



ADA Transition Plan  
for  
Public Rights-of-Way

# Introduction

## Transition Plan Need and Purpose

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 consists of five titles outlining protections in the following areas:

1. Employment
2. State and local government services
3. Public accommodations
4. Telecommunications
5. Miscellaneous Provisions

Title II of ADA pertains to the programs, activities and services public entities provide. As a provider of public transportation services and programs, the City of Worthington must comply with this section of the Act as it specifically applies to public service agencies. Title II of ADA provides that, "...no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity." (42 USC. Sec. 12132; 28 CFR. Sec. 35.130)

As required by Title II of ADA, 28 CFR. Part 35 Sec. 35.105 and Sec. 35.150, the City of Worthington has conducted a self-evaluation of its facilities within public rights-of-way and has developed this Transition Plan detailing how the organization will ensure that all of those facilities are accessible to all individuals. This document serves as a supplement to the City of Worthington's existing Transition Plan covering buildings, services, programs and activities.

## ADA and its Relationship to Other Laws

Title II of ADA is companion legislation to two previous federal statutes and regulations: the Architectural Barriers Acts of 1968 and Section 504 of the Rehabilitation Act of 1973.

The Architectural Barriers Act of 1968 is a Federal law that requires facilities designed, built, altered or leased with Federal funds to be accessible. The Architectural Barriers Act marks one of the first efforts to ensure access to the built environment.

Section 504 of the Rehabilitation Act of 1973 is a Federal law that protects qualified individuals from discrimination based on their disability. The nondiscrimination requirements of the law apply to employers and organizations that receive financial assistance from any Federal

department or agency. Title II of ADA extended this coverage to all state and local government entities, regardless of whether they receive federal funding or not.

## **Agency Requirements**

Under Title II, the City of Worthington must meet these general requirements:

- Must operate their programs so that, when viewed in their entirety, the programs are accessible to and useable by individuals with disabilities (28 C.F.R. Sec. 35.150).
- May not refuse to allow a person with a disability to participate in a service, program or activity simply because the person has a disability (28 C.F.R. Sec. 35.130 (a)).
- Must make reasonable modifications in policies, practices and procedures that deny equal access to individuals with disabilities unless a fundamental alteration in the program would result (28 C.F.R. Sec. 35.130(b) (7)).
- May not provide services or benefits to individuals with disabilities through programs that are separate or different unless the separate or different measures are necessary to ensure that benefits and services are equally effective (28 C.F.R. Sec. 35.130(b)(iv) & (d)).
- Must take appropriate steps to ensure that communications with applicants, participants and members of the public with disabilities are as effective as communications with others (29 C.F.R. Sec. 35.160(a)).
- Must designate at least one responsible employee to coordinate ADA compliance [28 CFR Sec. 35.107(a)]. This person is often referred to as the "ADA Coordinator." The public entity must provide the ADA coordinator's name, office address, and telephone number to all interested individuals [28 CFR Sec. 35.107(a)].
- Must provide notice of ADA requirements. All public entities, regardless of size, must provide information about the rights and protections of Title II to applicants, participants, beneficiaries, employees, and other interested persons [28 CFR Sec. 35.106]. The notice must include the identification of the employee serving as the ADA coordinator and must provide this information on an ongoing basis [28 CFR Sec. 104.8(a)].
- Must establish a grievance procedure. Public entities must adopt and publish grievance procedures providing for prompt and equitable resolution of complaints [28 CFR Sec. 35.107(b)]. This requirement provides for a timely resolution of all problems or conflicts related to ADA compliance before they escalate to litigation and/or the federal complaint process.

**This document has been created to specifically cover accessibility within the public rights-of-way and does not include information on City programs, practices, or building facilities not related to public rights-of-way.**

# **Self-Evaluation**

## **Overview**

The City of Worthington is required, under Title II of the Americans with Disabilities Act (ADA) and 28CFR35.105, to perform a self-evaluation of its current transportation infrastructure policies, practices, and programs. This self-evaluation will identify what policies and practices impact accessibility and examine how the City implements these policies. The goal of the self-evaluation is to verify that, in implementing the City policies and practices, the City is providing accessibility and not adversely affecting the full participation of individuals with disabilities.

The self-evaluation also examines the condition of the City's Pedestrian Circulation Route/Pedestrian Access Route (PCR/PAR) and identifies potential need for PCR/PAR infrastructure improvements. This will include the sidewalks, curb ramps, bicycle/pedestrian trails, and traffic control signals that are located within the City's rights-of-way. For the purpose of this plan, City rights-of-way include those County State Aid Highways that the City is responsible for providing maintenance of pursuant to written maintenance agreement with Nobles County. Other County State Aid Highways and state highway rights-of-ways are not included. Trails located in parks or other city properties in lieu of being in a corresponding right-of-way are included as walks and trails within right-of-way. Any barriers to accessibility identified in the self-evaluation and the remedy to the identified barrier are set out in this transition plan.

## **Summary**

In 2019, the City of Worthington conducted an inventory of pedestrian facilities within its public rights-of-way consisting of the evaluation of the following facilities:

- 47.8 miles of sidewalks
- 865 curb ramps
- 2.6 miles of trails
- 1 traffic control signal

The trails and walks identified above are treated as the same for the purpose of this transition plan. These trails, which are also shown in Appendix A, are those trails maintained by the City and exclude multi-use trails partially maintained by the abutting owners.

Graphical presentation on how these facilities relate to ADA standards is found in Appendix A and will be updated periodically.

In addition to those pedestrian facilities located within City controlled rights-of-way, the following Worthington Parks, Minnesota Department of Transportation (MnDOT) and Nobles

County walks and trails are located within the City. These are listed for informational purposes only and are not included in the City's transition plan.

#### **Worthington Parks**

- .5 miles of sidewalk
- 1.2 miles of trails

#### **Nobles County**

- .04 miles of sidewalks
- 2.2 miles of trails

#### **MnDOT**

- 2.5 miles of trails
- 1.8 miles of sidewalks

## **Policies and Practices**

### **Previous Practices**

Since the adoption of the ADA, the City of Worthington has striven to provide accessible pedestrian features as part of the City's capital improvement projects. As additional information was made available as to the methods of providing accessible pedestrian features, the City updated their procedures to accommodate these methods.

After 1990 and prior to development of the current Accessible Public Rights-of-Way Guidelines (PROWAG), the City had replaced curbs at all identified street crosswalks with curb ramps in a manner found to be consistent with ADA requirements and guidance at the time of replacement. None of the initial replacements included truncated dome panels but typically included distinctively textured surfaces near the street edge. Curb ramps replaced after about 2001 included truncated panels; however, the ramps may not meet current PROWAG. At this time about 40% of curb ramps include truncated dome tactile warning panels. Only ramps completed in the past few years are expected to meet all current PROWAG. Abrupt vertical offsets and gutter inslope/backslope deficiencies are likely in all ramps except those recently replaced or constructed. Abrupt vertical offsets are seen as a possible deficiency developing in

even recently constructed ramps except those constructed in compliance with contemporary MnDOT standards.

In general, past practices include replacing deficient curb ramps:

At the time a street improvement, including overlays, extends through a crosswalk.

At the time any portion of a ramp, including its landing, is removed and replaced due to ordinary deterioration.

