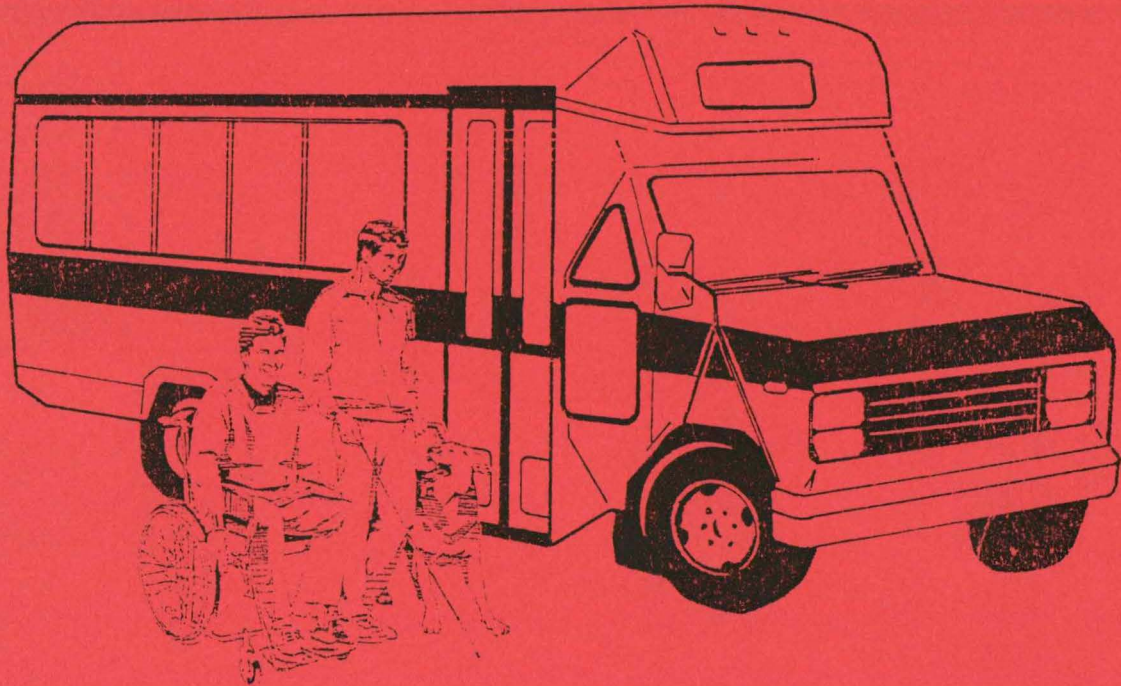


City of Muscatine

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**Update for the
Plan for Compliance with the
Paratransit Requirement of the
Americans with Disabilities Act**



January 1993

Prepared by

 **Bi-State**
Regional Commission

RESOLUTION 85079

APPROVE 1993 ADA PARATRANSIT PLAN UPDATE-
CITY TRANSIT SYSTEM

WHEREAS, The City Transit System of the City of Muscatine, Iowa has heretofore had a public input meeting and a public hearing to obtain input on its paratransit plan update; and

WHEREAS, The Americans with Disabilities Act requires preparation of said paratransit plan update; and


WHEREAS, The Bi-State Regional Commission has under contract with the Iowa Department of Transportation, prepared the 1993 Muscatine ADA Paratransit Plan Update for the City of Muscatine;

NOW, THEREFORE, BE IT RESOLVED by this Council that:

The 1993 Muscatine ADA Paratransit Plan Update be approved.

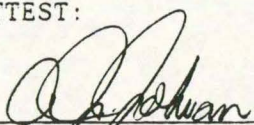
PASSED, APPROVED, AND ADOPTED THIS 7TH DAY OF JANUARY, 1993.

