

Resolution Agreement
Richmond Public Library
OCR Case Number
09-15-4028

On behalf of the Richmond Public Library, the City of Richmond (City), without admitting to any violation of law, agrees to implement this Resolution Agreement to resolve the issues investigated by the U.S. Department of Education, Office for Civil Rights (OCR), under Title II of the Americans with Disabilities Act of 1990 (Title II) in the above-referenced OCR case number concerning the Main Branch of the Richmond Public Library (Library).

The City agrees that all current and new construction or alteration of Library facilities continuing or commenced after the date of this Agreement will comply with the Federal accessibility design standard in place at the time of new construction or alteration, currently the 2010 Americans with Disabilities Act Standards for Accessible Design (2010 Standards).

I. Memorandum with Recipient's Alternative Plan for Complaint Response

- A. The City will provide OCR with a memorandum setting forth a plan for Recipient to respond to complaints of discrimination when the primary designee is unable to do so in accordance with the Recipient's governing policies and procedures. The Recipient will distribute the memorandum to appropriate staff as necessary for implementation of the plan.

II. Library Restrooms

- A. The City will ensure that the renovations currently being made to the Library's men's and women's restrooms meet the 2010 Standards.
- B. As an interim measure while the men's and women's restrooms are being constructed, the City will post signage on the existing two restrooms in the Library's Main Branch indicating that a temporary accessible restroom is available, as well as directional signs indicating the nearest accessible path of travel to the temporary accessible restrooms. The Recipient will ensure that the temporary accessible restrooms are unlocked during the Library's business hours.

III. Signage of Accessible Paths of Travel

- A. The City will post directional signs to and through the Library's accessible path of travel so that patrons can readily access and use the facility and its programs, activities and services. Directional signs will comply with the 2010 Standards.
- B. As an interim measure, the City will post temporary directional signs on the first and second floors of the Library's Main Branch indicating the location of the

nearest accessible path of travel via elevator from the first floor to the second, and from the second floor to the first. The Recipient will ensure that the temporary directional signage is in place until the permanent signs are installed.

IV. Parking

- A. The City will ensure that each of the Library's two parking areas meet the 2010 Standards.

V. Reporting and Monitoring

- A. By **January 11, 2016**, the City will submit a report to OCR, along with supporting documentation confirming that the actions outlined in sections II.B. and III.B. of this Agreement have been completed.
- B. By **March 1, 2016**, the City will submit a report to OCR, along with supporting documentation, confirming that the accessible features outlined in sections II, III, and IV of this Agreement have been completed and conform to the 2010 Standards.
- C. By **March 1, 2016**, the City will provide to OCR a copy of the memorandum setting forth the Recipient's plan for responding to complaints of discrimination when the primary designee is unable to do so in accordance with the Recipient's governing policies and procedures. The Recipient will provide a list of individuals to whom the memorandum was distributed.

The Recipient understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. Further the City understands that during the monitoring of this Agreement, OCR may visit the Library, interview staff and patrons and request such additional reports or data as are necessary for OCR to determine whether the City has fulfilled the terms of this Agreement and is in compliance with the statute(s) and regulations implementing Title II, at 28 C.F.R. §§35.149 – 35.151, §35.163, and §35.107(b), which were at issue in this case. The City understands that OCR will not close the monitoring of this Agreement until such time that OCR determines that the City has fulfilled the terms of this Agreement and is in compliance with the statutes and regulations at issue in the matter.

The City understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings to enforce the specific terms and obligations of this Agreement. Before initiating administrative enforcement (34 C.F.R. §§ 100.9, 100.10), or judicial proceedings to enforce this Agreement, OCR shall give the City written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

_____/s/_____
Bill Lindsay
Richmond City Manager

_____01/05/2016_____
Date