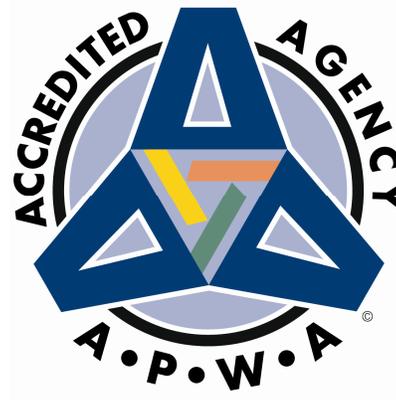




The Most Livable
City in America

City of Saint Paul
Department of Public Works
Americans with Disabilities Act
Transition Plan
Revised October 7, 2014



City of Saint Paul
Department of Public Works
American’s with Disabilities Act (ADA) Transition Plan
Revised October 7, 2014

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Introduction

The American's with Disabilities Act (ADA) of 1990 was signed into law on July 26, 1990. The ADA elevated the civil rights protection of people with disabilities to the same level as those protections in place based on race, color, sex, religion and national origin provided through the Civil Rights Act of 1964.

The ADA required public entities with more than 50 employees to develop a transition plan by July 26, 1992. The Public Works Department did not meet this plan deadline, but is fulfilling this important obligation now (Summer 2009). The Transition Plan must identify all structural modifications that are necessary for buildings and facilities to ensure that programs, services and activities are accessible to people with different abilities. This Transition Plan will identify the steps that we must take to complete the modifications and the estimated date the modifications will be complete.

Public Works has jurisdiction over streets and walkways in the City, and therefore must include in this Transition Plan our schedule for accessibility standards related to infrastructure. This plan addresses pedestrian curb ramps, appropriate access to right-of-way, accessible pedestrian traffic signals and vertical connections throughout the City.

Self Evaluation

During the summer of 2009 all divisions of the Department of Public Works performed a self assessment of their facilities in accordance with most recent guidance on ADA compliance.

The Public Works Department used a workbook created by the Minnesota State Council on Disability. Copies of our self assessments are available upon written request.

Cost Information

It is important to note that all costs listed in this document are in estimated 2014 dollars unless the project listed is already complete. That cost information will remain printed as of the completion date. As revisions are made to this transition plan, every effort will be made to update cost information as well.

Facilities

City Hall Annex
25 West 4th Street
Saint Paul, Minnesota 55102

The City Hall Annex provides downtown office space for several departments of City government. The Public Works Department has offices on the 7th through 10th and 15th floors of the building.

The City Hall Annex is technically owned by the Real Estate Group of the Office of Financial Services, but since we use five floors of this building for our administrative offices, we are including it in this transition plan.

<u>Necessary Structural Changes</u>	<u>Applicable ADAAG Standard</u>	<u>Action to be taken</u>	<u>Projected Completion</u>	<u>Projected Cost</u>
Handrail Skyway Stairs to City Hall	4.8.5	Handrail changes	12/31/2020	\$5,000
Rooms 701 & 704 signs on hinge side	4.30.6	Move room signs	6/30/2015	\$50
7 th Floor Counter*	7.2.2	No 36" section	12/31/2010	\$2,500
8 th Floor Office (Pagel's Office)	4.30.6	No room # or sign	6/30/2015	\$50
8 th Floor Counter	7.2.2	No 36" section	12/31/2015	\$2,500
9 th Floor Conference room*	4.30.6	No room # or sign	6/30/2010	\$50
East Stairway	4.8.5	Handrail changes	12/31/2020	\$10,000
West Stairway	4.8.5	Handrail changes	12/31/2020	\$10,000
Renovate 9 th Floor Restrooms	4.13-4.19	Complete renovation	12/31/2015	\$150,000
10 th Floor Counter	7.2.2	No 36" section	12/31/2015	\$2,500

* Completed as of December 31, 2010

Street Maintenance Office Building and Shop
873 North Dale Street
Saint Paul, Minnesota 55103

The Street Maintenance building provides office space for the division as well as a staging and shop area for operations.