CITY COUNCIL OF THE CITY OF MUSCATINE, IOWA



John Keig, Mayor

ATTEST:



A.J. Johnson, City Clerk

CITY OF MUSCATINE

John Keig, Mayor

CITY COUNCIL

Ralph Freese
Dan Gray
Gary Gray
Philip Fitzgerald

Larry Kemp
Glenn Moench
Jeanette Phillips

A. J. Johnson, City Administrator

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Cathy Deters
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Paul Burden, Older Worker Specialist I
Joan Lopez, Ethnic Meals Cook
Jason M. Moritz, Planning Assistant
Timothy A. Shie, Planning Assistant
Stacie Van Wyke, Planning Intern

ABSTRACT

In July of 1990, President George Bush signed the Americans with Disabilities Act (ADA) into law. In compliance with that law, the Department of Transportation (DOT) released Federal Register 49 CFR 37 as the set of final rules for transit systems to meet requirements mandated by the general policies of the law. In January of 1992, the City of Muscatine submitted a Plan for Compliance with the Paratransit Requirement of the Americans with Disabilities Act, in order to meet Section 37.113 of the requirements. As stated in that same section, each transit system must provide an annual update to their respective paratransit plan. Therefore, the Bi-State Regional Commission, as the acting regional council of governments, is submitting this 1993 update of this plan on behalf of the City of Muscatine, to the Iowa Department of Transportation for forwarding to the Federal Transit Administration.

SECTION I

IDENTIFICATION OF SUBMITTING ENTITY

The 1993 Update of the City of Muscatine's Plan for Compliance with the Paratransit Requirement of the Americans with Disabilities Act is being submitted to the Iowa Department of Transportation by the Bi-State Regional Commission, on behalf of the City. Appropriate information regarding the City of Muscatine's transit provider is listed below. Information on the Bi-State Regional Commission may be located at the beginning of this update.

TRANSIT SYSTEM NAME: Muscatine City Transit System

TRANSIT NICKNAME: MuscaBus

ADDRESS: 1459 Washington
Muscatine, Iowa 52761

TELEPHONE NUMBER: (319) 263-8152

FAX NUMBER: (319) 263-2127

CONTACT PERSON: Kathy Meier

SECTION II

PROGRESS REPORT ON MILESTONES

The Muscatine Transit System has worked diligently over the last year to try to follow the ADA implementation schedule outlined in the original ADA Plan. The following is a review of the schedule noting dates the items were completed, explanations of any slippage, and explanations of any changes in the original full compliance targeted date.

January 26, 1992

Muscatine City Transit began processing ADA paratransit applications on January 26, 1992, as scheduled. The City authorized the Transit Manager to make the necessary policy changes in the existing Dial-A-Ride service in order to meet the six ADA paratransit criteria.

The City Council authorized the Transit Manager to offer free fixed route rides to those persons who showed an ADA Paratransit Eligible Identification Card, as noted in the Plan. After implementing this offer, it became clear that the policy was being under utilized. The Transit Manager and the City are currently reviewing the effectiveness of the policy, and are attempting to make recommendations as to whether it needs to be continued.

The City Council approved the expansion of early morning paratransit service hours, beginning on January 26, 1992 as scheduled. Paratransit service now begins at 5:50 a.m. when the fixed route service begins.

July, 1992

The work on retrofitting the two existing paratransit buses to meet the ADA accessibility standards is half completed. The portion of the retrofitting related to the lifts was completed in August. The month slippage was mostly related to longer retrofit time than previously calculated.

The retrofit work on the wheelchair securements is at present not completed. Although a bidder has been selected to perform the retrofit with the new ADA approved securements, a problem has developed regarding the Buy American Requirements. Because this retrofit is being performed with Federal pass through money to the State of Iowa, the bidder for the securement retrofit must meet the Buy American Requirements. The State of Iowa has stalled final approval of the award for the retrofit until the Buy American issue is resolved. Upon resolution of the issue, the retrofit work will be performed as soon as possible.

