

**III.E.**



**DATE:** January 5, 2012

**TO:** Mike Herring, City Administrator

**FROM:** Susan Mueller, Principal Engineer *Smueller  
BM*

**SUBJECT:** Resolution Adopting the City of Chesterfield  
ADA Information and Transition Plan

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The City of Chesterfield recently adopted revised ADA Title II regulations which contain a requirement for an ADA Coordinator, an ADA Transition Plan, and an ADA Grievance procedure. The attached document has been prepared to comply with these ADA Title II requirements. Upon approval of the Resolution adopting the ADA Information and Transition Plan, this document will be published on the City website.

*{* Accordingly, staff requests that this resolution be placed on the next Planning and Public Works Committee agenda for discussion.

Should you need additional information, please advise.

attachment

cc: Mike Geisel, DPPW  
Brian McGownd, CE/PWD  
Aimee Nassif, PDSD

*Jzzj  
1/6/12*

*→ ADD TO NEXT P/PW  
COMMITTEE MEETING*

**A RESOLUTION OF THE CITY COUNCIL OF CHESTERFIELD, MISSOURI ADOPTING THE CITY OF CHESTERFIELD ADA INFORMATION AND TRANSITION PLAN.**

**WHEREAS**, the City Council approved adoption of revised ADA Title II Regulations by Ordinance Number 2670, on October 3, 2011;

**WHEREAS**, the ADA Title II Regulations, Subpart D, requires an ADA Transition Plan to identify a schedule for future projects to achieve program accessibility;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, AS FOLLOWS:

Section 1. The City Council hereby approves and adopts the City of Chesterfield ADA Information and Transition Plan attached hereto as Exhibit A.

Section 2. The City Council authorizes the City Administrator to delegate the authority to update the links embedded within the document and to update the document content and Appendices as needed to maintain accuracy of the information contained therein.

Section 3. This resolution shall be in full force and effect from and after its passage and approval.

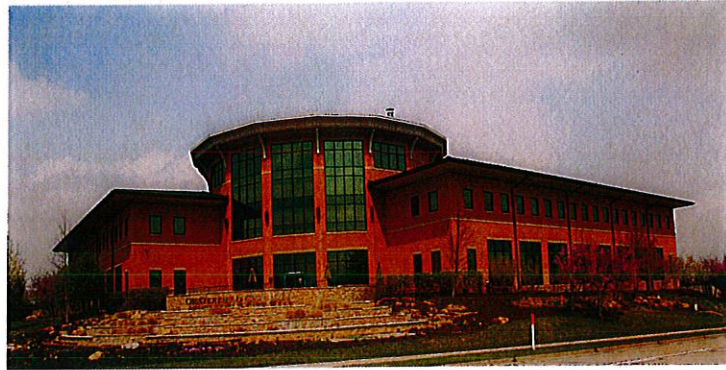
Passed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Bruce Geiger, Mayor

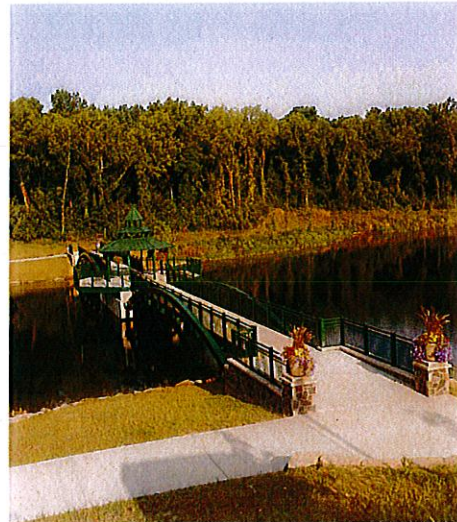
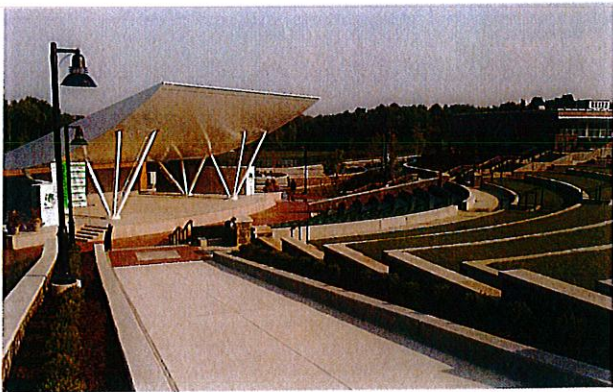
ATTEST:

\_\_\_\_\_  
Judith A. Naggiar, City Clerk

# EXHIBIT A



## City of Chesterfield ADA Information and Transition Plan



## **Introduction**

The Americans with Disabilities Act (ADA), enacted on July 26, 1990, is a civil rights law prohibiting discrimination against individuals on the basis of disability. ADA Title II Part 35 is the section of the Act that specifically applies to local agencies, and it was most recently amended by a final rule published on September 15, 2010 ([2010 Standards](#)).

## **ADA Self Evaluation**

As required by Title II ([Part 35, Section 35.105](#)) the City of Chesterfield has conducted self-evaluation of its facilities and maintains an ADA Transition Plan listing accessible facilities and tracking projects that are completed and planned to enhance accessibility within the community. Chesterfield maintains ADA accessibility for all City properties, parks, and right of way containing buildings, parking lots, sidewalks and curb ramps. The City welcomes participation from interested persons regarding our ADA self-evaluation process. An electronic Suggestion form is available on the website [www.chesterfield.mo.us](http://www.chesterfield.mo.us) to facilitate input from the public. Additionally a Suggestion may be submitted in person, by telephone, fax, regular mail, or e-mail. Please refer to Appendix A for ADA Coordinator contact information and refer to Appendix B for the Suggestion form.

## **ADA Notice**

### **Website**

As required by ([Part 35, 35.106](#)) the City of Chesterfield has a web page that includes ADA information about Chesterfield facilities. It includes this Transition Plan, an ADA Suggestion form and a formal ADA Grievance form. To enhance accessibility to City related information, the public may subscribe to e-mail notifications for public hearings, meetings, and other news on the Chesterfield website at <http://www.chesterfield.mo.us/webmail.html>

## **ADA Responsible Employee and Complaint Procedure**

As required by ([Part 35 35.107](#)), a public entity that employs 50 or more persons shall designate at least one employee to coordinate its efforts to comply with and carry out its ADA responsibilities and shall adopt and publish grievance procedures providing for resolution of complaints. The ADA Coordinator is that designated representative for Chesterfield. The duties of this position include tracking and responding to all submitted ADA suggestions and formal grievances as they are received. See Appendix A for ADA Coordinator contact information, or send an e-mail to [smueller@chesterfield.mo.us](mailto:smueller@chesterfield.mo.us).

The City of Chesterfield strives to accommodate all users of our facilities and services, and we make every attempt to respond to concerns and complaints at the appropriate staff level. A City representative and/or the ADA Coordinator is ready to meet with users to discuss suggestions for improvements and possible solutions to accessibility concerns.

Users do have the right to file a formal grievance if they believe the City of Chesterfield has not provided reasonable accommodation or response to their concerns. The grievance procedure is located in Appendix D of this report and the website at [www.chesterfield.mo.us](http://www.chesterfield.mo.us) contains details. Under the grievance procedure, a formal grievance may be filed with the City Clerk within 180 calendar days of the alleged occurrence.

**File Maintenance**

The ADA Coordinator maintains an ADA Grievance File and copies of formal written grievances and resolution documentation are maintained for a period of (3) years.

## **ADA Transition Plan**

As required by Subpart D of ADA Title II, Part 35, ([Part 35, 35.150](#)) Chesterfield maintains an ADA Transition Plan for our facilities and right of way. To streamline updates and keep our records current and relevant, appendices are updated annually or as new information is available. The ADA Transition Plan is available for public inspection at City Hall and is published on the City website at [www.chesterfield.mo.us](http://www.chesterfield.mo.us)

### **Pedestrian surfaces**

Chesterfield recognizes that management of pedestrian surfaces is key to a successful ADA Transition Plan. Annual inspection of pavement and sidewalks within City right of way has been in place since 1991. During the 20 years from 1991 to 2011, the City responded to more than 7,000 sidewalk repair work orders, and allocated funding to install over 1,200 curb ramps at public street intersections within Chesterfield. City construction projects completed since 1991 that include accessible improvements to curb ramps, sidewalks, playgrounds, parking lots or walking trails are listed in Appendix C.

