

**City of Tacoma  
Americans with Disabilities Act  
Self-Evaluation and Transition Plan**

**June 2008**



## FOREWORD

In 1995 the City of Tacoma published its first Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan. In the first major effort to revisit the plan, the City convened an ADA Workgroup to review ADA compliance and update the Self-Evaluation and Transition Plan. This report and the recommendations made therein are the result of that work. This report covers all City departments.

This report contains three parts:

- Part One includes background on Title II of the ADA, which covers local governments' responsibilities under the Act and City ADA policies and procedures
- Part Two contains information about ADA requirements and recommended City actions for implementing a new ADA self-evaluation of City policies, programs, services, activities and events
- Part Three contains findings of City facility, curb ramp and parks self-evaluations and the resulting transition plans for those three areas

The City's initial Transition Plan became outdated as technologies, case law around ADA implementation and City facilities and programs evolved over the past decade. In addition, the City found it difficult to consistently monitor the progress of the 1995 transition plan. As people with disabilities have requested accommodations under the ADA, City staff and managers and federal technical assistance providers have learned a great deal about implementing the Act.

The City's Self-Evaluation and Transition Plans require revision in order to reflect best practices in ADA compliance and the realities of today's implementation environment. The City recognizes the need for increased interdepartmental and intradepartmental communication about ADA compliance and increased responsiveness to community ADA-related concerns.

In 2006, the City contracted with Endelman & Associates PLLC (consultants) to survey the public areas of 74 City-owned facilities using ADA Standards (referred to in the Endelman & Associates report as current or old ADAAG). The purpose of this survey was to identify physical barriers to City program accessibility. The consultants produced an ADA Master Survey Report representing preliminary solutions and costs for physical facility modifications to remove accessibility barriers. The Executive Summary of the Endelman & Associates PLLC Report can be found in Appendix C.

The consultants' recommendations were provided as if each City building were to be newly constructed to current ADA standards. While the first priority for barrier removal is to make the physical changes recommended in the report, it may not be automatically necessary for the City to make all the changes the report

recommends. Instead, the Master Survey Report necessitated review by City staff to identify where program rather than facility changes could provide accessibility.

The consultants' report addressed ADA compliance issues in buildings completed both prior to and after the ADA took effect. The facility recommendations in this report address buildings completed prior to ADA implementation. Compliance issues identified in post-ADA buildings will be listed in a separate document that will also contain a detailed implementation plan for addressing those issues. Post-ADA facility compliance issues will be addressed using existing City funds, not funds set-aside to implement the ADA Transition Plan.

In order to draft the Self-Evaluation and Transition Plan, the City convened an ADA Workgroup to review the ADA Master Survey Report. The Workgroup was comprised of representatives of every City department that operates buildings accessible to the public (Human Rights and Human Services, Fire, Police, Public Utilities, Public Works, Public Assembly Facilities and the Library) as well as representatives from the City Legal department, Property Management and the Tacoma Area Commission on Disabilities.

Following review of the ADA Master Survey Report, the Workgroup set about to prioritize the removal of physical barriers and identify where access for people with disabilities might be provided through programmatic rather than facility changes. Barrier removal prioritization is based on the volume and frequency of public use, concentration of elderly and disabled users, and likely future lifespan of each facility. The Facility Transition Plan in Part Three of this report was developed based on the ADA Workgroup's prioritization.

The Public Works Department completed the first inventory of City curb ramps and crossings in 2005. The inventory identified the location, construction type, and condition of all City curb ramps at intersection crossings. Data about curb ramps were placed in the City's Graphic Information System database, allowing accurate mapping, evaluation, and prioritization of those pedestrian facilities currently not in compliance with ADA standards. This prioritized list will be matched against available funding to develop a strategic plan for improving access through curb ramps. A summary of this effort is contained in the Curb Ramp Transition Plan in Part Three of this report.

Now that facility transition plans are complete, the next step in the City's ongoing ADA compliance process is to conduct self-evaluations of all City policies, programs, services, activities and events and develop transition plans for them. In order to begin this process, the Workgroup has developed a description of ADA requirements and proposed policies and procedures for the following areas:

- Communications
- Program accessibility
- Communications and program accessibility for law enforcement
- Communications and program accessibility for emergency management
- Employment, contracting and licensing, and
- Local laws and regulations

Summaries of the ADA's requirements for each of these areas, considerations for Self-Evaluation and proposed Self-Evaluation policies and procedures are contained in Part Two of this report.

The City has been utilizing U. S. Department of Justice technical assistance throughout the development of this plan, and will continue to benefit from that guidance as the plan is implemented.



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**Part One: Background and Procedures**



## **1.1 Overview of the ADA**

### **Section Summary**

The Americans with Disabilities Act (ADA), enacted in 1990, extended comprehensive civil rights protections to people with disabilities. Title II of the ADA addresses the law's requirements of local governments in their interactions with people with disabilities. This section summarizes those requirements.

Title II of the ADA has broad application to local governments' interactions with people with disabilities, mandating that qualified disabled individuals not be excluded from participation in, denied the benefit of, or be subjected to discrimination under any local government program or activity. Title II also provides disabled employees with certain protections and requires local government employers to make reasonable accommodation for disabled applicants and employees.

Under Title II, the City may not establish eligibility criteria for participation in programs and activities that would screen out persons with disabilities unless such requirements are necessary for provision of the service or program. The City must reasonably modify its policies and procedures to avoid discrimination toward persons with disabilities. However, if the City can demonstrate that a modification would fundamentally alter the nature of its service or constitute an undue hardship, it would not be required to make that modification. Title II also discusses the use of auxiliary aids and services necessary to enable persons who have visual, hearing, mobility, or similar impairments to access programs and activities provided by the City.

