

**Draft Development of the  
Americans with Disabilities Act (ADA)  
Summary Report 2014-2016  
For**



**City of Tacoma**  
W A S H I N G T O N

**March, 2017**

## **Commitment Statement from the City of Tacoma**

The City of Tacoma is committed to upholding the intent and spirit of the Americans with Disabilities Act (ADA) to the fullest extent possible. This commitment extends to all services, programs, public facilities and activities within the City of Tacoma, to the extent that no qualified individual with a disability be discriminated against on the basis of their disability.

It is our desire that each and every City employee work cooperatively to achieve the goals outlined in this plan. The City of Tacoma is fully committed in achieving equal opportunity and nondiscrimination for all persons in their interactions with the City.

# **Acknowledgements**

## **Mayor**

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## **Interim City Manager**

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## **Tacoma Public Utilities Director**

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## **City of Tacoma Council Members**

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## **City of Tacoma Departments**

City Manager's Office:

Media and Communications Office

Office of Equity and Human Rights

Customer Support Center/TacomaFirst 311

Government Relations

Community and Economic Development

Environmental Services

Finance

Human Resources

Information Technology

Neighborhood and Community Services

Office of Management and Budget

Public Works

Public Assembly Facilities  
Planning and Development Services  
Tacoma Fire  
Tacoma Police

**Tacoma Public Utilities**

Click! Cable TV  
Customer Service  
Media and Community Services  
Power (Generation)  
Tacoma Rail  
Tacoma Water

**Tacoma Area Commission on Disabilities**

Roxanne Miles, Chair  
Krystal Monteros, Vice Chair  
Luke Byram, Commissioner  
Sheryl Ellis, Commissioner  
JoAnn Fritsche, Commissioner  
Todd Holloway, Commissioner  
Devin Myers, Commissioner

## **Executive Summary**

In 1990, the Americans with Disabilities Act (ADA) was enacted and considered one of the most momentous pieces of civil rights legislation. The ADA is a broad and comprehensive civil rights law that prohibits discrimination against individuals with disabilities in all areas of public life, including jobs, schools, transportation, and all public and private places that are open to the general public.

The year 2015 marked the 25th anniversary of the ADA. In 2008, the ADA's regulations were expanded with the ADA Amendments Act, redefining the definition of "persons with disabilities." These milestones continue to guide the City of Tacoma's commitment. All City department directors are committed to use the equity and empowerment lens as a transformative quality tool to improve planning and resources. By utilizing the lens of equity, the City of Tacoma works on infrastructure improvements, programs, and activities with an understanding of the ADA.

## **ADA Historical Perspective**

In January 2009, the ADA's definition of disability was broadened by the ADA Amendment Act.

From 2010 to 2011, 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, as well as the accessibility improvements that have been made to City facilities and infrastructure, the City of Tacoma wrote a progress summary for each identified section of our ADA Self-Evaluation Plan.

According to the ADA, local governments must develop a transition plan describing how it will ensure its facilities, services, programs and activities are accessible. The transition plan:

- Identifies physical barriers that limit the accessibility of its programs or activities to individuals with disabilities.
- Describes the methods that will be used to remove the barriers.
- Provides an estimated schedule for taking the steps necessary to achieve compliance.

- Identifies the city official responsible for implementation and provides information on how to file a grievance or complaint.

To comply with the ADA, periodic self-evaluations of the accessibility of the public entity's policies, programs and facilities, and developing a transition plan to remove barriers shall be conducted ensure ADA compliance.