Regular inspections are performed on our parks, parking lots, and public streets to monitor the condition of ADA signs, parking spaces, curb ramps, sidewalks, playgrounds, and recreational trails. Our inspections and suggestions from the public are important tools to assist us in ADA project planning and development and to track ongoing progress on barrier removal. Our field asset data is continually updated as improvements or repairs are made. Sidewalk and curb ramp projects on City streets and on City property are prioritized and funded annually to maintain pedestrian safety and accessibility in our community.

### **Facilities**

Chesterfield owns and operates ADA compliant buildings and facilities throughout the community. The Chesterfield Government Center located at 690 Chesterfield Parkway West, provides convenient accessible parking spaces with covered ramps leading to the main building entrance. There is ground floor access to the City Council Chambers, Conference Rooms, City Clerk, Police and Municipal Courts services. The Chesterfield Family Aquatic Center located at 16365 Lydia Hill Drive, provides ADA compliant recreation and enjoyment for visitors of all ages and abilities. Chesterfield is very proud of Central Park located on Veterans Place Drive, which has an ADA accessible amphitheater, pavilion, concession stand, restrooms, gazebo, and nature walkway. The amphitheater seating area contains an accessible viewing deck for guests who require wheelchair seating. The Chesterfield Athletic Complex is home to the Catch 22 Miracle Field providing specially designed dugouts, bleachers, and playing surface for participants of all skill levels and ages. The Chesterfield-Monarch Levee Trail is a paved asphalt recreational trail with ADA compliant access along North Outer 40 behind the Hardee's Ice Skating Rink east of Boone's Crossing and east from Spirit Boulevard, at the west entrance to the Chesterfield Valley Athletic Complex. A list of all City accessible buildings and facilities along with website information may be found in Appendix A.

## APPENDIX A

### City of Chesterfield Accessible Facilities

FACILITY	LOCATION	WEBSITE
Catch 22 Miracle Field	17925 North Outer 40 Rd	<a href="#">catch22miracleleague</a>
Central Park and Amphitheater	16462 Burkhardt Place	<a href="#">chesterfield-amphitheater</a>
Chesterfield Athletic Complex	17925 North Outer 40 Rd	<a href="#">chesterfield-valley-athletic-complex</a>
Chesterfield Family Aquatic Center	16365 Lydia Hill Drive	<a href="#">chesterfield-family-aquatic-center</a>
Eberwein Dog Park and Walking Trail	1627 Old Baxter Road	<a href="#">eberwein_dogpark</a>
Government Center - Municipal Court	690 Chesterfield Pkwy W	<a href="#">chesterfield-cityhall-municipal court</a>
Government Center - Police Dept	690 Chesterfield Pkwy W	<a href="#">chesterfield-police</a>
Monarch Chesterfield Levee Trail	17925 North Outer 40 Rd	<a href="#">monarch-chesterfield-levee-trail</a>
Parks Maintenance Facility	17891 North Outer 40 Rd	<a href="#">chesterfield-parks-recreation</a>
Public Works Maintenance Facility	165 Public Works Drive	<a href="#">chesterfield-street-fleet-maintenance</a>

### ADA Coordinator – Suggestions and Informal Complaints

Susan Mueller  
690 Chesterfield Pkwy W  
Chesterfield, MO 63017

Ph: 636-537-4761  
Fax: 636-537-4798  
E-mail: [smueller@chesterfield.mo.us](mailto:smueller@chesterfield.mo.us)

### City Clerk – Formal Grievances

Judy Naggiar  
Office of the City Clerk  
690 Chesterfield Pkwy W  
Chesterfield, MO 63017

Ph: 636-537-6716  
Fax: 636-537-4798  
E-mail: [jnaggiar@chesterfield.mo.us](mailto:jnaggiar@chesterfield.mo.us)