At the time any portion of a ramp, including its landing, are removed and replaced as part of a utility installation. Private utilities are required to restore a ramp to PROWAG, however, the City provides necessary truncated dome panels. Ramp construction requiring a change in street geometry and/or additional right-of-way are only required to be restored as close to PROWAG as possible without the street or right-of-way changes.

## **Policy**

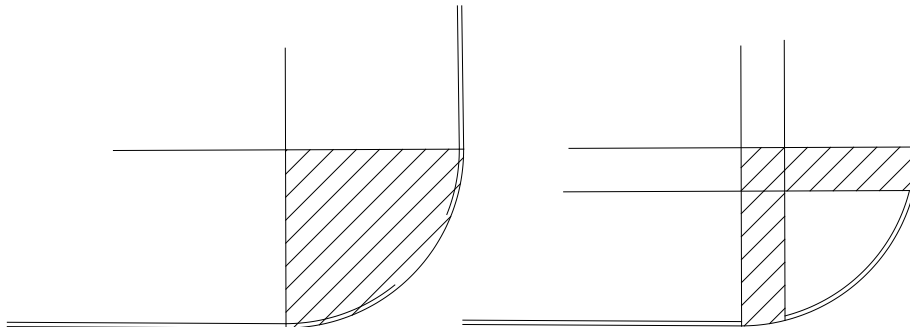
The City of Worthington's goal is to continue to provide accessible pedestrian design features as part of the City's capital improvement projects. The City has established ADA design standards and procedures as listed in Appendix F. These standards and procedures will be kept up to date with MnDOT standards unless other nationwide and/or local best management practices are found to provide better performance.

The City will consider and respond to all accessibility improvement requests. All accessibility improvements that have been deemed reasonable will be scheduled consistent with transportation priorities. The City will coordinate with external agencies to ensure that all new or altered pedestrian facilities within the City's jurisdiction are ADA compliant to the maximum extent feasible. Requests for accessibility improvements can be submitted to the City Engineer. Contact information for the City Engineer is located in Appendix E.

Maintenance of pedestrian facilities within the public right-of-way will continue to follow the policies set forth in the City's sidewalk inspection and repair policy as may be amended from time to time. A ramp shall be brought into compliance with PROWAG at the time any portion of the ramp, including its landing, is removed and replaced due to ordinary deterioration. Ramp construction requiring a change in street geometry and/or additional right-of-way are only required to be restored as close to PROWAG as possible without the street or right-of-way changes.

At the time any portion of a ramp, including its landing, is removed and replaced as part of a utility installation, private utilities will be required to restore a ramp to PROWAG; however, the City provides necessary truncated dome panels. Ramp construction requiring a change in street geometry and/or additional right-of-way are only required to be restored as close to PROWAG as possible without the street or right-of-way changes.

#### EXAMPLES OF RAMP DISTURBANCE Other Scenarios Exist



If hatched area is disturbed entire ramp and landing is to be brought to current ADA (PROWAG) standards. Additional walk and curb & gutter is to be removed and replaced as needed to bring ramp to standard.

## Improvement Schedule

### Priority Areas

The City of Worthington has identified specific locations as priority areas for planned accessibility improvement projects. These areas have been selected due to their proximity to specific land uses such as schools and public facilities, and are within a walkable distance of a significant population. The priority areas as identified in the 2019 self-evaluation are as follows:

- Central Business district generally bound by 5<sup>th</sup> Avenue, 2<sup>nd</sup> Avenue, 9<sup>th</sup> Street and 11<sup>th</sup> Street.
- Senior High/Memorial Auditorium area.
- Prairie Elementary School

The priority areas are depicted on Maps A and B in Appendix A.

Additional priority will be given to any location where an improvement project or alteration was constructed after January 26, 1991, and accessibility features were omitted.

## **External Agency Coordination**

Many other agencies are responsible for pedestrian facilities within the jurisdiction of the City of Worthington. The City will coordinate with those agencies to track and assist in the facilitation of the elimination of accessibility barriers along their routes.

Nobles County has adopted the Nobles County Highway Department ADA Transition Plan dated December 2018. Pedestrian facilities within those County Highways being maintained by the City per a written maintenance agreement with the County and the City issues utility (excavation) permits for work within will be subject to both the County and City's transition plans.

## **Schedule**

The City of Worthington has set the following goals for improving the accessibility of its pedestrian facilities within the City's jurisdiction:

- After 20 years, 75% of accessibility features within the priority areas would be ADA compliant.
- After 35 years, 75% of accessibility features within the jurisdiction of City would be ADA compliant.

## **ADA Coordinator**

In accordance with 28 CFR 35.107(a), the City of Worthington has identified an ADA Title II Coordinator to oversee the City's policies and procedures. Contact information for this individual is located in Appendix E.

## **Implementation Schedule**

### **Methodology**

The City of Worthington will utilize three methods for upgrading pedestrian facilities to the current ADA standards. The first and most comprehensive of the three methods is through the scheduled street, sanitary sewer, water main and storm sewer improvement projects. All pedestrian facilities impacted by these projects will be upgraded to current ADA accessibility standards.

The second method is through the standalone sidewalk and ADA Transition projects. These projects will be incorporated into the Capital Improvement Program (CIP) on a case by case



basis or funded through use of the budget for ADA Transition as determined by City of Worthington staff. The City's Street CIP is included in Appendix B.

The third method is through the restoration of pedestrian facilities impacted by private utility installations.

## **Public Outreach**

The City of Worthington recognizes that public participation is an important component in the development of this document. Input from the community has been gathered and used to help define priority areas for improvements within the jurisdiction of the City of Worthington.

Public outreach for the creation of this document consisted of the following activities:

A draft of this document was submitted to the Worthington City Council on May 11, 2020 for preliminary review and comment. The draft was posted on the City web site for solicitation of public comment through June 1, 2020. Notice of solicitation of the opportunity to comment on the report was published in the official paper on May 13, 2020 and emailed to the members of the Active Living Plan Steering Committee and Client Community Services, Inc. A summary of comments received are located in Appendix C. Final Council approval of the plan was given at its June 8, 2020 meeting.

This document will be continuously available on the City's web site.

## **Grievance Procedure**

Under the Americans with Disabilities Act, each agency is required to publish its responsibilities in regard to the ADA. A draft of this public notice is provided in Appendix D. If users of the City of Worthington facilities and services believe the City has not provided reasonable accommodation, they have the right to file a grievance.

In accordance with 28 CFR 35.107(b), the City has developed a grievance procedure for the purpose of the prompt and equitable resolution of citizens' complaints, concerns, comments, and other grievances. This grievance procedure is outlined in Appendix D.

## **Monitor the Progress**

This document will continue to be updated as conditions within the City evolve.

The appendices in this document will be updated periodically, while the main body of the document will be updated in or before 2025 with a future update schedule to be developed at

that time. With each main body update, a public comment period will be established to continue the public outreach.