## **The City of Tacoma ADA Transition Plan Overview**

In 1995, the City of Tacoma published its first ADA Self-Evaluation and Transition Plan. The Plan included:

- The background on Title II of the ADA,
- Information about ADA requirements and recommended City actions for implementing a new ADA self-evaluation of City policies, programs, services, activities and events
- Findings of City facility, curb ramp and parks self-evaluations and the resulting transition plans for those three areas

In 2008, the City conducted a Self-Evaluation and ADA Transition Plan that concentrated on the following areas:

- Program Accessibility
- Effective Communication
- Permitting and Inspections
- Employment, Contracts and Licenses
- Local Laws and Regulations
- Emergency Management
- Public Safety and Law Enforcement
- City-Managed Parks

In January 2012, the City of Tacoma wrote progress summaries for each identified section of our ADA Transition. During this time period, the following areas were addressed:

- Building Retrofits
- City parks and Open Spaces
- Employment, Contracting, Licensing
- ADA Parking Committee

- Effective Communication Committee
- Public Rights-of-Way
- Emergency Management and Public Safety

In 2015-16, the City of Tacoma with the support of the Tacoma Area Commission on Disabilities identified areas the City would focus on:

- Built Design, Planning and Parking
- Accessible Taxis
- Effective Communication
- Emergency Management
- Employment
- ADA Web Accessibility
- Close Captioning

## **City of Tacoma Current and Future Focus**

### **Built Design, Planning and Parking**

This section provides an update of accomplishments; however, a self-evaluation will be conducted in in the next few years to provide more in-depth progress regarding Built Design, Planning and Parking.

Evaluation of features in the right-of-way that may pose barriers:

- A City-wide survey was conducted in 2005 that provided information on whether curb ramps existed where needed, the direction of the curb ramps, and whether curb ramps detectable warnings. The 2005 survey did not address whether curb ramps complied with codes. Curb ramps that do not comply with codes may pose barriers for people with mobility issues. In 2015, the City developed a Curb Ramp App that allows the City to collect several curb ramp attributes that pertain to code compliance and then map the curb ramps on our City-wide system. The hope is to map all of the curb ramps in the City over the next couple of years. The City can then determine how many curb ramps are needed and how many ramps need to be replaced due to posing a barrier and/or non-compliance.

- The City currently has 64 intersection Accessible Pedestrian Signals (APS) pushbuttons. The City installs APS per policy, and with capital improvement and private development projects.
- The City works with Pierce Transit regarding bus stops to provide access and bring them up to compliance. A new franchise agreement was completed in 2016 which outlined Pierce Transit is responsible for the compliance of the bus stop and the City is responsible for access to the bus stops. Per the agreement, Pierce Transit must contact the City of Tacoma when altering existing or establishing new bus stops. Each agency must have the funds necessary to create accessible bus stops before proceeding with alterations or new stops.
- Benches must meet codes for bench and companion seating.
- Public Works has a hazardous sidewalk program and works with home owners and businesses to remove non-compliant sidewalks. The City also removes and replaces existing sidewalks on capital improvement projects.

### **City-owned Facilities:**

In 2008, there were 74 City-owned buildings

29 facilities were sold or closed

12 Fire Stations implemented procedures to provide public access

33 facilities required upgrades

2016 Update:

24 facilities have been fully retrofitted

1 facility needs internal work, 6 facilities need external work, and 2 facilities need internal and external work

31 facilities have been fully or partially upgraded

Fire Prevention and Carlton parking lot and garage need internal and external upgrades

- The methods that will be used to remove the barriers.
  - See above
- The estimated schedule for taking the steps necessary to achieve compliance.

- Cannot estimate a schedule until all self-assessments have been completed.
- The city official responsible for implementation and provides information on how to file a grievance or complaint.
  - There is a form available on the City's ADA website as well as in the 2008 ADA Transition Plan. Citizens may file written or oral complaints.

## **Parking Services**

### **Current Focus:**

A comprehensive map of off-street and on-street parking ADA parking stalls throughout the city.

- Enhanced “on demand” ADA enforcement efforts through leveraging technology available through our new enforcement system. The goal would be to develop a parking app that will allow citizens to identify issues that are routed directly to enforcement staff for action.
- Explore integration with the 311 system for additional support of enforcement efforts.
- Consistent quarterly sting operations within high abuse areas to stem placard abuse within the paid parking areas
- Enhanced dedicated ADA enforcement efforts during the holiday season to better manage abuse during this higher use times.

