. Prioritization Summary for Unsignalized Intersections ..... 19

Table 7. Summary of Facility Costs ..... 23

Table 8. Implementation Schedule..... 24

Table 9. Funding Opportunities ..... 25

**List of Figures**

Figure 1. Maintenance versus Alteration Projects ..... 15



## 1.0 Introduction

### 1.1 Legislative Mandate

The Americans with Disabilities Act (ADA) is a civil rights law that mandates equal opportunity for individuals with disabilities. The ADA prohibits discrimination in access to jobs, public accommodations, government services, public transportation, and telecommunications. Title II of the ADA also requires that all Programs, Services, and Activities (PSAs) of public entities provide equal access for individuals with disabilities.

The City of Delray Beach has undertaken a comprehensive evaluation of its PSAs to determine the extent to which individuals with disabilities may be restricted in their access.

### 1.2 ADA Self-Evaluation and Transition Plan Development Requirements and Process

The City of Delray Beach is obligated to observe all requirements of Title I in its employment practices; Title II in its policies, programs, and services; any parts of Titles IV and V that apply to the City and its programs, services, or facilities; and all requirements specified in the 2010 ADA Standards and 2011 Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG) that apply to facilities and other physical holdings.

Title II has the broadest impact on the City. Included in Title II are administrative requirements for all government entities employing more than 50 people. These administrative requirements are:

- Completion of a Self-Evaluation;
- Development of an ADA complaint procedure;
- Designation of at least one person who is responsible for overseeing Title II compliance; and
- Development of a Transition Plan to schedule the removal of the barriers uncovered by the Self-Evaluation process. The Transition Plan will become a working document until all barriers have been addressed.

This document describes the process developed to complete the evaluation of select City of Delray Beach facilities within the public rights-of-way, provides recommendations to remove physical barriers, and presents a Transition Plan for the modification of the public rights-of-way to improve accessibility, which will guide the planning and implementation of necessary facility modifications over the next five (5) years. Only facilities for which the City of Delray Beach owns or is responsible for maintaining were considered for evaluation. City-maintained collectors and local roadways near pedestrian attractors, such as the downtown area, schools, parks, and the municipal beach area were evaluated. Areas with upcoming improvement projects were not evaluated with the assumption that all ADA compliance issues will be addressed during the upcoming projects. As additional funding becomes available, the City will continue to evaluate the remaining facilities.

The ADA Self-Evaluation and Transition Plan is significant in that it establishes the City's ongoing commitment to the development and maintenance of PSAs and facilities that accommodate all of its citizens.

### 1.3 Discrimination and Accessibility

Program accessibility means that, when viewed in its entirety, each program is readily accessible to and usable by individuals with disabilities. Program accessibility is necessary not only for individuals with mobility needs, but also to individuals with sensory and cognitive disabilities.

Accessibility applies to all aspects of a program or service, including but not limited to physical access, advertisement, orientation, eligibility, participation, testing or evaluation, provision of auxiliary aids, transportation, policies, and communication.



The following are examples of elements that should be evaluated for barriers to accessibility:

### 1.3.1 Physical Barriers

- Parking
- Path of travel to, throughout and between buildings and amenities
- Doors
- Service counters
- Restrooms
- Drinking fountains
- Public telephones
- Path of travel along sidewalk corridors within the public rights-of-way
- Access to pedestrian equipment at signalized intersections

### 1.3.2 Programmatic Barriers

- Building signage
- Customer communication and interaction
- Non-compliant sidewalks or curb ramps
- Emergency notifications, alarms, and visible signals
- Participation opportunities for City sponsored events

### 1.3.3 Ongoing Accessibility Improvements

City facilities evaluated during the first phase of the Self-Evaluation will continue to be evaluated on an ongoing basis, and the ADA Transition Plan (Plan) should be revised to account for changes in facility condition affecting accessibility since the initial Self-Evaluation. This Plan will be available for review and consideration by the public. In addition, notice will be provided of the Plan's existence in any official and unofficial City publications.

### 1.3.4 City of Delray Beach Approach

The purpose of the Transition Plan is to provide the framework for achieving equal access to the City of Delray Beach's programs, services, activities, and facilities within a reasonable timeframe. The City's Elected Officials and staff believe accommodating persons with disabilities is essential to good customer service, the quality of life City of Delray Beach residents seek to enjoy, and to provide effective governance. This Plan has been prepared after careful evaluation of select City facilities.

The City of Delray Beach has set up an ADA Coordinator system to better cover the needs of employees and citizens with disabilities. In addition to the City's ADA Coordinator, the City has identified an ADA Liaison within each department who reports to the City's ADA Coordinator regarding the needs of their department and the programs that department is responsible for managing. The City's ADA Coordinator, or designee, will follow-up with each departmental ADA Liaison to coordinate the implementation of recommendations provided in this Transition Plan.

The City of Delray Beach shall make reasonable modifications in PSAs when the modifications are necessary to avoid discrimination based on disability, unless the City can demonstrate that making the modifications would fundamentally alter the nature of the program, service, or activity. The City of Delray Beach will not place surcharges on individuals with disabilities to cover the cost involved in making PSAs accessible.



## 2.0 Public Outreach

The City hosted a public workshop on October 18, 2017 at 5:30 PM to provide a summary of the Transition Plan and receive feedback on the Transition Planning process and any other concerns related to accessibility. In addition to general advertisement of the public workshop, the City also reached out to local disability organizations to inform each organization about the public workshop. The questions and comments received at the workshop are summarized below.

As the City moves forward with additional Self-Evaluation phases, the City will continue to solicit feedback from the public on the Transition Plan.

- **Public Comment:** The amount of sidewalk on Atlantic Avenue is adequate. On barrier island, sidewalks are lacking on north/south roadways off Atlantic Avenue (i.e., Gleason Street, Andrews Avenue, Venetian Drive, etc.). North/south streets need sidewalks due to pedestrians walking to and from churches and other businesses on these roads.

**City Response:** The City's Pedestrian and Bicycle Master Plan will connect bicycle paths and sidewalks.

- **Public Comment:** A pedestrian priority zone needs to be installed between Swinton Avenue and 5<sup>th</sup> Avenue. This area is too car-centric and traffic signals are set to flow east and west. This area has high pedestrian activity and the east/west signals require pedestrians to wait a long time to cross north/south, resulting in jay walking. Atlantic Avenue is not safe for bicyclists, which results in bicyclists riding on the sidewalk, which is not safe for pedestrians.

**City Response:** The Florida Department of Transportation (FDOT) approved the installation of bike sharrows along Atlantic Avenue from Swinton Avenue to 5<sup>th</sup> Avenue. The City is working on a conceptual plan to convert Atlantic Avenue between Swinton Avenue and 5<sup>th</sup> Avenue to more of a pedestrian area.

- **Public Comment:** The City Hall meeting rooms need to be more ADA compliant. Citizens with a wheelchair or walker find it difficult to open the multiple doors going into the City Commission meeting chambers. Additionally, there is no integrated wheelchair seating and the podium/microphone is up too high.

**City Response:** The podium is now motorized and the height can be adjusted.

- **Public Comment:** Get rid of paver lined sidewalks. They are not compatible with trees and dangerous to pedestrians. The funding the City has spent on lawsuits and staff to fix/replace pavers should have been used to remove pavers and replace them with a different material (i.e., rubber sidewalks, two-toned concrete, etc.) and add more trees for shade.

**Consultant Team Response:** If sidewalks (including sidewalk constructed out of pavers) have more than a 1/4-inch elevation change, this is non-compliant and was recorded during the Self-Evaluation. One method to prevent sidewalk upheavals due to trees is to install tree root barriers prior to replacing the non-compliant sidewalk.