## **Appendices**

**A. Self-Evaluation Results**

**B. Schedule / Budget Information**

**C. Public Outreach**

**D. Grievance Procedure**

**E. Contact Information**

**F. Agency ADA Design Standards and Procedures**

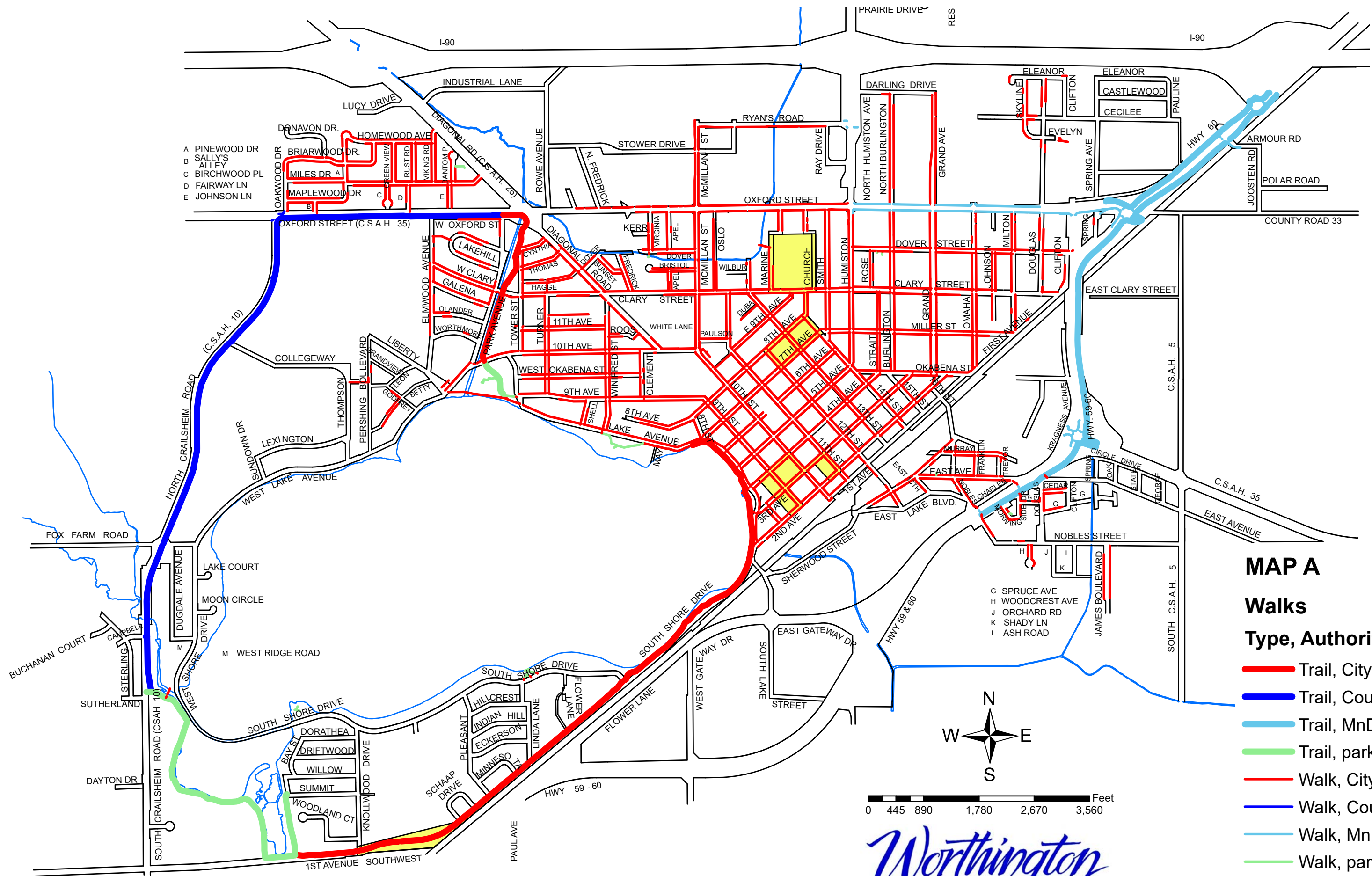
**G. Glossary of Terms**

## **Appendix A – Self-Evaluation Results**

This initial self-evaluation of pedestrian facilities yielded the following results:

- Based on random sampling, 61% of sidewalks meet cross slope accessibility criteria
- 8.1% of curb ramps met accessibility criteria. An additional 5.7% are expected to be able to meet accessibility criteria by grinding off or otherwise repairing abrupt vertical changes at the curb interface.
- No intersections having no curb ramps were identified
- 100% of traffic control signals had push buttons that are accessible, or had the pedestrian indications on recall
- 100% of traffic control signals had APS

See Maps A through C for a graphical representation of the results of the self-evaluation. Those ramps identified as compliant or not compliant were surveyed and inventoried in detail. Those assumed to be non-compliant were not inventoried in detail. The assumption that these ramps are not compliant is based on not having found any ramp in compliance that was not constructed in the recent past.



