

Americans with Disability Act Transition Plan Curb Ramps and Side-walks



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ADA Transition Plan for Curb Ramps and Side-walks
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CITY OF LAS VEGAS, NM ADA TRANSITION PLAN FOR CURB RAMPS & SIDEWALKS

GOALS & OBJECTIVES:

The goal of the Americans with Disabilities Act (ADA) Transition Plan for Curb Ramps and Sidewalks of the City of Las Vegas, NM is to develop infrastructure that will assist the City to create accessible paths of travel in the public right of way for people with disabilities. Over recent years, the City of Las Vegas has developed a Pavement Evaluation Report an Asset Management Plan in order to more effectively and economically mange the City's infrastructure resources. As a part of these plans Las Vegas City government has made a significant and long-term commitment to improving the accessibility of the public right of way. The Public Works Division has been the primary leader in these efforts, through inclusion of ADA improvements with ongoing street improvement projects for the City. This Transition Plan describes the City's goals to enhance accessibility in the public right of way.

The ADA Transition Plan for Curb Ramps and Sidewalks will seek funding through state capital outlay funds and commitments from city officials to implement the plan as funds are available. As explained below, the ADA Transition Plan for Curb Ramps and Sidewalks incorporates both a funding element and a prioritization matrix that seek to remove barriers in the public right of way. Any funds obtained for the ADA Transition Plan for Curb Ramps and Sidewalks is not the only means by which the City's public rights of way would be made more accessible. In addition to development of the ADA Transition Plan, the City of Las Vegas has three means by which curb ramps and sidewalks are constructed or upgraded.

- I. Capital Projects for New Construction: Work that involves creating new public right-ofway will provide accessible features in the project area that meets current design standards.
- II. Capital Projects for Alterations: Work that under the ADA would be considered an alteration of existing public right-of-way will provide new and upgrade existing accessible features in the project area to meet current design standards.
- III. Maintenance and Repair Projects and Programs: Work that specifically addresses spot areas that are limited to normal maintenance and repairs in the public right-of-way will maintain accessibility of the public right-of-way.

The programs, standards, policies, and procedures that the Public Works Department presents herein collectively throughout form an identified plan that incorporates accessibility in a orderly manner into public rights-of-way throughout the City.

TRANSITION PLAN HISTORY, OVERVIEW, & SHEDULE:

The City of Las Vegas (City) is a City in Miguel County, New Mexico. The City is committed to fund infrastructure development to improve the quality of life and economic development for its community.

The City is responsible for the administration of an "ADA Transition Plan" network of approximately 87 % of the surveyed road sections (685 sections) have curbs on both sides of the road. The majorities (84 %) of the sections (660 sections) with curbs have a barrier type curb and only 3 % (25 sections) have a mountable type curb/ curb ramps. On the other hand, approximately 13 % of the surveyed road sections (100 sections) don't have curbs.

The majority of the curbs (88 %) are in good condition. Approximately 10 % of the curbs are in fair condition and 2 % (11 sections) are in Poor overall condition. Due to history and age of Las Vegas New Mexico, majority of the 685 sections with curbs and sidewalks may or may not meet ADA compliance. The 3% that meet ADA compliance have been due to the efforts of new roads project, future projects, available funding, utility upgrade projects, and community development permitting for private construction.

This ADA Curb Ramp and Sidewalk Transition Plan is part of the Public Works Pavement Present Status and recommended 20 year work program that reflect current goals and programs to enhance accessibility in the public right of way.

The City selected Stantec Consulting Services Inc. (Stantec) in 2019 to collect pavement/ curb condition data and to implement a pavement/ curb management system (PMS) to manage the City's road network. This report was prepared based on the 2019 data collection effort. A key component of an effective pavement management system is to regularly assess the condition of the road network, which can then be used to assess the performance of the network over time and to generate adequate work program recommendations.

The 2019 project scope included the following tasks:

- Conduct pavement surface distress and roughness survey on approximately 78 survey miles of the City's paved road network;
- Collect and process the pavement Right-of-Way (ROW) high resolution images;
- Collect and process curbs presence and general condition;
- Implement a Road-Matrix PMS and generate a 20-year recommended work program.
- A final report outlining the field-testing procedures, network present status results, recommended work programs, curbs general condition, a list of untested road sections with the associated reasons, and project recommendations.

The data collected in this assessment was used to identify the Present Status of the road and curb network. The assessment that has been undertaken by the City of Las Vegas for the curb and roadways will be attached as exhibit #1 as the commitment toward upgrading ADA elements of right-of-ways, roadways, curbs, and sidewalks. The City of Las Vegas is dedicated to the safety of community of all citizens.

As required by ADA legislation, the City has been conducting a partial self-evaluation survey of all public roadway infrastructures within its jurisdiction. As part of this partial self-evaluation, the City of Las Vegas equally divided all ADA infrastructures into inspection zones. Categories of infrastructure being reviewed included: sidewalks, ramps, pedestrian push button stations at signals, and crosswalks as shown in exhibit #2.

Prioritization

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

The City has limited funding available for infrastructure upgrades so a list to prioritize upgrades within each inspection 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 City 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.

An Action Plan is being has been developed to continue that all inspections are completed.

Street Name	Limits	Existing Barriers	Modifications	Priority	Estimated Completion
Valencia/ Morrison	3-way intersection	Slop/ Landing	Re-Construction	Low	FY 2024
Independence	Street	Sidewalk/ curbs ramps	New Construction/ Re Construction	Low	FY 2025

500 Douglas	Street	Sidewalk	Re-Construction	Low	FY 2026
Collins/ Legion	4way- Intersection	Slope/ Landing	Re Construction	Low	FY 2025
Mountainview/ Legion	4way- Intersection	Slope/ Landing	Re Construction	Low	FY 2025
Sage Brush/ Legion	Three way- Intersection	Slope/ Landing	Re Construction	Low	FY 2025
Sandoval/ Legion	Three way- Intersection	Sidewalk/ Curb Ramps/ Slope/ Landing	Re Construction	Low	FY 2025
Calle Bonita/ Legion	Three way- Intersection	Sidewalk/ Curb Ramps/ Slope/ Landing	Re Construction	Low	FY 2025
Calle Allegre/ Legion	Three way- Intersection	Sidewalk/ Curb Ramps/ Slope/ Landing	Re Construction	Low	FY 2025
5 th Street/ University	4way Intersection	Slope/ Landing	Re Construction	Low	FY 2027
6 th Street/ University	4way Intersection	Slope/ Landing	Re Construction	Low	FY 2027
7 th Street/ University	4way Intersection	Sidewalk/ Curb Ramps/ Slope/ Landing	Re Construction	Low	FY 2027
8 th Street/ University	4way Intersection	Sidewalk/ Curb Ramps/ Slope/ Landing	Re Construction	Low	FY 2027
Jackson/ 8 th street	Three was Intersection	Sidewalk/ Curb Ramps/ Slope/ Landing	Re Construction	Low	FY 2030
Douglas/ Rail Road	Three way Intersection	Slope/ Landing	Re Construction	Low	FY 2030
Ridge Runner/ Legion	Three way Intersection	Ramp Transition	New Construction	Low	FY 2030
Senior Center	Parking Lot	All new ADA	New Construction	Low	FY 2024
Keen Street	Drive Pad	Curb & Gutter/ Drive Pad	New Construction	Low	FY 2025
Sierra Vista School	4 way Intersection	Sidewalk/ Curb Ramps/ Slope/ Landing	Re Construction	Low	FY 2025

This section lists specific projected projects modifications works program recommended by Stantec. Each project is only a recommendation and availability of funding.