<u>Necessary Structural Changes</u>	<u>Applicable ADAAG Standard</u>	<u>Action to be taken</u>	<u>Projected Completion</u>	<u>Projected Cost</u>
Parking Lot	4.6.3	Van Accessible Space Needed	6/31/2015	\$500
Parking Lot	4.6.6	Disability Transfer zone needed	6/31/2015	\$300
Front Counter*	7.2.2	No 36" section	12/31/2010	\$2,500
Building Alarms	4.28.3	Visual lacking	12/31/2016	\$10,000
ADA compliant Renovation **			12/31/2020	\$40,000
• Men's Room Stalls**	4.22.1	Need 1-5'		
• Men's Room**	4.22.3	Several clearance & misc issues		
• Shower Stalls (W & M)	4.21.3	No seat	12/31/2020	\$2,000
• Shower Stalls (W & M)	4.21.4	No grab bars	12/31/2020	\$2,000
• Break Room	4.2.4	Clearances		
Drinking Fountain	4.15.3-5	Clearances	12/31/2015	\$1,500

* Completed March 2012

** Completed April 2013

Additionally automatic door access was added at the main entrance with the March 2012 project.

Public Works Equipment
891 North Dale Street
Saint Paul, Minnesota 55103

Public Works Equipment operates a main maintenance building and a service station/car wash building. The main maintenance building provides office space for the division as well as a maintenance bays for heavy equipment maintenance and welding.

<u>Necessary Structural Changes</u>	<u>Applicable ADAAG Standard</u>	<u>Action to be taken</u>	<u>Projected Completion</u>	<u>Projected Cost</u>
Parking Lot*	4.6.3	Van Accessible Space Needed	5/31/2010	\$500
Parking Lot*	4.6.6	Disability Transfer zone needed	5/31/2010	\$300
Room signs**	4.30.6	Not 60" latch side	6/30/2010	\$50
Door hardware**	4.13.9	Lever door handles +/- 10	12/31/2011	\$1,000
Stairways***	4.8.5	Handrail Changes	12/31/2017	\$15,000
2 nd floor toilet stalls***	4.22.1	Unisex accessible	12/31/2017	\$25,000

* Completed October 14, 2011

** Completed December 31, 2011

*** Capital Maintenance budget request under development for 2016/2017 cycle.

Additionally automatic door access was added at the north front Dale Street entrance and the hallway leading to the 2nd floor meeting room (accessible by existing elevator).

Traffic Operations Office Building and Shop
 899 North Dale Street
 Saint Paul, Minnesota 55103

The Traffic Operations building provides office space for the division as well as a staging and shop area for operations.

<u>Necessary Structural Changes</u>	<u>Applicable ADAAG Standard</u>	<u>Action to be taken</u>	<u>Projected Completion</u>	<u>Projected Cost</u>
Parking Lot*	4.6.3	Van Accessible Space Needed	05/31/2010	\$500
Drinking Fountain*	4.15.2	Spout not 36"	12/31/2010	\$1,500
Drinking Fountain*	4.15.3	Water Flow	see above	see above
Drinking Fountain*	4.15.5	Knee space	see above	see above

*All actions listed above were completed by January 24, 2011. In addition, automated entrance door improvements were completed in 2011.

Sewer Utility Maintenance Office Building and Shop
 419 Burgess Street
 Saint Paul, Minnesota 55103

The Sewer Utility Maintenance building provides office space for the division as well as a staging and shop area for operations.

<u>Necessary Structural Changes</u>	<u>Applicable ADAAG Standard</u>	<u>Action to be taken</u>	<u>Projected Completion</u>	<u>Projected Cost</u>
Parking Lot*	4.6.3	One Add'l Handi-capped space needed	5/31/2010	\$500
Parking Lot*	4.6.6	Disability Transfer Zone Needed	5/31/2010	\$300
Room signs*	4.30.6	Not at 60"	5/31/2010	\$100
Front Counter*	7.2.2	No 36" section	12/31/2010	\$2,500

*All actions listed above were completed by December 20, 2011.

Public Infrastructure

Pedestrian Curb Ramps

Saint Paul Public Works takes equal access for all very seriously, regardless of the physical abilities of the person visiting our facilities or traveling within or through the City by way of our transportation systems.