**MAP A**

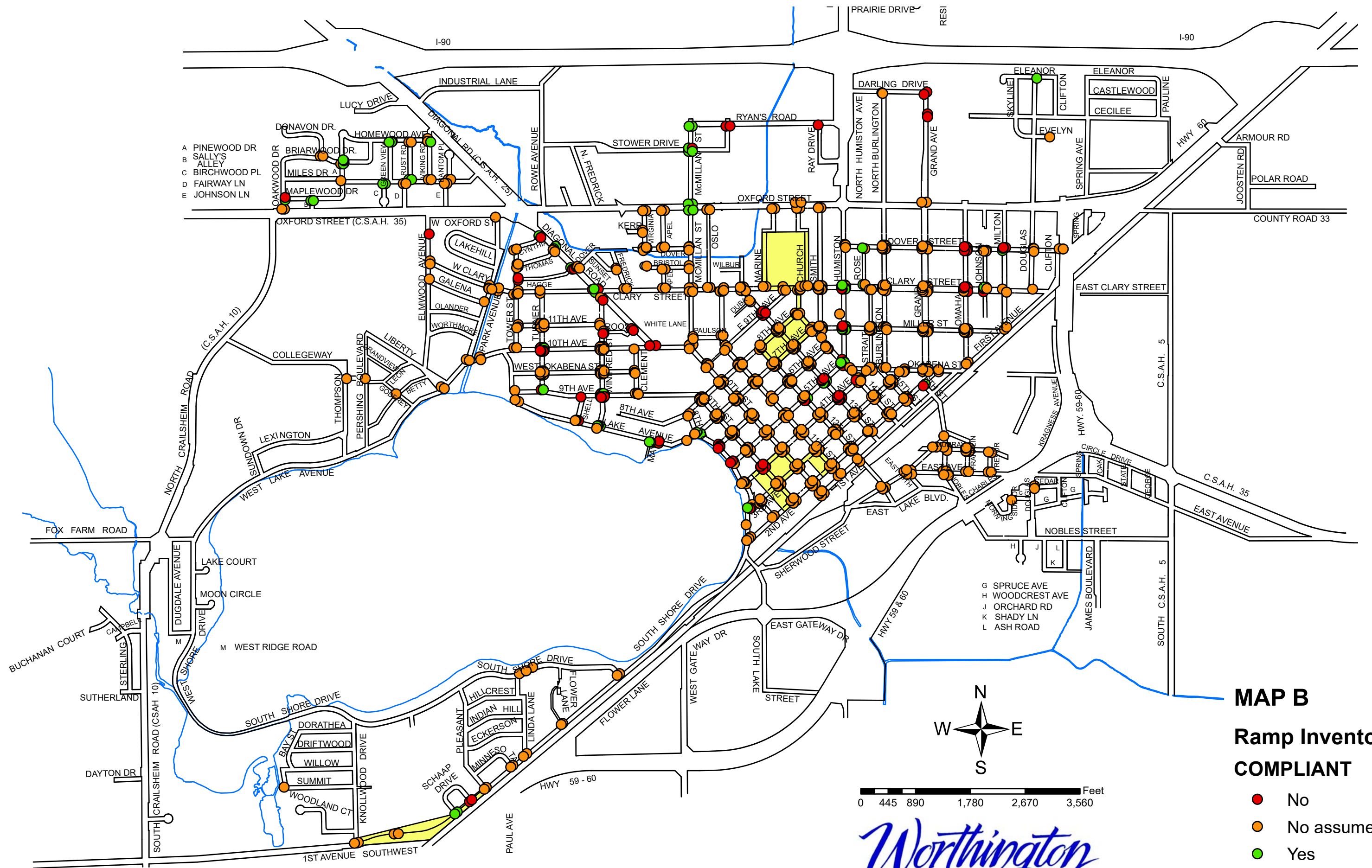
**Walks**

**Type, Authority**

- Trail, City
- Trail, County
- Trail, MnDOT
- Trail, park
- Walk, City
- Walk, County
- Walk, MnDOT
- Walk, park
- priorityareas

0 445 890 1,780 2,670 3,560 Feet

*Worthington*  
MINNESOTA



- A PINWOOD DR
- B SALLY'S ALLEY
- C BIRCHWOOD PL
- D FAIRWAY LN
- E JOHNSON LN

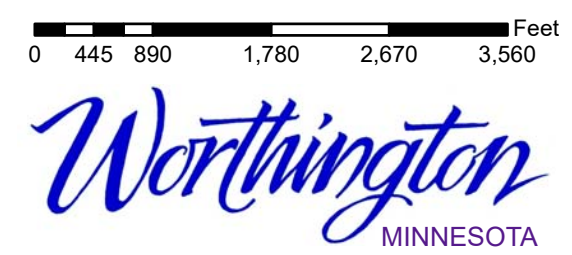
- G SPRUCE AVE
- H WOODCREST AVE
- J ORCHARD RD
- K SHADY LN
- L ASH ROAD

**MAP B**

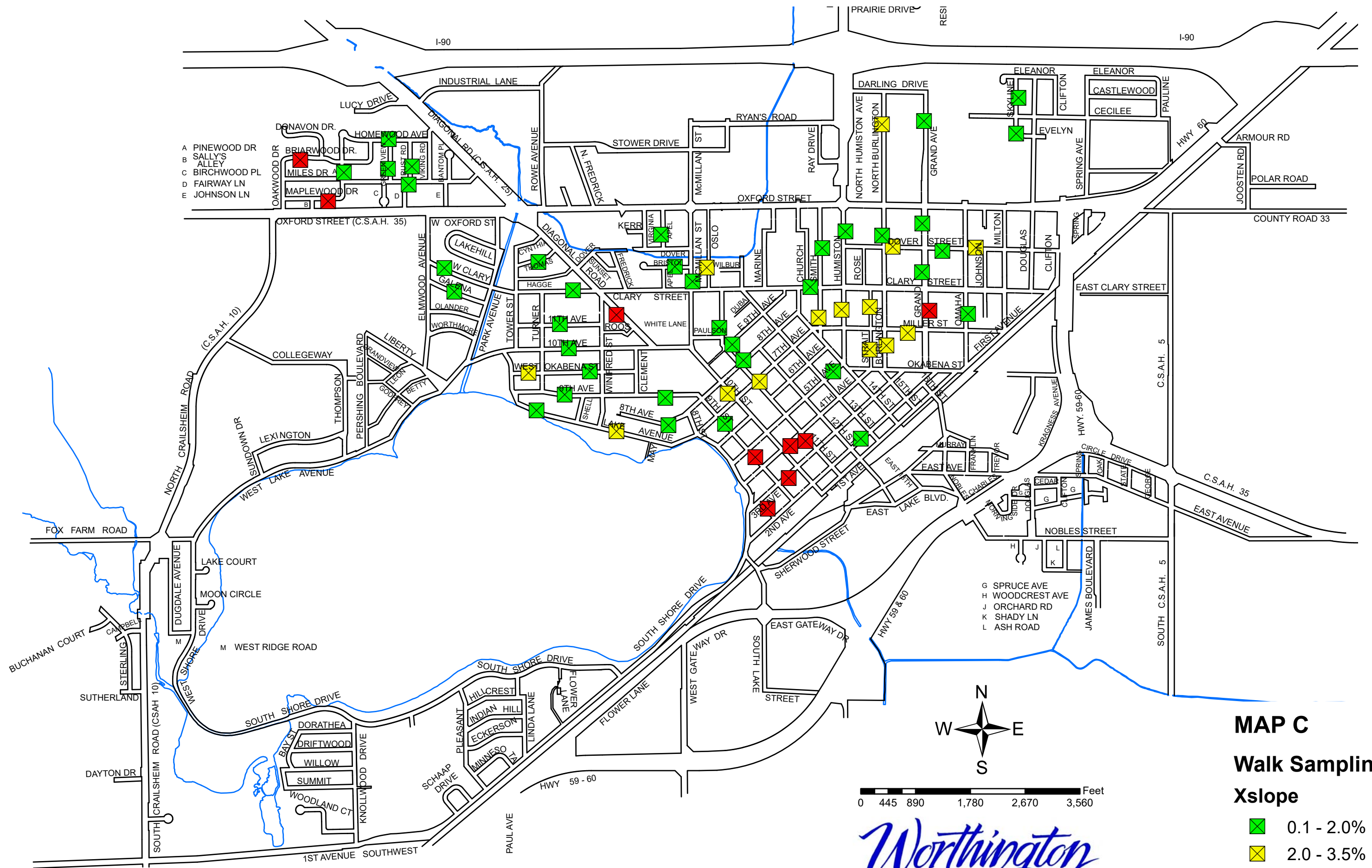
**Ramp Inventory**

**COMPLIANT**

- No
- No assumed
- Yes
- priority areas





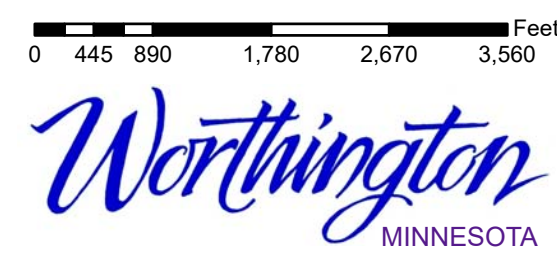


**MAP C**

**Walk Sampling**

**Xslope**

	0.1 - 2.0%
	2.0 - 3.5%
	3.5 - 6.1%



## **Appendix B – Schedule / Budget Information**

### **Cost Information**

#### **Unit Prices**

Construction costs for upgrading facilities can vary depending on each individual improvement and conditions of each site. Costs can also vary on the type and size of project the improvements are associated with. Listed below are representative costs for some typical accessibility improvements based on an average cost incurred by the City.