- **Public Comment:** A1A and Atlantic Avenue headers need to be fixed.



- Public Comment: The asphalt sidewalk along A1A from Linton Boulevard to Highland Beach has a high volume of pedestrian traffic and many cracking issues. Recommend concrete sidewalks.

City Response: FDOT has already considered replacing asphalt sidewalks with concrete.

- Public Question: How did you inventory where blind pedestrians can cross streets such as A1A with audio warnings? Does the City plan to install additional pedestrian crosswalks along A1A?

City Response: The City did not evaluate signalized intersections. The City aims to do a better job at delineating walkways and making crossings more accessible to the public. The City plans to put another pedestrian crossing near Sandoway Discovery Center parking lot.

Consultant Team Response: Audible pedestrian signals are not the same as Accessible Pedestrian Signals (APS). APS pushbuttons are the standard when audio queues are desired. APS pushbuttons include a pushbutton locator tone, tactile arrow, tone or speech walk message, and tone or speech pushbutton information message.

- Public Comment: Ask the Fire Department if they would be willing to do some ADA inspections for Title III entities (e.g., businesses). Provide a form of potential ADA compliance issues for the Fire Department to take with them to their building inspections.
- Public Comment: Request that the City follow up with Palm Beach County regarding their commitment to install a more ADA friendly pedestrian signal at Anchor Park. There are still wires hanging down at those signals.

City Response: City staff will follow up with the County.

- Public Question: West Palm Beach has white bollards along Clematis Street. Can the City of Delray Beach install bollards on Atlantic Avenue at 5<sup>th</sup> Avenue and 6<sup>th</sup> Avenue to help with safety of pedestrians and signal drivers when they clip corner too tight?

City Response: Bollards at Old School Square are replaced almost weekly because of vehicle collisions.

- Public Question: Where do we stand on getting protected bike lanes to connect Federal Highway to A1A along Linton Bridge?

City Response: The City put in a grant request to FDOT to install separate bike tracks on the north and south side of Linton Boulevard, but they must have County approval before the grant will be awarded. The City requested that the County relinquish the roadway (minus the bridge) to the City to include the bike path and the County has agreed to do that.

- Public Comment: Jim Smith complimented Kimley-Horn on doing a fantastic job and believes the audit involves great detail. He also commented that the City of Delray beach has done more in last 3-5 years than the preceding 15 years, due to people like Missie Barletto and Xavier Falconi.
- Public Comment: Citizen runs a sports league for children with special needs. She has been raising park improvement funds for the City park near Lake Ida Road. States that the park is not safe for children. She



also recommended that the City reach out to some of the schools or local organizations that work with citizens with special needs for the next meeting.

The following comments were provided on comment forms following the public workshop:

#### General Comments

- I think it's great you have this program. I would like to volunteer in the community to help educate people about ADA and what you are doing here. Thank you for this meeting and keep up the good work.
- Ask Delray Fire Department (as part of their fire inspection of high rise condos, restaurants, etc.) to check for ADA compliance. Leave a written suggestion list with management and on their next annual inspection follow-up on actions taken to improve compliance.
- Eliminate red brick paved sidewalks. There have been a number of injuries, falls, and lawsuits to the City as a result of this paving material. Tree roots and pavers are not compatible.
- Build complete sidewalks on the island off of Atlantic Avenue for two (2) blocks north and south.

#### Where do you have the most interaction with the City of Delray Beach?

- Parks, buildings, public transit, pedestrian facilities, local shops/stores. VA facility, WBP/Linden in my complex, shopping at beach shops, Delray hospital/medical centers.
- Pedestrian, bicycle, and transit facilities.

#### Do you have any concerns with City owned or operated facilities?

- Concerned with wheelchair scooters, more disabled parking, senior housing ADA Regulations, senior disabled vets.
- Educate restaurants and shop workers about service animals, hearing impaired, hearing impaired sign language, etc.
- City Commission meeting room is not easily accessible for those using wheelchairs and walkers, nor is there wheelchair seating. Also, podium is too high for those in wheelchairs.

#### What is the number one complaint you (or those you assist) have regarding public services within the City?

- ADA regulations at the federal, state, and county levels. Need to educate people.
- Concerned about scooters on the street. Not enough handicapped accessibility.
- It takes too long for pedestrian signals to turn green when pedestrians are trying to cross Atlantic Avenue. Convert Atlantic Avenue (from E. 5<sup>th</sup> Avenue to Swinton Avenue) to a "Pedestrian Priority Zone"





Do you have any suggestions that you would like to see the City implement to better serve people with disabilities? This could also include common issues you have seen in other communities besides Delray Beach.

- Touch base with senior condo development. Senior programs in Delray as well as organizations should have handouts/literature available.
- Concerned with facilities in an emergency (e.g., shelters, etc.).
- Bathroom facilities, seating capacity for wheelchair.

The following comments were received from a citizen who was unable to attend the public workshop:

- Provide free handicap parking. It is a struggle to go back to any meter to put in additional money so as not to get a parking ticket.
- Provide curb ramps to access handicap parking. Wherever there is handicap parking available, ensure the sidewalk is depressed to provide wheelchair access. Example: Handicap parking space in front of restaurant Cut 432.
- Provide accessible Downtowner vehicles. It would be great to have a Downtowner vehicle without a step up for easy access to the seats, a place to fold wheelchair and put in the vehicle, and some assistance from the driver to get out of the vehicle.
- There are places along Atlantic Ave. (e.g., in front of Vic & Angelos) where one side of the street is marked as a handicap crossing while the corresponding side is unmarked. This makes for a difficult crossing, especially since there is no traffic light there.
- Private businesses must be handicap friendly. Some of the stores and restaurants in downtown do not have entrance ramps or level entrances. Some restaurants do not have bathrooms to accommodate wheelchairs and do not have grab bars. The commenting citizen in a wheelchair and frequents the restaurants and shop the stores all the time. It would be nice if the businesses accommodated people in wheelchairs.
- Don't leave us out! When the City builds a structure like the Pavilion on A1A and Atlantic Ave., remember that some people cannot handle stairs and ramps are needed. While the City redoes the beach area, it would be nice if one area could be designated for the handicapped and their guests. One area that could be concrete because canes, walkers, and wheelchairs don't work in sand. It would be great to be in the shade and look out at the water and smell the sea.



## 3.0 Self-Evaluation and Summary of Findings

### 3.1 ADA Coordinator

Local governments with 50 or more employees are required to designate at least one responsible employee to coordinate ADA compliance. The ADA Coordinator is responsible for coordinating the efforts of the government entity to comply with Title II and investigating any complaints that the entity has violated Title II. The name, office address, and telephone number of the ADA Coordinator must be provided to interested persons.

#### Self-Evaluation Findings

The City of Delray Beach has appointed an existing City staff member to serve in this role:

**Jennifer E. Costello**  
**City of Delray Beach ADA Coordinator**  
**100 NW 1st Avenue**  
**Delray Beach, FL 33444**  
**costello@mydelraybeach.com**  
**(561) 243-7203 x 7135**  
**1-800-955-8770 Florida Relay Service Number (VOICE)**

#### Recommended Actions

The City should expand the current ADA Coordinator's roles and responsibilities to include coordination of all City efforts to comply with Title II, in addition to investigating complaints. The City should also take into consideration the qualifications that help an ADA Coordinator to be effective, as provided by the Department of Justice:

- Familiarity with the state or local government's structure, activities, and employees;
- Knowledge of the ADA and other laws addressing the rights of people with disabilities, such as Section 504 of the Rehabilitation Act, 29 U.S.C. § 794;
- Experience with people with a broad range of disabilities;
- Knowledge of various alternative formats and alternative technologies that enable people with disabilities to communicate, participate, and perform tasks;
- Ability to work cooperatively with the local government and people with disabilities;
- Organizational and analytical skills;
- Familiarity with any local disability advocacy groups or other disability groups; and
- Skills and training in negotiation and mediation.

