

## **AMERICAN WITH DISABILITIES ACT TRANSITION PLAN**

### **I. Background**

The American with Disabilities Act (ADA) of 1990 is a Federal Civil Rights Legislation which mandates non-discrimination to persons with disabilities. The ADA, Title II prohibits discrimination by public entities on the basis of disability. Therefore, it is important that the Town of Bernalillo comply with all applicable laws and regulations, including those protecting persons with disabilities.

In order to accomplish this, the Town of Bernalillo has developed this Transition Plan. The document outlines the Town's plan to identify issues of accessibility that need to be addressed and identifies a plan for bringing this infrastructure into compliance, including progressive removal of physical barriers within Town right of way to ensure access to persons with disabilities and the public as a whole.

Currently, all newly-built Town infrastructure projects and developer-initiated projects with public facilities are required to be compliant with ADA regulations and requirements.

The Town's Final Transition Plan contains the following elements:

- A description of the type and list of physical barriers in the public entity's roadway facilities that limit accessibility of its programs, services, or activities to individuals with disabilities;
- A description of the methods utilized to remove these barriers and make the facilities accessible;
- The Milestone Schedule for taking the necessary steps to achieve compliance with Title II;
- The name of the official responsible for the plan's implementation;

The Town currently follows the New Mexico Department of Transportation's ADA Pedestrian Access Standard Drawings that conforms to ADA requirements. These Standard Drawings provide guidance for compliance with the Proposed Accessibility Guidelines for Pedestrian facilities in the Public Right-Of-Way (PROWAG); drawings for Curb Ramps, Median Curb Details, Pedestrian Islands, Driveways and Driveway Aprons, all aided by a Detectable Warning Surface where applicable.

### **II. ADA Program**

#### **A. Responsible Official**

An ADA Program Coordinator has been designated by the Town as the person responsible for the development, implementation, and maintenance of the Town of Bernalillo's ADA Transition Plan. Currently, this function is performed by the Director of Public Works.

#### **B. Internal Review**

The Town of Bernalillo conducted an internal review of available ADA compliance documentation and items that was evaluated within its jurisdiction. A process and methodology for self-evaluation was then established and an interim transition plan was developed. This plan began the structured implementation of a corrective program for deficiencies identified in the self-evaluation process.

#### **C. Self-Evaluation**

As required by ADA legislation, the Town conducted a partial self-evaluation survey of all public roadway infrastructure within its jurisdiction in the summer of 2017. Categories of infrastructure

being reviewed include: sidewalks, ramps, pedestrian push button stations at signals, and crosswalks.

An Action Plan was developed and will continue to be updated annually now that all inspections are completed. This action plan lists specific upcoming projects and/or facility modifications needed.

The Town has and will continue to provide ADA training to Town staff where applicable.

### III. Transition Plan

#### A. Prioritization

The Town has the responsibility of identifying barriers and implementing a corrective program. The Town's self-evaluation survey has identified inventory requiring modifications to comply with ADA requirements.

The Town has limited funding available for infrastructure upgrades so a list to prioritize upgrades within each inspection zone has been developed with the following criteria:

1. **Land Use.** Specific land uses (schools, hospitals, retirement communities, commercial districts) will be used to prioritize improvements. This would be a **"High"** priority.
2. **Population.** Large population concentrations have the possibility of higher impact. This is considered a **"Medium"** priority.
3. **Already Identified Projects.** The Town will ensure that upcoming capital or maintenance projects that can correct ADA deficiencies identified within its project area will do so. This is considered a **"Low"** priority only in the sense that a project has already been identified to correct the deficiencies.
4. **Others.** Projects not falling into any of these categories will be listed but not given priority in funding. These locations will be reviewed periodically to ensure that they do not move into one of the three categories listed above, therefore, changing its prioritization and ranking.

#### B. Facility Classification

Access to and utilization of the Town's facilities by individuals with disabilities can be compromised by the barriers described below. Barrier descriptions are not necessarily complete, but they represent the potential type of barriers that were identified by the Town during the self-evaluation.

The Town of Bernalillo's roadway system provides the traveling public with routes throughout the Town limits that can be accessed via motorized vehicle and by pedestrians. Sidewalks and multi-use paths are the public facilities with potential barriers that were evaluated to determine if the facility (sidewalks, ramps, and associated infrastructure) meets current ADA requirements. Potential barriers may include:

1. Ramps. May not be present where needed or may not meet ADA requirements. Detectable warnings not placed correctly or are not present.
2. Fire Hydrants and other Utilities. Location of these items adjacent to or within the public infrastructure may present a barrier to the public.
3. Group mailboxes and single mailbox installations. Incorrect or poor location of these items adjacent to or within the public infrastructure may make these facilities noncompliant.