### **Review enforcement statistics quarterly**

- There are statistics on ADA citations issued
- Citations are issued by Parking Enforcement personnel that check ADA stalls in areas while doing their rotating “patrol loops”; because of limited resources they focus on problem areas instead of all stalls.
- Citation count is a number and is not necessarily a good metric to determine the effectiveness of enforcement and outreach efforts. There are several variables that make data interpretation and

meaningful trend analysis difficult. For example, number of staff and route composition vary on a regular basis.

- Parking Enforcement staff is policing ADA parking with consistency and in alignment with other parking enforcement protocols.

### **Review complaints and strategies to reduce misuse of ADA parking**

- Enforcement is focused on areas where staff notice patterns of concerns or density issues that may result in access problems.
- Abuse of placards by non-authorized users is the highest concern. Individuals who violate use of placards usually do so in order to park in regulated parking areas for extended time at no cost. Those individuals who are legally issued ADA placard are allowed to park in regulated and paid areas for an unlimited time without paying parking fees.

### **Private parking evaluation and compliance opportunities**

- Code issues can be reviewed for care and upkeep of ADA parking in private lots. The City requires owners of private parking lots to obtain a permit to make changes to parking stall layouts. Failure to maintain parking lots in accordance with Code is a Class 2 Civil infraction; however, there is no enforcement of this.
- Share tax incentives and information with businesses on the importance of maintaining these spots.

### Future Focus:

Items for the Commission to consider:

- Work with State to capture funding earmarked for education as specified in RCW 50.40.071 to help fund Committee initiatives.
- Create outreach and education strategy that may include:
  - A-boards that can be installed at the “all day abuser” locations:
    - Do you have an ADA placard?
    - Is your card current?
    - Will you be visiting a local shop?

- If not, please leave this stall for me...
- Plan for a day when media can be engaged and Commissioners can be on-site to “thank” people who properly park there and educate others
  - Request for the City to film the event and cross promote on City channels like TV Tacoma.
- Include an educational piece with each violation citation issued that raises awareness of ADA parking laws. This would serve as a leave behind where direct abusers are reached instead of waiting for a “consult” with City staff.

## **Accessible Taxi Service**

### Current Focus:

While bus routes and shuttle services are available in Tacoma city limits, people with mobility issues should also be able to benefit from local taxi service. The City has submitted applications for a grant to introduce two wheelchair accessible taxis for use across all of Pierce County. Currently, no wheelchair accessible taxis operate in Pierce County.

For wheelchair users, wheelchair accessible taxis will provide a far more convenient option than shuttle service. Shuttle service requires planning 24 hours in advance, and requires hours of wait time. Taxi service can require no prior planning and can substantially reduce wait times. Taxi service is also much more affordable than the only other option currently available, which requires a contract with a private shuttle provider costing approximately \$75 for a one-way trip. Wheelchair accessible taxi service would cost as little as \$5.20. Shuttle service requires shared rides, 30 minute pick-up windows, and a possible pick up time an hour before or after the requested time. Taxis can provide trips with much more reasonable travel times. Because there are no wheelchair accessible taxis in Pierce County, introducing these taxis will create a much more accessible infrastructure. With 24 hours per day service across all of Pierce County, wheelchair accessible taxis would eliminate the existing spatial and temporal gaps in on-call, wheelchair accessible transportation.

Accessible taxis in Pierce County would provide a cost effective solution for the times and places that fixed route and shuttle service do not provide transportation. Taxis provide links to regional and international bus, train and airline service. A variety of special needs transportation providers serve Pierce County, but none provide the level of flexibility as a taxi service.