Intersection corner ADA improvement retrofit: +/- \$5,250 per ramp

An estimated cost for grinding abrupt changes in contemporary ramps that otherwise meet ADA requirements is \$500 or less.

#### **Priority Areas**

Based on the results of the self-evaluation, the estimate costs associated with eliminating accessibility barriers within the targeted priority areas is as follows:

- Central Business district: \$245,500
- Senior High/Memorial Auditorium area: \$288,750
- Prairie Elementary: \$32,500

#### **Entire Jurisdiction**

Based on the results of the self-evaluation, the estimate costs associated with providing ADA accessibility within the entire jurisdiction is \$3,941,000. This amount signifies a significant investment that the City of Worthington is committed to making in the upcoming years. A systematic approach to providing accessibility will be taken in order to absorb the cost into the City of Worthington's budget for improvements to the public right-of-way.

The following pages are the City's 2020 through 2024 Street CIP. Funding for ADA Transition projects will continue to be considered in each budget cycle.



CITY OF WORTHINGTON, MINNESOTA

CAPITAL IMPROVEMENT PROGRAM  
FOR THE YEARS 2020 - 2024  
(AMOUNTS IN DOLLARS)

C.	2020	PAVING / STREETS	PROPOSED BUDGETARY FUND/ACCOUNTS	PROJECT TOTALS	GENERAL TAX FINANCING	CAPITAL RESERVE FINANCING	UTILITY REVENUE FINANCING	SPECIAL ASSESSMENT FINANCING	G.O. BOND FINANCING	G.O. REV BOND FINANCING	STATE AID FINANCING	FEDERAL AID FINANCING	OTHER
	C1	CONTRACT MAINTENANCE FUTURE	401-26699-0000	292,600	292,600								
	C2	CONTRACT MAINTENANCE	401-48392-55XX	400,000	400,000								
	C3	PROJECT MATCHING/COMPLETION	401-48491-55XX	5,000	5,000								
	C4	OLSON PARK TRAIL REHABILITATION	401-48329-55XX	212,260	212,260								
	C5	1ST AVE SW & CENT PARK TRAIL RE	401-48331-55XX	76,990							76,990		
	C6	LAKE STREET TRAIL REHABILITATIO	401-48332-55XX	12,580	12,580								
	C7	ADA RAMPS	401-48336-55XX	25,544		25,544							
	C8	RYAN'S RD-MCMILLAN TO TH 59	401-48337-55XX	564,940							564,940		
	C9	ADA TRANSITION	401-48338-55XX	103,200		103,200							
	C10	NE ALLEY BLOCK 33	401-48344-55XX	71,850				24,680	47,170				
	C11	SW ALLEY BLOCK 33	401-48345-55XX	71,850				24,680	47,170				
	C12	ELEANOR ST-SPRING TO 860' EAST	401-48362-55XX	214,390				61,490	152,900				
	C13	10TH AVE BRIDGE & STREET RECON	401-48426-55XX	1,053,390							1,053,390		
	C14	APEL AVENUE-CLARY TO BRISTOL	401-48428-55XX	76,100				19,120	56,980				
	C15	TH 59 N COMM/IND PARK STREET	401-48454-55XX	650,510				650,510					
	C16	ALLEY BLK 19 (BTWN 9TH & LAKE)-4	401-48463-55XX	77,290				49,500	27,790				
	C17	CHURCH AVE-OXFORD ST TO 2ND C	401-48466-55XX	150,450				40,710	109,740				
	C18	SHELL ST-9TH AVE TO LAKE ST	401-48493-55XX	93,770				30,030	63,740				
	C19	CHURCH AVE-CLARY TO BEND	401-48582-55XX	249,010		221,340		27,670					
	C20	8TH AVE-9TH ST TO DEAD-END	401-48583-55XX	363,650				73,310	290,340				
2020		PAVING / STREETS	TOTALS	4,765,374	922,440	350,084	0	1,001,700	795,830	0	1,695,320	0	0
C.	2021	PAVING / STREETS											
	C1	CONTRACT MAINTENANCE	401-48392-55XX	400,000	400,000								
	C2	MURRAY AVE-NOBLES TO E OF TRE	401-48326-55XX	300,400				101,330	199,070				
	C3	SERVICE ROAD/DRIVE IMPROVEMEN	401-48327-55XX	721,420		587,370		134,050					

CITY OF WORTHINGTON, MINNESOTA

CAPITAL IMPROVEMENT PROGRAM  
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(AMOUNTS IN DOLLARS)

C.	2021	PAVING / STREETS	PROPOSED BUDGETARY FUND/ACCOUNTS	PROJECT TOTALS	GENERAL TAX FINANCING	CAPITAL RESERVE FINANCING	UTILITY REVENUE FINANCING	SPECIAL ASSESSMENT FINANCING	G.O. BOND FINANCING	G.O. REV BOND FINANCING	STATE AID FINANCING	FEDERAL AID FINANCING	OTHER
	C4	BANTAM PL-MILES DR TO CIRCLE	401-48342-55XX	71,730		71,730							
	C5	15TH ST-1ST AVE TO OKABENA	401-48346-55XX	159,140	136,870			22,270					
	C6	STERLING, CAMPBELL & BUCHANEN	401-48364-55XX	423,380				150,040	273,340				
	C7	ALLEY BLOCK 20 (BTWN 9TH & LAKE	401-48367-55XX	58,310				50,670	7,640				
	C8	W OXFORD-ELMWOOD TO PARK AVE	401-48379-55XX	302,920	233,100			69,820					
	C9	CHARLES AVE-NOBLES ST TO EAST	401-48386-55XX	140,760		132,980		7,780					
	C10	BRISTOL-APEL TO END	401-48393-55XX	121,400				31,860	89,540				
	C11	29TH ST (ELIM GRAVEL)	401-48415-55XX	115,860				63,990	51,870				
	C12	NORTH ROSE (ELIM GRAVEL)	401-48416-55XX	160,030				50,820	109,210				
	C13	CYNTHIA AVE-TOWER ST TO DIAGONAL	401-48417-55XX	99,740				31,230	68,510				
	C14	ALLEY BLK 15 (BTWN 11TH & 12TH)-3	401-48427-55XX	33,770				22,920	10,850				
	C15	BLK 29 ALLEY (SW OF 10TH ST)-7TH	401-48446-55XX	51,810				51,810					
	C16	TOWER ST-10TH TO 11TH STREET	401-48449-55XX	139,670	125,570			14,100					
	C17	ALLEY BLK 2 MORFITT'S SUBD-MARIL	401-48453-55XX	21,700				21,700					
	C18	ALLEY BLK 16 (BTWN 11TH & 12TH)-4	401-48461-55XX	67,810				62,270	5,540				
	C19	ALLEY BLK 18 (BTWN 9TH & 10TH)-51	401-48462-55XX	72,770				62,010	10,760				
	C20	LAKEHILL DRIVE	401-48598-55XX	337,570	274,960			62,610					
	C21	CHERRY POINT ST RESURFACING		736,115	318,232	417,883							
	C22	OXFORD ST-MCMILLAN TO HUMISTON		5,199,440				515,000	515,000		1,030,000	3,139,440	
	C23	JAMES BLVD-SOUTH END RESURFACE		35,617		35,617							
	C24	10TH AVE-BRIDGE TO TOWER RECON		361,410							361,410		
	C25	TAP TRAIL PROJECTS		339,320	83,170	20,140						236,010	
	C26	CECILEE ST-SKYLINE TO 400 FT WEST		99,860				30,690	69,170				
	C27	DUBA STREET		68,740	56,720			12,020					
	C28	INDUSTRIAL LANE-WESTERLY SEGMENT		221,100	210,610			10,490					
2021		PAVING / STREETS	TOTALS	10,861,792	1,839,232	1,265,720	0	1,579,480	1,410,500	0	1,391,410	3,375,450	0