The United States Department of Justice's (DOJ) regulations implementing Title II of the ADA dictate that local governments must evaluate their services, programs, policies, and practices and identify barriers that may limit accessibility for people with disabilities and develop transition plans describing how they will address identified barriers. This self-evaluation and transition plan report is intended to outline the City's strategies for complying with Title II of the ADA.

The City is also required to designate a person responsible for coordinating the implementation of ADA requirements and for investigating complaints of alleged noncompliance. The ADA Coordinator position and its duties are described in Section 2.2 of this report.

## **1.2 Self-Evaluation and Transition Plan Requirements**

### **Section Summary**

Title II of the ADA requires the City to conduct a self-evaluation to assess current policies and practices for compliance with the ADA and create a transition plan to guide changes that will bring the City into ADA compliance. This section describes the ADA's self-evaluation and transition plan requirements.

This document represents a facilities self-evaluation and transition plan (Part Three) and a description of the requirements and elements of a programmatic self-evaluation and transition plan (Part Two). While self-evaluation, recommendations, prioritization and planning have already occurred for City facilities, such efforts are only planned at this time for City programs, services, activities and events.

A self-evaluation is a city's assessment of its current policies and practices. The self-evaluation identifies those policies and practices that are inconsistent with the requirements of Title II of the ADA. As part of the self-evaluation, the City is required to:

- Identify all of its programs, activities, and services.
- Review all the policies and practices that govern the administration of the City's programs, activities, and services.
- Examine each program to determine whether any physical barriers to access exist, including whether individuals with mobility impairments are provided access to public meetings.
- Review its policies and practices to determine whether any have the effect of excluding or limiting the participation of individuals with disabilities in the City's programs, activities, or services. The self-evaluation should provide justification for any City policy that creates a barrier for people with disabilities that will not be modified.
- Review its policies to assess whether City communications with persons with disabilities are as effective as its communication with others.
- Review its policies for responding to requests for accommodations to ensure such requests are responded to expeditiously.

- Review its employment practices to assess whether they comply with other applicable nondiscrimination requirements, including Section 504 of the Rehabilitation Act and the ADA regulations issued by the Department of Justice.
- Review its building and construction policies to assess whether construction of each new facility or part of a facility, or alteration of existing facilities, conforms to the standards designated under the Title II regulations.

Once the City has identified policies and practices that deny or limit the participation of individuals with disabilities in the City's programs, activities, and services, the City should take immediate remedial action where possible to eliminate the impediments to full equivalent participation. Structural modifications that are required for program accessibility should be made as expeditiously as possible.

The City is required to accept comments from the public on the self-evaluation and is strongly encouraged to consult with individuals with disabilities and organizations that represent them to assist in the self-evaluation process.

As it may not be possible to make every desired change immediately, the self-evaluation recommendations will be used as a guide in formulating a transition plan, which will identify high priority actions, their costs and the timeframe for implementing them.

The City's transition plan should, at a minimum, contain the following:

- A list of the physical barriers in the City's facilities that limit the accessibility of its programs, activities, or services to individuals with disabilities;
- A detailed outline of the methods to be utilized to remove these barriers and make the facilities accessible;
- The schedule for taking the necessary steps to achieve compliance with Title II. If the time period for achieving compliance is longer than one year, the plan should identify the interim steps that will be taken during each year of the transition period; and
- The name of the official responsible for the plan's implementation.

A copy of the transition plan must be made available for public inspection.

This Transition Plan will continuously be updated. A public hearing regarding the contents of the plan will be held on a yearly basis. Notice of the public hearing will be given at least two (2) weeks in advance of

the hearing. Any comments, suggestions or additions to the plan may be addressed to the City's ADA Coordinator throughout the year.

### **1.3 History and Organization of the Self-Evaluation and Transition Plan**

#### **Section Summary**

The City has a history of responding to the requirements of federal disabilities legislation and has made many efforts to incorporate people with disabilities into the City's public life. This Section summarizes that history, describes the events leading to this current effort to increase accessibility in the City, and discusses the organization of the planned self-evaluation.

The City has worked to comply with Section 504 of the Rehabilitation Act since the early 1980s. In 1981, the City reported to U.S. Department of Health and Human Services' Region X Office for Civil Rights on self-evaluations conducted in each City department to examine employment policies and practices and program accessibility. At that time the City also developed a grievance procedure, reasonable accommodations policy and Transition Plan. In the Transition Plan report, each Department identified areas of non-compliance, procedures for solutions to identified problems, timelines, and responsible parties.

The City has responded to the requirements of the ADA since its inception. In January 1992, the City appointed an ADA Advisory Committee, which included people with disabilities, to provide advice and guidance in the formulation of policies and procedures necessary to fully comply with the ADA. The ADA Advisory Committee provided a public notice of nondiscrimination, conducted a self-evaluation, developed a formal grievance process and provided employee training to ensure that all employees understood the City's ADA obligations. The City also appointed a City ADA Coordinator in 1992, and the City's Human Rights Commission established an ADA Working Committee with three commissioners and several citizens to address community/citizen ADA concerns.

In 1995, the City produced and widely distributed its ADA Transition Plan. This plan identified curb ramp requirements and accessibility barriers in City-owned facilities, assigned cost estimates and priorities to each, and proposed a timeline for addressing them. Additionally, the City's Transition Plan provided policy guidance to City departments on aspects of ADA implementation.