Street Name	Limits	Existing Barriers	Modifications	Priority	Estimated Completion
11 th Street	Lincoln Ave-Douglas	Sidewalk/Curb Ramps/ Roadways	New Construction	High	FY 2040
1 st Street	N Grand Ave-Baca	Sidewalk/Curb Ramps/ Roadways	New Construction	High	FY 2040
1 st Street	Baca- 9 th Street	Sidewalk/Curb Ramps/ Roadways	New Construction	High	FY 2040

2 nd Street	N Grand- Washington	Sidewalk/Curb Ramps/ Roadways	New Construction	High	FY 2040
3 rd Street	Baca Ave-End	Sidewalk/Curb Ramps/ Roadways	New Construction	Med	FY 2040
4 th Street	Bus Barn-End	Sidewalk/Curb Ramps/ Roadways	New Construction	Med	FY 2040
7 th Street	Douglas-University	Sidewalk/Curb Ramps/ Roadways	New Construction	Med	FY 2040
7 th Street	University-National	Sidewalk/Curb Ramps/ Roadways	New Construction	Med	FY 2040
7 th Street	Columbia- Washington	Sidewalk/Curb Ramps/ Roadways	New Construction	Med	FY 2040
7 th Street	Washington- Baca	Sidewalk/Curb Ramps/ Roadways	New Construction	Med	FY 2040
7 th Street	Reynolds-Mills	Sidewalk/Curb Ramps/ Roadways	New Construction	Med	FY 2040
8 th Street	Diane-Kathryn	Sidewalk/Curb Ramps/ Roadways	New Construction	Med	FY 2040

Funding

The City will commit, upon funding availability, Infrastructure Capital Improvement Program (ICIP), budget for City maintenance projects identified for ADA compliance. The City will also continue to ensure that all new developer projects or City funded projects continue to construct public roadway improvements, sidewalk, curb-ramps, & facilities are in compliance with ADA guidelines and regulations. The City of Las Vegas Infrastructure Capital Improvement Program (ICIP) is subject to change.

Facility Classification

Access to and utilization of the City'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 City during the self-evaluation.

The City of Las Vegas roadway system provides the traveling public with routes throughout the City limits that can be accessed via motorized vehicle and by pedestrians. Sidewalks and multiuse 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. Landscape obstructions within the sidewalk.
- 4. Pedestrian push buttons at signals and crossing locations set incorrectly, at the incorrect height, incorrect orientation or with noncompliant button type.

OFFICAL RESPONSIBLE FOR THE IMPLEMENTATION OF THE TRANSITION PLAN:

The official responsible for the Transition Plan is at the direction of the City of Las Vegas **Public Works Director** or his/ her predecessor.

Arnold Lopez the City of Las Vegas Public Works Director office can be located at 1700 North Grand Avenue Las Vegas NM, 87701 alopez@lasvegasnm.gov (505) 454-1407 ext. 1804.

Arnold Lopez the City of Las Vegas Public Works Director plans, organizes, directs, controls, and evaluates the work of the Public Works Department using asset management principles. He oversees the management of the day-to-day administration of the Department, including financial health and resiliency, budget, capital projects, on-going maintenance, personnel and labor relations, and customer service activities.

Mr. Lopez's duties are to develops, recommend, implement and oversee the administration of Public Works policies and guidelines. He maintains currency of policy and practice with the organizational needs of the City and with applicable federal and State laws, City Charter, and represents the City at professional and governmental organizations at the local, State and national levels. The Public Works Director will be the individual who can focus on and who can be instrumental in moving compliance plans forward.

ADA COORDINATOR:

The ADA Coordinator is the person who is appointed to this position is familiar with the City of Las Vegas Department's operation, trained in the requirements of the ADA and other laws pertaining to discrimination, and able to deal effectively with local governments, advocacy groups, and the public.

Adrian Jaramillo the City of Las Vegas Safety Officer can be located at 1700 North Grand Avenue Las Vegas NM, 87701(ajaramillo@lasvegasnm.gov (505) 454-1401 ext. 1305.

Adrian Jaramillo the City of Las Vegas Safety Officer is tasked to help members of the public to help them with questions and concerns about disability discrimination. He will provide a single source of information so questions by the Department staff and from outside the Department can be answered quickly and consistently.

ADA POLICY STATEMENT:

The City of Las Vegas ADA Policy States is as per City Ordinance:

§ 66-71 Americans With Disabilities Act.

The Americans With Disabilities Act^[11] gives civil rights protection to individuals with disabilities that are like those provided to individuals on the basis of race, sex, national origin

and religion. It guarantees equal opportunity for individuals with disabilities in employment, public accommodations, transportation, state and local government services and telecommunications.

[1]Editor's Note: See 42 U.S.C. § 12101 et seq.

ESTABLISHING A GRIEVANCE PROCEDURE:

The City of Las Vegas Risk Management Coordinator primary activities include receiving, reviewing, and reporting claims; gathering data for claim and insurance management, and provide departmental support in claims, and litigation-related matters.

Desaree Ortiz the Risk Management Coordinator can be located at 1700 North Grand Avenue Las Vegas NM, 87701 (dortiz@lasvegasnm.gov) (505) 454-1401 ext. 1304.

Desaree Ortiz can help assist in ADA complaints and grievances from public. The complaint form as shown in Exhibit #3 can be obtained at Las Vegas City Hall 1700 North Grand Avenue or the New Mexico Municipal League website nmml.org.

PROVIDING NOTICE ABOUT THE ADA REQUIREMENTS:

The City of Las Vegas provides the public notice about the rights of the public under the ADA "Notice under the Americans with Disabilities Act" on the City Website https://www.lasvegasnm.gov/, and the KNMX 540am Radio Station every other week of the month. The City of Las Vegas main focus is on audiences of those who may have an interest in accessibility on Department facilities which include a large number of individual citizens that would be not readily identifiable. Groups that are likely to be included are public transit users and advocacy groups.

