

CITY OF LINCOLN CALIFORNIA



*ADA Transition Plan & Self-
Evaluation Update
December 11, 2018*

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Introduction

We the City of Lincoln strive to not only comply with the provisions and regulations defined by the Americans with Disabilities Act (ADA) and amendments; and the Rehabilitation Act and amendments, but to also make every attempt to help ensure that the spirit of these historical benchmark pieces of legislation are adopted into our everyday business models and activities. Therefore, we the City of Lincoln are committed to the full and equal opportunity of all its citizens, including individuals with disabilities. We recognize that our community's continued vitality, strength, and vibrancy is through the realization of the contribution of all its citizens. With this understanding we the City of Lincoln have developed this ADA Transition Plan Update as a guide to assist us in transitioning from our existing status to full and complete physical accessibility regarding all programs, services, and activities we provide to our citizens, especially our citizens with disabilities.

ADA General Information

The Americans with Disabilities Act of 1990 and amendments provide comprehensive civil rights protections to qualified individuals with disabilities in the areas of employment, public accommodations, State and local government services, and telecommunications. A primary goal of the ADA is to ensure equal participation in public life for all Americans with disabilities. Title II of the Act covers programs, services, and activities of public entities, such as the City of Lincoln.

Under Title II, a public entity may not deny the benefits of its programs, services, and/or activities to individuals with disabilities by maintaining inaccessible facilities, which house these programs, services, and activities. The City of Lincoln programs, services, and activities, when viewed in their entirety, must be made accessible to and usable by individuals with disabilities, except where to do so would result in a fundamental alteration in the nature of the program; result in undue financial and administrative burdens, or threaten or destroy the historic significance of a historic property.

Section §35.150 of Title II requires that each program, service, or activity conducted by a public entity, when viewed in its entirety, be readily accessible to and usable by individuals with disabilities. The regulation makes clear, however, that a public entity is not required to make each of its existing facilities accessible (§35.150(a) (1)). Unlike Title III of the ADA, which requires public accommodations to remove architectural barriers where such removal is "readily achievable," or to provide goods and services through alternative methods, where those methods are "readily achievable," Title II requires a public entity to make its programs accessible in all cases, except where to do so would result in a fundamental alteration in the nature of the program or an undue financial and administrative burden. The US Congress intended the "undue burden" standard in Title II to be significantly higher than the "readily achievable" standard in Title III. Thus, although Title II may not require removal of barriers in some cases where removal would be required under Title III, the program access requirement of Title II should enable individuals with disabilities to participate in and benefit from programs, services or activities in all but the most unusual cases.

History of the ADA

Adopted on July 26, 1990, the ADA is a federal civil rights law that provides protections for persons with disabilities against discrimination by both public and private entities. The ADA extends similar protections provided by Section 504 of the Rehabilitation Act of 1973 (504).

Section 504 requires entities that receive federal financial assistance to ensure they do not discriminate against persons with disabilities when providing their services, programs, and

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activities. The ADA prohibits discrimination on the basis of disability for operations conducted by State and local governments and for facilities owned by private businesses, even if no federal financial assistance is received. Title II of the ADA requires State and local governments to ensure their services, programs, and activities are accessible to and useable by persons with disabilities. Title III requires public accommodations and commercial facilities to design and alter their buildings and sites to ensure they are designed, constructed, and altered in compliance with accessibility standards.

As a public entity, the operations of the City of Lincoln are subject to the requirements of Title II of the ADA and Section 504 of the Rehabilitation Act as a recipient of federal funds.

As an employer, a provider, and user of public and private services, City of Lincoln is also subject to requirements of the ADA, Title I (employment provisions and regulations).

This document was designed to help City of Lincoln adhere to the above ADA/504 requirements as they are defined by related regulations to develop and implement an ADA Transition Plan.