## CITY OF WORTHINGTON, MINNESOTA

CAPITAL IMPROVEMENT PROGRAM  
FOR THE YEARS 2020 - 2024  
(AMOUNTS IN DOLLARS)

C.	2022	PAVING / STREETS	PROPOSED BUDGETARY	PROJECT TOTALS	GENERAL TAX FINANCING	CAPITAL RESERVE FINANCING	UTILITY REVENUE FINANCING	SPECIAL ASSESSMENT FINANCING	G.O. BOND FINANCING	G.O. REV BOND FINANCING	STATE AID FINANCING	FEDERAL AID FINANCING	OTHER
	C1	CONTRACT MAINTENANCE FUTURE	401-26699-0000	315,273	315,273								
	C2	CONTRACT MAINTENANCE	401-48392-55XX	400,000	400,000								
	C3	PROJECT MATCHING/COMPLETION	401-48491-55XX	5,000	5,000								
	C4	POLAR RD-JOOSTEN RD TO DEAD-E	401-48449-55XX	432,600				108,340	324,260				
	C5	MCLEANS BLK 3 ALLEY		84,640				60,460	24,180				
	C6	3RD & 4TH-9TH TO 11TH		1,403,470				668,260	735,210				
2022		PAVING / STREETS	TOTALS	2,640,983	720,273	0	0	837,060	1,083,650	0	0	0	0
C.	2023	PAVING / STREETS											
	C1	CONTRACT MAINTENANCE FUTURE	401-26699-0000	400,000	400,000								
	C2	27TH ST (ELIM GRAVEL)	401-48414-55XX	187,820				126,240	61,580				
	C3	KNOLLWOOD DRIVE		909,120				301,630	607,490				
	C4	8TH AVE-11TH TO 14TH RESURFACE		128,125		128,125							
	C5	LAKEVIEW HEIGHTS STREET SURFACING		458,835	318,232	140,603							
2023		PAVING / STREETS	TOTALS	2,083,900	718,232	268,728	0	427,870	669,070	0	0	0	0
C.	2024	PAVING / STREETS											
	C1	CONTRACT MAINTENANCE	401-48392-55XX	400,000	400,000								
	C2	LAKE ST-3RD TO 4TH RESURFACE		137,870		137,870							
	C3	EAST AVE & CIRCLE DR AREA ST SURFACING		591,903	318,232	273,671							
	C4	OLANDER ST-ELMWOOD TO PARK		104,276	104,276								
	C5	12TH, EAST LAKE BLVD & 13TH RESURFACE		112,603	112,603								
	C6	SUNDOWN DRIVE RESURFACING		42,598	42,598								
	C7	8TH ST-7TH TO 8TH RESURFACE		32,117	32,117								
2024		PAVING / STREETS	TOTALS	1,421,367	1,009,826	411,541	0	0	0	0	0	0	0

## **Appendix C – Public Outreach**

**AFFIDAVIT OF PUBLICATION**

[FORM Rev. 6/15]

STATE OF MINNESOTA)

) ss.

COUNTY OF NOBLES)

Chris Reetz, being first duly sworn, on oath states as follows:

1. I am the publisher of The Globe or the publisher's designated agent. I have personal knowledge of the facts stated in this Affidavit, which is made pursuant to Minnesota Statutes §331A.07.
2. The newspaper has complied with all of the requirements to constitute a qualified newspaper under Minnesota law, including those requirements found in Minnesota Statutes §331A.02.
3. The dates of the month and the year and day of the week upon which the public notice attached/copied below was published in the newspaper are as follows: Inserted on May 13th, 2020.
4. The publisher's lowest classified rate paid by commercial users for comparable space, as determined pursuant to § 331A.06, is as follows: \$11.50 per column inch.
5. Mortgage Foreclosure Notices [Effective 7/1/15]. Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notices: The newspaper's known office of issue is located in Nobles County. The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

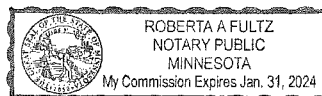
FURTHER YOUR AFFIANT SAITH NOT.

[Signature]

*Chris Reetz*

Subscribed and sworn to before me on  
This 13th day of May, 2020.

*Roberta A. Fultz*  
\_\_\_\_\_  
Notary Public



### Invitation for Public Comments

The City of Worthington is seeking public comment on its new Americans with Disabilities Act (ADA) Transition Plan for Public Rights-of-Way, which was presented to the City Council in draft form on May 11, 2020. The Transition Plan is designed to help the City adhere to Title II of the ADA. The public is invited to submit comments on the draft Transition Plan for Public Rights-of-Way up to and including at the June 8, 2020 Council meeting at which time it is tentatively scheduled for Council to consider adoption of the plan.

The draft Transition Plan is available by following links at: <http://www.ci.worthington.mn.us/ada>

The draft Transition Plan is also available by requesting it in PDF or printed formats by contacting:

Worthington City Engineer  
P.O. Box 279  
Worthington, MN 56187  
507-372-8640  
[engineering@ci.worthington.mn.us](mailto:engineering@ci.worthington.mn.us)

Request alternate formats if required.

It is encourage that comments be submitted to the above contact prior to June 8, 2020; however, comments will also be received at the June 8, 2020 Council meeting. Adoption of the Plan may be delayed as necessary to address comments received.

(May 13, 2020)

## Dwayne Haffield

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**From:** Dwayne Haffield <d.haffield@ci.worthington.mn.us>  
**Sent:** Tuesday, May 12, 2020 9:13 AM  
**To:** 'Cecilia Amadou'; 'Darlene Macklin (dmackl@frontiernet.net)'; 'Jason Walker'; 'Jeremiah Cromie '; 'kmeier@firststatebanksw.com'; 'Leticia Rodriguez '; 'Paul Seifert'; 'Pete Navara'; 'Rosemary Bruce-White '; 'Stephen Schnieder'; 'Tom & Barb Navara'  
**Subject:** Invitation for Public Comments on Transition Plan for Public Rights-of-Way  
**Attachments:** Transistion Plan.pdf

The City of Worthington is seeking public comment on its new Americans with Disabilities Act (ADA) Transition Plan for Public Rights-of-Way, which was presented to the City Council in draft form on May 11, 2020. The Transition Plan is designed to help the City adhere to Title II of the ADA. The public is invited to submit comments on the draft Transition Plan for Public Rights-of-Way up to and including at the June 8, 2020 Council meeting at which time it is tentatively scheduled for Council to consider adoption of the plan.

The draft Transition Plan is attached.

The draft Transition Plan is also available by requesting it in a printed format by contacting:

Worthington City Engineer  
P.O. Box 279  
Worthington, MN 56187  
507-372-8640  
engineering@ci.worthington.mn.us

It is encouraged that comments be submitted to the above contact prior to June 8, 2020; however, comments will also be received at the June 8, 2020 Council meeting. Adoption of the Plan may be delayed as necessary to address comments received.