The City is making progress to make the dissemination of information and requests for comments through awareness days, newsletters, and website. The future plan is to make the ability to comment from the public with the access to information on the city website. The City is looking for possible sources of input from activists, advocacy groups, and general citizens, organizations that support the rights of the disabled, elected officials, other agencies. Comments can be obtained through comment forms at meetings, the website, an email address, or City of Las Vegas postal address 1700 North Grand Avenue Las Vegas NM, 87701.

PUBLIC INPUT:

The City will make available this copy of the Draft Transition Plan for public to review on the City's website, and will review all comments and opinions and if need be make modifications to the draft plan before a formal adoption is made by the City.

LEGAL REQUIREMENTS & FEDERAL GUIDELINES

The federal statute Known as the Americans with Disabilities Act (ADA), enacted on July 26, 1990, provides comprehensive civil rights protections to persons with disabilities in the areas of employment, state and local government services, access to public accommodations, transportation, and telecommunications. Title II of the ADA specifically refers to state and local government programs, services and activities.

Title II of the ADA (28 CFR Section 35.150 (d)) requires that state and local entities develop a Transition Plan specific to curb ramps:

If a public entity has responsibility or authority over streets, roads, or walkways, its transition plan shall include a schedule for providing curb ramps or other sloped areas where pedestrian walks cross curbs, giving priority to walkways serving entities covered by the Act, including State and local government offices and facilities, transportation, places of public accommodation, and employers, followed by walkways serving other areas.

The plan shall, at aminimum --

- I. Identify physical obstacles in the public entity's facilities that limit the accessibility of its programs or activities to individuals with disabilities;
- II. Describe in detail the methods that will be used to make the facilities accessible;
- III. Specify the schedule for taking the steps necessary steps to achieve compliance with this section and, if the time period of the transition plan is longer than one year, identify steps that will be taken during each year of the transition period; and
- IV. Indicate the official responsible for implementation of the plan.

GUIDELINES-STATE:

The State of New Mexico has adopted the 2010 ADA Standards for Accessible Design (2010 ADA) dated November 15, 2010 These guidelines are available online at the U.S. Department of Justice website center column http://www.ada.gov and become effective for new construction and alterations on March 15, 2012. NMBC-2009 became effective for new construction and alteration July 1, 2011.

GUIDELINES-CITY OF LAS VEGAS, NM:

The City of Las Vegas ordinance § 135-1Adoption of Uniform Building Code. The Uniform Building Code of the International Conference of Building Officials, 1982 Edition, and subsequent revisions and amendments thereto adopted by the state is hereby adopted by reference in its entirety except as hereinafter provided the most current state building code as utilized by the CID, which includes access requirements, under IBC Regulations Title 14, Chapter 7. In this Transition Plan, we will refer to these requirements as "Title 14". In addition, the City Code incorporates several policies that directly affect accessibility in the public right-ofway. Among them are policies that regulate the use of sidewalk displays, and sidewalk tables and chairs. Construction projects in or otherwise affecting the public right-of-way is required to provide accessible barricades and scaffolding and maintain an accessible path of travel along and around such sites. This Transition Plan cites these policies in the relevant sections below.

IDENTIFIED OBSTACLES TO THE PUBLIC RIGHT OF WAY:

The City has used a two-prong approach to pro-actively identify and assess obstacles in the public right of way. For curb ramps, the Public Works Street Division has been conducting an assessment of roadways, intersections, curbs, and documented the condition, and the condition of the curbs and roadways that are already built. The information that is gathered will provide the primary basis for the City's estimates of need and spending, as well as the types of obstacles in existing curb ramps.

For sidewalks, the City has been conducting a survey as shown in Exhibit #2 (City of Las Vegas Map) in order to assess the type, severity and cost of sidewalk barriers in various neighborhoods. Within the City of Las Vegas, the property owner is responsible for installation and maintenance of the sidewalks serving their property and due to this, the City Code Enforcement Department must notify the property owner when sidewalk issues arise. The City will then work with the property owner to resolve these issues to a satisfactory conclusion. Where sidewalk access issues are critical, the City will in some instances remedy the cause for concern, then work with the property owner to resolve associated costs that are incurred. For areas receiving street infrastructure improvements through local street improvement projects, new sidewalks are sometimes installed as a project improvement if funds are available and the budget allows.

For both curb ramps and sidewalks, the City also receives complaints from residents and visitors. These complaints are given the highest priority in the City's plan to remove obstacles in the public right of way.

CURB RAMPS:

The Public Works Division will review its intersections curb ramps. It will develop data base of curb ramp conditions citywide, evaluating not only whether a curb ramp exists at the site, but also whether a curb ramp *is* needed and the condition of the curb ramp. This data can be updated periodically and is instrumental in mapping and identifying priority locations for upcoming curb ramp projects. In this way, the City systematically identifies obstacles in the public rights of way. The condition of various physical attributes is used to develop a relative ranking of priority locations. Additionally, the geographic distribution of curb ramp priority needs can be evaluated, such as priority locations including government facilities and transportation facilities. The City constructs the majority of its curb ramps through two projects:

- 1) Repair and improvement to existing facilities.
- 2) The Street Improvement Program. Additional sources of curb ramp construction are primarily in connection with Traffic Signal upgrades and private construction that touches a street corner.

Curb Ramp- Evaluation Factors:

Evaluation Factors	Standard	Location	Number Rating
Curb Ramp Slope	 Slopes 1:12 (8.3%) or less Slopes greater that 1:12, but not greater than 1:10(10%) 		
Curb Ramp Cross- Slopes	 Max 2% (Americans with Disabilities Act Accessibility Guidelines (ADAAG) and Title 24 		
Curb Ramp Width	At least 4 feet in width (excluding flared sides) (Title 24)		
Upper Landing	At least 4 feet deep x ramp width; max slope of 2% each way (Title 24 and ADAAG)		
Location within Crosswalks	Ramp fully within the crosswalk markings (Title 24) (excluding flared sides)		

ramp/gutter pan	Ramp flushed with road surface; no bump or lip Title 24 previously required a half inch high beveled lip at bottom of curb ramps		
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Detectable Warnings:

The ADAAG defines a detectable warning as "a standardized feature built in or applied to walking surfaces or other elements to warn visually impaired people of hazards on a circulation path." The most common design for detectable warnings is a strip of yellow truncated domes. Detectable warnings act to alert visually impaired pedestrians to potential hazards—such as traffic—just as stop signs and curbs would to sighted individuals. Installation of detectable warnings on all new curb ramps within any project area involving alterations to the public right-of-ways.

EVALUATION	Standard	Number Rating
FACTORS		
Curb Ramp contrast with Sidewalk	Curb ramp finish contrasts with the adjacent Sidewalk.	
Curb Ramp Surface Condition	Acceptable surface condition.	
Flared Side Slope	Sides sloped over 1:10 (10%).	
Curb Ramp Orientation	Curb ramp aligned parallel with the crosswalk Served.	