In January 2006, when the City's initial ADA self-assessment and Transition Plan were over 10 years old, the City decided to update these documents. The City contracted with Endelman & Associates PLLC, a consulting firm, to perform an ADA Survey of 74 City buildings and facilities. As a result of this contract, the City received a report listing accessibility issues in each building.

In May 2007, the City's Human Rights and Human Services Department convened an ADA Transition Plan Workgroup to revise and update the City's transition plan. The group prioritized actions on facility accessibility issues contained in the Endelman & Associates PLLC report based on frequency and volume of use of each facility. The enclosed facility self-evaluation and transition plan is the result of that work.

Next, the Workgroup examined and discussed ADA requirements related to the following areas:

- Program accessibility
- Communications
- Employment, contracting and licensing
- Local laws and regulations

The Workgroup suggested an approach to developing a self-evaluation in these areas and tailoring self-evaluations covering communications and program accessibility for law enforcement and emergency management.

The next step for the City is to convene Self-Evaluation Teams to develop and conduct self-evaluations in each of these areas and to report on their findings and recommendations to the City ADA Coordinator. As a result of that work, a transition plan for program accessibility; communications; employment, contracting and licensing; and local laws and regulations will be created. The City's anticipated timeframe for completion of that self-evaluation June of 2009, and the transition plan implementation will be completed in June of 2010.



## **1.4 ADA Enforcement and Grievance Procedures**

### **Section Summary**

The City of Tacoma must establish a formal grievance procedure. This section summarizes the ADA's enforcement mechanisms and requirements for the City regarding grievances, including the City's grievance procedures and grievance form.

Enforcement under the ADA is generally provided in one or more of three ways:

1) The City is responsible for establishing its own grievance procedures for bringing about enforcement under the ADA. Complaint and grievance procedures should follow guidelines described in the U.S. Department of Justice (DOJ) regulations. The City is also responsible for continually monitoring its policies and procedures with respect to its implementation of the ADA.

The City is required to adopt and publish grievance procedures providing for prompt and equitable resolution of complaints alleging any action that would be prohibited by Title II of the ADA. The City's grievance procedure can be found on the following page and the City's grievance form can be found in Appendix E.

2) DOJ enforces the requirements of Title II of the ADA. Any person may file a complaint with that agency, and it is responsible for investigating such complaints and resolving disputes through its own regulatory policies.

3) The ADA generally provides for civil litigation as a method of effecting enforcement, and any person may file a civil complaint as a result of alleged discrimination under the ADA.

## **City of Tacoma ADA Grievance Procedure**

This Grievance Procedure is established to meet the requirements of the ADA. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the City of Tacoma. The City will strive to resolve grievances at the lowest possible level. The City's Personnel Policy governs employment-related complaints of disability discrimination.

The complaint should be in writing or other accessible formats and contain information about the alleged discrimination such as name, address, phone number of grievant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

**City of Tacoma ADA Coordinator**  
**747 Market Street, Room 836**  
**Tacoma, WA 98402**

Within 15 calendar days after receipt of the complaint, the ADA Coordinator (or designee) will schedule a meeting with the grievant to discuss the complaint and the possible resolutions. The meeting will be held within 15 calendar days of scheduling the meeting. Within 15 calendar days after the meeting, the ADA Coordinator (or designee) will respond in writing, and where appropriate, in a format accessible to the grievant, such as large print, Braille, or audiotape. The response will explain the City's position, offer options for substantive resolution of the complaint and offer instructions on the appropriate appeal process.

If the response by the ADA Coordinator (or designee) does not satisfactorily resolve the issue, the grievant (and/or designee) may appeal the decision within 15 calendar days after receipt of the response to the City Manager, Director of Utilities, or other appropriate high-level official (or designee). The appeal should be submitted to the ADA Coordinator.

Within 15 calendar days after receipt of the appeal, the City Manager, Director of Utilities, or other appropriate high-level official (or designee) will schedule a meeting with the grievant to discuss the complaint and possible resolutions. The meeting will be held within 15 calendar days of scheduling the meeting. Within 30 calendar days after the meeting, the City Manager, Director of Utilities, or other appropriate high-level official (or designee) will respond in writing, and,

where appropriate, in a format accessible to the grievant, with a final resolution of the complaint.

All written complaints received by the ADA Coordinator (or designee), appeals to the City Manager, Director of Utilities, or other appropriate high-level official (or designee), and responses from these offices will be retained by the City for at least three years.

## **1.5 Nondiscrimination Policy**

### **Section Summary**

The City of Tacoma must ensure that certain notices regarding compliance with the ADA are provided to the public. This section summarizes the ADA's nondiscrimination notice requirement and includes a copy of the City's notice.

The City is required to provide notice to applicants, participants, beneficiaries, employees, and other interested persons of the protections against discrimination afforded to them by Title II. Such notice should include information about how Title II requirements apply to the City's programs, services and activities. This information should be provided on an ongoing basis.

Appropriate methods of providing notice include publication of information in handbooks, manuals, and pamphlets that are distributed to the public to describe the City's programs and activities; the agendas for meetings of the City Council; the display of informative posters in public places; or the broadcast of information by television or radio.

The City's nondiscrimination policy is as follows:

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

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

**Effective Communication:** The City will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in City programs, services, and activities.

**Modifications to Policies and Procedures:** The City will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the City should contact the City ADA Coordinator, Human Rights and Human Services Department, 747 Market St. Room 836, Tacoma, WA 98402,

(253) 591-5151 or TTY (253) 591-5153, as soon as possible but no later than 48 hours before the scheduled event.

Complaints that a program, service, or activity of the City is not accessible to persons with disabilities should be directed to the City ADA Coordinator.

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

The City will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy.

A Public Notice containing this policy may be found in Appendix E of this document.