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Dwayne Haffield  
City of Worthington  
P.O. Box 279  
Worthington, MN 56187  
Ph: 507-372-8640

## Dwayne Haffield

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**From:** Dwayne Haffield <d.haffield@ci.worthington.mn.us>  
**Sent:** Tuesday, May 12, 2020 9:21 AM  
**To:** 'ccsi@clientcommunityservices.org'  
**Subject:** Invitation for Public Comments on Transition Plan for Public Rights-of-Way  
**Attachments:** Transistion Plan.pdf

The City of Worthington is seeking public comment on its new Americans with Disabilities Act (ADA) Transition Plan for Public Rights-of-Way, which was presented to the City Council in draft form on May 11, 2020. The Transition Plan is designed to help the City adhere to Title II of the ADA. The public is invited to submit comments on the draft Transition Plan for Public Rights-of-Way up to and including at the June 8, 2020 Council meeting at which time it is tentatively scheduled for Council to consider adoption of the plan.

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Worthington City Engineer  
P.O. Box 279  
Worthington, MN 56187  
507-372-8640  
engineering@ci.worthington.mn.us

It is encourage that comments be submitted to the above contact prior to June 8, 2020; however, comments will also be received at the June 8, 2020 Council meeting. Adoption of the Plan may be delayed as necessary to address comments received.

-----  
Dwayne Haffield  
City of Worthington  
P.O. Box 279  
Worthington, MN 56187  
Ph: 507-372-8640



## Comments Received

From Southwest Regional Development Commission Staff:

- In the definition section, should there be a delineation between sidewalk and trail? They are separately noted in the self-evaluation section but the map shows just “walks” and their widths.
- For the Improvement Schedule section. When setting ADA compliant goals such as “after 20 years 25% of accessibility features within priority areas will be ADA compliant.” Should this say something closer to “after 20 years 25% of accessibility features within priority areas will be meet 2020 ADA compliancy standards.” Just in case there are any new standards or does this not matter if the document is updated regularly.

## **Appendix D – Grievance Procedure**

As part of the ADA requirements the City has posted the following notice outlining its ADA requirements:

### **Public Notice**

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990, the City of Worthington will not discriminate against qualified individuals with disabilities on the basis of disability in City services, programs, or activities.

**Employment:** The City does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of the Americans with Disabilities Act (ADA).

**Effective Communication:** The City will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City's programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

**Modifications to Policies and Procedures:** The City will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all City programs, services, and activities. For example, individuals with service animals are welcomed in City offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a City program, service, or activity, should contact the office of the City Administrator as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the City to take any action that would fundamentally alter the nature of its programs or services or impose an undue financial or administrative burden.

The City will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

**City of Worthington**  
**Grievance Procedure under**  
**the Americans with Disabilities Act**

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the City of Worthington. The City's Personnel Policy governs employment-related complaints of disability discrimination.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

Those wishing to file a formal written grievance with the City of Worthington may do so by one of the following methods:

Internet

Visit the City of Worthington website (<http://www.ci.worthington.mn.us/>) and click the "ADA" link to the ADA Grievance Form. Fill in the form online and click "Email Street or Walk Problem" or "Email Other City Facility Problem" as applicable. A copy of The ADA Grievance Form is included in this Appendix.

Telephone

Contact the pertinent City staff person listed in the **Contact Information** section of Appendix E to submit an oral grievance. The staff person will utilize the Internet method above to submit the grievance on behalf of the person filing the grievance.

Paper Submittal

Contact the pertinent City staff person listed in the **Contact Information** section of Appendix E to request a paper copy of the county's grievance form, complete the form, and submit it to the ADA Title II Coordinator (City Administrator) or Public Right-of-Way ADA Implementation Coordinator (City Engineer) or as indicated on the form. A copy of the form for mailing is also included on Worthington's website.

The ADA Grievance Form will ask for the following information:

The **name, address, telephone number, and email address** for the person filing the grievance

A **description and location of the alleged violation and the nature of a remedy sought**, if known by the complainant.

The City will acknowledge receipt of the grievance to the complainant within 10 working days of its submittal. City will also provide to the complainant within 10 working days of its submittal: 1) a response or resolution to the grievance; or 2) information on when the complainant can expect a response or resolution to the grievance.

If the grievance filed does not concern a City of Worthington facility, the City will work with the complainant to contact the agency that has jurisdiction.

3. Within 60 calendar days of receipt, the City Administrator or City Engineer, as applicable, will conduct an investigation necessary to determine the validity of the alleged violation. If appropriate as a part of the investigation, the staff person would conduct an engineering study to help determine the City's response. The City Administrator or City Engineer will be available to meet with the complainant to discuss the matter as a part of the investigation and resolution of the matter.

If the response by the City Administrator or City Engineer does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the City Council.

Within 15 calendar days after receipt of the appeal, or the first regularly scheduled Council meeting thereafter, the City Council will meet with the complainant to discuss the complaint and possible resolutions. The City Council shall hear complaints, requests, or suggestions from individuals regarding the access to and participation in public facilities, services, activities, and functions of the City of Worthington only upon receiving a written request appealing the decision of the ADA Coordinator. The City Council shall hear such complaint in public, after adequate public notice is given. The City Council shall issue a written decision within 30 days of its hearing. The decision of the City Council shall be final.

The City will consider all specific grievances within its particular context or setting.

Furthermore, the City will consider many varying circumstances including: 1) the nature of the access to services, programs, or facilities at issue; 2) the specific nature of the disability; 3) the essential eligibility requirements for participation; 4) the health and safety of others; and 5) the degree to which an accommodation would constitute a fundamental alteration to the program, service, or facility, or cause an undue hardship to the City of Worthington.

Accordingly, the resolution by the City of Worthington of any one grievance does not constitute a precedent upon which the City is bound or upon which other complaining parties may rely.

All written complaints and appeals received by the City and the City's responses will be retained by the City for at least three years.

Complaints of Title II violations may also be filed with the Department of Justice (DOJ) within 180 days of the date of discrimination. In certain situations, cases may be referred to a mediation program sponsored by the DOJ. The DOJ may bring a lawsuit where it has investigated a matter and has been unable to resolve violations.

For more information, contact:

U.S. Department of Justice  
Civil Rights Division  
950 Pennsylvania Avenue, N.W.  
Disability Rights Section - NYAV  
Washington, D.C. 20530

[www.ada.gov](http://www.ada.gov)

(800) 514-0301 (voice – toll free)

(800) 514-0383 (TTY)

Title II may also be enforced through private lawsuits in Federal court. It is not necessary to file a complaint with the DOJ or any other Federal agency, or to receive a "right-to-sue" letter, before going to court.

Complaint form is included on the following page.



City of Worthington  
303 Ninth Street, PO Box 279  
Worthington MN 56187  
Telephone: (507) 372-8640  
Fax: (507)-372-8643

## ADA COMPLAINT FORM

Questions marked with an asterisk (\*) require an answer to successfully complete this form.

