

# 2016 Draft ADA Transition Plan

In 2010-11, the U.S. Department of Justice updated Title II of the Americans with Disabilities Act (ADA) relating specifically to the accessibility of state and local government programs and services. To reflect these changes, the City of Pullman has updated its ADA Self-Evaluation and Transition Plan in 2016.

This draft plan is now available for public review and input through December 2, 2016. You can send comments, suggestions or questions about the draft ADA Self-Evaluation and Transition Plan to the City's ADA Coordinator one of the following ways:

1. Email – Karen.sires@pullman-wa.gov
2. Telephone - Voice: 509-338-3207; WA Relay: 711
3. Mail - City of Pullman, Human Resources Department, 325 SE Paradise Street, Pullman, WA 99163

## Alternate Formats

The draft plan is available in alternate formats at no charge. To request an alternate format, please contact the City's ADA Coordinator at the email address or telephone number listed above.

## Documents

2016 City of Pullman ADA Transition Plan - DRAFT

## APPENDICES

### A. Americans With Disabilities (ADA) Transition Plan Project List

1. Programs, Services, and Activities
2. Overall Cost Summary
3. City Hall
4. Police Department
5. Fire Station #1
6. Fire Station #2
7. Transit Facilities Office
8. Equipment Rental Division (ERD)
9. M & O Office
10. Wastewater Treatment Plant Administration Office
11. Pioneer Center
12. Parks Office
13. Reaney Park Pool
14. Aquatic Center
15. Neill Public Library
16. Scout House

- B. City of Pullman Employment Policies
  - C. Pullman Parks ADA Plan 2014
  - D. City of Pullman Streets Snow Removal List
  - E. Notice of Program & Service Accessibility
  - F. Section 504 Employee Information & Guidelines
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## **Introduction & Background**

The Americans with Disabilities Act Self-Evaluation and Transition Plan establishes the City of Pullman's ongoing commitment to providing equal access to all its public programs, services and activities for citizens with disabilities. To develop this plan, the City of Pullman has undertaken a comprehensive evaluation of its facilities and programs to determine what types of access barriers exist for individuals with disabilities.

This plan replaces previous self-evaluation and transition plans developed by the City and its departments, and will be used to help guide future planning and implementation of necessary accessibility improvements. The City will update the plan periodically and is always seeking public comments on necessary changes and improvements.

## **Federal Requirements**

This document is being developed in accordance with federal requirements outlined in Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1992.

### **Section 504 of the Rehabilitation Act of 1973**

The Rehabilitation Act requires that all organizations receiving federal funding make their programs available to people of all abilities. It states:

*No otherwise qualified [disabled] individual in the United States shall, solely by reason of [disability], be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.*

City departments or divisions that receive federal funding must identify a Section 504 coordinator on its staff who will ensure that the program, service or activity receiving the funding meets the requirements of the law, and respond to any complaints from citizens or requests for information from a funding agency.

## **Americans with Disabilities Act (ADA) – Titles I and II**

The U.S. Congress signed the ADA in 1990, and it went into effect in 1992. The ADA is a civil rights law that prohibits discrimination against individuals with disabilities in

access to jobs, public accommodations, government services and programs, public transportation and telecommunications.

**Title I of the ADA** prohibits private employers, state and local governments, employment agencies and labor unions from discriminating against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, job training, and other terms, conditions, and privileges of employment.

The City of Pullman is an Equal Employment Opportunity (EEO) employer and adheres to the requirements of Title I.

**Title II of the ADA** adopts the general prohibitions against discrimination contained in Section 504 of the Rehabilitation Act of 1973, but applies to all state and local governments, regardless of whether or not they receive federal funding. It prohibits the City from denying persons with disabilities the equal opportunity to participate in its services, programs or activities, either directly or indirectly through contractual arrangements.

The administrative requirements contained in Title II that apply to the City are:

- Designation of an ADA Coordinator responsible for overseeing Title II compliance;
- Development of an ADA grievance/complaint procedure;
- Completion of a self-evaluation of facilities, programs and services; and
- Development of a transition plan if the self-evaluation identifies any accessibility deficiencies.