**Appendix B  
City of Chesterfield  
ADA Suggestion Form**

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

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

City, State, Zip Code \_\_\_\_\_

Phone Numbers: Home (     ) \_\_\_\_\_ - \_\_\_\_\_ Cell: (     ) \_\_\_\_\_ - \_\_\_\_\_

E-mail: \_\_\_\_\_

Suggestion: \_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

Submit electronically or print and mail to:

City of Chesterfield  
ATTN: ADA Coordinator  
690 Chesterfield Pkwy West  
Chesterfield, MO 63017  
E-mail: [smueller@chesterfield.mo.us](mailto:smueller@chesterfield.mo.us)



## Appendix C

### Future ADA Accessibility Improvements

<u>File Number</u>	<u>Project Description</u>	<u>Status</u>
2015-PW-02	CDBG Curb Ramps	Future
2015-PW-04	Sidewalk Replacement/Extension	Future
2014-PW-02	CDBG Curb Ramps	Future
2014-PW-04	Sidewalk Replacement/Extension	Future
2013-PW-02	CDBG Curb Ramps	Future
2013-PW-04	Sidewalk Replacement/Extension	Future
2012-PW-02	CDBG Curb Ramps	Future
2012-PW-04	Sidewalk Replacement/Extension	Future
2011-PW-02	CDBG Curb Ramps	Design
2011-PW-04	Sidewalk Replacement/Extension	Design
2011-PW-05	Monarch-Chesterfield Levee Trail Phase IV	Design
2011-PW-06	Monarch-Chesterfield Levee Trail Phase V	Design
2011-PW-12	Timberlake Bridge Repair	Design
2010-PW-11	Appalachian Trail Phase I – STP	Design
2009-PW-19	Chesterfield Parkway Pedestrian Bridge	Design

### Completed ADA Accessibility Improvements

<u>File Number</u>	<u>Project Description</u>
2010-PW-02	CDBG Curb Ramps
2010-PW-04	Sidewalk Replacement/Extension
2009-PW-02	CDBG Curb Ramps
2009-PW-04	Sidewalk Replacement/Extension
2009-PW-05	Monarch-Chesterfield Levee Trail Phase III
2009-PW-06A	Central Park Amphitheatre
2009-PW-06D	Central Park Bridges and Gazebo
2009-PW-06E	Central Park Streamwalks
2009-PW-06F	Central Park Linear Park
2009-PW-18	Eberwein Dogpark with Walking Trail
2008-CP-01	Central Park Road (Veteran's Place)
2008-PW-01	Stablestone Drive/Greentrails – STP
2008-PW-02	CDBG Curb Ramps
2008-PW-04	Sidewalk Replacement/Extension
2008-PW-05	Monarch-Chesterfield Levee Trail Phase II
2008-PW-11	Lydia Hill Drive Extension
2007-PW-02	CDBG Curb Ramps
2007-PW-04	Sidewalk Replacement/Extension
2007-CVAC-05	Parks Maintenance Facility
2006-PW-02	CDBG Curb Ramps
2006-PW-04	Sidewalk Replacement/Extension
2005-PW-02	CDBG Curb Ramps

