



City of Norman, OK

Municipal Building
Council Chambers
201 West Gray
Norman, OK 73069

Master

File Number: R-1920-97

File ID: R-1920-97

Type: Resolution

Status: Consent Item

Version: 1

Reference: Item 23

In Control: City Council

Department: Public Works
Department

Cost: \$21,700.00

File Created: 03/31/2020

File Name: ADA Building Reviews

Final Action:

Title: RESOLUTION R-1920-97: A RESOLUTION OF THE CITY OF NORMAN TRANSFERRING \$21,700 FROM AMERICANS WITH DISABILITIES (ADA) SIDEWALK COMPLIANCE AUDIT AND REPAIR, TO ADA BUILDING & PARKS EVALUATION TO BE USED FOR THE ADA COMPLIANCE EVALUATIONS OF EIGHT CITY-OWNED BUILDINGS AND THREE CITY PARKS

Notes: ACTION NEEDED: Motion to adopt or reject Resolution R-1920-97.

ACTION TAKEN: _____

Agenda Date: 04/14/2020

Agenda Number: 23

Attachments: Resolution, McIntosh Rec Centers Contract, McIntosh Library Contract

Project Manager: Shawn O'Leary, Director of Public Works

Entered by: cydney.karstens@gmail.com

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File R-1920-97

Body

BACKGROUND: On June 26, 2018, City Council adopted the City's updated Americans with Disabilities Act (ADA) Transition Plan following over one year of self-evaluation and development of the plan by Kimley-Horn & Associates, Inc., a 12-member Citizen Oversight Committee and a 13-member Staff Liaison Committee. Multiple public meetings were conducted for citizen input. Multiple Council briefings were provided throughout the process. The City's previous ADA Transition Plan was adopted in April, 1993. Updates to ADA Transition Plans have been strongly recommended nationwide by the U.S. Department of Justice. Norman is one of very few municipalities in Oklahoma to develop and adopt an

updated ADA Transition Plan.

In January, 2007, the City's Director of Public Works, Mr. Shawn O'Leary, was appointed by Acting City Manager Mary Hatley to serve as the City's ADA Coordinator. Mr. O'Leary continues to serve in that role.

In June, 2018, City Council approved the fiscal year 2018-2019 (FYE 2019) budget, which included a General Fund appropriation for the hiring of a new City position, ADA Technician. That position was filled in March 2019. Mr. Jack McMahan served in that position until October 2019, at which time he accepted another position in Oklahoma City. The position remains vacant at this time due to the City's hiring freeze and a lack of qualified applicants.

In June 2019, City Council appointed an 11-member ADA Citizen Advisory Committee. The focus of that Committee is the implementation of the City's 2018 ADA Transition Plan. The Committee meets quarterly including meetings in September and December, 2019 and March, 2020. The current Chair of the committee is Ms. Linn Blohm.

In June 2019, City Council appointed a 13-member ADA Staff Liaison Committee to represent the 13 City departments. The focus of that committee is the implementation of City policies and practices recommended in the City's 2018 ADA Transition Plan.

In September, 2019, the ADA Citizen Advisory Committee formed their first sub-committee, the ADA Public Transportation Sub-Committee. The focus of that sub-committee is the development of the City's first Public Transportation ADA Transition Plan for Embark Norman. City Council ratified the sub-committee and appointed nine (9) members on December 10, 2019. The sub-committee met in December, 2019 and March, 2020. The current Chair of the sub-committee is Mr. Jeff Hughes.

DISCUSSION: The City's 2018 ADA Transition Plan provided a comprehensive, third-party evaluation of three City-owned buildings and three City parks to determine the improvements needed to become fully compliant with the ADA. Those buildings included Buildings A, B and C of the Municipal Complex. The parks included Andrews Park, Lions Park and Westwood Park. Accessibility improvements to those buildings and parks are currently included in the City's FYE 2020 Capital Budget. The City's ADA Citizen Advisory Committee has endorsed those improvements.

The City's 2018 ADA Transition Plan recommended subsequent, annual, third-party evaluations of additional City-owned buildings and parks as funding became available. The City's FYE 2020 Capital Budget provides funding for seven (7) additional City-owned buildings and three (3) City parks. Those buildings include 12th Avenue Recreation Center; Whittier Recreation Center; Irving Recreation Center; Little Axe Recreation Center; Firehouse Art Center; Sooner Theatre and City Hall (201 West Gray Street). The parks include Rotary Park; Colonial Estates Park and Brookhaven Park. The City's ADA Citizen Advisory Committee has endorsed the previous list of facilities.

City staff solicited quotes from qualified firms that provide ADA evaluations of buildings and

parks. Three firms submitted quotations including Accessology of Fort Worth, TX; Kimley-Horn & Associates of Fort Worth, TX; and McIntosh Group, LLC of Tulsa, OK. The lowest and most qualified quote was from McIntosh Group in the amount of \$16,700, including travel expenses, for comprehensive evaluations of all ten (10) public facilities.

In November, 2019, the City's new Central Library conducted its grand opening to the general public. In December 2019, City staff began receiving inquiries regarding accessibility concerns at the new Central Library building. Most of those concerns related to unfinished work by the City's contractor, Flintco, Inc. On January 21, 2020, Mr. Jeff Hughes, Progressive Independence, submitted an informal, email complaint regarding accessibility concerns at the new Central Library building. City staff, Pioneer Library staff and Mr. Jack McMahan evaluated Mr. Hughes concerns and provided an email response on January 27, 2020. During the March 9, 2020 City ADA Citizen Advisory Committee meeting, Mr. Hughes declared that he is involved with a group of Norman citizens who are preparing to file a lawsuit against the City of Norman for ADA violations at the new Central Library building.

City staff has consulted with Mr. Jack McMahan, current staff liaison to the City's ADA Citizen Advisory Committee regarding the discussion on March 9, 2020. It appears prudent for the City to conduct a comprehensive, third-party accessibility evaluation of the Central Library facility to address the concerns of certain Norman citizens. McIntosh submitted an additional quote for these services on March 24, 2020 in the amount of \$5,000. Funding is currently available in the City's FYE 2020 Capital Fund, ADA Sidewalk Compliance Audit and Repair (Project TC0038, Account 50592206-46101).

Due to COVID-19, officials with McIntosh Group are unable to travel to their other clients throughout the U.S. City staff was notified by the McIntosh Group on March 19, 2020 that they are able to complete all of the afore-mentioned ADA evaluations between March 31-April 10, 2020. City Manager Darrel Pyle approved two contracts with McIntosh Group on March 24, 2020, one for the Central Library and the other for the remaining seven buildings and three parks. Copies of the contracts are attached.

STAFF RECOMMENDATION: It is recommended that Council approve Resolution 1920-97, ratifying the two contracts and authorizing \$21,700 to be transferred from FYE 2020 Sidewalk Accessibility, Construction (account 50592206-46101; project TC0038) to ADA Building and Parks Evaluation, Design (account 50592206-46201; project TC0278).