### 3.2 Notice Under the Americans with Disabilities Act

An ADA Notice is required of all state and local governments, regardless of the number of employees. The ADA Notice is required to include relevant information regarding Title II of the ADA, and how it applies to the programs, services, and activities of the public entity.



### Self-Evaluation Findings

The City of Delray Beach does not have a citywide ADA Notice. A sampling of agendas on the City's website (City Commission, Site Plan Review and Appearance Board, Housing Authority, Code Enforcement) were reviewed for accommodation request language, but only the Code Enforcement agenda included the following language:

*The City shall furnish appropriate auxiliary aids and services where necessary to afford an individual with a disability an equal opportunity to participate in and enjoy the benefits of a service, program, or activity conducted by the City. Please contact Human Resources, (561) 243-7080 at least twenty-four (24) hours prior to the program or activity in order for the City to reasonably accommodate your request.*

### Recommended Actions

A model ADA Notice, developed by the Department of Justice, has been modified for the City of Delray Beach and provided in **Appendix A**. The City may choose to utilize the provided version or develop their own ADA Notice.

The City should develop an internal process for processing accommodation requests and confirm that the 48-hour notice stated in the ADA Notice is adequate for City staff to respond to a request. To expedite the fulfillment of accommodation requests, the City should develop a resource list that includes the names and contact information for local business that provide various services, such as Sign Language Interpreters, Braille translation services, auxiliary aid providers, and oxygen providers.

The citywide ADA Notice should be provided to the public on an ongoing basis, such as in job applications, program handbooks, activity schedules, meeting announcements, at all City facilities, on the City website, and periodically in the local paper.

### Complete Actions

The City Clerk has confirmed 48-hour accommodation request fulfillment request timeframe is sufficient.

The City has developed a resource list to aid in fulfilling accommodation requests. A copy of the resource list is provided in **Appendix B**.

## 3.3 Grievance Procedure and Grievance Form

Local governments with 50 or more employees are required to adopt and publish grievance procedures for Title II complaints. A grievance form is not required by the Department of Justice, but a form can be an effective tool to aid in the collection of information needed to address a complaint. Title II does not specify what must be included in a grievance procedure, but the Department of Justice has developed a model grievance procedure that can be used as a starting point. Per the Department of Justice, the grievance procedure should include the following elements:

- A description of how and where a complaint under Title II may be filed with the government entity;
- If a written complaint is required, a statement notifying potential complainants that alternative means of filing will be available to people with disabilities who require such an alternative;
- A description of the time frames and processes to be followed by the complainant and the government entity;
- Information on how to appeal an adverse decision; and
- A statement of how long complaint files will be retained.



### Self-Evaluation Findings

The City of Delray Beach does not currently have a Title II grievance procedure or grievance form.

### Recommended Actions

A model grievance procedure and form, developed by the Department of Justice, has been modified for the City of Delray Beach and provided in **Appendix C**. The City may choose to utilize the provided version or develop their own grievance procedure and form.

The City should appoint an ADA Coordinator designee to process complaints when the ADA Coordinator is temporarily out of the office. To help facilitate adherence to the timelines stated in the grievance procedure, the City may want to consider creating a generic email address (e.g., ADACoordinator@mydelraybeach.com) so that the ADA Coordinator's designee can access the complaints as they are submitted.

The grievance procedure and form should be made available in alternate formats and information on how to obtain these alternate formats should be added to the City ADA webpage. The grievance procedure and form should also be distributed to all City officials and copies should be posted in public spaces of public building and on the City ADA webpage.

## 3.4 Standards and Details Review

The City of Delray Beach Roadway and Traffic Details were reviewed for compliance with the 2011 Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG). Other City standard details did not appear to have any pedestrian facility-specific information and were not reviewed in detail.

### Self-Evaluation Findings

Deviations from the 2011 PROWAG are provided in **Appendix D**. The dates of each detail vary and were documented in the recommendations summary table.

The standards include several references to the Florida Department of Transportation (FDOT) Standard Indexes. Referenced FDOT Standard Indexes were not reviewed.

### Recommended Actions

The City should consider adopting the 2011 Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG) for pedestrian facility design and construction within the public rights-of-way. Adopting PROWAG will allow the City to enforce these requirements for all design and construction within the City. Detailed recommendations to make the current City of Delray Beach Roadway and Traffic Details consistent with PROWAG are provided in **Appendix D**.

The City should confirm with FDOT if the standard indexes referenced in the City of Delray Beach Roadway and Traffic Details are consistent with PROWAG. If FDOT is unable to confirm or indicates that the standard indexes are not consistent with PROWAG, the City may want to consider developing details to replace the FDOT standard indexes that are consistent with PROWAG.

While the other City standard details did not appear to have any pedestrian facility-specific information, the City should ensure that utilities (e.g., fire hydrants, gate valves, manhole covers, inlets, etc.) are not installed in the pedestrian access route (e.g., sidewalks, street crossings, and driveway crossings), where possible. Example language to be included in these standard details may include the following:



*WHEN POSSIBLE, PLACE [INSERT UTILITY TYPE HERE] IN A GRASSY AREA. AVOID PLACEMENT OF [INSERT UTILITY TYPE HERE] WITHIN PEDESTRIAN ACCESS ROUTES TO PREVENT REDUCTION OF SIDEWALK CLEAR WIDTH. WHEN THE ONLY OPTION IS TO PLACE [INSERT UTILITY TYPE HERE] WITHIN THE PEDESTRIAN ACCESS ROUTE, ENSURE THE DIFFERENCE IN ELEVATION BETWEEN THE PEDESTRIAN ACCESS ROUTE SURFACE AND THE [INSERT UTILITY TYPE HERE] IS 1/4 INCH OR LESS AND THE WIDTH IS 1/2 INCH OR LESS. VERTICAL SURFACE DISCONTINUITIES SHALL BE 1/2 INCH MAXIMUM. VERTICAL SURFACE DISCONTINUITIES BETWEEN 1/4 INCH AND 1/2 INCH SHALL BE BEVELED WITH A SLOPE NOT STEEPER THAN 50 PERCENT. THE BEVEL SHALL BE APPLIED ACROSS THE ENTIRE VERTICAL SURFACE DISCONTINUITY.*

### 3.5 Facilities Review

In 2017, the City of Delray Beach conducted an evaluation of physical barriers in select City-owned facilities within the public rights-of-way. Only facilities for which the City of Delray Beach owns or is responsible for maintaining were considered for evaluation. City-maintained collectors and local roadways near pedestrian attractors, such as the downtown area, schools, parks, and the municipal beach area were evaluated. Areas with upcoming improvement projects were not evaluated with the assumption that all ADA compliance issues will be addressed during the upcoming projects. As additional funding becomes available, the City will continue to evaluate the remaining facilities.