## **1.6 Public Process and Input**

### **Section Summary**

The information in the self-evaluation must be available to the public. The City is required to provide an opportunity for public input in development of the self-evaluation.

The City is required to provide an opportunity for interested parties, including individuals with disabilities or organizations representing them, to participate in the development of the self-evaluation by submitting comments and making specific recommendations. The City will also offer members of the disabled community the option of serving as advisors to Self Evaluation Teams (described in Section 2.3). A copy of the draft self-evaluation must be made available for public inspection during a formal citizen review period.

In the past, the City conducted outreach to groups representing people with disabilities, and the plan for this effort is to do the same. Prior to publication, this document will have been reviewed according to the following schedule:

- Tacoma Area Commission on Disabilities and other community groups – review November 28 to December 6, 2007
- City Council Committee review – March 27, 2008
- City Council public hearing and adoption – April, 2008

Once the programmatic self-evaluations have been conducted and the resulting recommendations have been drafted into a transition plan, that document also will receive public review, including input from groups representing people with disabilities.

## **Part Two: ADA Self-Evaluation**





## **2.1 ADA Self-Evaluation**

### **Section Summary**

The ADA requires that all programs, services, and activities provided by the City be available and accessible to people of all disabilities without discrimination. This section summarizes that requirement and describes ADA implementation.

The City must operate its services, programs, and activities, when viewed in their entirety, so that they are accessible to and usable by individuals with disabilities.

In order to achieve this goal, the City must implement policies and procedures intended not only to remove discriminatory practices toward persons with disabilities but also to bring about conditions that comply with common practice or generally accepted standards for providing programs and services.

Part 2 of this report describes ADA policy and procedure requirements, describes ADA enforcement and the ADA Coordinator position, and outlines recommended processes for developing and implementing a self-evaluation in each of 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

The first five of these topics affect many City departments. These topics will be examined by Self-Evaluation Teams (SETs) comprised of subject matter experts from many City departments. Additionally, SETs will offer members of the disabled community the option of serving as advisors in their work.

Each of these self-evaluation sub sections contains four parts:

A Section Summary

ADA Requirements

Considerations for Self-Evaluation and  
Proposed Policies and Procedures

The Considerations for Self-Evaluation sections are designed to indicate areas that SETs should examine to determine compliance. Results of these

evaluations will provide the basis for SET recommendations about actions the City should take to increase compliance with the ADA. Consequently, the language of the Considerations sections is couched as things the City should, or in the case where activities are discretionary, could be doing. The SETs will determine whether the City is, indeed, doing these things and will recommend what the City must then do to come into ADA compliance. Use of the term 'should' does not connote hedging or an unwillingness on the City's part to fully commit to ADA compliance. Rather, it indicates that this is a standard the SET will use to determine whether current City practices and policies comply with the ADA.

## **2.2 ADA Coordinator**

### **Section Summary**

The City ADA Coordinator is the public contact for program accessibility issues and complaints regarding accessibility. Additionally, the City ADA Coordinator provides assistance and expertise to department-level ADA Coordinators throughout the City. This section describes the City ADA Coordinator's role.

The City ADA Coordinator provides expertise and facilitates the City's compliance with the ADA. This position's role includes planning and coordinating overall compliance efforts, working with the self-evaluation teams, prioritizing self-evaluation recommendations, ensuring that Transition Plan implementation is completed, and receiving and investigating complaints related to discrimination on the basis of disability. The City ADA Coordinator also coordinates training for City employees in ADA compliance to ensure that City employees who interact with the public or manage facilities are aware of their responsibilities under the ADA.

The City ADA Coordinator provides a single point of contact for members of the public who need to interface with the City about the ADA. In order to ensure that individuals can easily identify the ADA Coordinator, the City must provide the ADA Coordinator's name, office address, and telephone number to all interested individuals.

The City's ADA Coordinator can be reached by phone at (253) 591-5151, by TTY at (253) 591-5153 or by mail at Human Rights and Human Services Department, 747 Market Street, Room 836, Tacoma, WA 98402-3779.

In addition to a citywide ADA Coordinator, each City department will have a departmental ADA representative. Some departments, due to their size and multifaceted interface with distinct disability issues, will require more than one representative. For example, the Public Works department will need multiple representatives to cover the functional divisions of Building and Land Use, Construction, Engineering, Streets and Grounds and Facilities Management.

Departmental ADA representatives will be responsible for coordinating with the City ADA Coordinator and for ensuring ADA compliance and Transition Plan implementation within their department. In order to increase communication about ADA compliance responsiveness to community ADA-related concerns, departmental ADA representatives will meet quarterly with each other and will meet periodically with their Department's staff members and supervisors in order to coordinate ADA implementation, address staff and manager questions about

ADA implementation and liaison between Departmental staff and the City ADA Coordinator.

## **2.3.1 Program Accessibility**

### **Section Summary**

The City's services, program or activities, when viewed in their entirety, must be readily accessible to and usable by individuals with disabilities<sup>1</sup>. This section includes information on providing program accessibility.

### **ADA Requirements**

The City may not deny the benefits of its programs, activities and services to individuals with disabilities because its facilities are inaccessible.

Public meeting rooms must be accessible to people with disabilities. Buildings where public meetings, services, programs or activities take place must provide access to telephones and restrooms for people with disabilities.

When a program, service or activity is scheduled in an inaccessible location and a person with a disability notifies the City of their desire or need to participate, that program, service or activity must be moved to an accessible location<sup>1</sup>.

The City must maintain in working order equipment and features of facilities that are required to provide ready access to individuals with disabilities. Isolated or temporary interruptions in access due to maintenance and repair of accessible features are not prohibited.