The City is also required to comply with the requirements of **Title VI of the Civil Rights Act of 1964**, which prohibits discrimination based on race, color, national origin or gender. This Act does not pertain to discrimination based on disability and, therefore, is *not* included in this transition plan.

### **ADA Coordinator**

The Human Resources Manager was designated as the ADA Coordinator. This position is responsible for ensuring that all programs, services and activities of the City of Pullman are accessible to and usable by individuals with disabilities. He/she reports to the City Supervisor. The City's ADA Coordinator is:

Karen Sires  
City of Pullman  
Human Resources  
325 SE Paradise Street  
Pullman, WA 99163  
Email: Karen.sires@pullman-wa.gov  
Phone: (509) 338-3207, or 711 (WA Relay)  
Fax: (509) 334-2751

## Requesting Accommodation or Alternate Formats

Instructions about how to request accommodations (e.g. translator, barrier removal, etc.), or documents/materials in alternate formats may be included in a letter, email, newsletter or website used to announce, invite or promote the City program, service or activity. If this information is not provided, please contact the City's ADA Coordinator to make your request (see contact information above). Please make requests for accommodation at meetings or events at least one week in advance.

Requests for **accommodation** at a City meeting or event should include:

- The requestor's name, address, email and telephone number (if any)
- A description of the program, service or activity where the accommodation is required
- The location of the program, service or activity
- A brief description of why the accommodation is needed

Requests for materials in **alternate formats** should include:

- The requestor's name, address, email and telephone number (if any)
- The name or description of the City document or materials to be reformatted
- What type of format is desired (e.g. Braille, audio recording, computer disk, etc.)
- A brief description of why the alternate format is needed

The City ADA Coordinator or the responsible City department will respond to the request within 15 calendar days or in advance of a scheduled meeting or event. If the response does not satisfactorily resolve the issue, the requestor may file a formal grievance with the City. All requests for accommodations and alternate formats will be kept on file for at least three years.

## Filing a Grievance

The City of Pullman has a formal grievance procedure in place to provide citizens a means to file complaints regarding:

- City of Pullman policies or its provision of services, activities and programs to persons with disabilities;
- Alleged violations of Title II of the ADA or Section 504 or the Rehabilitation Act of 1973 by the City of Pullman, its departments or employees; and
- Structural and parking accessibility issues on City-owned or controlled property.

The ADA Coordinator is limited to the funding already available for capital improvement projects when responding to grievances that request barrier removal or structural

modifications. In the event that the available funds are insufficient or already expended on other projects, improvements will be prioritized and scheduled in subsequent fiscal years.

The availability and use of this grievance procedure does not preclude filing a complaint of discrimination with any appropriate state or federal agency. Use of this grievance procedure is not a prerequisite in the pursuit of other remedies.

**Step 1:** To file a grievance, please send a letter or an email to the ADA Coordinator (see contact information on page 3) that includes the following information:

- Your full name, address and telephone number;
- The full name of the person who was discriminated against (if someone other than yourself);
- The name and address of the program, service, activity or facility where the incident took place;
- A description of the incident, the date(s) it occurred and the name(s) of any city employees involved (if known); and
- Other information that you believe necessary to support your complaint. Please send us copies of any relevant documents, but keep the originals for your own records.

The ADA Coordinator will notify the complainant in writing if any additional information is needed. If the requested information is not provided, the ADA Coordinator shall close the complaint.

**Step 2:** The ADA Coordinator will meet with or contact the complainant within 15 days of receipt of the grievance to discuss possible solutions.

**Step 3:** Within 30 calendar days of that meeting or discussion, the ADA Coordinator will respond in writing or in a format accessible to the complainant, explaining the position of the City of Pullman and offering options for resolution of the complaint.

If the response does not satisfactorily resolve the issue, the complainant may appeal the decision to the City Supervisor within 10 calendar days after receiving the response. Steps 1-3 will then begin again, this time with the City Supervisor or an appointed representative as the primary contact. Complainants should also provide an explanation about why the City's initial response was not satisfactory.

All formal grievances received by the ADA Coordinator, appeals to the City Supervisor and responses from the ADA Coordinator and City Supervisor, will be kept on file for at least three years.