ADA Title II Transition Plan Requirements

1. In the event that structural changes to facilities will be undertaken to achieve program accessibility, a public entity that employs 50 or more persons shall develop, within six months of January 26, 1992, a transition plan setting forth the steps necessary to complete such changes. A public entity shall provide an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the development of the transition plan by submitting comments. A copy of the transition plan shall be made available for public inspection.
2. 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.
3. The plan shall, at a minimum:
 - 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 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.
 - v. If a public entity has already complied with the transition plan/Self-Evaluation requirement of a Federal agency regulation implementing section 504 of the Rehabilitation Act of 1973, then the requirements of this paragraph (d) shall apply only to those identified barrier, policies, procedures that were not included in the previous transition plan.

Official Responsible

To ensure the formation and implementation of the ADA Transition Plan, the City of Lincoln has designated the ADA Coordinator, to coordinate efforts laid out by the ADA Transition Plan.

Ray Leftwich, Interim ADA Coordinator
600 Sixth Street; 3rd Floor
Lincoln, CA 95648
(916) 434-2457
Ray.Leftwich@lincolnca.gov

Public Outreach

The City of Lincoln seeks extensive public involvement in ADA-related activities. This includes activities to help ensure individuals with disabilities have the opportunity to provide feedback and comments, including how and where to provide such notice, methods of the provision of notice, and best practices in the provision of notice.

The City will roll out the draft Plan to allow the public the opportunity to review and provide comments to the draft ADA Transition Plan & Self-Evaluation. There will be a time of 30 days in which the public is able to provide comments and necessary feedback to be included in the Final ADA Transition Plan & Self-Evaluation. All comments shall be included and documented along with the name of the person consulted and shall be attached in **Attachment A of this ADA Transition Plan & Self-Evaluation**.

Citizens will be able to take advantage of the following outreach efforts:

Web Site: The City of Lincoln's web site will make the Transition Plan available at www.lincolncalifornia.gov. By using the web site, the public is able to obtain information on the project's purpose, schedule and timeline, pedestrian/disability access consumer survey, archived articles, approved and revised documents and discussion papers, public involvement opportunities and contact information. In addition, the draft and final ADA Transition Plan will be posted on the City of Lincoln web site for approximately 3 years after final approval and adoption.

Requests for copies of the ADA Transition Plan and additional public comments should be directed to the City of Lincoln Interim ADA Coordinator, Ray Leftwich, 600 Sixth Street 3rd Floor; Lincoln, CA 95648, Telephone: (916) 434 2457, e-mail: Ray.Leftwich@lincolncalifornia.gov. The ADA Transition Plan will be provided in various alternative formats upon written request. The Draft ADA Transition Plan Update is available for review during the public comment review period at:

Lincoln Twelve Bridges Library
485 Twelve Bridges Drive
Lincoln, CA, 95648

Lincoln City Clerk's Office
600 Sixth Street,
Lincoln, CA, 95648

Inventory/Discovery Efforts

The City of Lincoln recognizes that it must examine each program, service, or activity to determine whether any physical barriers to access exist. It should identify steps that need to be taken to enable these programs to be made accessible when viewed in their entirety. If structural changes are necessary, they should be included in the transition plan. The City of Lincoln also understands that if a program Self-Evaluation determines that physical changes to existing facilities are necessary, those changes must be included in the transition plan.

As part of the City of Lincoln Self Evaluation process, it has been determined that public buildings, facilities and pedestrian structures and features are required to be field surveyed to determine barriers to City of Lincoln programs, services, and activities. "Public Facility" is defined here as any building or other facility owned or governed by the City of Lincoln, that is open to the public or houses City departments or private businesses that meet with or conduct business with the public from that location. This includes parks, trails and sports fields, and pedestrian features within the public right of way, including sidewalks, curb ramps, cross walks, pedestrian signals, and other features or facilities.

Public buildings

Accessibility Consultants Incorporated (ACI) has evaluated City facilities and parks throughout the City. The name and address of each facility evaluated is attached to this document as **Attachment D**.

Self-Evaluation

The Self-Evaluation of policies, procedures and practices pertaining to the City's programs, services and activities was conducted by ACI in cooperation with members of the City of Lincoln's management team. The City's management team was instrumental in data gathering and the systems analysis process, a critical part of the project. The concept at hand is to be prepared and capable of providing the service necessary to individuals with disabilities in a manner that affords opportunity to participate in the City's programs, services, and activities in a useable manner in the most integrated setting possible.