Where the City must provide an accessible route, the route must remain accessible and not blocked by obstacles such as furniture, filing cabinets, or potted plants. An isolated instance of placement of an object on an accessible route, however, would not be a violation if the object is promptly removed. Similarly, accessible doors must be unlocked when the City's offices are open for business.

Mechanical failures in equipment such as elevators or automatic doors will occur from time to time. The obligation to ensure that facilities are readily accessible to and usable by individuals with disabilities would be violated if repairs are not made promptly or if improper or inadequate maintenance causes repeated and persistent failures.

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<sup>1</sup> Unless it would fundamentally alter the nature of the program, service or activity or is an undue financial or administrative burden.

### **Considerations for Self-Evaluation**

- Program accessibility (physical access to facilities for people with disabilities) can be achieved through structural alterations, addition of facilities, redesign, provision of auxiliary aids and services, or provision of services at alternate, accessible sites.
- Types of sites that should be examined for program accessibility include public meeting spaces, buildings where public programs, services and activities are provided, recreational facilities, playgrounds, curb ramps, sidewalks and other pedestrian facilities and parking spots.
- Programs and services that routinely affect people with disabilities should have policies in place for addressing common concerns.
- The City should develop a policy for how departments are to respond when an accommodation is requested.
- The City should have a policy for holding non-City service, program, activity and event contractors, as well as facility renters, accountable for program accessibility.
- The City should conduct an annual assessment to determine whether any design or usage changes have occurred that might affect program accessibility.
- Finally, the City should provide staff with the tools they need to make programs accessible.



### **Proposed Policies and Procedures**

The City ADA Transition Workgroup will appoint an ADA Program Accessibility Self-Evaluation Team (SET) to develop a checklist and implement it. The purpose of the checklist is to examine City compliance with the ADA's program accessibility requirements. The checklist will enable the SET to identify areas where new training, policies, procedures or services may be needed.

In coordination with the City ADA Coordinator, the SET will develop a self-evaluation checklist using the requirements and considerations above, the U. S. Department of Justice (DOJ) ADA Toolkit and other cities' ADA self-evaluation reports. The SET will offer members of the disabled community the option of serving as advisors to the self-evaluation process.

SET members will carry out the program accessibility self-evaluation as follows:

- Interview a sample of City front office staff in buildings frequently used by the public (e.g., those ranked highest in use on the facility self-evaluation);
- Interview managers of programs that are routinely used by the public (e.g., City Council chambers, departments that send communications or provide services to all residences such as revenue and trash collection, etc.);
- Assess the adequacy and availability of existing City and City-funded programs' accessibility to people with disabilities;
- Document their findings; and,
- Forward their findings to the City's ADA Coordinator for prioritization.

Once possible program accessibility changes are prioritized, the City ADA Coordinator will recommend the top priorities to the City Council for funding over the next one to five years.

## **2.3.2 Effective Communication**

### **Section Summary**

The City is required to communicate effectively with people with disabilities. This section includes information on ADA requirements regarding written, spoken and TV/video communications, emergency communications, and website accessibility.

### **ADA Requirements**

People who have disabilities that affect hearing, seeing, speaking, reading, writing or understanding may use different ways to communicate than people who do not. The City is required to take steps to ensure that the City's communications with people with disabilities are as effective as communications with others.

This effective communication requirement applies to all members of the public with disabilities, including job applicants, program participants, and even people who simply contact City agencies seeking information about programs, services, events or activities. The requirement applies to all agencies and to all modes of communication including written, spoken, telecommunications, television and video. Additionally, the City must provide equal access to the programs, services and activities available on the City's website(s). This can include making websites accessible to people with disabilities or providing an alternative format for people to access the information, programs and services available through the web<sup>2</sup>.

The ADA requires that all Public Safety Answering Points (PSAPs) provide direct and equal access to their services for people with disabilities who use teletypewriters (TTYs). All basic emergency services are included in this requirement. Both primary and secondary PSAPs have the same responsibilities under the ADA. To be in compliance, every call-taking position within the PSAP must have its own TTY or TTY-compatible equipment.

When an auxiliary aid or service is requested, the City must provide an opportunity for the requester to specify aids or services of their choice, and that choice must be given primary consideration.

There are many types of auxiliary aids and services that may be used to provide effective communication for people with disabilities, but not all ways work for all

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<sup>2</sup> Such *alternative formats* (e.g., a phone line) are unlikely to provide an equal degree of access in terms of hours of operation and range of options and programs, however, so an accessible website is preferred.



people or even for people with the same type of disability. The law does not require the City to provide every one of these aids and services, but it does require that each person who interacts with the City receives effective communication.

### **Considerations for Self-Evaluation**

- Criteria for determining the level of support required for achieving effective communication should be in place and should cover typical communications scenarios. Such criteria could include:
  - The importance or potential impact of the communication,
  - How many people are involved,
  - The anticipated length or duration of the communication, and,
  - The context in which the communication takes place.
- Individuals requesting accommodation should be consulted to determine their most effective mode of communication. Their preference or requested mode of communication, including request for aids or services, should be given primary consideration.
- Communications produced with the intent that they be broadly distributed, such as TV Tacoma programming, City Council meetings and hearings, citywide mailings and job applications should be produced or adapted in such a way that they are accessible to people with disabilities if the cost to do so does not create an undue hardship for the City.
- Frequently requested documents should be printed or ordered in some alternative formats as they are planned and produced.
- The following documents should be available in alternative formats upon request
  - Tax and utility bills
  - Job applications
- Contracts should be in place with printers capable of producing documents in alternative formats.
- Contracts should be in place with qualified interpreter services and other service providers to enable effective communication on short notice.
- All employees who interact with the public over the telephone or in person should understand their role in ensuring effective communication and be able to access auxiliary aids and services and receive training as necessary.