4. Landscape obstructions within the sidewalk.
5. Pedestrian push buttons at signals and crossing locations set incorrectly, at the incorrect height, incorrect orientation or with noncompliant button type.

C. Inventory

The table below depicts the type of data the Town collected to evaluate its roadway infrastructure during the self-survey (Appendix C).

	Material Type	Width	Compliant	Deficiency	Obstruction Type	Ramp Type	X-Slope	Down Slope	Tactile Warning
Sidewalks	X	X	X	X	X				
Ramps	X	X	X	X	X	X	X	X	X
Utilities	X		X	X	X				
Ped Push Buttons			X	X	X				

D. Infrastructure ADA Compliance Program

The Town has identified and prioritized all known ADA noncompliant Town infrastructure, and has implemented an ADA compliance program within the Town’s Infrastructure Capital Improvement Program (ICIP).

This program helps to establish a proposed annual budget to continue correcting ADA noncompliant infrastructure within the Town. Priority projects are those deficiencies labeled HIGH as defined above. It is anticipated that the Town will completely remediated all deficiencies by 2040.

IV. Strategy

The following strategy is recommended to assist the Town of Bernalillo in meeting ADA requirements.

A. Accessible Ramps and Sidewalks

The Department of Public Works will resolve ADA noncompliance issues relating to deficient ramps and sidewalks on an annual basis by utilizing in-house maintenance staff, by on-call contracting services, or by seeking contractor bids.

B. Utilities

The Department of Public Works will coordinate existing deficient utilities with the utility owner. Some utilities may be able to be modified in conjunction with roadway capital improvement projects, during planned roadway maintenance projects, or as stand-alone projects.

C. Pedestrian Push Buttons

The Department of Public Works will resolve ADA noncompliance issues relating to existing deficient pedestrian push button stations/locations on an annual basis by utilizing in-house traffic staff, by on-call contracting services, or by seeking contractor bids.

D. Group Mailboxes and Single Mailboxes

The Department of Public Works will coordinate upgrading existing deficient group mailboxes with the United States Postal Service. Some areas may be able to be modified in conjunction with

roadway capital improvement projects adjacent to the mailbox facilities, during planned roadway maintenance projects affecting the full prism of the roadway section, or as a stand-alone project.

## V. Funding

The Town will commit, upon funding availability, budget for Town maintenance projects identified for ADA compliance. The Town will also continue to ensure that all new developer projects or Town funded projects continue to construct public facilities that are in compliance with ADA guidelines and regulations.

## VI. Public Involvement

The Town of Bernalillo held a public meeting on May 9, 2017 to solicit input on the ADA Transition Plan, grievance procedure, compliance inspections, and the ADA noncompliance remediation process. The Town has also developed a grievance procedure for residents to inform the Public Works Department of ADA issues (Appendix A).

## VII. Self-Evaluation

At this point an Action Plan has been developed and is updated annually by the Town, listing specific upcoming projects and/or facilities modifications needed. The Town has completed compliance inspection of the Town. Listed below are the methods and procedures that were followed.

### A. Methods

1. Field Inspections/Survey
2. GIS (recording locations/measurements)
3. Provide training to Town staff on the current guidelines and specifications

### B. Critical Areas to Evaluate

1. Public right-of-way, access to government offices, medical facilities, downtown core areas, School zones, residential areas, etc.

### C. Town Records

1. As Town projects that remediate deficient infrastructure is completed Town Inspectors verify compliance and submit the Town data collection form to the Project Manager for review and to be submitted with all of the final close out documents.
2. After a construction project is completed, the Town's Records & GIS Section receive the Town data collection form that provides the location and details of all new sidewalks, pedestrian push buttons, and wheel chair ramps. The information on these forms is input into GIS, which serves both to maintain an inventory of this infrastructure, and to keep track of what is or is not ADA compliant.