September, 1992

The Muscatine Transit Manager held a series of passenger assistance training sessions with her drivers during the month of September.

November, 1992

The transit system is currently in the bid solicitation process for the purchase of an answering machine and a Text Telephone for the Deaf (TTD).

December, 1992

The installation of the TTD and training of the dispatchers will remain on schedule, pending the acquisition of the answering machine and Text Telephone. Should there be some delay, training may not occur until January of 1993.

January, 1993

Assuming acquisition is completed, making TTD available for public use remains on schedule.

July, 1993

Additional end of service paratransit service is still on schedule. Vehicle replacement on fixed route service is also still on schedule.

January, 1994

Remains full ADA compliance target date.

SECTION III

DEMAND ESTIMATE

Table 3-1 is in the format requested by the Federal Transit Administration for demand estimates. Looking at the table, note a significant increase in the total number of paratransit trips from Actual FY 1992 to projected FY 1993. This large increase is a result of increasing service hours in the morning.

For the remainder of the five year demand estimation period, Muscatine Transit is expected to realize a steady ridership increase. For the five year period, a total of 36,838 ADA related trips are forecasted for the system. This amounts to about 50% of the total paratransit trips provided by the service. It should be noted that, should more than 3 buses be required to maintain paratransit demand, the system will employ another vehicle.

TABLE 3-1

ADA PARATRANSIT BUDGET ESTIMATES
5-YEAR DEMAND AND VEHICLE ESTIMATES

NOTE: Bracketed year is the year the system is targeted to be in compliance.

<u>JANUARY, 1993</u>	<u>ACTUAL 1992</u>	<u>1993</u>	<u>(1994)</u>	<u>1995</u>	<u>1996</u>	<u>1997</u>	<u>5-YEAR TOTAL 1992-97</u>
Estimated ADA Paratransit Demand							
Number of ADA Paratransit Trips/Year	3,198	6,400	6,560	6,724	6,892	7,064	36,838
Number of Total Paratransit Trips/Year	6,396	12,800	13,120	13,448	13,784	14,128	73,676
Number of ADA Paratransit Trips DENIED (DENIED each year because of capacity constraints/other)	0	0	0	0	0	0	0
Number of Paratransit Vehicles - Vans	0	0	0	0	0	0	0
Number of Paratransit Vehicles - Buses	3	3	3	3	3	3	N/A

SECTION IV

BUDGET

As requested by the Federal Transit Administration, budget information for the Muscatine Transit System has been streamlined into the requested formats. Tables 4-1 and 4-2 provide the requested budget information.

TABLE 4-1

ADA PARATRANSIT BUDGET ESTIMATES
5-YEAR CAPITAL & OPERATING BUDGET SUMMARY

	<u>ACTUAL</u> <u>1992</u>	<u>1993</u>	<u>1994</u>	<u>1995</u>	<u>1996</u>	<u>1997</u>	<u>5-YEAR</u> <u>TOTAL</u> <u>1992-97</u>
ADA PARATRANSIT EXPENSES							
Capital Expenses	\$ 0	\$ 8,100	\$ 0	\$ 41,000	\$ 0	\$ 0	\$ 49,100
Operating Expenses	<u>21,000</u>	<u>43,050</u>	<u>44,126</u>	<u>45,229</u>	<u>46,360</u>	<u>47,519</u>	<u>247,284</u>
Subtotal ADA Paratransit Expenses (ADA & Non-ADA combined)	\$21,000	\$51,150	\$44,126	\$ 86,229	\$46,360	\$47,519	\$296,384
Capital Expenses	\$ 0	\$ 8,100	\$ 0	\$ 82,000	\$ 0	\$ 0	\$ 90,100
Operating Expenses	<u>42,000</u>	<u>86,100</u>	<u>88,252</u>	<u>90,459</u>	<u>92,720</u>	<u>95,038</u>	<u>494,569</u>
TOTAL PARATRANSIT EXPENSES (Capital + Operating)	\$42,000	\$94,200	\$88,252	\$172,459	\$92,720	\$95,038	\$584,664

In 1991, the paratransit costs for the Muscatine City Transit System was \$96,975.