Saint Paul Public Works has been very proactive implementing accessibility features. We began installing corner quadrant pedestrian ramps in the early 1970s, and are continuing that spirit today by updating our pedestrian infrastructure as necessary when we reconstruct our streets and sidewalks or perform major maintenance through mill and overlay projects.

At this time (2009) we have five known corner quadrants out of approximately 30,000 that do not have pedestrian ramps. Most of our ramps are exposed aggregate ramps lacking the current truncated dome technology.

It is our practice and policy to inspect the pedestrian ramps involved in each mill and overlay project. If the curb ramp is not damaged and meets the specifications in place at the time of original construction, the ramp will remain. Curb ramps that are in poor condition or non-compliant with specifications at the time of installation will be replaced.

Some of our pedestrian ramps are on Minnesota Department of Transportation State Aid routes or Trunk Highways. Other ramps are found on Ramsey County roadways. Saint Paul Public Works will coordinate with those agencies as appropriate as part of their reconstruction and transition plans.

<u>Necessary Structural Changes</u>	<u>Applicable PROWDG Standard</u>	<u>Action to be taken</u>	<u>Projected Completion</u>	<u>Projected Cost</u>
One arterial Pedestrian Ramp*	3.4	Ramp and Truncated Dome	12/31/2013	\$1,000
Four residential Pedestrian Ramps*	3.4	Ramps and Truncated Domes	12/31/2013	\$4,000
Arterial Pedestrian Ramps	3.4	Need Truncated Domes	12/31/2030	\$10,000,000
Residential Pedestrian Ramps	3.4	Need Truncated Domes	12/31/2050	\$25,000,000

* Completed by December 31, 2013, but we do still continue to find the occasional missed corner pedestrian ramp in the City. These are corrected within the year found if the construction season permits. If too late in the season they are reconstructed in the following year.

Records of the Public Works Sidewalk Division indicate that there have been at least 3,527 pedestrian ramp corners reconstructed between 2010 and 2013. These ramps were completed by MnDOT, Ramsey County, City Residential Street Vitality Program projects, Citywide Sidewalk Projects, Utility Companies, and private permit holders. When work like this is performed, pedestrian ramp corners are updated to current ADA standards.

The Federal Department of Justice/Department of Transportation Joint Technical Assistance (DOJ/DTJTA) memo dated July 8, 2013 (see next page), discusses ADA requirements to “provide curb ramps when streets, roads or highways are altered through resurfacing.” Public Works’ practice, when performing a mill and overlay on a street, is to inspect the pedestrian ramps, and to replace only those that are in poor condition or non-compliant with specifications at the time of installation. Ramps also will be constructed in any place where they do not exist. This policy appears in the Public Works ADA Transition Plan of 2010 (shown on previous page) and it continues to be our practice. Public Works requested the opinion of legal counsel in the summer of 2014 regarding whether a mill and overlay could now trigger an upgrade requirement for every existing pedestrian ramp, and whether it would require a change to this policy.

It is the opinion of the city’s legal counsel that even if resurfacing via mill and overlay is considered an alteration, the current transition plan remains valid. The Department of Justice (DOJ) memo states that such alteration “triggers the requirement to add curb ramps” and later repeats, “the combination of several maintenance treatments occurring at or near the same time may qualify as an alteration and would trigger the obligation to provide curb ramps.” Nothing in the memo indicates that resurfacing would trigger a requirement to upgrade functional pedestrian ramps that already exist.



U.S. Department of Justice
Civil Rights Division
Disability Rights Section



U.S. Department of Transportation
Federal Highway Administration

Department of Justice/Department of Transportation Joint Technical Assistance¹ on the Title II of the Americans with Disabilities Act Requirements to Provide Curb Ramps when Streets, Roads, or Highways are Altered through Resurfacing

Title II of the Americans with Disabilities Act (ADA) requires that state and local governments ensure that persons with disabilities have access to the pedestrian routes in the public right of way. An important part of this requirement is the obligation whenever streets, roadways, or highways are *altered* to provide curb ramps where street level pedestrian walkways cross curbs.² This requirement is intended to ensure the accessibility and usability of the pedestrian walkway for persons with disabilities.