Methodology

ACI staff reviewed not only the Municipal code of the City, but asked a devised set of questions to assess the City's mindfulness of the City's Accessibility requirements. Information has been gathered through the review of information provided by the Department of Justice, ADA.gov and the US Access Board.

Analysis

The ADA requires an evaluation of all programs, services, and activities provided by a State or Local Government. Additionally, there are several administrative or general requirements that must be complied with to successfully meet the ADA's ideals. These requirements were used by ACI as a basis to compare the City's Code to the practices endorsed within each department.

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Program Oversight

The City should consider utilizing the accessibility advisory committee to aid the City ADA Coordinator to facilitate continuous improvement and ongoing compliance with the compliance measures outlined in this report.

Findings

All findings as a result of the City's Self-Evaluation are discussed in further context in **Attachment D**.

Parks, Trails, and Sports Fields

The City of Lincoln designs and builds all its new park, trails and sports fields construction projects and improvement projects in accordance with the International Building Code, the 2010 ADA Standards, and any related guidance provided by the US Access Board.

As part of the field surveys, data is collected showing whether or not there were any features of parks, trails, and sports fields that are not consistent with adopted standards and codes. This Data will allow the City of Lincoln to create a list of inaccessible features at parks, trails, and sports fields and a list identifying the elements that do not comply or pose barriers to individuals with disabilities.

According to initial assessments, the City of Lincoln will not have the funds to correct all problems discovered during the field surveys of parks, trails, and sports fields. Therefore, the data collected will be prioritized, where the primary focus is given to high volume areas; except where doing so helps ensure public safety, is more efficient or maximizes the overall benefit and utilizes public funds in the most efficient manner.

Maintenance Requirements

Section 35.133 of Title II of the ADA states that:

A public entity shall maintain in operable working condition those features of facilities and equipment that are required to be readily accessible to and usable by persons with disabilities by the Act or this part. This section does not prohibit isolated or temporary interruptions in service or access due to maintenance or repairs.

Additionally, Section 3.2.4.3 of the Access Board's "Accessible Rights of Way: A Design Guide" states that: Public works departments should respond quickly to citizen reports of damaged surfaces along high-priority routes, so that pedestrians with mobility impairments do not have to seek alternate routes.

Because the City of Lincoln does not always have the staff or resources to monitor the condition of all its facilities, roadways, and parks on a continual basis, it relies heavily on reports from citizens to facilitate its maintenance efforts. Priority will always be given to maintenance needs that impact safety and accessibility.

It should be noted that within the City of Lincoln, it is the responsibility of the abutting property owner to maintain sidewalks free of defects and obstructions. The City is responsible for maintaining sidewalks abutting the properties it owns.

To report maintenance issues that impact accessibility at parks, trails, or sports fields, please contact Ray Leftwich, Interim ADA Coordinator.

Methodology

Field surveying began in early 2017 for this ADA Transition Plan Update. During this activity detailed measurements were collected to identify where inconsistencies exist (measurements that do not comply with adopted standards and code) at the City of Lincoln buildings, facilities, parks, and other pedestrian features identified in Attachment D. The field surveyor who conducted all of the field assessments, Victor Felix is a Certified Access Specialist with CAsp #728.

Completed data was auto-downloaded into the master database program (BlueDAG) as each assessment activity was completed in real-time. The database program consolidates all field collected data into tables sortable by data types, locations, structural feature types, and by priority, at a minimum.

Accessibility (Physical Barriers) and Inventory Collection Items

For this ADA Transition Plan Update the field surveyor used the BlueDAG mobile application tool to collect information during field assessments. Information collected included all features within public right-of-ways, buildings, and facilities that do not comply with, are otherwise inconsistent with adopted accessibility standards and codes (ADA barriers). Information collected has been auto-populated into the master database and this Transition Plan in real-time; and the information collected includes, but may not be limited to, the following:

- Whether crosswalks are present at any or all crossings. If present, the width, type, alignment, presence of tactile warning consisting of truncated domes, presence of islands, and disabled access;
- Whether existing curb ramp(s) are present at any of the corners within the intersection;
- Whether the intersection is standard right angle, T-shaped, Y-shaped, skewed, or any other irregular geometry. Whether there are pedestrian island(s) or right turn lanes;
- The presence and nature of abrupt changes in sidewalk level, running slopes, cross slopes, sidewalk width, or other obstructions;
- Whether visual or accessible pedestrian signals are present. If present, the type, size, height, and location of actuator buttons. The location parameters are “at curb,” “on landing,” “on ramp slope – arm length”;
- Whether a sidewalk leading to and from the curb is present;
- Whether tactile guide strips (consisting of truncated domes) are present at any crosswalk. If present, the location, height, width, and color of the tactile guide strips;
- Whether traffic signals, stop signs (all way vs. two-way vs. one-way), yield control, roundabout, or no control.
- The parameters of the transit stop type - none, light rail, bus, and other;
- Measurements of all curb ramp, cross walk, pedestrian traffic signal, sidewalk, transit stops, etc., details as defined by the BlueDAG accessibility checklist;
- Measurements of all facilities and facility features of all buildings, parks, trails, and sports facilities as defined by the BlueDAG accessibility checklist, including but not limited to: Parking, exterior pedestrian routes, exterior entrances, restrooms, counters, tables, doors, signage, play features, etc.

Field Survey Assignment Development

In the future and moving forward the City of Lincoln will generate assignments based on buildings, parks, trails, and sports facility addresses/location. Field investigation staff will collect information/data, utilizing a database application tool, the application auto-generates longitude and latitude coordinates for each assignment and plot assignments onto the master database mapping tool. This allows the information to be examined as it is collected. Information can also be exported into a .csv file which can be populated into Microsoft Excel.

Barrier Removal Methods, Schedule, and Funding

The final Rules and Regulations of the ADA describe the requirements for program accessibility (Code of Federal Regulations, Title 28, Part 35, Subpart D). A public entity shall operate each service, program or activity, when viewed in its entirety, so that it is accessible to and usable by individuals with disabilities. The ADA does not require the public entity to make all of its existing facilities accessible, nor does it require a public entity to take any action that would fundamentally alter the nature of a service, program or activity. Also, it does not require implementation of the ADA that would result in undue financial and administrative burdens. In such cases where documentation is provided in keeping with strict procedures outlined in the ADA, there are various methods that may be appropriate for providing program accessibility in lieu of making actual physical changes to facilities.

ADA Coordinator Established Transition Plan Implementation

The first step in determining barrier removal will be to examine barriers in detail to establish how each barrier effects overall program accessibility and whether or not program accessibility can be achieved without removing the barrier or if other means of program accessibility exist. For example, if court rooms exist on the third floor of a building and only steps lead to the court rooms, then the court room program is inaccessible. In this situation determinations would need to be made regarding how the public court program can be made accessible. Barrier removal to the public court program could consist of the installation of a standard 2,000 lb passenger elevator; where technical infeasibility exists, such as the requirement for the removal of load bearing walls than a limited use elevator may be an alternative. Additionally, other alternatives exist, public court proceedings could be provided at another alternate fully accessible location and new public court facilities could be constructed to ensure full accessibility. This represents only one example of a barrier to a public program and some of the alternatives that could be allowed to remove barriers in existing facilities.

Such program access determinations regarding barrier removal in existing facilities should be made prior to the beginning of barrier removal construction projects. It should be understood that in many and, likely most, situations physical construction will be necessary to ensure program access and barrier removal. However, program access considerations should be determined in order to help ensure the most efficient usage of public funds.

Where barriers require construction activities and programs cannot be made accessible through alternate means, barrier removal methods and transitioning will be guided by the set of strategies below. The web-based database program provides detailed information pertaining to each barrier and the associated corrective action needed to make each facility/element accessible where construction is required. These deficiencies are then included in upcoming modifications that may be administered through internal departments/staff or contracted means.