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- Employees who interact with the public over the phone or in person should be aware of language and etiquette issues related to communications with people with disabilities.
- Websites should be accessible, with designs that do not require people to see, hear or use a standard mouse in order to access the information, programs and services provided, or an alternative format should be available allowing people with disabilities to access information on the City’s websites<sup>3</sup>.
- A process should be in place to ensure that as web pages are created, updated and expanded their contents are accessible to people with disabilities.
- Web page and content developers, both in-house and contracted, should be properly trained in creating accessible websites and familiar with the City’s ADA policies and plan.

 **Proposed Policies and Procedures**

The City will appoint an ADA Communications Self-Evaluation Team (SET) to develop a checklist and implement it. The purpose of the checklist is to examine the adequacy of existing City communications with people with disabilities and identify areas where new equipment, services, training, policies or procedures may be needed.

In coordination with the City ADA Coordinator, the SET will develop a self-evaluation checklist using the requirements and considerations above, the U. S. Department of Justice (DOJ) ADA Toolkit, other cities’ ADA self-evaluation reports and the following DOJ ADA Checklists:

- 1) General Effective Communication Checklist
- 2) 911 and Emergency Communications Services Checklist
- 3) Website Accessibility Checklist

The SET will offer members of the disabled community the option of serving as advisors to the self-evaluation process.

SET members will carry out the communications self-evaluation as follows:

- Interview a sample of City staff who have direct contact with the public;
- Interview managers of programs that provide the most critical public, services (e.g., emergency dispatch, court administration, eligibility determination);

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<sup>3</sup> See footnote two regarding *alternative formats* for websites

- Assess the accessibility of existing communications with people with disabilities;
- Document their findings; and,
- Forward their findings to the City's ADA Coordinator for prioritization.

Once possible communications enhancements are prioritized, the City ADA Coordinator will recommend the top priorities to the City Council for funding over the next one to five years.

### **2.3.3 Permitting and Inspections**

#### **Section Summary**

The City 's permitting and inspections staff in the Building and Land Use Services division (BLUS) certify that new public and private buildings are accessible as determined by current state law, which is equivalent to ADA standards.

#### **ADA Requirements**

While architects and building owners are responsible for the accessibility of their buildings, the City's permitting and inspection staff, housed in the Building and Land Use Services division (BLUS) certify that new buildings comply with State and City building codes. Washington's codes have been certified by the Department of Justice as being equivalent to the ADA standards. Consequently, BLUS permitting and inspection staff assume a role in ensuring that buildings they inspect and permit are accessible.

City permitting and inspection staff strive to inspect to State code and to address noncompliance issues through code enforcement.

#### **Considerations for Self-Evaluation**

In order for permitting and inspection staff to effectively assess building compliance with State accessibility requirements, BLUS staff should be adequately trained in these requirements.

Policies and procedures should be in place to guide staff in how State requirements should be applied during the permitting and inspection process.

Buildings that are not compliant with State accessibility requirements should not be approved, permitted or pass inspection.

BLUS permitting and inspection functions should be staffed at a level that enables due attention to be given to building compliance with State ADA regulations.



#### **Proposed Policies and Procedures**

The City will appoint an ADA Permitting and Inspection Team (SET) to develop a checklist and implement it. The purpose of the checklist is to examine the

adequacy of existing BLUS processes and their ability to identify and act upon noncompliance with building codes as may relate to disabilities.

In coordination with the City ADA Coordinator, the SET will develop a self-evaluation checklist using the requirements and considerations above, the U. S. Department of Justice (DOJ) ADA Toolkit, other cities' ADA self-evaluation reports and any relevant DOJ ADA Checklists. The SET will offer members of the disabled community the option of serving as advisors to the self-evaluation process.

SET members will carry out the permitting and inspection self-evaluation as follows:

- Interview BLUS staff and managers,
- Interview architects and developers,
- Assess whether the process in place can achieve the goal of code compliance related to accessibility,
- Document the findings and forward to the ADA Coordinator for implementation.

Once possible permitting and inspection improvements are prioritized, the City ADA Coordinator will recommend the top priorities to the City Council for funding over the next one to five years.

## **2.3.4 Employment, Contracting and Licensing**

### **Section Summary**

The City may not discriminate against qualified individuals with disabilities in employment practices, contracting for goods and services, or licensing, certification and regulatory activities. Additionally, organizations contracted to perform services for or on behalf of the City may not discriminate in employment practices or provision of services against people with disabilities. This section includes information on employment, contracting and licensing requirements.

### **ADA Requirements**

The ADA requires that cities not discriminate against qualified individuals with disabilities in employment practices<sup>4</sup>, contracting for goods and services or licensing, certification and regulatory activities. The City may not establish requirements for employment, contracts or licenses that would result in discrimination against qualified individuals with disabilities.

The ADA's nondiscrimination requirement covers every aspect of employment practices, including recruitment, selection, hiring, promotion, demotion, layoff and return from layoff, compensation, job assignments, job classifications, paid or unpaid leave, fringe benefits, training and employer-sponsored activities, including recreational or social programs.

The City must make reasonable accommodation to the known physical or mental limitations of otherwise qualified applicants or employees with disabilities unless the City can show that doing so would impose an undue hardship on the operation of its programs.

The City may not use employment selection criteria that subject individuals with disabilities to discrimination. During the hiring process, the City may ask about an applicant's ability to perform job-related functions, but may not ask whether an applicant is disabled or about the nature or severity of an applicant's disability.