The method of establishing the Curb Ramps overall condition grading of either "Good", "Fair" or "Poor" is based on the number rating totals from above Evaluation Factors table and in turn applied as *follows*:

Method of Establishing Curb Ramp Grading:

Evaluation Factors Number Rating	(Overall Condition for Database) Grading
9-10	Good
4-8	Fair
1-4	Poor

SCOPE OF WORK - CURB RAMP:

The Public Works Divisions scope of work is to build or update one curb ramp at each street corner (curb return) at all intersections in a twenty year plan. However, due to the aforementioned traffic considerations and to topographical or other physical and legal constraints, two curb ramps are not always feasible at each street corner. However, many of the oldest curb ramps have sufficient numbers of deficiencies that they are a priority for reconstruction. (For example, all curb ramps with a slope greater than 10% are considered priorities for reconstruction, regardless of whether all other features are code compliant).

CURB RAMP-PUBLIC COMPLAINT PROCESS:

The public complaint process is an integral part of the Transition Plan for curb ramps. Public complaints or requests drive the majority of the construction and renovation in the City's annual Repair and Improvement plan. Any member of the public can call City Hall or the Public Works Streets Department and register a complaint or request regarding curb ramps. Within the Public Works Street Department, the complaint will be evaluate and prioritized.

SCOPE OF WORK— SIDEWALK FUTURE FINDINGS:

The division personal will encounter many potential barriers to people with disabilities in the public right of way. The most common barrier will be sidewalk damage. In terms of reported incidents of barriers, the generic "sidewalk damage" accounts for 5% of incidents within the City limits in the last 7 years. Sidewalk upheaval or uneven sidewalk is less frequent. Tree damage or weed growth and dirt piles pose a significant issue as well.

<u>IDENTIFIABLE BARRIERS- SIDEWALK EVALUATION</u> <u>FACTORS:</u>

The Public Works Streets Division and the Code Enforcement Officers will have to assess each block for damage that might restrict the pedestrian access for disabled citizens. In conducting its survey of City sidewalks the City noted all sidewalk deficiencies that would interfere with the public right of way.

The divisions personal will survey the street intersections and the existing sidewalks that match up to existing curb ramps or could have potential to match curb ramps at the corners of city blocks in Las Vegas. The data collected from this survey will indentify sidewalks that are in need of improvements throughout the entire city. Personal will use the following criteria to document barriers:

SIDEWALK TRANSITION PLAN PRIORTIES:

The method of establishing the sidewalk overall condition for the City will either labeled "Good", "Fair" or "Poor".

Deficiency Number Rating	(Overall Condition for Database Grading	
0-1	Good	
1-2	Fair	
2-3 or greater	Poor	

Sidewalk Deficiencies Table:

Deficiencies	Location	Rating
Cracking of sidewalk surface (including sidewalk flags, curb, and utility covers) deeper and/or wider than 0.5"		
Less than 4' of accessible pedestrian pathway		
Requires tree, weed or dirt removal		
Greater than 0.5" vertical or horizontal displacement/upheaval of sidewalk surface (including sidewalk flags, curb, and utility covers).		
Missing tree grates		
Missing utility covers		
Greater than 2.5% horizontal or vertical slope across the path of travel		
Less than 8' of vertical clearance		

SIDEWALK ACCESSIBILITY:

The City's Public Works Streets Department has implemented a three-pronged approach to improve the accessibility of its sidewalks:

- Proactive barrier identification and removal,
- Response to public complaints, and
- New construction standards

BARRIER REMOVAL- SIDEWALK INSPECTION & REPAIR

The Code Enforcement Officer & Public Works Personal will address sidewalk barriers through responses to public complaints and through an evaluation inspection; the City is pursuing a policy of Inspection and Repair Program to expand its capacity to address barriers in the public right of way more proactively. The sidewalk survey information would be updated as new projects are completed and new construction standards are met.

The Sidewalk Inspection and Repair Program will inspect all sidewalks within the city limits; the inspection schedule is prioritized by pedestrian usage. The program informs all responsible parties (both public and private property owners) of sidewalk damage, the Department will then coordinate repairs in a timely manner to increase efficiency and improve pedestrian safety. Priorities for Inspection and Repair:

- Commercial Zoned Districts as defined by the City Las Vegas
- Highway Routes
- Sidewalks within 500 feet of a School, Public Facility, Hospital, or Senior Center
- Population Density

The inspection and repair will prioritizes areas in accordance with the locations in Title VI of the ADA: "priority to walkways serving entities covered by the Act, including State and local government offices and facilities, transportation, public accommodations and employers, followed by walkways serving other areas." Those sidewalks identified with the greatest number of community elements are inspected and repaired first.

Those areas that are not in commercial districts, near a Highway, or near a public facility are primarily residential.

The sidewalk inspection program addresses curb ramps that are damaged. If there is a curb ramp that is not damaged but does not meet all current codes, the program will not upgrade the curb ramp. The Program is designed to work on City blocks that have met the aforementioned criteria for high pedestrian usage. Therefore, adjacent blocks that do not rise to the same level of pedestrian usage are not inspected and repaired until all higher criteria blocks have been completed. Therefore,

completing paths of travel for adjoining blocks will not be addressed without identifying other available resources.

In order to address this issue, staff must schedule work in advance and seek alternative funds to complete accessible routes on adjoining blocks. Staff will work to identify existing programs to maximize the improvement of accessible routes within the areas addressed by the sidewalk inspection program.

SIDEWALKS-PUBLIC COMPLAINT PROCESS:

The Public Works Director (appointed contact) will assist the Code Enforcement Officer with sidewalk complaints and requests. Complaints and request received by other City Departments are to be routed to the Public Works Streets Department or the Code Enforcement Officer. This is in order that the specific needs of each individual may be accurately understood and recorded. The specific location are then entered into a log and inspected. Once inspected if action is needed it will be recorded and a formal response to complainant/requestor.

Once a complaint is received, the Public Works Streets Department will send out the Streets Superintendent to the site. If an inspection finds that a sidewalk needs repair, the Streets Superintendent will notify the Code Enforcement Officer to issue a Notice to repair to the property owner, allowing the owner time to repair the defect independently. If the owner does not provide the repair, the City will repair the sidewalk and bill the owner.

For sidewalks that are not the responsibility of private property owners (e.g. a public entity, or a business) a similar process is issued directly to the business or entity.