TABLE 4-2

TOTAL SYSTEM BUDGET ESTIMATES
5-YEAR CAPITAL & OPERATING BUDGET SUMMARY

	<u>ACTUAL</u> <u>1992</u>	<u>1993</u>	<u>1994</u>	<u>1995</u>	<u>1996</u>	<u>1997</u>	<u>5-YEAR</u> <u>TOTAL</u> <u>1992-97</u>
TOTAL SYSTEM EXPENSES							
Capital Expenses	\$ 48,293	\$163,700	\$ 0	\$172,000	\$ 0	\$ 45,000	\$ 291,993
Operating Expenses	<u>344,020</u>	<u>366,400</u>	<u>375,569</u>	<u>384,949</u>	<u>394,573</u>	<u>404,437</u>	<u>2,269,939</u>
TOTAL SYSTEM EXPENSES	\$392,313	\$530,100	\$375,569	\$556,949	\$394,573	\$449,437	\$2,698,932
TOTAL SYSTEM REVENUE*	\$388,100	\$530,100	\$375,560	\$556,949	\$394,573	\$449,437	\$2,557,719
Estimated Budget/Deficit	<u>(4,213)</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>(4,213)</u>
TOTAL ADA PARATRANSIT EXPENSES	\$ 21,000	\$ 51,150	\$ 44,126	\$ 86,229	\$ 46,360	\$ 47,519	\$ 296,384

*Please note, fare increase began on July 1, 1992.

SECTION V

PUBLIC PARTICIPATION

Outreach Effort

The Muscatine Transit System has continued to utilize the many varied opportunities to involve individuals with disabilities in the ADA planning process. An Advisory Committee to the transit system includes one disabled individual, as well as several representatives of disabled organizations. The Transit Manager has worked with local school district officials and a disabled workshop center to receive input as to how to better serve their clients with ADA service. In addition, the Transit Manager has attended State forums on disabled transportation issues as a way to ensure that communication lines remain open.

Consultation With the Disabled

On November 17, 1992, the Muscatine Disability Transit Advisory Committee met to discuss issues relating to the ADA and the annual update. The Transit Manager provided a report on the existing timetable for implementation and was requested to explain why, if any, slippages were occurring. Following that report, a staff member from the Bi-State Regional Commission outlined the annual ADA update requirements and what information would be added in Section VI of the update titled unresolved issues. The Bi-State staff member reported on a 30-day letter from FTA and what information would be changed as a result of the letter.

Committee members were then afforded the opportunity to comment on any relevant issue regarding the existing ADA plan, implementation of the Plan, or the submission of the annual update. There were no comments regarding the plan, except the appreciation of the timeliness of Muscatine at reaching full ADA compliance.

Opportunity for Public Comment on the Plan

Muscatine Transit System made the 1993 Paratransit Plan Update available for the system's normal comment period. Copies of the update were made available in accessible formats to those individuals requesting them.

Public Hearings

The Muscatine Transit System held a public hearing on their portion of the 1993 Plan Update. Copies of the official public notices sent to the local media for publication are included at the end of this section. A summary of comments received at the public hearing follows.

Summary of Public Comment Period

No comments were received.

Ongoing Public Outreach

The transit system has continued their participation in the Disability Transit Advisory Committee. This Ad-Hoc Committee is helping the transit systems work through some of the unforeseen problems during the ADA implementation period, as well as provide useful comments on disability issues concerning fixed route service. This partnership has produced very positive results. The committee meets a minimum of once year during the ADA update period and on an as needed basis regarding other disabled accessibility issues.