The infrastructure evaluation process was accomplished using field crews equipped with measuring devices and Global Position System (GPS) based data collection forms. Detailed measurements of the existing conditions were used to identify physical barriers in City facilities based on the 2011 Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG). Existing condition compliance summaries, potential solutions for removing the physical barriers, and photos of each facility were recorded during the evaluation process and were included in the facility reports. Field crews were also required to note if the specific facility was in close proximity to a significant pedestrian attractor (e.g., government office, medical facility, school, etc.). This additional information assisted the Consultant Team and City staff in prioritizing barriers for removal. The detailed field measurements, compliance status, potential solutions and estimated costs for removing the physical barriers, and facility priority are also provided in a GIS database. All data collected is compatible with the City's existing Geographic Information Systems (GIS) database.

Facility reports were developed for each sidewalk corridor, unsignalized intersection, and driveway to document the findings of the evaluations. The reports identify the compliance status of each facility with regard to federal standards and include the following elements:

- Listing of facilities that are in compliance with 2011 PROWAG;
- Listing of facilities that are not in compliance with 2011 PROWAG;
- Potential solutions to resolve non-compliance issues for each facility;
- Prioritized list of improvements using criterion developed by the Consultant;
- "Cost report" that assigns conceptual budget estimates to each potential solution; and
- Photolog summary for unsignalized intersections, driveways, and issues along sidewalk corridors (sidewalk photos provided in the GIS database only).

#### 3.5.1 Sidewalk Corridors

The sidewalk corridor evaluations documented conditions and measurements along the pedestrian path of travel, which includes the sidewalk, curb ramps, pedestrian crossings at driveway openings, and pedestrian crossings at unsignalized intersections with cross streets. Approximately 36 miles of sidewalk were evaluated during this phase. The included sidewalk corridors were selected due to their high level of pedestrian activity and proximity to pedestrian



traffic generators. Future phases of the ADA Transition Plan are expected to complete evaluations for the remainder of the sidewalk. A map of the evaluated sidewalk corridors is included in **Appendix E**.

Missing sidewalk segments less than 200 feet in length along the project corridors were collected. The installation of sidewalk is not required by the ADA so an estimated cost to install sidewalk in the gaps was included in the sidewalk reports, but the missing segments were assigned a low priority (see **Section 3.8 Prioritization**).

#### Self-Evaluation Findings

Common issues along the sidewalk corridors were excessive sidewalk cross slopes, vertical surface discontinuities that caused excessive level changes, excessive driveway and cross street cross slopes, permanent obstructions in the sidewalk such as power poles or utilities, and temporary obstructions in the sidewalk or path of travel such as weeds and low hanging branches. Where excessive vegetation was present, field crews attempted to assess the condition of the underlying sidewalk. Where possible, the condition of the underlying sidewalk was recorded; however, the City of Delray Beach may find additional issues with the sidewalk once the temporary obstruction is removed.

Common curb ramp issues at unsignalized intersections along the sidewalk corridors included curb ramps having no presence of color contrast or texture contrast, no flush transition to roadway, excessive curb ramp cross slopes, excessive landing running slopes and cross slopes, and excessive flare cross slopes. A summary of the unsignalized intersection curb ramp issues is provided in **Table 1**. Non-compliant curb ramps, sidewalk, and pedestrian paths of travel along driveways and street crossings at unsignalized intersections were recommended to be removed and replaced.

The ADA of 1990, Section 35.150, Existing Facilities, requires that the Transition Plan include a schedule for providing curb ramps or other sloped area at existing pedestrian walkways, which applies to all facilities constructed prior to 1992. For any sidewalk installations constructed from 1992 to March 15, 2012, the curb ramps should have been installed as part of the sidewalk construction project per the 1991 Standards for Accessible Design, Section 4.7 Curb Ramp, which states, "curb ramps complying with 4.7 shall be provided wherever an accessible route crosses a curb." For sidewalk installations constructed on or after March 15, 2012, similar guidance is provided in the 2010 Standards for Accessible Design, Section 35.151 of 28 CFR Part 35, New Construction and Alterations, which states, "newly constructed or altered street level pedestrian walkways must contain curb ramps or other sloped area at any intersection having curb or other sloped area at intersections to streets, roads, or highways."

To meet the federal requirements for curb ramp installations, the following recommendations were made:

- Where sidewalk leads up to the curb at an intersection, both parallel and perpendicular to the project corridor, two directional curb ramps were recommended to be installed where geometry permitted. PROWAG requires two directional curb ramps be installed during modifications unless there are existing physical constraints.
- Where sidewalk parallel to the project corridor leads up to the curb at a driveway, directional curbs ramps were recommended to be installed to serve the driveway crossing.
- Where diagonal curb ramps were installed with the intent to serve a side-street crossing only, receiving curb ramps are still required to be installed on the opposite side of the major street. However, an engineering study should be performed prior to the installation of the receiving curb ramps to determine if the major street crossing is safe to accommodate. If the engineering study determines the major street crossing is unsafe to accommodate, the existing diagonal curb ramps should be removed and replaced with directional curb ramps in addition to the other requirements noted in **Section 3.6 FHWA Guidance on Closing Pedestrian Crossings** being implemented.



### Recommended Actions

Possible solutions for each sidewalk corridor and unsignalized intersection are provided in the sidewalk and unsignalized intersection reports in **Appendix F**. Note that the reports for the pedestrian path of travel at railroad crossings have been provided separately from the sidewalk corridor reports.

While missing sidewalk segments greater than 200 feet in length were not included in this project, the City should develop a Pedestrian and Bicycle Master Plan that considers both the prioritized improvements identified in the City's ADA Self-Evaluation and Transition Plan, as well as the connectivity of pedestrian and bicycle routes throughout the City.

**Table 1. Summary of Curb Ramp Issues at Unsignalized Intersections**

Curb Ramp Issue	Number Evaluated	Number Non-Compliant	Percent Non-Compliant
No texture contrast	1,164	755	64.9%
No color contrast	1,164	704	60.5%
No flush transition to roadway	1,164	586	50.3%
Ramp cross slope > 2%	1,164	404	34.7%
Landing cross slope > 2%	1,139	346	30.4%
Flare cross slope > 10%	85	25	29.4%
Landing running slope > 2%	1,139	316	27.7%
Obstruction in ramp, landing, or flares	1,164	243	20.9%
Ramp width < 48"	1,164	219	18.8%
Ponding in ramp, landing, or flares	1,164	217	18.6%
Ramp counter slope > 5%	1,164	167	14.3%
No ramp where ramp is needed	1,428	82	5.7%
No 48" crosswalk extension	1,113	56	5.0%
Ramp running slope > 8.3%	1,164	54	4.6%
Ramp does not land in crosswalk	1,164	44	3.8%
Traversable sides	1,079	37	3.4%
No landing	1,164	25	2.1%
Curbed sides < 90°	1,079	4	0.4%

### 3.5.2 Railroad Crossings with Pedestrian Accommodations

To the best knowledge of City staff, the City of Delray Beach is not responsible for the maintenance of pedestrian facilities within the railroad right-of-way. The Florida East Coast (FEC) Railway Engineering Department was contacted on November 28, 2017 to confirm what responsibility the City has for pedestrian facilities within the railroad right-of-way; however, no response has been received from FEC to-date.



### Self-Evaluation Findings

Eight (8) at-grade railroad crossings along the evaluated sidewalk corridors were evaluated for compliance with PROWAG to understand how these railroad crossing affect the pedestrian path of travel along sidewalks within Delray Beach. Elements evaluated included transitions to and from adjacent sidewalk, flangeway gap width, and detectable warning surfaces. The rail type (freight or non-freight) affects the compliance threshold for flangeway gaps. FEC was also contacted to confirm the rail type for each crossing evaluated. Since a response from FEC has not been received, all crossings were evaluated assuming the rail type was freight.

Table 2 provides a summary of the issues identified for the evaluated railroad crossings.