Coordination on this project has involved working with Pierce Transit, Pierce County Community Connections, Catholic Community Services, Around the Sound, and other providers. The coordination was focused on researching and attempting to duplicate the success other jurisdictions have had in bringing wheelchair accessible taxis to their communities. This plan could not have been developed without the input and teamwork of the members of the Pierce County Coordinated Transportation Coalition.

Performance Measures were developed through discussion with wheelchair users. Our ideal target was to provide wheelchair accessible taxi service to all Pierce County residents at all times at the same cost as current taxi trips.

Success will be measured by the following:

- tracking trip information, including if a wheelchair was transported,
- origin and destination locations,
- time between desired pickup and actual pickup, and
- cost and duration of trip.

Comparing this trip information with taxi information for non-wheelchair users will identify areas for future improvements. These measurements are included in the Coordinated Transit-Human Service Transportation Plan. These performance measures show if accessibility for wheelchair users have actually been successfully implemented in the taxi industry.

Our initial plan was to follow the City of Seattle's wheelchair accessible taxi approach. We planned to transfer surplus wheelchair accessible vehicles from Pierce Transit to taxi companies. Unfortunately, no appropriate vehicles were available, nor scheduled to be available, for several years. Additionally, we looked at private shuttle providers and grant sources from the State's Accessible Communities Fund, but the shuttle costs were too high and the Accessible Communities grant process has not been made available for grants originating in Pierce County. We then took advantage

of some tax changes to the Tacoma Municipal Code to charge a \$.10 surcharge on all taxi trips to subsidize wheelchair accessible taxi service. This fund has grown enough to provide matching funds for this grant request. Once wheelchair accessible taxi service is implemented, this surcharge will provide adequate funds to grow the wheelchair accessible taxi services without the need for outside grant funds.

We used wheelchair accessible taxi statistics from project start up in Seattle and scaled for the difference in service area population, taxi utilization and size. This led to an estimate of four wheelchair user trips per day for a total of 2,920 special needs trips over two years.

The project can be scaled back to purchase a single wheelchair accessible taxi. The amount needed would be reduced to \$15,000, less than half, as funds used for matching of the eliminated taxi can be applied to the purchase of the single taxi.

#### Future Focus:

The City will create a competitive process, requiring companies to bid an annual contract to use the vehicles. The vehicles will be provided at no cost when providing wheelchair accessible services. If the vehicles will be used for non-accessible taxi service as a secondary service to customers, an amount will be required to be paid to the City for use of the vehicle for non-accessible taxi rides. Companies will be required to operate the vehicles 24/7, prioritizing trip requests for wheelchair accessible services, except during periods of vehicle maintenance. Each year, the City will review the contract and the vendor's performance to determine whether a limited extension is appropriate. With a specific amount of notice required and agreed upon in the contract, the vendor may also return the vehicle to the City, and a new bidding process will commence.

Currently there are no public agencies that offer taxi services, and the City does not expect a public agency to bid on this contract. As a result, a wheelchair accessible taxi will likely only be operated by a private company.

Unfortunately, Pierce County taxi demand is not robust enough for taxi companies to afford the added cost of wheelchair-accessible taxis. Thus, mandating taxi companies to operate a certain percentage of wheelchair-accessible taxis, as Portland Oregon required, is not feasible. Even the

offer of matching funds or significant subsidies for wheelchair-accessible vehicles was rejected by every Pierce County taxi company. The only scenario where a taxi company would operate a wheelchair-accessible vehicle was if the City purchased the vehicles and supplied to a taxi company at no cost (except for painting, taxi meter, etc. paid by the taxi company) to provide accessible on-demand trips.

The Tax and Licensing Manager from the City's Finance Department has applied for two different grants for funding of an accessible taxi for Tacoma residents.

Since this plan was first drafted the grants were not awarded to the City of Tacoma, however, the City is partnering with Pierce County to continue to move forward with this endeavor.

## **Emergency Management**

### Current Focus:

The Tacoma Fire Department has been working to ensure that City of Tacoma is prepared to assist people with disabilities during disasters.