The City may not conduct pre-employment medical examinations, but may condition a job offer on the results of a medical examination conducted prior to an individual's entrance on duty if all entering employees in the same job category, regardless of disability, are required to take the same examination and the results of the examination are not used to impermissibly discriminate on the basis of disability.

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<sup>4</sup> More detailed information on the ADA's employment requirements is available in "A Technical Assistance Manual on the Employment Provisions (Title I) of the Americans with Disabilities Act" issued by the EEOC and Questions and Answers: The Americans with Disabilities Act and Hiring Police Officers available from the Department of Justice.

## **Considerations for Self-Evaluation**

### Employment:

- Job descriptions, statements of qualifications, performance evaluations and other documents enumerating job standards should be reviewed to ensure they do not discriminate against qualified applicants on the basis of disability.
- Job announcements should be made available in various formats.
- Job applications should be made available in alternative formats upon request, and reasonable accommodation for completing applications should be provided upon request.
- Benefit packages should be examined to ensure they do not prevent employee participation on the basis of disability.
- Supervisors and Department Directors should be familiar with frequently requested types of reasonable accommodations, such as job restructuring, modified work schedules, assistive devices and services and aids to physical accessibility to and around the worksite.
- Employment tests should be examined to reflect job skills or aptitude rather than hearing, visual, speaking or manual skills<sup>5</sup>.

### Contracting:

- Required qualifications should be reviewed to ensure they do not discriminate against qualified providers on the basis of disability.
- The City should require contracted service providers to comply with the ADA and to certify their compliance, including access for people with disabilities to their facilities, programs, services, activities and events. The City should supply such organizations with a self-evaluation checklist prior to self-certification.

### Licensing:

- Applications for City licenses, certifications and City-regulated activities should be examined to ensure they do not discriminate against qualified individuals on the basis of disability.
- In order to avoid discrimination, requirements for licenses, certifications and City-regulated activities should include only essential requirements related to safe performance of the activity being licensed, certified or regulated.

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<sup>5</sup> Unless the job skill itself is related to hearing, visual, speaking or manual skills.

✓ **Proposed Policies and Procedures**

The City ADA Transition Workgroup will appoint an ADA Employment, Contracting and Licensing Self-Evaluation Team (SET) to develop a checklist and implement it. The purpose of the checklist is to examine City compliance with the ADA's employment, contracting and licensing requirements. The checklist will enable the SET to identify areas where new training, policies, procedures or services may be needed.

In coordination with the City ADA Coordinator, the SET will develop a self-evaluation checklist using the requirements and considerations above, the U.S. Department of Justice (DOJ) ADA Toolkit and other cities' ADA self-evaluation reports. The SET will offer members of the disabled community the option of serving as advisors to the self-evaluation process.

SET members will carry out the employment self-evaluation as follows:

- Interview a sample of City staff who handle employment, contracting and licensing;
- Interview managers of programs that conduct employment, contracting or licensing functions;
- Assess the adequacy and availability of existing employment, contracting and licensing policies, procedures, communications and programs as they relate to people with disabilities;
- Document their findings; and,
- Forward their findings to the City's ADA Coordinator for prioritization.

Once possible employment, contracting and licensing changes are prioritized, the City ADA Coordinator will recommend the top priorities to the City Council for funding over the next one to five years.



## **2.3.5 Local Laws and Regulations**

### **Section Summary**

The City is required to make reasonable modifications to laws, regulations and policies to prevent discrimination on the basis of disability. This section provides guidance on reviewing laws, regulations and policies that might adversely affect people with disabilities.

### **ADA Requirements**

The City is required to make reasonable modifications to its laws, regulations and policies if they intentionally or unintentionally discriminate against or adversely affect people with disabilities.

### **Considerations for Self-Evaluation**

- The City should ask Department managers and the City ADA Coordinator to identify cases where policies, practices or procedures discriminate on the basis of disability or adversely affect people with disabilities and propose modifications to them.
- The City should have each Department review their policies and procedures for discriminatory outcomes against people with disabilities and make or propose changes.
- The City ADA Coordinator should review all City laws and regulations that the City has the ability to change for such discriminatory outcomes and propose changes.



### **Proposed Policies and Procedures**

The City ADA Transition Workgroup will appoint an ADA Local Laws, Regulations and Policies Self-Evaluation Team (SET) to develop a checklist and implement it. The purpose of the checklist is to examine City compliance with the ADA's local laws and regulations requirements. The checklist will enable the SET to identify areas where new training, policies, procedures or services may be needed.

In coordination with the City ADA Coordinator, the SET will develop a self-evaluation checklist using the requirements and considerations above, the U.S. Department of Justice (DOJ) ADA Toolkit, and other cities' ADA self-evaluation

reports. The SET will offer members of the disabled community the option of serving as advisors to the self-evaluation process.

SET members will carry out the local laws, regulations and policies self-evaluation as follows:

- Survey Department managers to identify cases or areas where laws, regulations or policies have intentionally or unintentionally discriminated against people with disabilities;
- Interview a City attorney who works on ADA issues;
- Assess the adequacy and availability of existing TPD laws, regulations and policies as they relate to people with disabilities;
- Document their findings; and.
- Forward their findings to the City's ADA Coordinator for prioritization.

Once possible law, regulation and policy changes are prioritized, the City ADA Coordinator will recommend the top priorities to the City Council for funding over the next one to five years.

## **2.3.6 Emergency Management and Emergency Shelters**

### **Section Summary**

Emergency programs, services, activities, events and facilities must be accessible to people with disabilities. This section includes information on making emergency plans, public alerts, evacuation methods and emergency shelters accessible.