**Table 2. Summary of Issues at Railroad Crossings**

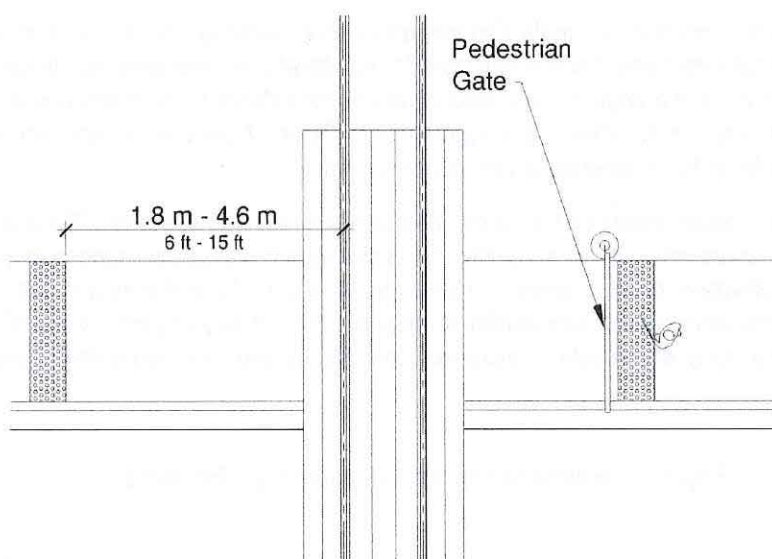
Railroad Crossing Issue	Number Evaluated	Number Non-Compliant	Percent Non-Compliant
No flush transition to/from adjacent sidewalk	8	8	100.0%
Flangeway gap > 3 inches (freight) or flangeway gap > 2.5 inches (non-fright)	32	17	53.1%
No concrete panel present at rail crossing	16	0	0.0%
No detectable warning surface in advance of track crossing	8	0	0.0%

### Possible Solutions

Railroad crossing issues and possible solutions are provided in **Appendix F**.

Where there are multiple tracks at a single location, the detectable warning surfaces should only be installed on the sidewalk leading up to the outside edge of each track. PROWAG Figure R305.2.5 Pedestrian At-Grade Rail Crossings shows a minimum of 6 feet between the detectable warning surface and the outer track. Therefore, the minimum distance between rails of two different tracks would be need to be at least 18 feet for additional detectable warning surfaces to be installed between tracks. Detectable warning surfaces should be 2 feet in depth in the direction of pedestrian travel and extend the full width of the sidewalk.





**Figure R305.2.5  
Pedestrian At-Grade Rail Crossings**

### 3.5.3 Signalized Intersections

The City of Delray Beach does not maintain the traffic signals within the City limits. These traffic signals are maintained by Palm Beach County. A copy of the Intergovernmental Agreement between the Board of County Commissioners of Palm Beach County and the City of Delray Beach is provided in **Appendix G**.

### 3.5.4 Transit Facilities

The City of Delray Beach does not maintain or operate transit facilities or vehicles within the City limits. Transit facilities and vehicles are the responsibility of Palm Tran and Downtowner.

## 3.6 Maintenance Versus Alterations

The United States Department of Justice (DOJ) has issued a briefing memorandum on clarification of maintenance versus projects. Information contained in the briefing memorandum is below. This clarification with regard to when curb ramp installation is required as part of a project should be disseminated to the appropriate City of Delray Beach staff.

*The Americans with Disabilities Act of 1990 (ADA) is a civil rights statute prohibiting discrimination against persons with disabilities in all aspects of life, including transportation, based on regulations promulgated by the United States Department of Justice (DOJ). DOJ's regulations require accessible planning, design, and construction to integrate people with disabilities into mainstream society. Further, these laws require that public entities responsible for operating and maintaining the public rights-of-way do not discriminate in their programs and activities against persons with disabilities. FHWA's ADA program implements the DOJ regulations through delegated authority to ensure that pedestrians with disabilities have the opportunity to use the transportation system's pedestrian facilities in an accessible and safe manner.*

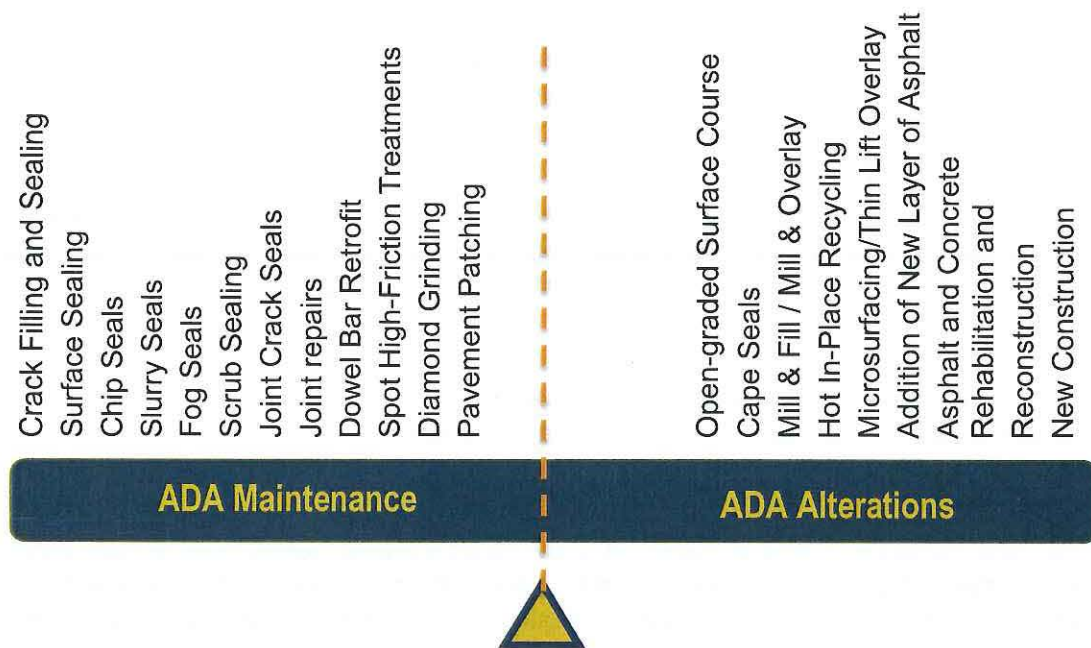
*FHWA and DOJ met in March 2012 and March 2013 to clarify guidance on the ADA's requirements for constructing curb ramps on resurfacing projects. Projects deemed to be alterations must include curb ramps within the scope of the project.*



This clarification provides a single Federal policy that identifies specific asphalt and concrete-pavement repair treatments that are considered to be alterations – requiring installation of curb ramps within the scope of the project – and those that are considered to be maintenance, which do not require curb ramps at the time of the improvement. **Figure 1** provides a summary of the types of projects that fall within maintenance versus alterations.

This approach clearly identifies the types of structural treatments that both DOJ and FHWA agree require curb ramps (when there is a pedestrian walkway with a prepared surface for pedestrian use and a curb, elevation, or other barrier between the street and the walkway) and furthers the goal of the ADA to provide increased accessibility to the public right-of-way for persons with disabilities. This single Federal policy will provide for increased consistency and improved enforcement.

Figure 1. Maintenance versus Alteration Projects



Source: DOJ Briefing Memorandum on Maintenance versus Alteration Projects

### 3.7 FHWA Guidance on Closing Pedestrian Crossings

The FHWA has provided guidance on closing pedestrian crossings. If an engineering study (performed by the City and not included in the scope of this Transition Plan) determines the crossing is not safe for any user, the crossing should be closed by doing the following:

- A physical barrier is required to close a crossing at an intersection. FHWA has determined that a strip of grass between the sidewalk and the curb IS acceptable as a physical barrier.
- A sign should be used to communicate the closure.



