

Date:	Reference No.:	Agenda Item No.:
11/17/2011	Resolutions 2011-41, 2011-42, 2011-43	08.02, 08.03, and 08.04

Subject: Resolutions Adopting the ADA Accessibility Guidelines for Accessible Design

Summary of Request:

The Indianapolis Metropolitan Planning Organization (MPO) is required to certify that the metropolitan transportation planning process is carried out in accordance with all applicable requirements including the provisions of the Americans with Disabilities Act (ADA) of 1990 and Section 504 of the Rehabilitation Act of 1973. The authority requiring public agencies to make public right-of-way accessible for all pedestrians with disabilities is:

- Section 504 of the Rehabilitation Act of 1973 (29 USC §794)
- Title II of the Americans with Disabilities Act of 1990 (ADA) (42 USC §12131-12164)

For a local public agency to receive federal monies, through the Federal Highway Administration or any other federal agency, an ADA Transition Plan must be in place or under development.

These three Resolutions are phases of the Milestones that must be completed prior to 12/31/2011.

Financial Summary:

Budget Funds Available	If Yes, Amount	Future Needs To Be Determined
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A		

	Line Item Name	Line Item Number
Budget Fund Information:		

Recommend Bid/Contract Amount: N/A

Estimated Project Costs: (whole numbers)	Architecture/Engineering	N/A
	Construction/Procurement	N/A
	Contingency	N/A
	Miscellaneous Costs	N/A
	TOTAL ESTIMATE	N/A
	Future Expenses (if any)	N/A
	Revenue Generated (if any)	N/A

Department Head Approval: 

Date: 11/7/2011

Assistant Town Manager Approval:

Shant A. McKinstry

Date: 11/10/2011

ATM Comments:

After reviewing the required documents, all appears to be in order and I recommend of these policies required by the Metropolitan Planning Organization for the Town to receive federal highway funding.

Supporting Documentation:

1. ADA Transition Planning Emphasis Area Guidance - Milestones; 2. ADA Transition Plans: A Guide to Best Maangement Practices; 3. ADA Notice & Grievance Procedure Notice

Action Requested:

Approval of Resolutions 2011-41, 2011-42, and 2011-43 prior to 12/31/2011.

Town Manager Approval:

Shant A. McKinstry

Date: 10 Nov 11

TM Comments:

RESOLUTION 2011-41

A RESOLUTION OF THE TOWN COUNCIL
OF THE TOWN OF BROWNSBURG, INDIANA
ADOPTING THE AMERICANS WITH DISABILITIES ACT (ADA)
ACCESSIBILITY GUIDELINES FOR STANDARDS FOR ACCESSIBLE DESIGN
AND
GUIDELINES FOR PEDESTRIAN FACILITIES IN THE PUBLIC RIGHT-OF-WAY

WHEREAS, the Federal government enacted the Americans with Disabilities Act of 1990 (ADA) to prevent discrimination of the physically and mentally disabled relating to employment and access to public facilities; and

WHEREAS, Title II of the ADA requires that municipalities adopt the Americans with Disabilities Standards for Accessible Design that provide accessibility, through proposed structural modifications to remove accessibility barriers; and

WHEREAS, Title II of the ADA recommends that municipalities adopt the Americans with Disabilities Guidelines for Pedestrian Facilities in the Public Right-of-Way that provide accessibility, through proposed structural modifications to remove accessibility barriers; and

WHEREAS, the United States Department of Justice recently modified the ADA Standards for Accessible Design and the Guidelines for Pedestrian Facilities in the Public Right-of-Way in 2010 and 2011, respectively; and

WHEREAS, the Town of Brownsburg remains committed to the ADA and the elimination of barriers to public facilities; and

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Brownsburg hereby adopts the 2010 Americans with Disabilities (ADA) Standards for Accessible Design and 2011 Guidelines for Pedestrian Facilities in the Public Right-of-Way.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2011.

Matthew S. Bowles, President

ATTEST:

Jeanette M. Brickler, Clerk-Treasure