METHODS TO REMOVE OBSTACLES- POLICIES & PRIORITIES:

The City of Las Vegas employs a range of approaches in removing obstacles on sidewalks and at street corners, including:

- Proactively identifying and eliminating the barrier,
- Responding to public complaints,
- Ensuring the correct design and slopes are followed in new construction.
- Utility Development

NEW CONSTRUCTION:

Not all curb ramps are constructed in the City via the Repair and Improvement Plan. New Construction and Street Improvement Projects also provide significant numbers of new curb ramps. The Public Works Department will ensure that new construction will follow NMDOT standards (Exhibit #4) to maximize the accessibility of the City's public right of way.

Curb Ramp Standards: The Public Works Streets Department will follow current NMDOT curb ramp standards and alternates, organized in a decreasing order of preference and accessibility. It is the intent of these standards to achieve the highest level of compliance with the standards for new construction that are technically feasible in any given location. In the vast majority of locations, this will include curb ramps with a 1:12 slope. However, a specific provision in ADAAG allows curb ramps to slope up to 10% if existing space limitations prohibit the use of 1:12 slopes.

Curb Ramp Program to provide fully accessible routes within an area: It is the Public Works Department practice to aggregate various curb ramp locations in an area in order to create as much economy of scale as possible when constructing new or upgrading existing curb ramps. Additionally, when *a curb* ramp *is* constructed at one end of a crosswalk, a curb ramp will be constructed at the other end. Accordingly, the crosswalk is viewed as the basic element for planning and the entire intersection may be evaluated for upgrade work to take advantage of mobilized design and construction resources.

By focusing the work in this way, the interconnectivity of elements along a given path of travel is assured. Additionally, the funds and personnel allocated to the work are used in the most efficient manner possible by this type of project streamlining. Bids to do the work will likely be lower than otherwise possible due to the ability of the builders to better control the work in more focused areas with respect to project planning and traffic control.

Curb Ramps Transition Plan — Policies and design standards that maximize accessibility and universal design components into future improvements in the public right-of-way.

Maintenance of Accessible Features: Curb Ramps; Temporary Barriers — Policy of barricades and alternate circulation routes for construction or maintenance work: In order to maintain an *accessible* path of travel while curb ramps are being constructed, the Street Department follows state standards applicable to all such construction within the City. The following policies ensure the maintenance of accessible features and alternative accessible routes during construction.

The Public Works Streets Division Office Staff reviews proposed work in the Public Right- Of-Way (PROW) and regulates intended work through the review and approval process.

Construction in the PROW is regulated through street cut permits. These permits are reviewed for compliance with the City's Standard Specifications and State and Federal laws. Construction of the PROW must be conducted in accordance with the Standard Specifications and adhere to all applicable regulations. Encroachments onto the PROW from private property are reviewed for appropriateness and accessibility of the PROW.

DEFENSES:

Technically infeasible — under some conditions, the City will be limited in its ability, or completely unable, to provide curb ramps because of the existing physical or site restraints. For example, clear space at the top of the ramp is obstructed by a building, or the slope of a hill is so

extreme as to prevent a reasonable slope for a ramp in both directions. Under these circumstances, the City may invoke the defense that a curb ramp is technically infeasible or structurally impractical.

Program Access — given a program as broad and comprehensive as a curb ramp program, the City will follow the concept of Program Access under Title II of the ADA. As described in Title 28 of the Code of Federal Regulations, Section 35.150(a) (also referred to as the ADA Rules), Program Access does not necessarily require a public entity to make each of its existing facilities accessible to and usable by individuals with disabilities, as long as the program as a whole is accessible. Under this concept, the City may choose not to install curb ramps at some locations (or to install them as a lower priority later), as long as a reasonable path of travel is available even without those curb ramps.

In addition to the standard defenses outlined under Curb Ramps above, technical infeasibility and program access, the Public Works Department Office recognizes the following specific exception for sidewalks.

Sidewalks; Standards to accept existing conditions:

The New Mexico Building Code, unlike the ADAAG, contains a specific exception for sidewalk cross-slope due to existing conditions that *pose* an unreasonable hardship.

This may be due to right-of-way restrictions, natural barriers, or other existing conditions. This exception allows for cross-slopes of up to / inch per foot (4.17%) for distances typically not to exceed 20 feet. The state code also allows the sidewalk width to be reduced to as little as 36 inches (the same as the ADAAG minimum) if existing conditions create an unreasonable hardship. The Community Development Department Office allows the sidewalk and level landing cross-slope up to 4.17 % accordingly where existing conditions make it necessary to do so.

There are many locations where existing conditions do not allow full compliance with the minimum standards or the provided exceptions. In such cases the City may issue a minor or major encroachment permit for nonstandard work in the sidewalks in order to achieve accessibility.

STREET IMPROVEMENT:

The Public Works Streets Department Office observes construction work in the Right of Way that is performed by a private Contractor. (Those inspections are conducted by the City Staff or

Engineering Consultants.) An important function of Street Improvement is to insure that developments on private property comply with pertinent specifications where the project interfaces with the Public R.O.W.

The Streets Department consists of one (1) inspector qualified to inspect a variety of curb ramps and sidewalks and street improvements

PAVEMENT INVENTORY PLAN:

The City of Las Vegas maintains a pavement inventory plan (exhibit 1) as an element of the City's Asset Management Plan. This document identifies and qualifies the City of Las Vegas Roadway Assets, as well as identifying priorities and costs for future needed improvements. This document is utilized in the determination of future roadway improvement projects, along with associated roadway adjoining surface improvements.

COMPREHENSIVE PLAN SCHEDULE:

This Transition Plan has qualified curb ramp construction in each year as Roadway Paving and Resurfacing Projects are projected to allow.

In addition, the Pavement Evaluation Assessment has identified street resurfacing, which may also include new curb ramps along the routes that are resurfaced. Additional curb ramps may be provided as well through Parking and Traffic's Signal Projects, and a future construction projects that are both publicly or privately funded.

At this point, the Projects Plan has been developed, estimated, and will be updated annually by the City, listing specific on-going & upcoming projects and/or facilities modifications as shown in table below.