An alteration is a change that affects or could affect the usability of all or part of a building or facility.³ Alterations of streets, roads, or highways include activities such as reconstruction, rehabilitation, *resurfacing*, widening, and projects of similar scale and effect.⁴ Maintenance activities on streets, roads, or highways, such as filling potholes, are not alterations.

Without curb ramps, sidewalk travel in urban areas can be dangerous, difficult, or even impossible for people who use wheelchairs, scooters, and other mobility devices. Curb ramps allow people with mobility disabilities to gain access to the sidewalks and to pass through center islands in streets. Otherwise, these individuals are forced to travel in streets and roadways and are put in danger or are prevented from reaching their destination; some people with disabilities may simply choose not to take this risk and will not venture out of their homes or communities.

Because resurfacing of streets constitutes an alteration under the ADA, it triggers the obligation to provide curb ramps where pedestrian walkways intersect the resurfaced streets. See *Kinney v. Yerusalim*, 9 F 3d 1067 (3rd Cir. 1993). This obligation has been discussed in a variety of technical assistance materials published by the Department of Justice beginning in 1994.⁵ Over the past few years, state and local governments have sought further guidance on the scope of the alterations requirement with respect to the provision of curb ramps when streets, roads or highways are being resurfaced. These questions have arisen largely due to the development of a variety of road surface treatments other than traditional road resurfacing, which generally involved the addition of a new layer of asphalt. Public entities have asked the Department of Transportation and the Department of Justice to clarify whether particular road surface treatments fall within the ADA definition of alterations, or whether they should be considered maintenance that would not trigger the obligation to provide curb ramps. This Joint Technical Assistance addresses some of those questions.

Where must curb ramps be provided?

Generally, curb ramps are needed wherever a sidewalk or other pedestrian walkway crosses a curb. Curb ramps must be located to ensure a person with a mobility disability can travel from a sidewalk on one side of the street, over or through any curbs or traffic islands, to the sidewalk on the other side of the street. However, the ADA does not require installation of ramps or curb ramps in the absence of a pedestrian walkway with a prepared surface for pedestrian use. Nor are curb ramps required in the absence of a curb, elevation, or other barrier between the street and the walkway.

When is resurfacing considered to be an alteration?

Resurfacing is an alteration that triggers the requirement to add curb ramps if it involves work on a street or roadway spanning from one intersection to another, and includes overlays of additional material to the road surface, with or without milling. Examples include, but are not limited to the following treatments or their equivalents: addition of a new layer of asphalt, reconstruction, concrete pavement rehabilitation and reconstruction, open-graded surface course, micro-surfacing and thin lift overlays, cape seals, and in-place asphalt recycling.

What kinds of treatments constitute maintenance rather than an alteration?

Treatments that serve solely to seal and protect the road surface, improve friction, and control splash and spray are considered to be maintenance because they do not significantly affect the public's access to or usability of the road. Some examples of the types of treatments that would normally be considered maintenance are: painting or striping lanes, crack filling and sealing, surface sealing, chip seals, slurry seals, fog seals, scrub sealing, joint crack seals, joint repairs, dowel bar retrofit, spot high-friction treatments, diamond grinding, and pavement patching. In some cases, the combination of several maintenance treatments occurring at or near the same time may qualify as an alteration and would trigger the obligation to provide curb ramps.

What if a locality is not resurfacing an entire block, but is resurfacing a crosswalk by itself?

Crosswalks constitute distinct elements of the right-of-way intended to facilitate pedestrian traffic. Regardless of whether there is curb-to-curb resurfacing of the street or roadway in general, resurfacing of a crosswalk also requires the provision of curb ramps at that crosswalk.

July 8, 2013

¹ The Department of Justice is the federal agency with responsibility for issuing regulations implementing the requirements of title II of the ADA and for coordinating federal agency compliance activities with respect to those requirements. Title II applies to the programs and activities of state and local governmental entities. The Department of Justice and the Department of Transportation share responsibility for enforcing the requirements of title II of the ADA with respect to the public right of way, including streets, roads, and highways.