## **ADA Self-Evaluation and Transition Plan Process**

The Self-Evaluation is the City's internal assessment of the accessibility of its facilities, programs, services and activities. It included site assessment surveys of all public facilities, parks and roads owned by the City of Pullman, and a written survey of all City departments about the accessibility of their programs, services and activities.

According to the requirements of the ADA, a Transition Plan must include a list of necessary improvements to be made based on the results of the Self-Evaluation, including estimated time frames and costs for each. This information is available in Appendix A of this document.

The City should update the Transition Plan periodically to reflect completed accessibility projects or other changes.

### **Public Outreach**

This current update has also been posted on the City's website. Key stakeholder groups and the general public are invited to review and provide input on it for at least three months. Comments can be directed to the ADA Coordinator (contact information above).

The City will update the plan and its associated improvement project lists once per year to reflect completed improvement projects, or additions or changes suggested by the public, as appropriate.

### **Identified Stakeholder Groups**

- General public
- City and county citizen advisory boards or committees
- Pullman Parks and Recreation Commission
- Disability Action Center

### **State & Local Requirements**

The State of Washington officially adopted the International Building Code (IBC) as its building code in 2004 (RCW 19.27 and 70.92). The IBC includes provisions ensuring that public facilities are accessible to and usable by persons with disabilities.

Pursuant to requirements of RCW 19.27, the City of Pullman also adopted the IBC as its building code in 2005.

## **Relationship to Other Plans**

This Transition Plan pertains only to City-owned or administered facilities, programs, services and activities. Whitman County and other cities and towns are responsible for developing and implementing their own self-evaluation and transition plans.

## **Funding Sources**

The primary sources of funding for accessibility-related improvement projects on City property is the General Fund, real estate excise taxes accrued to the Street Fund, the Utility Fund, and grants. However, the ongoing economic recession has resulted in significant reductions to most of these funding sources in recent years. Due to reduced tax revenue for the City's General Fund and real estate excise taxes, reduced support for grant programs and competing priorities, the City of Pullman is experiencing a limited ability to fund accessibility improvement projects. However, it should be noted that over the past five years, the City has successfully resolved most of its previous accessibility issues by renovating existing facilities or relocating City services to new, ADA compliant buildings.

Accessibility improvements that can be made through general maintenance of City facilities (e.g. signage, clear pathways, relocation of restroom fixtures, etc.), or as part of the regular administrative duties of department staff (e.g. providing documents in alternate formats, training, website improvements, etc.) will typically be completed first; with larger capital improvement projects being completed when necessary funding is available.

## **Undue Burden**

According to the ADA, the City does not have to take any action that it can demonstrate would result in a fundamental alteration in the nature of a program or activity, would create a hazardous condition for other people, or would represent an undue financial and administrative burden. This determination can only be made by the ADA Coordinator, department head, or designee and must be accompanied by a statement citing the reasons for reaching that conclusion.

The determination that an undue financial burden would result must be based on an evaluation of all resources available for use in a program. For example, if a barrier removal action is judged unduly burdensome, the City must consider other options for providing access that would ensure that individuals with disabilities receive the benefits and services of the program or activity.

## **Programs, Services & Activities**

### **Self-Evaluation Survey: Findings**

In 2015, the City surveyed all its departments to learn how they communicate with the public and what tools and techniques they use to ensure that people with disabilities have equal access to programs, services and activities. Most City Departments felt that they currently provided full and equal access to all its services, programs and activities for people with disabilities. However, the responses to specific questions indicated a need for some improvements. A full list of the identified improvement projects is included in this plan in Appendix A

### **Customer Service (walk-in, telephone & letters/emails)**

The City has done an excellent job addressing physical accessibility problems at its facilities identified in previous transition plans through renovation of existing facilities and relocation of key departments and services to compliant buildings. In addition, the City has fully embraced and encouraged use of electronic communications tools, like the Internet and email, to interact with and provide information to its customers. Recommendations of this Transition Plan are:

- Provide at least one TTY text telephone.
- Publicize the City TTY number in all email signature blocks, letterhead, phone books or Web pages that include the City's main information telephone number (509-334-4555).
- For departments that use automated phone menu systems on their main, public line (i.e. press 1 for...), ensure there is an easy one-step way to bypass the message and reach a live person during regular business hours. If lack of staffing makes this impossible, ensure there are other ways for people to reach your staff (e.g. email addresses posted on your Department's Web page, allow in-person drop-in visits, etc.).
- Publicize the state Relay service number used by the City (711) in all email signature blocks, letter head, phone books or Web pages that include an individual employee or department's regular voice telephone numbers.
- Ensure that pathways are clear of temporary or permanent barriers such as tables, chairs, coat racks, easels, signs, equipment or boxes.
- Ensure that all permanent directional and room identification signage use large fonts, high contrast colors, non-reflective materials, raised lettering and Braille translations where appropriate, and are clear of visual or physical obstructions.
- Install signage at any non-accessible entrance to a public facility with directions to the nearest accessible entrance.
- Include the following information beneath the signature line of every letter or email sent to a customer:

To request other formats, please contact Karen Sires.  
Voice: 509-338-3207.

- Whenever possible, make sure that any documents sent to a customer as an attachment to an email are in an accessible format (i.e. a PDF that was created using Adobe Acrobat, NOT a document that was scanned electronically and converted to PDF or TIF).
- Post a Notice of Program and Service Accessibility flyer in the lobby or public reception area of each department or facility clearly stating the City's intent to provide equal access to all services, programs and activities.

## **Public Meetings/Hearings & Events**

The City works hard to ensure its public meetings, hearings and events are open and accessible to all citizens, regardless of disability. In addition, the department works directly with community event organizers to help ensure events using City streets, parks or other resources are compliant with the ADA. Recommendations of this Transition Plan are:

- All departments that host public meetings, hearings or other public events must be able to provide accommodations to people with disabilities, as requested. This includes providing American Sign Language interpreters, providing additional wheelchair seating and providing additional disabled parking spaces close to the entrance(s). Instructions about how to accommodate these requests should be provided to all employees.
- Ensure that doorways and primary paths of travel at a meeting or event location are clear of obstructions or barriers, such as signs, boxes, chairs and electrical cords.
- Locate and inventory all assistive listening devices/FM transmitters and create a system for making them available to all departments (e.g. Outlook calendar checkout system), and include step-by-step operating instructions for use with each device. Verify that devices are operational once per year or in advance of any requested use, and replace/repair devices promptly.
- Include the following statement (or something similar) at the end of any email, news release, advertisement or mailed invitation sent out about a City-sponsored meeting or event:

To request reasonable accommodations at a meeting/event, please contact Karen Sires at 509-338-3207 or Email: Karen.sires@pullman-wa.gov – usually 1-2 weeks before the event, depending on when the notice is sent out).

## **Printed Materials**

The City provides a variety of informational and promotional materials for public use, including maps, brochures, forms, newsletters, fact sheets, reports, plans and the Community Update newspaper. Recommendations of this Transition Plan are:

- All departments must be able to provide documents and other printed materials in alternate formats, as requested. This includes Braille, audio recordings,

enlarged print and computer disks at no charge to the individual making the request. Instructions about how to provide these alternate formats should be provided to all employees.

- Include the following information (or similar) on the printed materials provided to the public, including brochures, fact sheets, handouts, flyers, maps, plans, forms, reports and newsletters:

To request alternate formats, please contact Karen Sires at 509-338-3207 or Email: Karen.sires@pullman-wa.gov.

### **Website ([www.Pullman-wa.gov](http://www.Pullman-wa.gov))**

In 2013, the City of Pullman completed a comprehensive redesign of its website. The new design includes a variety of accessibility-related improvements, including text size and color, providing alternate text on photos and other graphics consistently, and providing accessible PDF documents. Recommendations of this Transition Plan are:

- Ensure that all fillable electronic forms are accessible by computer screen reading software for those with sight limitations. The Webmaster may want to purchase screen reading software like that used by people with such disabilities, in order to test the accessibility of certain key Web pages, forms and documents.
- Post links to PDF documents only if they were created using Adobe Acrobat from the original, editable document.