Street Name	Limits	Existing Barriers	Modifications	Priority	Estimated
					Completion
Legion Drive	7 th Street-Grand Ave	Sidewalk/Curb Ramps/	New Construction	Low	FY 2024
		Roadways			
University	8 th Street-Grand Ave	Sidewalk/Curb Ramps/	New Construction	Low	FY 2025
		Roadways			
Rail Road	Lincoln-Jackson	Sidewalk/Curb Ramps/	New Construction	High	FY 2030
		Roadways			
Creston	Creston Circle	Sidewalk/Curb Ramps/	New Construction	Med	FY 2030
		Roadways			
Senior Center	Senior Center	Sidewalk/Curb Ramps/	New Construction	Low	FY 2024
		Parking-lot			
Ridge Runner	Legion-Rider Runner	Roadway Improvement	New Construction	High	FY 2030
Hot Springs	Hot Springs-Mills	Sidewalk/Curb Ramps/	New Construction	Med	FY 2025
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Independence	Grand-South Pacific	Sidewalk/Curb Ramps/	Re-Construction	Med	FY 2026
		Roadways			

Parkview	7 th Street-Parkview	Roadway Improvement	Re-Construction	High	FY 2040
8 th Street	Mills-Legion	Sidewalk/Curb Ramps/ Roadways	New Construction	High	FY 2040
Commerce St	E. Baca-E. National	Sidewalk/Curb Ramps/ Roadways	Re Construction	High	FY 2040
South Pacific	Grant-Grand Ave	Sidewalk/Curb Ramps/ Roadways	Re Construction	High	FY 2040
Bibb Industrial	Bibb Industrial	Sidewalk/Curb Ramps/ Roadways	New Construction	High	FY 2040
Valencia	North Gonzales- Hot Springs	Sidewalk/Curb Ramps/ Roadways	New Construction	High	FY 2040
Mountain view	Second Phase	Sidewalk/Curb Ramps/ Roadways	Re Construction	High	FY 2030
Keen Street	South	Sidewalk/Curb Ramps/ Roadways	New Construction	Med	FY 2030
West Valencia	West	Sidewalk/Curb Ramps/ Roadways	Re Construction	High	FY 2040
Dahlia	Dahlia	Sidewalk/Curb Ramps/ Roadways	New Construction	Med	FY 2040
Rail Road	Great Blocks	Sidewalk/Curb Ramps/ Roadways	Re Construction	Med	FY 2040

As City projects that remediate deficient infrastructure are completed City Inspectors verify compliance and submits the forms for review to the public works director for final review and submit the entire final close out documents.

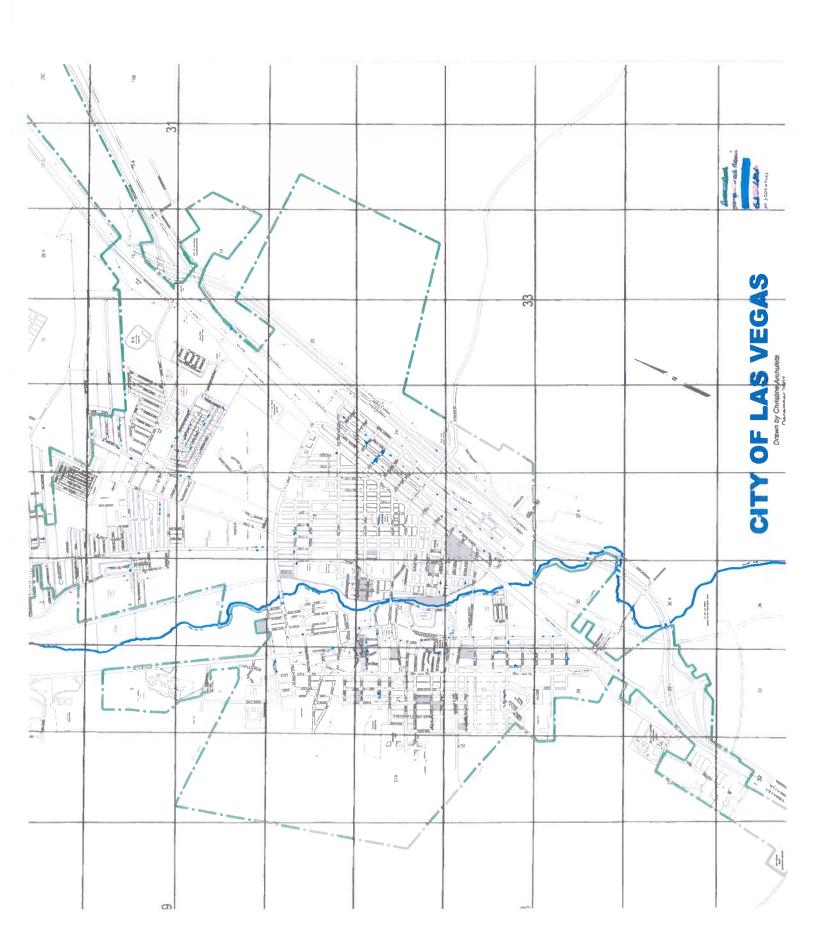
After a construction project is completed, the City's Records each section of the location and details of all new sidewalks, pedestrian push buttons, and wheel chair ramps. The information on these forms serves both to maintain an inventory of this infrastructure, and to keep track of what is or is not ADA compliant.

RESPONSIBLE INDIVIDUALS:

Public Works Director: Arnold Lopez505-454-1401Code Enforcement Officer: Elias Rael505-425-7504

"Exhibit 1"

"Exhibit 2"



"Exhibit 3"

NOTICE OF TORT CLAIM

In order to submit your claim, you must complete this form and submit it to the Mayor of the Municipality within NINETY (90) days of the occurrence. The Municipality will then forward your claim to the New Mexico Self-Insurers' Fund for investigation. You may expect to be contacted by a Fund representative regarding your claim.

To Municipality (or Public	Entity) of					
Claimant:						
DOB://	* 5	SSN:	*	Gender:	Male	Female
Address:			City:		Zip:	
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^{*}This information is required by the federal government if you sustain <u>bodily injury</u>. No payment can be made without this information.

THIS SIDE FOR MUNICIPAL/PUBLIC ENTITY OFFICIAL USE ONLY.

	Tort Received By	Name	Title
Date:	/ /	Time:	AM/PM (Circle One)
Persons h	aving knowledge of th	e circumstances surrou	nding this claim:
Name:			Phone: ()
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Name:			Phone: () -
Attached to this cla		orts, statements or othe	r documentation which support our understanding of the facts relating
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Please de	scribe any other inforr	mation which you feel is	pertinent to this claim:
Cub-missa.	d by:		
Submitted		Signature	Print Name

Upon receipt of this claim, please provide the above information and immediately email to liabilityclaims@nmsif.org.