The agency wishing to close certain intersection crossings should have a reasonable and consistent policy on when to do so written in their Transition Plan or as a standalone document. If safety concerns are established by an engineering study, a pedestrian crossing should not be accommodated for any user. The City of Delray Beach should also develop and implement a policy on how to close those crossings that are currently accommodated based on the existing conditions at the crossing location (e.g., existing sidewalk leading up to the curb in the direction of the crossing or existing curb ramp or crosswalk currently serving the crossing) but should not be due to safety concerns.

### 3.8 Prioritization

The following section outlines the prioritization factors and results of the prioritization for sidewalks and unsignalized intersections. Each facility type has a different set of parameters to establish the prioritization for improvements. These prioritization factors were taken into consideration when developing the implementation plan for the proposed improvements.

Unsignalized intersections were prioritized on a 13-point scale, as defined in **Table 3**. This prioritization methodology has been developed by the Consultant staff to aid the City in determining which unsignalized intersections should be prioritized for improvements over other unsignalized intersections based on the severity of non-compliance with ADA and proximity to pedestrian attractors. Compliant intersections and driveways were given a priority label of "Compliant".

Sidewalk corridors were prioritized on a 3-point scale and were given a priority of either "High", "Medium", "Low" based on the severity of non-compliance, which is defined in **Table 4**. Compliant segments of the sidewalk corridor were given a priority label of "Compliant".

*[The remainder of this page intentionally left blank]*



**Table 3. Prioritization Factors for Unsignalized Intersections**

Priority	Criteria
<b>1 (high)</b>	Complaint filed on curb ramp or intersection or known accident/injury at site
<b>2 (high)</b>	Existing curb ramp with any of the following conditions: <ul style="list-style-type: none"> <li>• Running slope &gt; 12%</li> <li>• Cross slope &gt; 7%</li> <li>• Obstruction to or in the ramp or landing</li> <li>• Level change &gt; ¼ inch at the bottom of the curb ramp</li> <li>• No detectable warnings</li> </ul> <p>AND within a couple of blocks of a hospital, retirement facility, medical facility, parking garage, major employer, disability service provider, event facility, bus/transit stop, school, government facility, public facility, park, library, or church, based on field observations.</p>
<b>3 (high)</b>	<ul style="list-style-type: none"> <li>• No curb ramp where sidewalk or pedestrian path exists</li> </ul> <p>AND within a couple of blocks of a hospital, retirement facility, medical facility, parking garage, major employer, disability service provider, event facility, bus/transit stop, school, government facility, public facility, park, library, or church, based on field observations.</p>
<b>4 (high)</b>	No curb ramps but striped crosswalk exists
<b>5 (medium)</b>	Existing curb ramp with any of the following conditions: <ul style="list-style-type: none"> <li>• Running slope &gt; 12%</li> <li>• Cross slope &gt; 7%</li> <li>• Obstruction to or in the ramp or landing</li> <li>• Level change &gt; ¼ inch at the bottom of the curb ramp</li> <li>• No detectable warnings</li> </ul> <p>AND NOT within a couple of blocks of a hospital, retirement facility, medical facility, parking garage, major employer, disability service provider, event facility, bus/transit stop, school, government facility, public facility, park, library, or church, based on field observations.</p>
<b>6 (medium)</b>	<ul style="list-style-type: none"> <li>• No curb ramp where sidewalk or pedestrian path exists</li> </ul> <p>AND NOT within a couple of blocks of a hospital, retirement facility, medical facility, parking garage, major employer, disability service provider, event facility, bus/transit stop, school, government facility, public facility, park, library, or church, based on field observations.</p>
<b>7 (medium)</b>	One curb ramp per corner and another is needed to serve the other crossing direction
<b>8 (medium)</b>	Existing curb ramp with any of the following conditions: <ul style="list-style-type: none"> <li>• Cross slope &gt; 5%</li> <li>• Width &lt; 36 inches</li> <li>• Median/island crossings that are inaccessible</li> </ul>
<b>9 (low)</b>	Existing curb ramp with either running slope between 8.3% and 11.9% or insufficient landing
<b>10 (low)</b>	Existing diagonal curb ramp without a 48-inch extension in the crosswalk
<b>11 (low)</b>	<i>N/A – priority for signalized intersections only</i>
<b>12 (low)</b>	Existing curb ramp with returned curbs where pedestrian travel across the curb is not protected
<b>13 (low)</b>	All other intersections not prioritized above



Table 4. Prioritization Factors for Sidewalk Corridors

Criteria	Priority		
	1 (high)	2 (medium)	3 (low)
Cross slope of sidewalk is greater than 2%	Value > 3.5	3.5 ≥ Value > 2.0	
Width of sidewalk is less than 48 inches	Value ≤ 36.0	36.0 < Value < 42.0	42.0 < Value < 48.0
Obstruction present along sidewalk	Obstruction - Permanent	Obstruction - Temporary	
Heaving, Sinking, or Cracking present on sidewalk	Heaving, sinking, and/or cracking that causes an elevation change greater than ¼ inch or gaps greater than ½ inch		
Ponding on sidewalk		Ponding	
Missing Sidewalk			Missing Sidewalk
Signalized cross street cross slope is greater than 5%	Value > 9.0	9.0 ≥ Value ≥ 7.0	7.0 > Value > 5.0
Unsignalized cross street cross slope is greater than 2%	Value > 6.0	6.0 ≥ Value ≥ 4.0	4.0 > Value > 2.0
Cross street running slope is greater than 5%	Value > 7.0	7.0 ≥ Value ≥ 6.0	6.0 > Value > 5.0
Driveway sidewalk width is less than 48 inches	Value ≤ 36.0	36.0 < Value < 42.0	42.0 < Value < 48.0
Driveway (or sidewalk if applicable) cross slope is greater than 2%	Value > 6.0	6.0 ≥ Value ≥ 4.0	4.0 > Value > 2.0
Driveway (or sidewalk if applicable) condition is poor or poor dangerous	Elevation change greater than ½ inch or gaps greater than 1 inch)	Elevation change between ¼ inch and ½ inch or gaps between ½ inch and 1 inch)	
Railroad crossing excessive sidewalk vertical discontinuity	Elevation change greater than 1/4 inch or gaps greater than 1 inch)		
Railroad crossing pre-fabricated plate is plastic or does not exist	Yes – Plastic or No		
Railroad crossing flangeway gap is greater than 3 inches (freight)	Value > 3.0		
Railroad crossing flangeway gap is greater than 2.5 inches (non-freight)	Value > 2.5		
Railroad crossing is missing detectable warning surface(s)	Yes – 1 side only or No – Neither side		



Self-Evaluation Findings

Table 5 and Table 6 provide summaries of the prioritization classifications for sidewalks and unsignalized intersections, respectively.