Barrier Removal Methods

The City of Lincoln ADA Coordinator has the responsibility and authorization to implement barrier removal as defined by the finalized Transition Plan given the confines of budget approval by the City Council. The ADA Coordinator will utilize existing City of Lincoln departments, offices, and related construction programs to implement capital improvement projects and maintenance programs for barrier removal. The following departments, offices, and related construction programs will be utilized by the ADA Coordinator: Public Services, Building, Engineering, and Support Services.

With the full and complete understanding that the main purpose of a Transition Plan is to transition from a state of inaccessibility to that of full accessibility, as defined by the ADA and

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Section 504. The methods adopted by the City of Lincoln for barrier removal will ultimately be determined by the ADA Coordinator, feedback from the public, individuals with disabilities, and those organizations that represent individuals with disabilities. The ADA Coordinator, related staff and feedback organizations may deviate from barrier removal methods, if doing so, helps to ensure public safety, is more efficient or maximizes the overall benefit and utilizes public funds in the most effective manner.

Barrier Removal Priorities

Priority 1: Grievances from the public and, specifically individuals with disabilities will be the first priority for barrier removal, regardless of what building or facility the grievance pertains to, so long as, the building or facility is owned, operated or governed by the City of Lincoln;

Priority 2: Physical locations identified to be problem areas via public involvement, consumer surveys, and the Transition Plan comment period will be the second priority for barrier removal;

Priority 3: The following information will determine barriers to be removed under the 3rd Priority:

- A. City of Lincoln owned or governed Buildings, parks, trails, and sports fields determined to have high density public activity, including facilities determined to be frequented by individuals with disabilities.
- B. Pedestrian facilities within the right of ways along Major roadways (Arterials or thoroughfares with a minimum 80-foot wide right-of-way) and all pedestrian facilities within these right-of-ways, including but not limited to intersections and sidewalks along these arterials or thoroughfares; and
- C. Intersections and roadway segments serving Priority Level 3 buildings and facilities including:
 - I. City of Lincoln owned buildings, parks, trails, and sports fields,
 - II. Public schools, hospitals, health clinics and health centers, including those which serve individuals with disabilities;
 - III. Public housing, homeless shelters, senior facilities, rehabilitation facilities, and various facilities which specifically serve individuals with disabilities, such as group homes;
 - IV. Law enforcement facilities, transportation hubs, public agency service facilities, jails, and prisons

Priority 4: The following information will determine barriers to be removed under the 4th Priority:

- A. Street right of ways with minimum 60-foot wide right-of-way and other roadways, and all pedestrian facilities within the right-of-way including, but not limited to, intersections and sidewalks along these highways; and
- B. Intersection and roadways serving level 2 facilities, including:
 - I. ADA Title III Public Accommodations, such as, supermarkets, strip retail markets, and retail centers;
 - II. Major employment sites; and
 - III. Housing complexes and apartments
- C. The right-of-way along roadways serving industrial areas, single family residential areas, and other right-of-way not listed in higher priorities.
- D. Buildings and facilities that owned, operated, or governed by the City of Lincoln not defined in the 3rd and 4th priorities

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Barrier Removal Schedule

The finalized barrier removal schedule is based on funding availability as each facility has a differing fund source including the general fund. The ADA Coordinator will work to identify funding sources on an on-going annual basis. Once funding has been determined, the following barrier removal schedule and activities will provide a guidance mechanism for construction activities.

The City of Lincoln plans to propose capital improvement projects annually to implement the ADA Transition Plan and remove identified barriers to facilities, and also plans to apply for competitive funds to accelerate the transition process where feasible. The facility reports appended to this document (Attachment D) provide the identification of barriers and the specific barrier removal actions.

The barrier removal projects will be divided by fiscal year for the next five years. It is felt that a detailed breakdown of projects past the five year period would be inappropriate, since conditions would be subject to numerous changes over such a time span. The barrier removal schedule was compiled by first grouping the barriers and prioritizing them as shown below. The highest priority was placed on those barrier removal items that provide accessibility at the main entrance of a facility or improve a path of travel to the portion of the facility where the program activities take place.