- Do not use TIF or JPG formats for documents with text unless another link to an accessible PDF or text-only document is provided along with it.

Example: 2013 Project Fact Sheet ([PDF](#) | [JPG](#))

- Do not use a document scanner to create a PDF or TIF for your Web pages unless you also provide a text version of the document along with it.

Example: 2013 Project Fact Sheet ([TIF](#) | [HTML/TEXT ONLY](#))

### **Pullman Access Channel**

TV does not close-caption any of its produced programming.

The only recommendations of this Transition Plan for the Access Channel are to take advantage of any computer-based real-time captioning software programs that may be developed in the future, and take advantage of any grant opportunities that might arise to help provide more complete captioning services.

## **Contracting/Purchasing**

The City currently uses criteria that do not discriminate based on disability when selecting contractors, consultants or vendors for City projects or services. However, federal regulations also require that any outside contractors receiving federal funding through the City, comply with the requirements and regulations of Title II of the ADA and Section 504 of the Rehabilitation Act. Recommendations of this Transition Plan are:

- Include a statement in all Request for Proposals, contracts or other bid solicitation documents or Web pages explaining that businesses, organizations or individuals contracting with the City of Pullman must comply with Title II of the ADA and Section 504 of the Rehabilitation Act of 1973, and provide links to Web sites or other resources about the ADA and Section 504.
- Require all City contractors, consultants or vendors sign a statement attesting to their intent to comply with Title II of the ADA and Section 504 of the Rehabilitation Act of 1973. This statement can be added to existing contract documents or can be a separate form. For the City's small works roster, make submitting the signed form a requirement for inclusion on the roster.

## **Staff Training**

A key deficiency revealed by the self-evaluation survey conducted in 2015 was the need for regular and recurring employee training about a variety of subjects related to the requirements and regulations of the ADA. This information can be provided to employees through written procedures and other self-directed training tools (e.g. PowerPoint presentations, videos, etc.), through online training courses or through formal classroom training. The Northwest ADA Center is a great resource for ADA training. The City's training and education needs include:

- Location and use of TTY text telephones (placing and receiving calls)
- Use of the State of Washington third-party Relay telephone system (placing and receiving calls)
- Responding to requests for materials in alternate formats, including accessing Braille printers, getting audio recordings, providing enlarged text, etc.
- Responding to requests for accommodations at public meetings and events, including getting a sign language interpreter, securing additional disabled parking spots, etc.
- Providing accessible Web content (alternate text, fonts, PDFs)
- General information about working with disabled customers (culture and etiquette)
- General information about the ADA and its legal requirements as it pertains to the City
- General information about Section 504 of the Rehabilitation Act of 1973 and its legal requirements
- How both the ADA and Section 504 are different from Section VI of the Civil Rights Act of 1964

In addition to providing this information to all existing employees and new hires, the City should provide all employees with annual reminders about the ADA requirements with links to instructional information. Any changes to the law affecting the City should also be monitored and shared with employees as appropriate. This continuing education effort should occur in coordination with the annual updates that will be made to this transition plan.

## **City Facilities, Streets and Parks**

### **Self-Evaluation Survey: Findings**

The City of Pullman owns and either operates or leases a number of municipal and utility buildings, public streets, parking lots, community centers, parks, trails, sports fields and lease properties. Some of these properties are not open for public use or do not house public services or programs, but many do.

The City has conducted a variety of site visits, surveys and inventories of its facilities, sidewalks, curb ramps and parks starting after the ADA became law in 1992. Today, the majority of the City's public facilities are ADA compliant and it continues to make progress on installing curb cuts and sidewalks along its roadways, and providing increased access to its indoor and outdoor parks and recreation facilities. The following is a summary of the currently identified accessibility improvement priorities and needs.

### **Public Facilities Owned or Operated by the City of Pullman (2016)**

"Public Facility" is defined here as any building or other facility owned by the City that is open to the public or houses City departments or private businesses that meet with or conduct business with the public from that location.

The City of Pullman initially surveyed its public facilities after the ADA went into effect in 1992. Since then, it has conducted an aggressive program of repair, renovation and relocation to correct many identified barriers and deficiencies.