<u>File Number</u>	<u>Project Description</u>
2005-PW-04	Sidewalk Replacement/Extension
2005-PW-05	Monarch-Chesterfield Levee Trail
2004-PW-01	Splash Playground
2004-PW-02	CDBG Curb Ramps
2004-PW-04	Sidewalk Replacement/Extension
2004-PW-05A	River Valley Phase III
2004-PW-05	Old Baxter Road Phase II
2004-PW-14	Miracle Field
2003-PW-02	CDBG Curb Ramps
2003-PW-04	Sidewalk Replacement/Extension
2003-PW-05A	River Valley Phase II
2003-PW-05B	Old Baxter Road Phase I
2003-PW-15	Curb Ramp Installation – Stablestone/Greentrail
2002-PW-02	CDBG Curb Ramps
2002-PW-04	Sidewalk Replacement/Extension
2002-PW-06	Parks Playground Surfacing
2001-PW-02	CDBG CVAC Curb Ramps
2001-PW-04	Sidewalk Replacement/Extension
2001-PW-05	River Valley Street Reconstruction Phase I
2000-PW-02	CDBG CVAC Curb Ramps
2000-PW-05	Old Baxter Road
2000-PW-26	Parks Playground Surfacing
1999-PW-02	CDBG Curb Ramps
1999-PW-04	Sidewalk Replacement/Extension
1999-PW-07	Pathway on the Parkway
1999-PW-11	Government Center Construction – City Hall
1999-PW-12	Central City Park Pavilion
1998-PW-02	CDBG Curb Ramps
1998-PW-19	Clarkson Road Sidewalk
1997-PW-02	CDBG Curb Ramps
1997-PW-04	Sidewalk Replacement/Extension
1997-PW-12	Municipal Pool – Family Aquatic Center
1996-PW-02	CDBG Curb Ramps
1996-PW-11	Sidewalk Replacement
1995-PW-01	Public Works Facility
1995-PW-02	CDBG Curb Ramps
1995-PW-13	Sidewalk Construction – Justus Post
1994-PW-02	CDBG Curb Ramps
1994-PW-10	Sidewalk Reconstruction – Deerhorn and River Valley
1993-PW-02	CDBG Curb Ramps
1993-PW-13	Sidewalk Construction – Ridgetrail and River Valley
1992-PW-02	CDBG Curb Ramps
1992-PW-11	Sidewalk Project – Greentrails Drive South
1991-PW-02	CDBG Curb Ramps

## **Appendix D**

### **ADA Grievance Procedure and Grievance Form**

The procedure to file a complaint or grievance Under the Americans with Disabilities Act is as follows:

1. The City will attempt to resolve complaints by using informal resolution procedures at the appropriate staff level. A staff representative and/or the ADA Coordinator will meet with the grievant to discuss possible solutions to concerns.
  
2. Should informal complaint resolution attempts fail, a formal written grievance may be filed by the grievant at the Office of the City Clerk, using an ADA Grievance form. A formal written grievance must be filed within (180) calendar days of an alleged violation, and must contain the following:
  - The name, mailing address, telephone number, and e-mail address of the person filing the grievance.
  - The name, mailing address, telephone number, and e-mail address of the person alleging ADA violation, if other than the person filing the grievance.
  - A description, date and location of the alleged violation and the remedy or relief which is requested.
  - Information regarding whether a complaint has been filed with the Department of Justice or other federal or state civil rights agency or court.
  
3. The ADA Coordinator will return a written response to a formal written grievance by certified mail within (14) calendar days of the grievance filing date. The written response will include any proposed resolutions and notice of the complainant's right to appeal. If the grievance does not concern a Chesterfield facility, it will be forwarded to the appropriate agency and the complainant will be notified.
  
4. If the grievant is not satisfied with the written response from the ADA Coordinator, the grievant may request an appeal. Such request must be in writing and filed with the Office of the City Clerk within (14) calendar days of certified mailing date on the ADA Coordinator written response.

**City of Chesterfield  
ADA Grievance Form**

**Instructions:**

1. Please fill out both pages of this form, print clearly in black or blue ink.
2. Sign the form at the bottom of the second page.

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

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

City, State, Zip Code \_\_\_\_\_

Phone Numbers: Home (     ) \_\_\_\_\_ - \_\_\_\_\_     Cell: (     ) \_\_\_\_\_ - \_\_\_\_\_

E-mail: \_\_\_\_\_

Person or persons affected by the violation allegation, if different from Complainant:

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

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

Phone Number:     (     ) \_\_\_\_\_ - \_\_\_\_\_

E-mail: \_\_\_\_\_

Location of Alleged Violation: \_\_\_\_\_

Date of Alleged Violation: \_\_\_\_\_

Description of Alleged Violation: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Remedy or Relief which is requested:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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?

No \_\_\_\_\_ Yes \_\_\_\_\_

If yes: Agency or Court:

Contact Person:

Address:

City, State, and Zip Code:

Telephone Number:

Date Filed:

Complainant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Submit electronically or print and mail to:

City of Chesterfield  
Office of the City Clerk  
690 Chesterfield Pkwy West  
Chesterfield, MO 63017  
E-mail: [jnaggiar@chesterfield.mo.us](mailto:jnaggiar@chesterfield.mo.us)