Molly P. Carroll, Publisher of the Muscatine Journal, a newspaper of general circulation, printed and published at Muscatine County, Iowa, being duly sworn, says that:

Muscatine City Clerk

Notice of Time and Place

ADA Paratransit Plan Update

of which annexed printed slip is true, correct and complete copy, was published in said Muscatine Journal once each week for one time ~~XXXXXX~~ weeks in succession, the first publication having been made there-in on:

December 24, 1992

the second on _____, 1992

the third on _____, 1992

the fourth on _____, 1992

the fifth on _____, 1992

Molly P. Carroll
Publisher

Subscribed in my presence and sworn to before me by the said Molly P. Carroll this

31st day of December, 1992

Susan Z. Horts
Notary Public in and for
Muscatine County, Iowa

**PUBLIC NOTICE
NOTICE OF TIME AND
PLACE OF PUBLIC
HEARING ON THE
ADA PARATRANSIT
PLAN UPDATE**

Public Notice is hereby given that the City Council of the City of Muscatine, Iowa, will hold a Public Hearing to hear objections to the plans, specifications, form of contract, and cost estimate for the proposed ADA Paratransit Plan Update. Said hearing will be held in the City Council Chambers, City Hall, Muscatine, Iowa, on January 7, 1993, at 7:30 P.M. All interested persons are invited to attend and will be given an opportunity to be heard relative to this matter.

A.J. Johnson, City Clerk

SECTION VI

UNRESOLVED ISSUES

COMMENTS FROM FEDERAL TRANSIT ADMINISTRATION

On January 22, 1992, the City of Muscatine's Plan of Compliance with the Americans with Disabilities Act was submitted to the Federal Transit Administration (FTA). On July 1, 1992, FTA issued a 30-day letter to the transit system requesting additional information to help the FTA in determining whether or not the plan was acceptable. A copy of this letter has been enclosed in the Appendix of this update.

After reviewing FTA's comments, the Transit Manager (with assistance from the Bi-State Regional Commission) worked to resolve the questions raised. Most of the comments and/or questions regarding the Plan required minor clarification or inclusion of additional information overlooked during the initial submission. On July 8, 1992 a letter was sent to FTA with the requested additional information and comments. A copy of that letter has been enclosed at the end of this section.

Regarding the specific additional information and comments submitted in the July letter, Muscatine Transit System received a reply from FTA acknowledging the plan is in compliance. Therefore, Muscatine is formally amending its original plan to include all the following information and changes that were addressed in the July letter:

- a. On Page 7, the paragraph entitled "Service Area" is amended to read:

"Muscatine's Dial-A-Ride shall serve the entire incorporated limits in Muscatine and areas within 3/4 of a mile of a fixed route outside the incorporated limits. By....."

- b. On Page 7, the paragraph entitled "Reservations" is amended to read:

"Reservations for Dial-A-Ride will be taken on a day ahead call-in basis. Individuals may call any time during the normal business hours the day before a trip is being requested to receive service. ADA-eligible....."

- c. On Page 9, a number 10 has been created.

10. Personal Care Attendant/Riding Companion. Individuals eligible for paratransit are entitled to have a single personal care attendant ride free. It will be the responsibility of the individual to justify on their application that a personal care attendant is required. Paratransit riders are also allowed one full fare riding companion each. Other companions may ride the service on a space available basis.

- d. After the Timetable for ADA-Required Changes to Our Paratransit Services, the following paragraph is inserted:

Other Information on Paratransit Service. Muscatine Transit will ensure that all information on service, application materials, and other relevant information for both fixed route and paratransit service is available to the public in accessible formats including cassette or braille, upon request.

- e. Persons are provided with an ADA Eligibility Card and with a letter stating that they are ADA eligible for paratransit service.
- f. Under the "No-Show Policy" on Page 9, the following two sentences are added to the end of the paragraph:

"Persons facing suspension of service will have the same appeals process and hearing procedures as persons denied eligibility. Furthermore, Muscatine will provide the same or similar treatment to disruptive ADA eligible paratransit passenger as it would to a disruptive fixed route passenger."