² See 28 CFR 35.151(i)(1) (Newly constructed or altered streets, roads, and highways must contain curb ramps or other sloped areas at any intersection having curbs or other barriers to entry from a street level pedestrian walkway) and 35.151(i)(2) (Newly constructed or altered street level pedestrian walkways must contain curb ramps or other sloped areas at intersections to streets, roads, or highways).

³ 28 CFR 35.151(b)(1).

⁴ 2010 ADA Accessibility Standards, section 106.5.

⁵ See 1994 Title II Technical Assistance Manual Supplement, Title II TA Guidance: The ADA and City Governments: Common Problems; and ADA Best Practices Tool Kit for State and Local Governments: Chapter 6, Curb Ramps and Pedestrian Crossings under Title II of the ADA, available at ada.gov.

Equal Access to Public Rights-of-Way

Saint Paul Public Works is tasked with ensuring safe and accessible travel for all citizens and visitors, regardless of differences in mode, method or ability. As such it is particularly important that we adequately review, advise and permit uses that may partially obstruct the public way. Sidewalk cafes, advertising and other obstructions must be placed and managed in a way that enables all system users free access to the right-of-way.

Property owners or right-of-way users are required to maintain an accessible pedestrian path past their property of four (4) feet (or 48 inches). Property owners or right-of-way users that do not provide this minimum path are inappropriately restricting accessible routes and therefore will risk revocation of City approval for their specific use of the public right-of-way.

After snow events, it is the responsibility of property owners that have adjoining sidewalk right-of-way to clear those sidewalks within 24 hours and to provide a four (4) foot (or 48 inch) minimum accessible path throughout and at corner quadrants. It is important for property owners to remember that they may need to provide additional snow removal at corner quadrants after City snow plows clear streets. It is also important for safe public transportation use that the Metropolitan Council and bus stop/bus shelter franchisees clear snow from bus stops and shelters.

It is the responsibility of contractors and utilities working in the public right-of-way to maintain accessible pathways in construction projects and permitted projects. Please refer to the “Construction Guidance” section of the Minnesota Department of Transportation page at <http://www.dot.state.mn.us/ada/> and <http://www.workzonesafety.org/training/record/9856>

Accessible Pedestrian Traffic Signals

The City of St. Paul Public Works Traffic and Lighting Division operates and maintains 385 Traffic Signals within City of St. Paul. Each signalized intersection typically has 4 pedestrian crossings. These signals are located on roadways under jurisdiction of Minnesota Department of Transportation (MnDOT), Ramsey County and the City of St. Paul. Of all the approach legs at the signals, approximately 12% are MnDOT Trunk Highways, 28% are Ramsey County State Aid Highways (CSAH), 44% are City of St. Paul Municipal State Aid (MSA) Routes and the remaining 16% are City of St. Paul local streets. The Trunk Highways and County State Aid Streets are typically higher volume arterial streets and the St. Paul MSA and local streets are lower volume collector type streets. Under maintenance agreements with MnDOT and Ramsey County, the City of St. Paul operates and maintains the traffic signals for the governmental unit which has jurisdiction of the roadway.

An Accessible Pedestrian Signal (APS) is a device that communicates information about pedestrian signal timing in a non-visual format such as audible tones, speech messages, and/or vibrating surfaces.

The Traffic and Lighting Division is in the process of formalizing a written policy for the installation of APS based on MN MUTCD, NCHRP 117A Accessible Pedestrian Signals: A Guide to Best Practices, along with the Draft PROWAG.

The general guidance for installation states:

New Construction, Alterations/Reconstruction and Retrofits

- All new traffic signals and traffic signal replacement projects at intersections that include pedestrian facilities will be evaluated for APS along with curb ramps in compliance with the MnMUTCD and as advised by draft NCHRP Best Practice and/or Draft PROWAG for location conditions.
- All projects that are reconstructing curb ramps at signalized intersections shall give consideration to upgrading the traffic signals with APS under the project, and at a minimum, the traffic signals shall be upgraded to “APS ready” and meet the requirements given in the MnMUTCD and as advised by NCHRP Best Practice and/or Draft PROWAG for location conditions. If a future project, with traffic signal work as part of the scope, is programmed, then the APS signal upgrades will not be required and will be constructed with the future programmed project.