Name\*

First Name

Last Name

Email Address\*

Street Address\*

City\*

State\*

Zip Code\*

Date of incident\*

Month

Day

Year

Where is the location of the problem? Please include street name, intersection (if applicable), facility name and/or location if other than a street or walk (i.e. park, building, etc.)\*

Detailed description of the problem\*

Additional Comments\*

Mail completed form to:

City of Worthington  
c/o City Engineer (*Street or Walk concerns*)  
c/o City Administrator (*All Other City Facility concerns*)  
PO Box 279  
Worthington MN 56187

## **Appendix E – Contact Information**

### **ADA Title II Coordinator/City Administrator**

Name: Steve Robinson  
Address: P.O. Box 279  
Worthington, MN 56187  
Phone: 507-372-8622  
Fax: 507- 372-8630  
E-mail: ser@ci.worthington.mn.us

### **Public Right-of-Way ADA Implementation Coordinator/City Engineer**

Name: Dwayne Haffield  
Address: P.O. Box 279  
Worthington, MN 56187  
Phone: 507-372-8640  
Fax: 507-372-8643  
E-mail: d.haffield@ci.worthington.mn.us

# **Appendix F – Agency ADA Design Standards and Procedures**

## **Design Procedures**

### **Intersection Corners**

Curb ramps or blended transitions will attempt to be constructed or upgraded to achieve compliance within all capital improvement projects. There may be limitations which make it technically infeasible for an intersection corner to achieve full accessibility within the scope of any project. Those limitations will be noted and those intersection corners will remain on the transition plan. As future projects or opportunities arise, those intersection corners shall continue to be incorporated into future work. Regardless if full compliance can be achieved or not, each intersection corner shall be made as compliant as possible in accordance with the judgment of City staff.

### **Sidewalks / Trails**

Sidewalks and trails will attempt to be constructed or upgraded to achieve compliance within all capital improvement projects. There may be limitations which make it technically infeasible for segments of sidewalks or trails to achieve full accessibility within the scope of any project. Those limitations will be noted and those segments will remain on the transition plan. As future projects or opportunities arise, those segments shall continue to be incorporated into future work. Regardless if full compliance can be achieved or not, every sidewalk or trail shall be made as compliant as possible in accordance with the judgment of City staff.

### **Traffic Control Signals**

Traffic control signals will attempt to be constructed or upgraded to achieve compliance within all capital improvement projects. There may be limitations which make it technically infeasible for individual traffic control signal locations to achieve full accessibility within the scope of any project. Those limitations will be noted and those locations will remain on the transition plan. As future projects or opportunities arise, those locations shall continue to be incorporated into future work. Regardless if full compliance can be achieved or not, each traffic signal control location shall be made as compliant as possible in accordance with the judgment of City staff.

### **Bus Stops**

Currently the City has no permanent bus stops established. It will be attempted to construct any permanently designated bus stops to achieve compliance within all capital improvement projects. There may be limitations which make it technically infeasible for individual bus stop locations to achieve full accessibility within the scope of any project. Those limitations will be noted and those locations will remain on the transition plan. As future projects or opportunities arise, those locations shall continue to be incorporated into future work.



Regardless on if full compliance can be achieved or not, each bus stop location shall be made as compliant as possible in accordance with the judgment of City staff.

### **Other Transit Facilities**

Additional transit facilities are present within the limits of City. Those facilities fall under the jurisdiction of Nobles County Joint Powers Transit Authority. The City of Worthington will work with the Nobles County Joint Powers Transit Authority to ensure that those facilities meet all appropriate accessibility standards.

### **Other policies, practices and programs**

Policies, practices and programs not identified in this document will follow the applicable ADA standards.

### **Design Standards**

The City of Worthington has PROWAG, as adopted by the Minnesota Department of Transportation (MnDOT), as its design standard. Current standards are available on MnDOT's website. Those standards in effect at the time of an improvement will be utilized to achieve ADA compliance.

## Appendix G – Glossary of Terms

**ABA:** See Architectural Barriers Act.

**ADA:** See Americans with Disabilities Act.

**ADA Transition Plan:** Mn/DOT's transportation system plan that identifies accessibility needs, the process to fully integrate accessibility improvements into the Statewide Transportation Improvement Program (STIP), and ensures all transportation facilities, services, programs, and activities are accessible to all individuals.

**ADAAG:** See Americans with Disabilities Act Accessibility Guidelines.

**Accessible:** A facility that provides access to people with disabilities using the design requirements of the ADA.

**Accessible Pedestrian Signal (APS):** A device that communicates information about the WALK phase in audible and vibrotactile formats.

**Alteration:** A change to a facility in the public right-of-way that affects or could affect access, circulation, or use. An alteration must not decrease or have the effect of decreasing the accessibility of a facility or an accessible connection to an adjacent building or site.

**Americans with Disabilities Act (ADA):** The Americans with Disabilities Act; Civil rights legislation passed in 1990 and effective July 1992. The ADA sets design guidelines for accessibility to public facilities, including sidewalks and trails, by individuals with disabilities.

**Americans with Disabilities Act Accessibility Guidelines (ADAAG):** contains scoping and technical requirements for accessibility to buildings and public facilities by individuals with disabilities under the Americans with Disabilities Act (ADA) of 1990.

**APS:** See Accessible Pedestrian Signal.

**Architectural Barriers Act (ABA):** Federal law that requires facilities designed, built, altered or leased with Federal funds to be accessible. The Architectural Barriers Act marks one of the first efforts to ensure access to the built environment.

**Capital Improvement Program (CIP):** The CIP for the Transportation Department includes an annual capital budget and a five-year plan for funding the new construction and reconstruction projects on the county's transportation system.

**Detectable Warning:** A surface feature of truncated domes, built in or applied to the walking surface to indicate an upcoming change from pedestrian to vehicular way.

**DOJ:** See United States Department of Justice

**Federal Highway Administration (FHWA):** A branch of the US Department of Transportation that administers the federal-aid Highway Program, providing financial assistance to states to construct and improve highways, urban and rural roads, and bridges.

**FHWA:** See Federal Highway Administration

**Pedestrian Access Route (PAR):** A continuous and unobstructed walkway within a pedestrian circulation path that provides accessibility.

**Pedestrian Circulation Route (PCR):** A prepared exterior or interior way of passage provided for pedestrian travel.

**PROWAG:** An acronym for the *Guidelines for Accessible Public Rights-of-Way* issued in 2005 by the U. S. Access Board. This guidance addresses roadway design practices, slope, and terrain related to pedestrian access to walkways and streets, including crosswalks, curb ramps, street furnishings, pedestrian signals, parking, and other components of public rights-of-way.

**Right-of-Way:** A general term denoting land, property, or interest therein, usually in a strip, acquired for the network of streets, sidewalks, and trails creating public pedestrian access within a public entity's jurisdictional limits.

**Section 504:** The section of the Rehabilitation Act that prohibits discrimination by any program or activity conducted by the federal government.

**Uniform Accessibility Standards (UFAS):** Accessibility standards that all federal agencies are required to meet; includes scoping and technical specifications.

**United States Access Board:** An independent federal agency that develops and maintains design criteria for buildings and other improvements, transit vehicles, telecommunications equipment, and electronic and information technology. It also enforces accessibility standards that cover federally funded facilities.

**United States Department of Justice (DOJ):** The United States Department of Justice (often referred to as the Justice Department or DOJ), is the United States federal executive department responsible for the enforcement of the law and administration of justice.