During the 2015-2016 timeframe, the following has been accomplished:

- Partnered with the local American Red Cross (ARC) to determine if shelters in the City of Tacoma would adequately serve the community including people with disabilities. Reviewed the process for identifying potential shelters and the ARC evaluation tool used to assess shelters, including ensuring access for people with disabilities.
- Offered Emergency Preparedness workshops in the City of Tacoma. Provided a workshop at the Tacoma Area Coalition of Individuals with Disabilities (TACID) and another workshop in the Lincoln District.
- Started development of a resource list for City of Tacoma residents need specific goods and services related to their disabilities.
- Reviewed the Department of Justice (DOJ) settlement agreements with Yakima County, WA and the Town of Poestenkill, NY. The DOJ conducted reviews of these jurisdictions' emergency management policies and procedures and found them to be out of compliance with the Americans with Disabilities Act. Discussed current City of Tacoma Emergency Management policies and procedures, and identified

opportunities to improve current practices. In addition, we began review of the DOJ Best Practices Toolkit.

- Updated all preparedness presentations to include information for people with access and functional needs.
- Developed a training module for emergency shelter staff to better assess shelters for the inclusion of people with disabilities.
- In partnership with the American Red Cross (ARC), conducted door-to-door neighborhood canvassing in the Lincoln and Hilltop areas to provide free smoke alarm installations, including alarms for the hearing impaired.
- Co-sponsored the High Risk Population Disaster Planning Summit.
- Implemented an emergency notification system with the ability to identify subscribers with specific access and functional needs.
- Added four public educators to increase preparedness education capability, including people with disabilities.

#### Future Focus:

- 2017-18: Continue public education efforts, emergency notification system registration and gap analysis related to DOJ Best Practices Toolkit.
- 2017 Q1: Conduct a multi-jurisdictional exercise related to an oil train derailment, including considerations and management of people with disabilities.
- 2017 Q2: Conduct a citywide exercise related to an active shooter, including considerations and management of people with disabilities.
- 2017 Q3-4: Partner with ARC to conduct shelter assessment training.
- 2018 Q1: Review and update the City of Tacoma Comprehensive Emergency Management Plan.

## **Employment**

#### Current Focus:

In 2012 the Employment, Contracting and Licensing Committee identified areas for employment related issues. Since 2012, the City of Tacoma has included ADA language for job applicants, *“Persons with a disability who need assistance in the application process, or those needing a job announcement in another format may call (800) 833-6384 or TTY Relay 711 or (800) 833-6388. In compliance with the Americans with Disabilities*

*Act (ADA), the City of Tacoma will provide reasonable accommodations for testing applicants with disabilities if requested. A written request that includes the accommodation needed is required at time of application.”* All other Human Resources documents include a similar tagline.

All supervisors and managers were provided in-house training regarding the reasonable accommodation process. Disability discrimination awareness training was also provided during those sessions.

Supervisor Module training expands on the importance of reasonable accommodations, including ensuring locations for job interviews are accessible; the do's and don'ts of disability etiquette and proper interview questions, and the importance and benefits of hiring people with disabilities. The Supervisor Module training is offered quarterly for all supervisors, managers, lead workers and employees wanting to move into the supervisory role.

New Employee Orientation also provides information to employees regarding the reasonable accommodation process.

The Human Resources Disabilities Manager met with all City of Tacoma Safety Wardens to ensure a plan was in place for employees with disabilities in case of an evacuation situation. Each year the City's Safety Officers include this training in their annual Safety Warden training.

#### Future Focus:

This committee has disbanded and the Human Resources Department now utilizes the lens of equity to ensure the City is in compliance with the ADA and that all employment related programs are reviewed to ensure equity regarding the disabled.