In some cases APS should not be installed because of the adverse effect it could have on pedestrian safety as a result of the overall traffic circulation pattern of an area, or unusual geometric conditions where an APS would not provide the safety benefits necessary for the blind or visually impaired individuals to cross a street.

It should also be noted that some traffic signals cannot be retrofitted with APS without major costly modifications. Retrofitting of traffic signals shall be subject to approval by the City traffic Engineer. For these circumstances:

- The construction project process shall include documentation on the evaluation of location conditions for APS, in particular, when the results do not include full installation of APS under MnMUTCD, and as advised under NCHRP Best Practice and/or Draft PROWAG. This documentation serves to ensure
 - consistent application of standards,
 - the most complete understanding of the circumstances that limited full application of APS, and
 - provides the intended construction sequence for a phased implementation of APS

Any individual requests will be evaluated in the same manner to be incorporated in either the annual programs or projects.

Since the City of Saint Paul original submitted our transition plan we have increased the number of signalized intersections where all or some of the pedestrians crossing include APS from 16 signalized intersections to 135 signalized intersection with APS out of 385 Traffic Signals.

<u>Necessary Structural Changes</u>	<u>Applicable PROWDG Standard</u>	<u>Action to be taken</u>	<u>Projected Completion</u>	<u>Projected Cost</u>
Signalized Intersections	3.5	Install as Appropriate	TBD	\$50,000 Per intersection

City of Saint Paul
 Department of Public Works
 Vertical Connections (Stairways)

Stairways in Saint Paul provide valuable connections between assets at differing heights. Whether they are placed on bluffs, between bridges or in parks, they are an important connection to our geography and our history.

Our intention is to maintain the integrity of historic structures whenever possible, opting to rehabilitate stairway structures if at all possible. If the existing asset in place has deteriorated to such a degree that rehabilitation is not a possibility, then the ADA becomes applicable during reconstruction planning.

For those stairway structures that are not replaced but rehabilitated, Saint Paul Public Works will do a thorough investigation of the alternate accessible route, ensure the route's reasonableness and review all related ADA appropriate measures.

<u>Necessary Structural Changes</u>	<u>Applicable PROWDG Standard</u>	<u>Action to be taken</u>	<u>Projected Completion</u>	<u>Projected Cost</u>
Pedestrian Stairway		If rehabbing review & ensure reasonable alt route	As needed	\$1,000 Per location
Pedestrian Stairway		If reconstructing engage Mayor's Comm* to create process	As needed	Unknown

* Mayor's Advisory Committee for People with Disabilities



CITY OF SAINT PAUL

GRIEVANCE PROCEDURE UNDER THE AMERICANS WITH DISABILITIES ACT

This Grievance Procedure is established to meet the requirements of Title II of the Americans with Disabilities Act of 1990 (“ADA”). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or activities by the City of Saint Paul (“The City”). The City’s Personnel Policy governs employment-related complaints of disability discrimination. A grievant also has the option to file directly with the Department of Justice or other appropriate federal agency within 180 days from the date of the incident.

An individual in need of access to services, programs, or activities should complete and submit a “Request for Access” form to:

Alyssa Wetzel-Moore, ADA Coordinator
Fax: (651) 266-8962
Mail: 240 City Hall
15 West Kellogg Blvd.
Saint Paul, MN 55102

Alternatively, an individual may make an oral request by contacting the ADA Coordinator at (651) 266-8965. The Coordinator will put this request in writing to be signed by the requestor.

In the event that this request for access to services, programs, or activities cannot be resolved, an individual may file a grievance orally or in writing. A written grievance should be filed on the ADA Grievance Form. If it is not filed on the Grievance Form, it should be in writing and contain all of the following information:

- The name, address, and telephone number of the person filing the grievance.
- The name, address, and telephone number of the person alleging the ADA violation, if other than the person filing the grievance.
- A description of the alleged violation and the remedy sought.
- Information on whether a complaint has been filed with the Department of Justice or other federal or state civil rights agency or court.
- If a complaint has been filed, the name of the agency or court where the complaint was filed, the date the complaint was filed, and the name, address and telephone number of a contact person with the agency with which the complaint was filed.