- g. On Page 9, the following has been added:

11. Identification Cards. Identification cards shall be issued to ADA eligible individuals. The identification cards will indicate any conditions or limitations of the individual's eligibility status. Furthermore, if the individual is in need of a personal care attendant, this will also be noted on the card.

- h. The following certification on the following page is added to the Appendix.

July 13, 1992

Lee Waddleton
Midwestern Area Director
Federal Transit Administration
6301 Rockhill Road
Suite 303
Kansas City, Missouri 64131

Dear Lee:

Enclosed is the certification that a survey of existing paratransit service was conducted in the City of Muscatine.

This is to supplement our July 8 submission of additional information requested for the Muscatine ADA Paratransit Plan. Please call me if you would like any further information for the plan.

Sincerely,

Kathy Kakert
Transit Supervisor

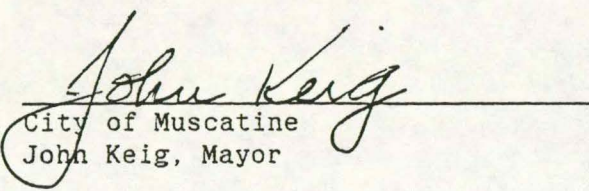
KK:ka
7A:comply.ada

FEDERAL TRANSIT ADMINISTRATION
CERTIFICATION OF COMPLIANCE
WITH SECTION 37.137 PARAGRAPH A
OF FEDERAL REGISTER 49 CFR PART 37
SURVEY OF EXISTING SERVICES

The City of Muscatine HEREBY CERTIFIES THAT:

1. As part of their contract with Bi-State Regional Commission, Bi-State performs an annual survey of all known individual and agency providers of transportation within the Muscatine area.
2. This survey of transportation providers includes the entire service area of Muscatine.
3. This survey meets the requirements outlined in the Federal Register 49 CFR Part 37 Subsection 137 for a Survey of Existing Services for the City of Muscatine.

This Certification shall become retroactive from the date the Muscatine Americans with Disabilities Paratransit Plan was approved by Muscatine -- January 16, 1992.



City of Muscatine
John Keig, Mayor

July 8, 1992

Lee Waddleton
Midwestern Area Director
Federal Transit Administration
6301 Rockhill Road
Suite 303
Kansas City, Missouri 64131

Dear Lee:

Enclosed is the additional information you requested in order to complete your review of the ADA Paratransit Plan for the City of Muscatine.

Please call me at 319-263-8152 if you require any further information to complete the review.

Sincerely,

Kathleen M. Kakert
Transit Supervisor

City of Muscatine

ADA Paratransit Plan
Additional Information

1. Muscatine will meet the service area criterion for complementary paratransit service. Our service area is -- within City limits AND within a 3/4 - mile corridor of each fixed route, even where this corridor extends beyond City limits. (Paratransit service is also available WITHIN City limits, even in areas which are not served by fixed routes, although demand for this service has traditionally been low.)

2. Muscatine **currently** operates with a policy of taking paratransit reservations **anytime** during regular office hours the day before the trip, as required by the regulations.

(We do NOT require a 24 hour in advance reservation; we regret that this misnomer of current operations occurred in the original plan submission.)

3. A listing of ADA Paratransit Eligible persons is being maintained.

Any time that an eligible person is denied a trip because of lack of capacity, a "denied trip" is recorded in a log. By monitoring this log, we can determine whether we are approaching capacity and need to place extra vehicles in service at any particular time.

To date, we have been able to meet demand by simply scheduling an extra vehicle and driver as needed, rather than denying trips. We are not near our paratransit fleet's capacity.