New Mexico Self-Insurers' Fund P.O. Box 846 Santa Fe, NM 87504 (800) 432-2036 or (505) 982-5573 Fax (505) 522-8033

"Exhibit 4"

GENERAL NOTES

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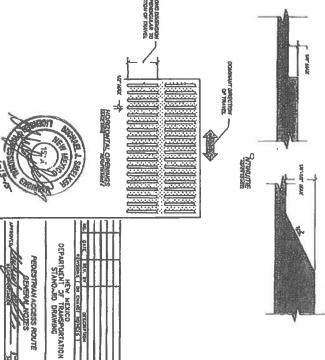
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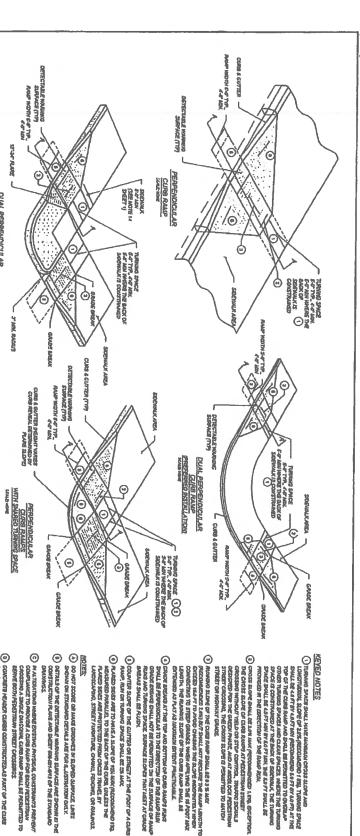
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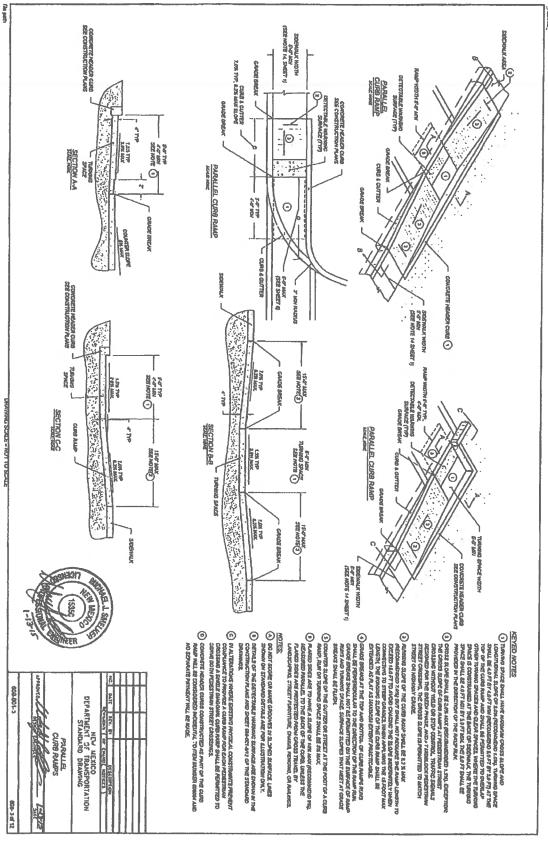
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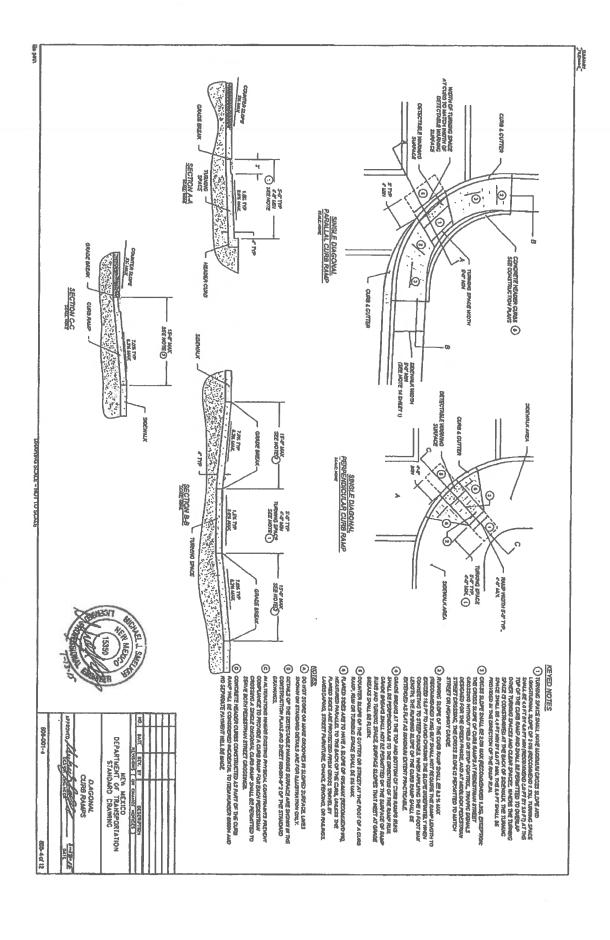
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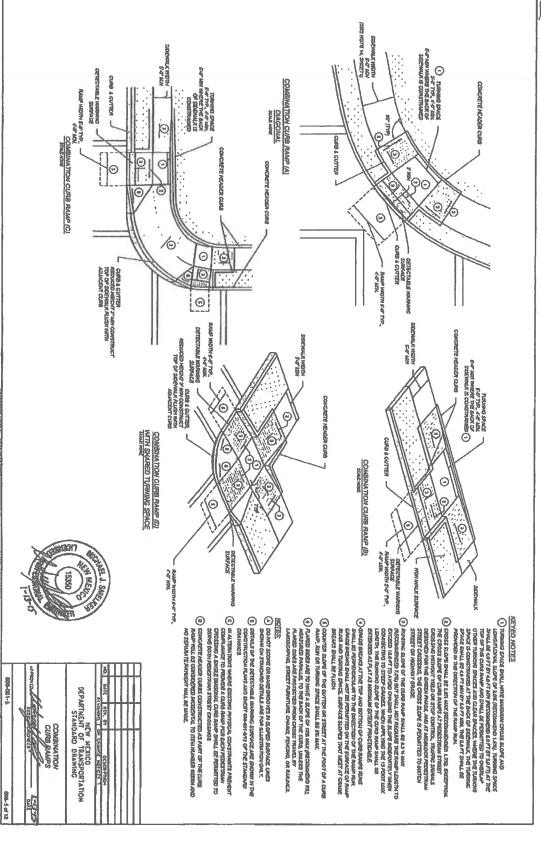
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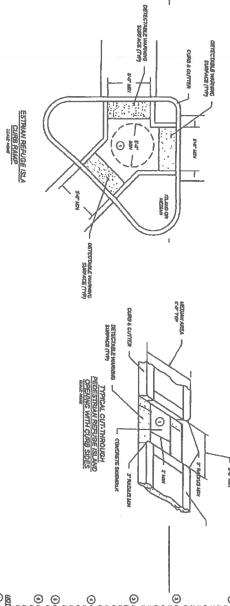