An oral grievance can be filed by contacting the Coordinator at the address listed above or at (651) 266-8965. The ADA Coordinator, using the ADA Grievance Form, will put the oral grievance in writing to be signed by grievant. Alternative means of filing complaints will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or her/his designee as soon as possible but no later than 60 calendar days after the alleged violation to the address listed above. The grievance will be either responded to or acknowledged within 20 working days of receipt.

Within 60 calendar days of the receipt, the Coordinator will conduct the investigation necessary to determine the validity of the alleged violation. If appropriate, the Coordinator will arrange to meet with the grievant to discuss the matter and attempt to reach an informal resolution to the grievance. Any informal resolution of the grievance will be documented in the City's ADA Grievance File.

If an informal resolution of the grievance is not reached, the Coordinator shall issue a written determination of the validity of the complaint and a description of the resolution no later than 90 days from the date of the City's receipt of the grievance. A copy will be forwarded to the grievant.

The grievant may request reconsideration if he/she is dissatisfied with the written determinations. The request for reconsideration shall be in writing and filed with the City Legislative Hearing Office, 15 West Kellogg Blvd., Room 310, Saint Paul, MN 55102 within 30 days after the Coordinator's determination has been mailed to the grievant. The Legislative Hearing Officer shall review the request for reconsideration and make a final determination within 90 days from the filing of the request. If the grievant is dissatisfied with City's handling of the grievance at any point, the grievant may file a complaint directly with the U.S. Department of Justice or other appropriate state or federal agency. Use of the City's grievance procedure is not a prerequisite to the pursuit of other remedies.

Because of the varying circumstances in any specific grievance, the City's resolution of a grievance does not create precedent that binds the City or upon which other complaining parties may rely.

Any written complaints received by Coordinator or her designee, appeals to the Legislative Hearing Officer, and responses from these two offices will be retained by Saint Paul for at least three years.

Please note: The City of Saint Paul employment policy and accommodation form is available at <http://www.stpaul.gov/index.aspx?NID=3007>
<http://www.stpaul.gov/DocumentCenter/Home/View/13516>



City of Saint Paul Americans with Disabilities Act Grievance Form

Complainant:

Name _____

Address _____ Apt. No. _____

City _____, State _____ ZIP Code _____

Telephone No. _____ Other Phone _____

E-mail _____

Aggrieved Individual (if other than Complainant):

Name _____

Address _____ Apt. No. _____

City _____, State _____ ZIP Code _____

Telephone No. _____ Other Phone _____

E-mail _____

Nature of the Complaint:

City Department Involved: _____ Date(s) of Occurrence: _____

Description of Violation: _____

Requested Action of City to Correct Alleged Violation: _____

~ Please see next page for additional questions ~

Has the complaint been filed with another bureau of the Department of Justice or any other Federal, State, or local civil rights agency or court?

Yes _____ No _____ If yes: Date Filed: _____ Agency or Court: _____

Contact Person: _____ Phone No. _____

Address: _____ Apt. _____

City _____ State _____ Zip Code _____

Do you intend to file with another agency or court?

Yes _____ No _____ If yes: Agency or Court: _____

Contact Person: _____ Phone No. _____

Address: _____ Apt. _____

City _____ State _____ Zip Code _____

Additional Comments:

Signature: _____ Date: _____

**Return to: Alyssa Wetzel-Moore, ADA Coordinator
Department of Human Rights and Equal Economic Opportunity (HREEO)
240 City Hall
15 West Kellogg Blvd.
St. Paul, MN 55102
Telephone: (651) 266-8965 Fax: (651) 266-8962
E-mail: ADACoordinator@ci.stpaul.mn.us**