4. Personal care attendants ride free; a companion rides for the same fare as the ADA Eligible person.

5. Eligibility application materials and information are available on cassette or in Braille, on request. During the current Fiscal Year 1993, Muscatine will install a text telephone for the deaf, to provide accessible phone communications regarding ADA paratransit eligibility.
6. ADA Eligible persons are provided with an ADA Eligibility card, and with a letter stating that they are ADA Eligible for paratransit service.
7. The eligibility appeals process does allow any person denied eligibility to be heard.
8. Muscatine does provide paratransit service to visitors from areas which do not have transit service. Muscatine may require proof of residency, and if the disability is hidden, proof of disability.
9. Muscatine will provide a person facing suspension of service under the "No-Show" policy with the same appeals and hearing procedures as persons denied eligibility.
10. Muscatine will provide the same or similar treatment to a disruptive ADA Eligible paratransit passenger as we would to a disruptive fixed route passenger.
11. There are no other public entities with overlapping or contiguous service areas which are subject to the complementary paratransit requirements.
12. We certify that as part of the ADA paratransit planning process, our system and the Bi-State Regional Commission have performed a survey of existing paratransit.

SECTION VII

OTHER ISSUES

During the meeting with the Disabled Transit Advisory Committee, the Transit Manager informed the group that the system was considering route revisions for FY 1994. The City has not reviewed the route revisions; therefore, no information was available as to whether or not the routes would be approved and how they would change. However, the Transit Manager assured Committee members that paratransit service would remain as is, with additional areas receiving service within the corporate limits which are outside the 3/4 mile corridor.

There have been no other significant changes in the system that have resulted in raising other disabled issues. Furthermore, the on-going public outreach effort has not produced any issues that have not been resolved at this time.

APPENDIX

City of Muscatine ADA Review Plan Summary

Below are sections of the ADA Complementary Paratransit Plan that either need clarification or additional information before FTA can complete its review. Please submit the following:

Description of Proposed Complementary Paratransit Service

1. Please verify that Muscatine will meet the service area criterion for complementary paratransit service. It was unclear from the information in the plan whether $\frac{3}{4}$ mile corridors on either side of Muscatine's routes extend beyond the city limits. Please note that if the corridors do extend beyond the city limits, the ADA regulations require that complementary paratransit service be provided for trip origins and destinations within a $\frac{3}{4}$ mile corridor of the fixed route service, even where that corridor crosses political boundaries. Muscatine cannot be relieved of that obligation unless there is a "legal bar" that prohibits the entity from crossing the boundary. Such a "legal bar" might be found where Muscatine's charter prohibits crossing the boundary or where it is otherwise not legally advisable to do so.
2. Please verify that Muscatine will meet the response time criterion for complementary transit service. This criterion says that an eligible person may reserve a trip anytime during regular office hours the day before the trip. The current 24 hour in advance requirement would not meet the response time criterion.
3. Clarify how Muscatine will know if there are capacity constraints. What are the service standards and what data will be collected?
4. Please provide the Muscatine policy for personal care attendants and companions.

Description of Eligibility Determination Process

5. Please clarify if Muscatine intends to make eligibility application materials and information available in accessible formats.
6. Please describe the documentation to be provided to ADA eligible persons.
7. Please verify that the eligibility appeals process includes an opportunity for the person denied eligibility to be heard.

8. Please verify that Muscatine will provide service to visitors from areas which do not have transit service. Note that Muscatine may require proof of residency, and if the disability is hidden, proof of disability.
9. With regard to the "no-show" policy, Muscatine should verify that a person facing suspension of service will have access to the same appeal process and hearing available to those denied eligibility.
10. In the case of disruptive behavior, Muscatine should provide the same or similar treatment to the disruptive ADA eligible person as it would to a disruptive fixed route passenger.

Coordination with Other Public Entities

11. Please verify there are no other public entities with overlapping or contiguous service areas which are subject to the complementary paratransit requirements.

Endorsements or Certification

12. Please provide a certification that a survey of existing paratransit service was conducted.

STATE LIBRARY OF IOWA



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