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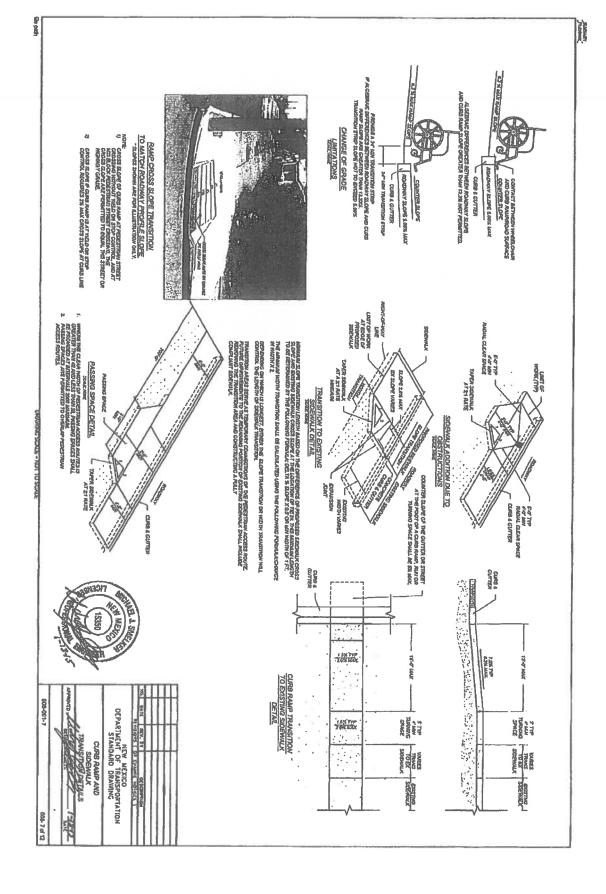
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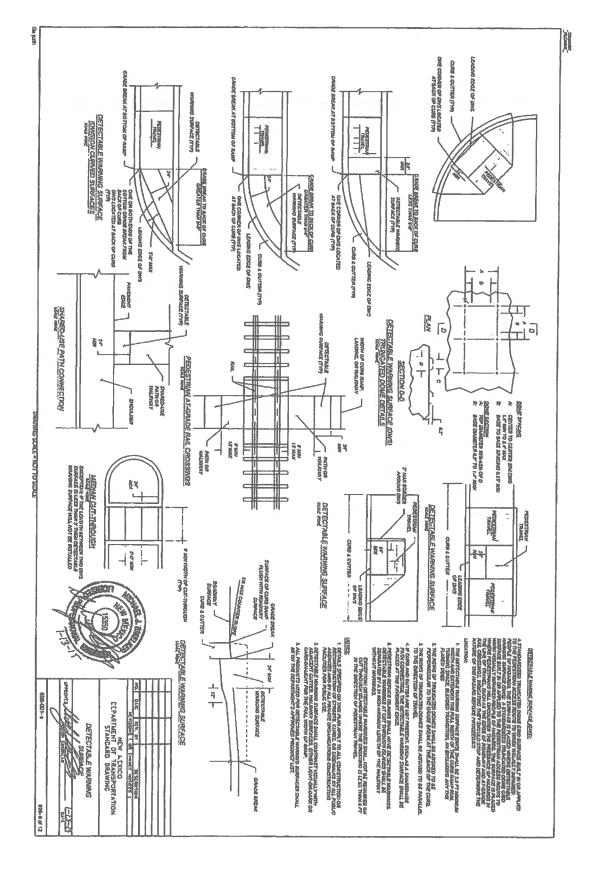
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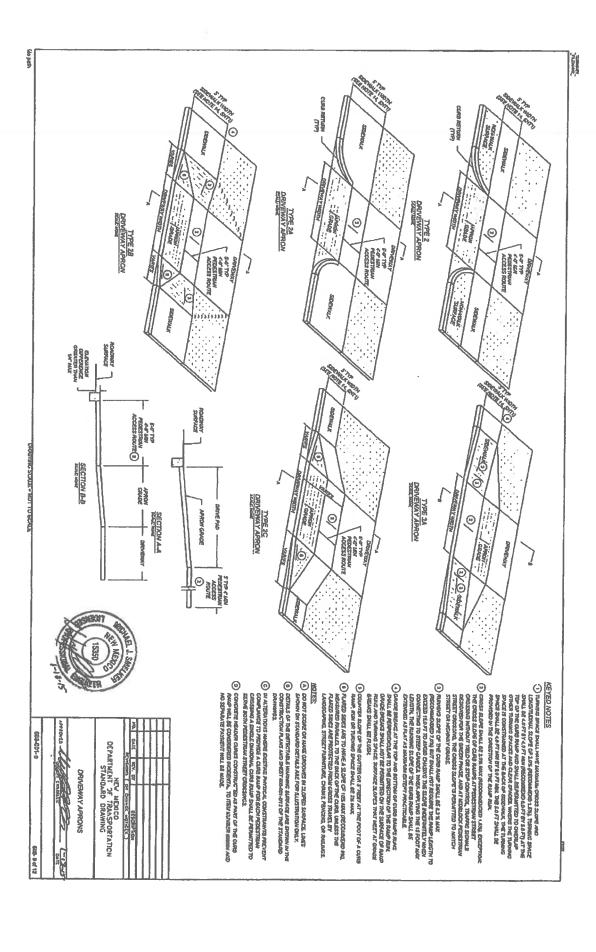


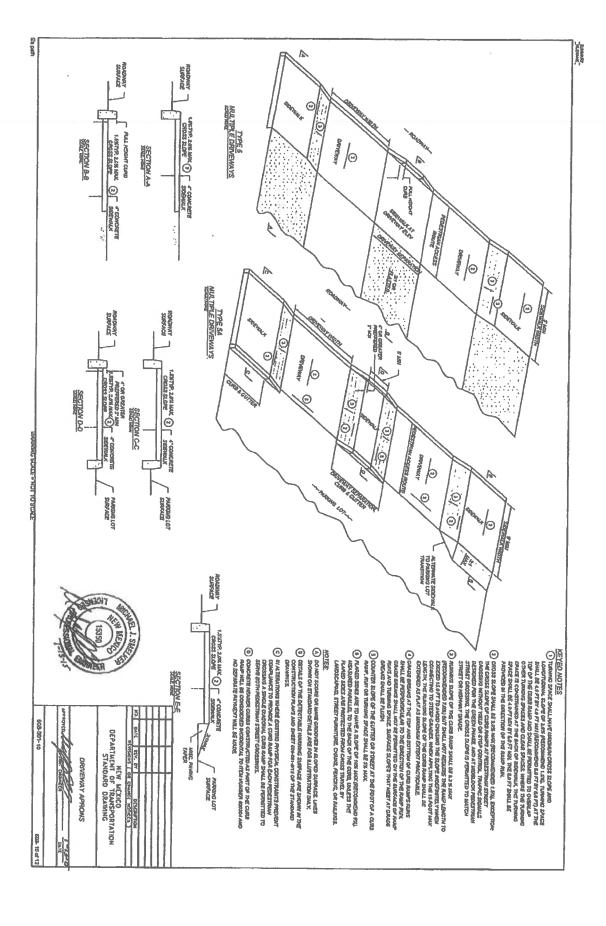
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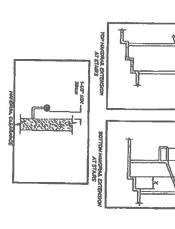
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