## **ADA Web Accessibility**

#### Current and Future Focus:

The City of Tacoma is committed to ensuring all City websites are accessible for all people regardless of ability or access method. As of April 1, 2012, any new or updated website produced or sponsored by the City of Tacoma will be accessible and conform to the World Wide Web Consortium (W3C) Web Accessibility Initiative's (WAI) Web Content Accessibility

Guidelines (WCAG) 2.0, Level A. Conformance with higher level guidelines (e.g. WCAG 2.0, level AA) is encouraged.

The Information Technology Department's goal is to ensure that everyone has equal access to information and can fully participate in government. City websites are assessed for ADA compliance by simulating methods employed by people with various disabilities and by using validators to indicate potential accessibility issues. The City of Tacoma has created ADA Web Accessibility Standards based on our assessment process and compliance with WCAG 2.0 Level A. The City is committed to upholding the City's legal obligations to Title II of the Americans with Disabilities Act, the Rehabilitation Act of 1973, and the Department of Justice (DOJ) web accessibility directives.

Employees designated as department Web stewards are trained in the functions of web accessibility tools and techniques. Periodic compliance scans of existing websites are conducted to detect Section 508 and WCAG 2.0 non-compliance issues. These issues are then corrected to the best of the City's ability. Upon request, all information contained on City websites can be made available in an alternative format, or arrangements can be made by City staff to address the needs of individuals with disabilities.

City websites make use of industry-standard techniques and preferred practices to provide the highest possible level of ADA website accessibility for our users. These include, but are not limited to, the characteristics of usability for screen reader users, keyboard-only users, users with low/impaired vision, users who are deaf and users who are color blind.

The City is committed to assessing, prioritizing, and updating all City websites that are determined to be non-ADA compliant. As a result, the City is in varying stages of progress toward its accessibility goal. Some content is currently available in PDF format only, and staff is developing a process to ensure all PDFs are accessible. Due to current technology constraints, there are some challenges that pose issues with providing information in an accessible format (e.g. mapping information). Staff will continue to monitor these areas on the websites, and will work to develop accessible solutions as technology improves.

A thorough analysis regarding this program shall be conducted in the next few years to estimate the implications of moving from WCAG 2.0 Level A to the AA level.

## **Office of Equity and Human Rights**

In 2015, the City of Tacoma created the Office of Equity and Human Rights Department. The framework for the Department has five primary goals that the municipal workforce and community are working to achieve:

### City of Tacoma Workforce Reflects the Community it Serves

Actively work to eliminate racial and other disparities and provide accommodations for people with disabilities in hiring, promotion, retention and contracting;

### Purposeful Community Outreach and Engagement

Work with community partners and businesses to promote equity and inclusion within Tacoma and throughout the region, producing measureable improvements and disparity reductions

### Equitable Service Delivery to all Residents and Visitors

Provide guidance, education and assistance to all departments as they develop sustainable methods to build capacity in achieving equitable outcomes and services

### Support Human Rights and Opportunities for Everyone to Achieve their Full Potential

Promote, support and build capacity for compliance with civil rights laws, ordinances and regulations, including the Americans with Disabilities Act, within the City of Tacoma

### Commitment to Equity in Local Government Decision-Making

Be transparent and collaborative with internal and external individuals and groups, holding ourselves and our partners accountable for measurable improvements and outcomes

With these goals in mind, the Office of Equity and Human Rights will help further achieve a city that is welcoming, inclusive and accessible for all.

## **Tacoma Area Commission on Disabilities**

The Commission in partnership with the Office of Equity and Human Rights assists with advising City Council in policy making, and works with the community to bring awareness of issues that affect individuals with disabilities. In addition, commission members participate on committees, help educate the public about disability issues, and serve as a resource for City staff.

The Tacoma Area Commission on Disabilities is committed to working diligently to make Tacoma's community a better place to work and live for people with disabilities.

### **Alternate Formats**

This summary is available in alternate formats, to request an alternate format, please contact the City's ADA Liaison at the email address or telephone number listed above.

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