Table 5. Prioritization Summary for Sidewalk Corridors

Line type	Length (miles) by Priority					
	1 (high)	2 (medium)	3 (low)	Compliant	Not Prioritized	Total
Sidewalks (including missing sidewalk)	4.67	7.53	0.19	16.34	0.09	28.82
Driveways	1.08	0.73	1.09	1.91	N/A	4.81
Cross Streets	0.05	0.11	0.66	1.84	N/A	2.66
<b>Total</b>	<b>5.80</b>	<b>8.37</b>	<b>1.94</b>	<b>20.09</b>	<b>0.09</b>	<b>36.29</b>

Table 6. Prioritization Summary for Unsignalized Intersections

Priority	Number of Intersections
0 (compliant)	5
1 (high)	-
2 (high)	186
3 (high)	2
4 (high)	1
5 (medium)	243
6 (medium)	5
7 (medium)	4
8 (medium)	4
9 (low)	13
10 (low)	-
11 (low)	-
12 (low)	-
13 (low)	4
<b>Total</b>	<b>467</b>



## 3.9 Conclusion

### 3.9.1 ADA Action Log

To confirm follow-up on corrective actions required under the Transition Plan, the City will institute an ADA Action Log, documenting its efforts at compliance with the ADA. At a minimum, the ADA Action Log will identify items that are not ADA compliant and will include anticipated completion dates. After the adoption of the Transition Plan by the City Commission, the ADA Action Log will be updated on an annual basis. The ADA Action Log shall be available upon request.

The City will continue to look for and remedy barriers to access to ensure that City of Delray Beach citizens with disabilities are provided access to the City's programs, services and activities.

### 3.9.2 ADA Progress Monitoring Database

The City should also establish a working database that will allow staff to track and monitor progress as projects are implemented and barriers are removed. The database should also allow staff to report progress by facility type on a periodic basis, which could be used in support of any mobility related performance metrics. The progress monitoring database should incorporate existing City programs currently in place to implement ADA improvements, including:

- Bringing required elements into ADA compliance during road reconstructions and widenings;
- Bringing required elements into ADA compliance as new developments are constructed;
- Reviewing design plans for all new facilities to ensure ADA required elements are included and designed to meet the ADA standards; and
- Inspecting all new construction to ensure facilities were constructed per the design plans.

There is not a one size fits all solution to monitoring progress. The City should first understand what existing City project information needs to be integrated with the ADA Self-Evaluation reporting data, or vice versa. Once identified, City staff can use this information to show progress and update the ADA Transition Plan.

To help facilitate citywide collaboration in the development of the ADA Progress Monitoring Database, the structure and functionality of the City's Geographic Information System (GIS) over time has been documented in the following sections.

#### 3.9.2.1 Past City GIS Efforts

An Information Technology Strategic Plan was developed, which called for the development of an Enterprise Geographic Information System. Two (2) GIS positions in the Environmental Services Department were created and filled, but this newly hired staff were also aiding in other non-GIS related assignments. Although there was some initial internal support for enhancement of the City's GIS, it has yet to evolve into a refined system or decision making toolset accessible to a range of City staff.

In recent years, City administration expressed interest to enhance the City's GIS, but funding was not available to implement upgrades. Moreover, special requests expended months of GIS staff time in "all hands-on deck" efforts to meet short deadlines, which took GIS staff away from utility CAD drawing conversion work. Special requests also made the expansion of new datasets that would enhance analysis capabilities practically non-existent.

Until 2017, the City did not have an Environmental System Research Institute (ESRI) Enterprise License Agreement (ELA), which hindered capabilities and planning for the future. With the ELA now in place, the Information Technology Department is working on setup and infrastructure (servers, web portal, etc.) to enable more capabilities. The City is



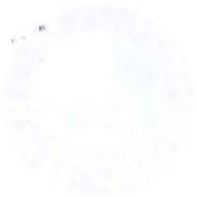
in the initial stages of migrating data to a main spatial database, but may take an extended period of time due to limited use of ArcGIS Online and current production effort needs.

### 3.9.2.2 Planned City GIS Efforts

The City plans to complete migration of outlying data (e.g., shapefiles) into the main geodatabase. This will allow Delray Beach GIS use to expand internally and provide the opportunity for GIS-capable staff to develop more advanced products. The City will need to create "Network Datasets" for utilities to expand analysis capabilities. Positive results will be seen over time going forward. The City also plans to create map/feature services to expand use of ArcGIS Online and define workflows and responsibilities as needed to filter spatial/attribute/data to GIS staff and/or entry into the City's asset management system.

*[The remainder of this page intentionally left blank]*





## 1.0 Facility Costs

The following table provides a summary of the estimated facility costs for the proposed project. The costs are broken down by category and include a detailed description of each item. The total estimated facility cost is \$1,200,000.

Category	Item	Estimated Cost
Site Preparation	Site clearing and grading	\$150,000
	Site access and utility relocation	\$100,000
Building Construction	Foundation and framing	\$400,000
	Roofing and exterior walls	\$300,000
	Interior walls and partitions	\$250,000
Mechanical and Electrical	Mechanical systems (HVAC, plumbing, etc.)	\$200,000
	Electrical systems (wiring, lighting, etc.)	\$150,000
Furniture and Fixtures	Office furniture and equipment	\$100,000
	Signage and wayfinding	\$50,000
Contingency		\$150,000
<b>Total Estimated Facility Cost</b>		<b>\$1,200,000</b>

[Page intentionally left blank]



## 4.0 Facility Costs

### 4.1 Facilities Cost Projection Overview

To identify funding sources and develop a reasonable implementation schedule, cost projection summaries for the initial study were developed for each facility type. To develop these summaries, recent bid tabulations from Florida Department of Transportation (FDOT) construction projects, along with Consultants experience with similar types of projects, were the basis for the unit prices used to calculate the improvement costs. A contingency percentage (20%) was added to the subtotal to account for increases in unit prices in the future in addition to an engineering design percentage (15%). **Table 7** provides a summary of the estimated costs to bring each facility into compliance, which are shown by the high, medium, and low priorities described in **Section 3.8** of this document

**Table 7. Summary of Facility Costs**

Facility Type	High	Medium	Low	Total
<b>Sidewalks</b>	\$1,806,195	\$2,105,533	\$362,272	\$4,274,000
<b>Railroad Crossings</b>	\$705,000	-	-	\$705,000
<b>Unsignalized Intersections</b>	\$2,684,000	\$3,154,000	\$83,000	\$5,921,000
<b>City Totals</b>	<b>\$5,195,195</b>	<b>\$5,259,533</b>	<b>\$445,272</b>	<b>\$10,900,000</b>

### 4.2 Implementation Schedule

**Table 8** details the barrier removal costs and proposed implementation schedule by facility type for all facilities evaluated as part of this project. This 5-year plan will serve as the implementation schedule for the Transition Plan. The City of Delray Beach reserves the right to change the barrier removal priorities on an ongoing basis to allow flexibility in accommodating community requests, petitions for reasonable modifications from persons with disabilities, and changes in City programs.

The City intends to have its ADA Coordinator work together with department heads and budget staff to determine the funding sources for barrier removal projects. Once funding is identified, the ADA Coordinator will coordinate the placement of the projects in the City's Capital Improvement Program to be addressed on a fiscal year basis.