CITY OF SAINT PAUL

Christopher B. Coleman, Mayor

240 City Hall
15 West Kellogg Boulevard
Saint Paul, MN 55102-1681

Telephone: (651) 266-8966
Facsimile: (651) 266-8962
TDD: (651) 266-8977

February 24, 2010

Bruce Beese, Director of Public Works
1500 City Hall Annex
25 West Fourth Street
Saint Paul, MN 55102

Re: MACPD Feedback to Public Works' Transition Plan

Dear Mr. Beese,

The Mayor's Advisory Committee for People with Disabilities (MACPD) would like to thank you for sharing your transition plan with us. We appreciate the hard work and thoroughness invested by the Department of Public Works to develop it. Over the past month, the MACPD has reviewed and discussed the Transition Plan. Based on what we have read, we have no revisions to suggest at this time.

Again, the MACPD appreciates you and department staff taking the time to meet with us and seeking our input. Please contact us through Alyssa Wetzel-Moore at 651-266-8965 or Alyssa.Wetzel-Moore@ci.stpaul.mn.us if you have questions or would like to discuss this further.

Sincerely,


Scott Coleman, Chair


James Thayer, Vice Chair



CITY OF SAINT PAUL
INTERDEPARTMENTAL MEMORANDUM

DATE: April 7, 2010

TO: Whom it May Concern

FROM: Robert L. Humphrey, Business Review Council Staff 

RE: Saint Paul Business Review Council support for City of Saint Paul, Department of Public Works Americans with Disabilities Act Transition Plan as amended.

Please note that at this morning's Full Business Review Council there was a unanimously passed motion approving the Department of Public Works' Americans with Disabilities Act Transition plan dated January 6, 2010, with the amendment titled "Equal Access to the Public Right of Way, Page 10 of 18" striking the original page 10 of 18 language.

On behalf of Chair Mike Skillrud, and the entire Business Review Council, we thank Bruce Beese and Paul St. Martin for their patience and willingness to cover this matter in detail before our Council.

Feel free to contact me if you have any questions.

**RESOLUTION
 CITY OF SAINT PAUL, MINNESOTA**

8

Presented by Kathy Sant

1 Whereas, the American's with Disabilities Act (ADA) of 1990 elevated the civil rights protection of
 2 people with disabilities to the same level as those protections in place based on race, color,
 3 religion and national origin provided through the Civil Rights Act of 1964; and
 4
 5 Whereas, the ADA was signed into law on July 26, 1990 [28 CFR 35.150]; and
 6
 7 Whereas, the ADA required public entities with more than 50 employees to develop a transition
 8 plan by July 26, 1992; and
 9
 10 Whereas, this transition plan must identify all structural modifications that are necessary for
 11 buildings and facilities to ensure that programs, services and activities are accessible to people
 12 with different abilities; and
 13
 14 Whereas, this transition plan must identify the steps to complete the modifications, the estimated
 15 date of completion and the cost associated with each modification; and
 16
 17 Whereas, the Saint Paul Public Works Department did not meet the July, 1992 deadline, but has
 18 prepared the attached transition plan for review and implementation; and
 19
 20 Whereas, the Mayor's Advisory Committee for People with Disabilities has reviewed the
 21 transition plan and has accepted it in its entirety; and
 22
 23 Whereas, the Business Review Council has reviewed the transition plan and will be making their
 24 comments by April, 21, 2010; and
 25
 26 Therefore, be it resolved, that the City Council of Saint Paul adopts the Public Works ADA
 27 Transition Plan and directs Public Works to follow the steps elaborated toward the goal of making
 28 Public Works' buildings and infrastructure accessible to all people.

	Yeas	Nays	Absent
Bostrom	✓		
Carter	✓		
Harris	✓		
Helgen	✓		
Lantry	✓		
Stark	✓		
Thune	✓		
	7	0	0

Adopted by Council: Date 4/21/2010
 Adoption Certified by Council Secretary
 By: Mary Erickson
 Approved by Mayor: Date 4/27/2010
 By: Or Mulholland

Requested by Department of Public Works:
 By: [Signature]
 Public Works Director
 Approved by the Office of Financial Services:
 By: [Signature]
 Approved by City Attorney:
 By: Lisa D. Veith
 Approved by Mayor for Submission to Council:
 By: Or Mulholland