



COUNTY OF HUMBOLDT

Legislation Text

File #: 21-351, **Version:** 1

To: Board of Supervisors

From: County Administrative Office

Agenda Section: Departmental

SUBJECT:
Humboldt County Americans with Disabilities Act Compliance Plan

RECOMMENDATION(S):

That the Board of Supervisors:

1. Receive a status update on the county's Americans with Disabilities Act (ADA) Compliance Project; and
2. Adopt the Humboldt County ADA Compliance Plan.

SOURCE OF FUNDING:

2020 Finance Plan
All County Funds

DISCUSSION:

The Americans with Disabilities Act (ADA) of 1990 provides comprehensive civil rights protections to individuals with disabilities in the areas of employment, public accommodations, State and local government services, and telecommunications. A primary goal of the ADA is to ensure equal participation in public life for all Americans with disabilities.

Humboldt County's ADA Compliance Project began Sept. 7, 2016, under a consent decree with the Department of Justice (DOJ). Humboldt County experienced success in remediating barriers identified in the consent decree. On Mar. 13, 2020, the consent decree expired based on the DOJ's decision to not take further action against Humboldt County. The County of Humboldt remains committed to making its programs, services, and activities accessible to all.

Title II of the ADA covers the accessibility of programs, services, and activities of public entities, such as those offered by the County of Humboldt, and Title I employment activities. To fulfill ADA mandates under Title II, the County of Humboldt has conducted a self-evaluation. The ADA states that public entities must reasonably modify policies, practices, and procedures to protect against

discrimination towards individuals with disabilities under Title I and Title II. Humboldt County's ADA Compliance Plan will assist the county in identifying policies, programs, practices, and architectural barriers to accessibility and provide guidance in developing solutions to remove barriers.

Title II of the ADA required public entities that maintain and have responsibility or authority over facilities, streets, sidewalks, and other public use areas to develop an ADA Transition Plan. The Transition Plan was to detail how local jurisdictions would perform removal of ADA barriers to access. A typical plan was a 20-year plan. The time for a transition plan has lapsed. The county in its dedication to performing required removal of ADA barriers has developed an ADA Compliance Plan for this effort.

The ADA Compliance Plan focuses on remediation of approximately 19,563 barriers to access, identified by the county's consultant during the consent decree, in its owned and leased facilities and removal of barriers identified to its policies, programs, and practices. This plan proposes a 20-year time period for barrier removal at county owned and leased facilities. The 20-year plan is a fluid document and subject to change based on lease negotiations, relocation of programs and availability of funding. The remediation of barriers may be modified based on community needs, changes in programs, services, or activities. This timeframe also allows the county required flexibility in the compliance process and allows for new opportunities to be explored.

At a later date the Department of Public Works, in collaboration with the ADA Coordinator, will bring the Humboldt County ADA Compliance Plan for County Maintained Roads to your Board for approval. The Humboldt County ADA Compliance Plan for County Maintained Roads is a subset of the county's overall ADA Compliance Plan and applies only to the roads in the County Maintained Road System. This plan will provide for the completion of improvements set forth in Section K of the consent decree that remain incomplete as of the date the consent decree expired. This includes, but is not limited to curb ramps, access to county facilities from the nearest accessible parking stall and the nearest bus stop to county programs, services, and activities; and provides a protocol to address requests to remove barriers to access on county maintained roads. Approximately 1,270 curb ramps, previously identified during consent decree, will be remediated at an estimate of 200 curb ramps per year. Other public right of ways or roadways in unincorporated areas of Humboldt County not in the County Maintained Road System, including private easements not maintained by the county, are not part of this plan, nor are roadways within incorporated cities and/or state highways part of this plan.

On Oct. 9, 2020, the draft ADA Compliance Plans were released to the public for input with a survey tool. The survey tool was made available for 30 days and was viewed by 47 people of which 9 people responded. Staff publicized the survey and reached out to property owners of leased facilities and Tri-County Independent Living inviting all to participate. Full details of the public survey are attached. As a broad overview, the results of the public survey may be summarized as follows:

1. The public would like to increase the limited hours, days, and locations of public transportation, address the lack of sidewalks to county facilities and beach access, and facilities' contact information available by email/internet.
2. The top three county facilities visited include county libraries, parks, and the airport.

3. The preferred method of transportation is personal vehicles.
4. Additional comments include more accessible parking, inform employees how to access American Sign Language (ASL) training, better and consistent contact with individuals with disabilities and organizations representing individuals with disabilities to participate in project usability.

FINANCIAL IMPACT:

Adoption of the Humboldt County ADA Compliance Plan will have costs associated to staff time to develop and implement. Staff costs are included in the budget for fiscal year 2021-22. As barrier remediation projects begin actual project costs will be known.

It is estimated that ADA barrier removal at county facilities for the term of the plan will be \$40.2 million with approximately \$14.8 million from the Finance Plan, \$7.4 million from non-general fund departments, \$8.8 million from the general fund, \$2.8 million property owner expense and \$6.3 million from others.

STRATEGIC FRAMEWORK:

This action supports your Board's Strategic Framework by enforcing laws and regulations to protect residents, providing for a maintaining infrastructure, and providing community appropriate levels of services.

OTHER AGENCY INVOLVEMENT:

Public Works
Human Resources
Department of Health and Human Services

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Your Board could choose to not approve the ADA Compliance Plan or change the timelines for barrier remediation. However, this is not recommended as it would delay ADA barrier removal.

ATTACHMENTS:

Humboldt County ADA Compliance Plan
Survey

PREVIOUS ACTION/REFERRAL:

Board Order No.: N/A
Meeting of: N/A
File No.: N/A