### C. End Result

1. Inventory (and details) of facilities where structural modifications are needed to make facilities accessible to persons with disabilities
2. Foundation for Transportation Plan
3. Maintain in file/available for public inspection for 3 years of date of completion

VIII. Town of Bernalillo Construction Projects

Table 2 lists those projects that will be considered to enhance the ADA compliance within the Town,

Street	Termini	Funding Source				
		FY	Federal Funding	State Grant	Town Funded	Completed Projects
South Hill	Bobby Pl / Richardson	2017	X		X	X
NM 313	Del Norte / Presidente	2018	X		X	
US 550	NM 313 / Edmund	2018	X		X	
NM 313	Avenida Bernalillo / Southern Town limit	2021	X		X	



## Town of Bernalillo

### Americans with disabilities Act (ADA) – Grievance Form Complaint of Access Violation or Discrimination on the Basis of Disability

Person identifying access violation or discrimination:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No.: (\_\_\_\_\_) \_\_\_\_\_

Email: \_\_\_\_\_

Authorized representative of individual above (if any):

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No.: (\_\_\_\_\_) \_\_\_\_\_

Email: \_\_\_\_\_

Please describe the alleged violation of access requirements, or discriminatory action, in enough detail so the nature of your grievance can be clearly understood. Add additional pages if necessary:

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Please give the date(s), time(s), and location(s) of incident(s) or observation(s) you are reporting:

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If the incident involves City employee(s) please provide his or her name(s), if known:

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Please give name(s) and address(s), if known, of any witnesses to the access violation or alleged discrimination:

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What actions do you request the Town take to correct the alleged ADA non-compliance violation or discrimination?

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Signature: \_\_\_\_\_

Today's Date: \_\_\_\_\_

**The Town will make reasonable effort to ensure that confidentiality is maintained throughout the complaint and investigation process, to extent consistent with the law, adequate investigation, and appropriate corrective action.**

**Please provide this form via FAX, mail, or email to:**

**Town of Bernalillo  
Attn: ADA Liaison  
829 Camino Del Pueblo  
PO Box 638  
Bernalillo, NM 87004**

Road	Segment	Owner	AREA	Sidewalk	Sidewalk Condition	Priority (high, medium, low, other)	Deficiency	Deficiency code(s)
CALLE DEL ESCUELA	Entirety	Town	Cottonwood	Y	NA	High	Y	R
HWY 550	Entirety	State	NMDOT	Y	Good - Poor	High	Y	O,R,T
NM 313	Calle Del Norte -Calle Presidente	State	NMDOT	Y	Poor	High	Y	O,R,D,T,P
NM 313	Avenida Bernalillo - South Town limit	State	NMDOT	Y	Poor	High	Y	O,R,D,T,P
Presidente CT	center	Town	NMDOT	Y	Good	High	Y	O,R,D,T,P
BERNALITO CT	Entirety	Town	Sawmill	Y	Good	High	Y	T
ROTARY road	Entirety	Town	Sawmill	Y	Poor	High	Y	O,R,X,D,T,P
SANTIAGO WAY	Entirety	Town	Santiago	Y	Good	Medium	Y	X,T
CALLE Madera	Entirety	Town	Sawmill	Y	Poor	Medium	Y	O,R,X,D,T,P
CALLE MESQUITE	Entirety	Town	Sawmill	Y	Poor	Medium	Y	O,R,X,D,T,P
CALLE PALO VERDE	Entirety	Town	Sawmill	Y	Poor	Medium	Y	O,R,X,D,T,P
MAHOGANY	Entirety	Town	Sawmill	Y	Poor	Medium	Y	O,R,X,D,T,P
MAPLE STREET	Entirety	Town	Sawmill	Y	Poor	Medium	Y	O,R,X,D,T,P
MELISSA ROAD	Entirety	Town	Sawmill	Y	Poor	Medium	Y	O,R,X,D,T,P
SAWMILL RD	Entirety	Town	Sawmill	Y	Poor	Medium	Y	O,R,X,D,T,P
Pleasant view	Entirety	Town	NMDOT	Y	Good	Medium	Y	R,P
CALLE DAMIANO	Entirety	Town	Cottonwood	Y	Good	Other	Y	R
CALLE EVANGELINE	Entirety	Town	Cottonwood	Y	Good	Other	Y	R
Calle Gabriella	Entirety	Town	Cottonwood	Y	Good	Other	Y	R
Rail Runner Ave	Piedra Lisa to Station	Town	NMDOT	Y	Good	Other	Y	R
CORONADO DR	North end	Town	Rio Grande	Y	Poor	Other	Y	O,R,X,D,T,P
RIO GRANDE DR	North end	Town	Rio Grande	Y		Other	Y	O,R,X,D,T,P
ALVARADO WAY	Entirety	Town	Santiago	Y	Good	Other	Y	T
BRAZOS COURT	Entirety	Town	Santiago	Y	Good	Other	Y	O
CRISTANOS DR	Entirety	Town	Santiago	Y	Good	Other	Y	O
FIG SPRINGS DR	Entirety	Town	Santiago	Y	Good	Other	Y	O
GOODWIN DR	Entirety	Town	Santiago	Y	Good	Other	Y	O
PUEBLA ST	Entirety	Town	Santiago	Y	Good	Other	Y	O
SAN AUGUSTIN ST	Entirety	Town	Santiago	Y	Good	Other	Y	O
SAN MARCOS DR	Entirety	Town	Santiago	Y	Good	Other	Y	O
Calle Laguna	south end	Town	Sawmill		Poor	other	Y	O,R,X,D,T,P
LOS PINOS RD	Entirety	Town	Sawmill	Y	Poor	Other	Y	O,R,X,D,T,P
CASA NUEVA CT	Entirety	Town	Sheriff Posse	Y	Good	Other	Y	O,R,X,D,T,P
Rail Runner Ave	US 550 - Piedra Lisa	Town	NMDOT	Y	Good	Other	Y	R,P
CALLE JARAMILLO	Entirety	Town	Cottonwood	Y	Good	High	N	
HWY 528	Entirety	State	NMDOT	Y	Good	High	N	
NM 313	US 550 - Calle Del Norte	State	NMDOT	Y	Good	High	N	
NM 313	Calle Presidente - Avenida Bernalillo	State	NMDOT	Y	Good	High	N	