The City of Pullman adopted the International Building Code as its building code in 2005, which includes provisions ensuring accessibility for people with disabilities. The City also uses the Americans with Disabilities Act Guidelines for Building and Facilities (ADAAG) and the ADA Standards for Accessible Design in the design and construction of its facility improvements and construction projects.

### **Project Prioritization**

The City prioritizes its ADA facility improvement projects based on how much public use the facility receives and the types of services it houses. The City is committed to bringing all its facilities into full compliance with the ADA as soon as possible, based on available funding and other resources.

## **Public Streets**

The City of Pullman has over 66.85 miles of public streets and accompanying intersections to maintain and upgrade. It has been a priority for the City to improve accessibility for pedestrians and the disabled through the expansion of an accessible sidewalk network. The City has implemented several programs and policies, and developed funding mechanisms to address the tremendous system needs for accessibility, including:

- Ensuring all new transportation capital projects include pedestrian access and meet the current ADA design standards and guidelines
- Completing periodic updates of the City's Standard Construction Specifications to address changes and clarifications on ADA design from the federal Access Board and to better incorporate pedestrian facilities
- Providing funding in all pavement management resurfacing projects for building missing, or repairing existing ADA sidewalk ramps
- Ensuring that all new developments and site expansions or improvements include ADA facilities when required
- Creating an on-going funding source for completing projects identified in the system inventory and to address specific citizen requests
- Adopting a revised Comprehensive Plan with policies that strive to meet the requirements of the ADA (1994, 2004 update, 2011 update)
- Continuing to seek a funding program to complete the projects identified in the Capital Facilities Plan

## **Curb Ramp Inventory**

An ADA Curb Ramp Inventory was completed in 2015. This inventory compiled data to create a database and mapping tool to develop a project needs list and project prioritization.

For each intersection, data was collected showing whether or not there were any existing curb ramps, and whether or not existing curb ramps met ADA standards, including slope, lip, ramp width and landing area. This data allowed the City to create a list of missing curb ramps and a list identifying what elements of existing curb ramps were out of compliance.

## **Curb Ramp Project Prioritization**

Generally, the City's primary focus is given to intersections on arterial roadways without existing curb ramps. Subsequently, the following criteria are used to help determine which intersections are completed first:

- Proximity to government facilities
- Streets with higher traffic volumes
- Streets with public transit service

- Streets with pedestrian attractors like schools, parks and shopping
- Proximity to medical facilities
- Improved system connectivity
- Streets scheduled for resurfacing

The City does allow exceptions to the criteria if it helps ensure public safety, is more efficient or maximizes the overall benefit. A list of all identified curb ramp projects, along with estimated costs, is available in this plan.

## **Funding**

The City currently funds a minimum of \$20,000 per year for sidewalk infill projects, \$30,000 per year for the replacement of sidewalks that have developed tripping hazards, and \$300,000 per year for street resurfacing. Where projects from these funding sources include or are adjacent to sidewalk curb ramps that are not ADA compliant, those sidewalk curb ramps are reconstructed to ADA standards as part of the project.

The City also continually looks for and has successfully obtained additional funding for these projects from other sources, including grants from local, and state and federal programs.

## **Access to Parks and Recreation Programs**

Pullman Parks and Recreation maintains a Five-Year Plan that addresses both integrated and separate classes, camps and programs for people with physical and mental disabilities.

## **Maintenance Requirements**

Section 35.133 of Title II of the ADA states that:

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

Additionally, Section 3.2.4.3 of the Access Board's "Accessible Rights of Way: A Design Guide" states that:

*Public works departments should respond quickly to citizen reports of damaged surfaces along high-priority routes, so that pedestrians with mobility impairments do not have to seek alternate routes.*

Because the City does not have the staff or resources to monitor the condition of all its facilities, roadways and parks on a continual basis, it relies on reports from citizens to

facilitate its maintenance efforts. Priority will always be given to maintenance needs that impact safety and accessibility.

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

To report maintenance problems for City-owned buildings, roads/sidewalks, park, trails or sports fields, please contact the Public Works Operations Center at (509) 338-3242 (WA Relay: 711), or submit an electronic report on the City website.