Group Priority

1	Parking - Off Street
2	Accessible Routes
3	Curb Ramps
4	Detectable Warnings
5	Ramps - (Not a Curb Ramp)
6	Doors
7	Elevators & Lifts
8	Restrooms
9	Plumbing Fixtures & Elements
10	Fire Alarms
11	Fire Extinguishers
12	Sales and Service Counters/Tables
13	Reach Ranges
14	Pool/Spa
15	Clear Floor Space
16	Kitchens and Kitchenettes and Wet Bars
17	Dining/Bar and Work Surfaces
18	Assembly Areas
19	Stairways
20	ATM's and Fare Machines
21	Operable Parts
22	Signs

The facilities were also prioritized based on the level of use by the public. The facilities were separated by function park vs facility (i.e. building) and prioritized as shown below.

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Priority	Facility	Fund #	Facility Type
1	City Hall	540	Facility
1A	Lincoln Area Chamber of Commerce	540	Facility
2	Community Center	540	Facility
2A	Existing Downtown Parking	221	Fund 221 if on street
3	Twelve Bridges Library	244	Facility
4	Police Department	100	Facility
5	Civic Center	540	Facility
6	Lincoln Museum	100	Facility
7	Lincoln Airport	750	Facility
8	Fire Station 34	100	Facility
9	Fire Station 33	100	Facility
10	Fire Station 35	100	Facility
11	Police Activities League Building	540	Facility
12	Carnegie Library	244	Facility
Parks			
1	1911 Foskett Regional Park	270	Park
2	McBean Park	270	Park
3	Wilson Park	270	Park
4	Peter Singer Park	270	Park
5	Auburn Ravine Park	270	Park
6	Joiner Park	270	Park
7	Twelve Bridges Park	270	Park
8	Markham Park	270	Park
9	Sheffield Park	270	Park
10	Machado Park	270	Park
11	Scheiber Park	270	Park
12	Coyote Pond Park	270	Park
13	Brown Park	270	Park
14	Pete Demas Park	270	Park

Because the City of Lincoln has a large number of facilities, it is impossible to immediately renovate all the facilities that create barriers to program access. Barriers in City facilities will be removed systematically, City-wide and based on the established priorities (i.e. group and facility priority). The barrier removal schedule is included as Attachment C. The City of Lincoln reserves the right to modify barrier removal priorities in order to allow flexibility in changes in City programs, funding constraints and opportunities.

The locations of work are subject to review and recommendations by the City of Lincoln, the ADA Coordinator, any Advisory Committees and the public. Likewise, it is probable that specific locations and project groupings will need to be adjusted among the various years of the plan, after

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a more detailed review by the City's departments, offices and related construction programs. Other breakdowns of proposed work locations and extent will be available, including by types of work or funding sources. It should be noted that the detailed field surveys undertaken, form the basis of existing conditions requiring correction under the proposed projects.

Construction and soft costs given in both the detailed and summary tables of improvement projects should be considered schematic, order of magnitude costs, based upon the unit costs and estimating parameters developed specifically for this ADA Transition Plan. The costs include incidental soft costs, such as engineering, bidding and permitting costs, utilities, and other appurtenances and contingencies.

The detailed table of improvement projects does not necessarily depict the complete and exact locations of all sidewalk, driveway repair, or buildings and other facilities work to be undertaken as part of the ADA Transition Plan, since much of this work will be determined by public input requests and will be evaluated in conjunction with intersection work or other construction projects.

The City of Lincoln currently is engaged in an on-going effort to construct curb ramps and other pedestrian facilities at numerous locations. This construction activity involves several types of projects, including street overlay projects, street beautification projects, utility construction projects, and other capital improvement projects in the public right-of-way and in buildings and other facilities.

It is important that accessibility improvements are constructed properly and in compliance with all applicable codes and standards. Therefore, the monitoring of construction activities and the reporting of the status of improvements is vital in assuring an effective overall compliance program. Monitoring and reporting of accessibility construction improvements provides evidence of a good faith effort to comply with legislative and regulatory mandates.

Currently the City of Lincoln does not have a centralized location to document and monitor accessibility improvements either as they are remedied or identified. Currently, the City is looking into GIS integration options and building off the existing database of field data that was collected by ACI, Inc. With the GIS integration the information can be displayed and/or reported in any number of ways and will provide for a centralized location for record keeping.