Table 8. Implementation Schedule

Facility Type	Estimated Cost	Implementation Schedule (years)	Approximate Annual Budget
Sidewalk Corridors	\$4,274,000	5	\$854,800
Railroad Crossings	\$705,000	5	\$141,000
Unsignalized Intersections	\$5,921,000	5	\$1,184,200
City Totals	\$10,900,000		
<b>Total Annual Budget</b>			<b>\$2,180,000</b>

### 4.3 Recent Projects

The City has recently completed the following bicycle and pedestrian improvement projects:

- Swinton Avenue from SW 10th Street to NE 4th Street (FDOT administered)
- George Bush Boulevard (NE 2<sup>nd</sup> Avenue to A1A, excluding Intracoastal Waterway bridge)
- Homewood Boulevard (Old Germantown Road to Lawson Boulevard)

Future bicycle and pedestrian improvement projects include:

- NE 2<sup>nd</sup> Avenue from George Bush Boulevard to NE 13<sup>th</sup> Street (Construction starting December 2017)
- NE 2<sup>nd</sup> Avenue from NE 13<sup>th</sup> Street to NE 22<sup>nd</sup> Street (Construction starting in 2018 – in design phase)
- Seacrest Boulevard from NE 22<sup>nd</sup> Street to Gulfstream Boulevard (Construction starting in 2019 – in design phase)
- Congress Avenue Complete Street from South of Atlantic to Canal City Limits (City recently obtained approval from the County to move the project into the design phase)
- 10<sup>th</sup> Street/ Lawson Boulevard from Military Trail to 6<sup>th</sup> Avenue including pre-fabricated bridge construction (Construction starting in Fiscal Year 2020)
- Brandt Bridge over C-15 Canal (Construction starting in Fiscal Year 2021)

### 4.4 Funding Opportunities

Several alternative funding sources are available to the City to complete the improvements identified in this Transition Plan. The funding opportunities include applying for resources at the federal and state level, consideration of local options, and leveraging private resources. The following sections detail some different funding source options.

#### 4.4.1 Federal and State Funding

Table 9 depicts the various types of federal and state funding available for the City to apply for funding for various improvements. The following agencies and funding options are represented in the chart.

- BRI – Bridge - Highway Bridge Replacement and Rehabilitation (HBRRP)
- CMAQ – Congestion Mitigation/Air Quality
- FLH – Federal Lands Highways Program
- HSIP – Highway Safety Improvement Program
- NHPP – National Highway Performance Program
- RHC – Railway-Highway Crossing



- SRTS – Safe Routes to School (Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21) now under TAP)
- STBG – Surface Transportation Block Grant
- TAP – Transportation Alternatives Program

The majority of these programs are competitive type grants; therefore, the City of Delray Beach is not guaranteed to receive these funds. It will be important for the City to track these programs to apply for the funds.

Table 9. Funding Opportunities

Activity	BRI	CMAQ	FLH	HSIP	NHPP	RHC	SRTS	STBG	TAP
Pedestrian plan		X		X				X	
Paved shoulders	X	X	X	X	X	X		X	X
Shared-use path/trail	X	X	X	X	X		X	X	X
Recreational trail			X						X
Spot improvement program		X		X			X	X	X
Maps		X		X			X	X	
Trail/highway intersection		X	X	X	X		X	X	X
Sidewalks, new or retrofit	X	X	X	X	X	X	X	X	X
Crosswalks, new or retrofit		X	X	X	X	X	X	X	X
Signal improvements		X		X	X	X	X	X	X
Curb cuts and ramps		X		X	X	X	X	X	X
Traffic calming				X		X	X	X	X
Safety brochure/book		X		X			X	X	X
Training		X		X	X		X	X	X

#### 4.4.2 Local Funding

There are several local funding options for the City to consider, including:

- Community Development Block Grants (CDBG)
- Community Improvement District (CID) – A geographically defined district in which commercial property owners vote to impose a self-tax. Funds are then collected by the taxing authority and given to a board of directors elected by the property owners.
- General fund (sales tax and bond issue)
- Scheduled/funded CIP projects that are funded through bonds
- Sidewalk or Access Improvement Fee
- Special tax districts – A district with the power to provide some governmental or quasi-governmental service and to raise revenue by taxation, special assessment, or charges for services.
- Tax Allocation District (TAD) – A defined area where real estate property tax monies gathered above a certain threshold for a certain period of time (typically 25 years) to be used a specified improvement. The funds raised from a TAD are placed in a tax-free bond (finance) where the money can continue to grow. These improvements are typically for revitalization and especially to complete redevelopment efforts.



- Tax Increment Financing District (TIF) – A TIF allows cities to create special districts and to make public improvements within those districts that will generate private-sector development. During the development period, the tax base is frozen at the predevelopment level. Property taxes continue to be paid, but taxes derived from increases in assessed values (the tax increment) resulting from new development either go into a special fund created to retire bonds issued to originate the development, or leverage future growth in the district.
- Transportation Reinvestment Zone
- Transportation User Fee / Street Maintenance Fee

There are also funding options for the City to consider through the Palm Beach Metropolitan Planning Organization (MPO), including:

- Local Initiatives (LI) Program
- Transportation Alternatives (TA) Program

One stipulation of these funding options is the federal requirement for the Palm Beach MPO to sign assurances that all recipients of federal funds allocated by the MPO have an ADA Transition Plan in place.

#### 4.4.3 Private Funding

Private funding may include local and national foundations, endowments, private development, and private individuals. While obtaining private funding to provide improvements along entire corridors might be difficult, it is important for the City to require private developers to improve pedestrian facilities to current ADA requirements, whether it by new development or redevelopment of an existing property.

### 4.5 Next Steps

This document serves as the Americans with Disabilities Act (ADA) Transition Plan within the City of Delray Beach. In developing this Plan, a Self-Evaluation was conducted on the following facilities:

- 36 miles of sidewalk; and
- All unsignalized intersections, driveways, and pedestrian railroad crossings along the selected sidewalk corridors.

The recommended improvements were prioritized and an implementation plan was developed to provide guidance for the City's Improvement Projects in the coming years. Public Outreach was also conducted to aid in the development of the Transition Plan.

It should be noted that this Transition Plan is focused on a portion of City of Delray Beach facilities and is not intended to be a comprehensive ADA Transition Plan for all City facilities. As funding becomes available, additional facility evaluations should be completed to provide a comprehensive Transition Plan for the City of Delray Beach.

Based on the recommendations presented in this Plan, the City's initial priorities include:

- Expanding the current ADA Coordinator's roles and responsibilities to include coordination of all City efforts to comply with Title II;
- Consideration of adopting 2011 Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG);
- Adopting City of Delray Beach Notice Under the Americans with Disabilities Act;
- Adopting City of Delray Beach Grievance Procedure and Form;



- Completing Self-Evaluation of City-owned pedestrian facilities in the public rights-of-way. Based on a review of the current inventory of sidewalk maintained by the City of Delray Beach, the remaining facilities to be evaluated include 130 miles of sidewalk, 620 cross street intersections, and 1,050 driveway intersections;
- Identifying and completing Self-Evaluation of City programs, services, and activities required to be evaluated for ADA compliance under Title II of the ADA;
- Identifying and completing Self-Evaluation of City-owned or leased facilities (buildings and associated sidewalk/parking lots, parks and associated sidewalk/parking lots, transit stops, etc.) required to be evaluated for ADA compliance under Title II of the ADA;
- Updating the City of Delray Beach ADA Self-Evaluation and Transition Plan document to reflect additional evaluations;
- Developing a GIS-based progress monitoring system for ADA improvements;
- Updating City design standards for consistency with PROWAG; and
- Developing a Pedestrian and Bicycle Master Plan that considers the prioritized improvements identified in the ADA Self-Evaluation.



*[Page intentionally left blank]*



## Appendices

---

Appendix A: Notice Under the Americans with Disabilities Act

Appendix B: Accommodation Request Resource List

Appendix C: Grievance Procedure

Grievance Procedure

Grievance Form

Appendix D: Design Standards Review

Summary of Comments and Recommendations

Redlines

Appendix E: Evaluated Sidewalk Corridors

Sidewalk Corridor Summary

Facility Map

Appendix F: Facility Reports

Sidewalk Corridors

Railroad Crossings

Unsignalized Intersections

Appendix G: Intergovernmental Agreement between the Board of County Commissioners of Palm Beach County and the City of Delray Beach