SPARTAN Alley	Entirety	State	NMDOT	Y	Good	High	N	
SPARTAN Road (behind Walgreens)	Entirety	State	NMDOT	Y	Good	High	N	
CAMINO DON TOMAS	Entirety	Town	Rio Grande	Y	Good	High	N	
COTTONWOOD CIR	Entirety	Town	Santiago	Y	Good	Medium	N	
BANCO CT	Entirety	Town	Village in Bosque	Y	Good	Medium	N	
CALLE LOS MAYORES	Entirety	Town	Village in Bosque	Y	Good	Medium	N	
CALLE MALINCHE- Village in the Bosque	Entirety	Town	Village in Bosque	Y	Good	Medium	N	
SANTA FE	Entirety	Town	Village in Bosque	Y	Good	Medium	N	
Rail Runner Ave	US 550 - Piedra Lisa	Town	NMDOT	Y	Good	Other	Y	
BOSQUE VISTA	Entirety	Town	Santiago	Y	Good	Other	N	
DESERT MARIGOLD CT	Entirety	Town	Santiago	Y	Good	Other	N	
DESERT WILLOW COURT	Entirety	Town	Santiago	Y	Good	Other	N	
EVENING PRIMROSE	Entirety	Town	Santiago	Y	Good	Other	N	
GOLDEN YARROW	Entirety	Town	Santiago	Y	Good	Other	N	
GRAYBACK ST	Entirety	Town	Santiago	Y	Good	Other	N	
LA FONDA ST	Entirety	Town	Santiago	Y	Good	Other	N	
MAGIC CIR	Entirety	Town	Santiago	Y	Good	Other	N	
MOUNTAIN PHLOX WAY	Entirety	Town	Santiago	Y	Good	Other	N	
NICHOLAS CT	Entirety	Town	Sheriff Posse	Y	Good	Other	N	
PALO ALTO COURT	Entirety	Town	Santiago	Y	Good	Other	N	
PALO ALTO DR	Entirety	Town	Santiago	Y	Good	Other	N	
PALO DURO DR	Entirety	Town	Santiago	Y	Good	Other	N	
PRAIRIE ZINNIA DR	Entirety	Town	Santiago	Y	Good	Other	N	
PURPLE ASTER DR	Entirety	Town	Santiago	Y	Good	Other	N	
SALT CEDAR COURT	Entirety	Town	Santiago	Y	Good	Other	N	
SAN GABRIEL ST	Entirety	Town	Santiago	Y	Good	Other	N	
SAN LUIS CT	Entirety	Town	Santiago	Y	Good	Other	N	
SAN LUIS ST	Entirety	Town	Santiago	Y	Good	Other	N	
SAN MIGUEL ST	Entirety	Town	Santiago	Y	Good	Other	N	
VARGAS DR	Entirety	Town	Santiago	Y	Good	Other	N	
VISTA PATRON	Entirety	Town	Santiago	Y	Good	Other	N	