### **ADA Requirements**

The City must ensure that emergency- and disaster-related programs, services and activities are accessible to people with disabilities. This requirement applies to direct and third party provision of programs, services and activities.

Ensuring accessibility of these programs includes avoiding eligibility criteria that screen out or tend to screen out people with disabilities, making reasonable modifications to policies, practices and procedures to avoid discrimination against people with disabilities, and taking the steps necessary to ensure effective communication with people with disabilities.

When constructing new or replacement facilities and repairing damaged facilities, the City must comply with the accessibility requirements of Title II of the ADA. When moving programs from a damaged facility to another location, the City must ensure that the programs remain accessible to people with disabilities. This requirement applies whether the program is relocated permanently or temporarily.

### **Considerations for Self-Evaluation**

- The City's emergency management plan should identify the steps that will be taken and the resources that will be used to ensure that emergency notifications will be accessible to all.
- Advocacy organizations and residents with disabilities could be invited to review the City's emergency management plan and provide input.
- Emergency notification and warning methods should be able to be effectively communicated to all residents and visitors, regardless of disability.
- The City should have procedures in place to ensure that people with disabilities can evacuate a disaster or emergency area, and the City's emergency management plan should identify accessible forms of transportation (i.e., vehicles equipped with wheelchair lifts) available to help

evacuate people with disabilities. The use of evacuation drills and mock emergency scenarios should be considered.

- The City should have procedures in place to ensure that staff, visitors and program participants with disabilities can be safely evacuated from City buildings in the event of an emergency or disaster. Consideration should be given to the equipment and training required to implement these procedures.
- The City should consider a voluntary, confidential registry of persons with disabilities who may need individualized emergency notification or evacuation assistance for use by first responders.
- Emergency shelter operations should offer people with disabilities the same benefits provided to people without disabilities (e.g., safety, comfort, food, medical care, the support of family and friends)<sup>6</sup>.
- Where barriers remain in emergency shelters, a nearby facility should be made accessible and its location and the types of accessible features it provides should be widely publicized to the public, including persons with disabilities and organizations with expertise on disability issues.
- Areas of possible barriers within emergency shelters could include the following:
  - Emergency shelter rules, policies, and procedures should comply with ADA requirements.
  - Physical barriers in access to and in shelters should be identified and removed.
  - All shelters should adopt procedures to ensure that shelter staff and volunteers maintain accessible routes and minimize protruding objects.
  - Shelter operators should ensure that eligibility criteria do not unnecessarily screen out or tend to screen out people with disabilities – e.g., requiring a driver’s license or telephone number.
  - Shelter operators should establish policies and procedures to provide the auxiliary aids and services needed to communicate effectively with people with disabilities, giving primary consideration<sup>7</sup> to the auxiliary aids and services requested by an individual with a disability.
  - Shelter operators should provide training to employees and volunteers about ADA requirements and the City’s ADA plan.

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<sup>6</sup> Please see the DOJ Technical Assistance document for shelter operators for a much more detailed treatment of this topic.

<sup>7</sup> The shelter operator can use another equally effective means of communication if it is available. The preference would be for meeting the individual’s request if it does not place an undue burden or substantially alter the nature of the service or activity.

- The City should designate and train individuals who can work with emergency dispatch to provide information and guidance about assisting people with disabilities to first responders, emergency transportation drivers and shelter staff during emergencies and disasters.
- Social services and other benefit programs to assist people harmed by emergencies and disasters should be accessible to people with disabilities so that all eligible people who need them are able to access these services.



### **Proposed Policies and Procedures**

The City ADA Transition Workgroup will appoint an ADA Emergency Management Self-Evaluation Team (SET) to develop a checklist and implement it. The purpose of the checklist is to examine the adequacy of existing City emergency and disaster plans, policies, procedures, services activities, events and facilities as they relate to people with disabilities. The checklist will enable the SET to identify areas where new training, policies, procedures or services may be needed.

In coordination with the City ADA Coordinator, the SET will develop a self-evaluation checklist using the requirements and considerations above, the U.S. Department of Justice (DOJ) ADA Toolkit, other cities' ADA self-evaluation reports and the following DOJ ADA Checklists:

- 1) ADA Checklist for Emergency Shelters
- 2) Title II Emergency Management Checklist

The SET will offer members of the disabled community the option of serving as advisors to the self-evaluation process.

SET members will carry out the emergency management self-evaluation as follows:

- Interview a sample of City staff who have direct contact with the public;
- Interview managers of programs that provide the most critical public emergency- and disaster-related services (e.g., shelter facilities, police and fire, emergency management);
- Assess the adequacy and availability of existing emergency- and disaster-management programs as they relate to people with disabilities;
- Document their findings; and,
- Forward their findings to the City's ADA Coordinator for prioritization.

Once possible emergency management changes are prioritized, the City ADA Coordinator will recommend the top priorities to the City Council for funding over the next one to five years.

## **2.3.7 Public Safety and Law Enforcement**

### **Section Summary**

The ADA's provisions affect many functions of City law enforcement. This section includes information on how the ADA's effective communication and program accessibility requirements affect City law enforcement interactions with the public.

### **ADA Requirements**

The ADA requires City law enforcement to make reasonable modifications to ensure that, when viewed in their entirety, law enforcement policies, practices, programs, services and procedures are accessible to individuals with disabilities<sup>8,9</sup>. Law enforcement agency staff are required to take steps to ensure that communications with people with disabilities are as effective as communications with others<sup>10</sup>.

### **Considerations for Self-Evaluation**

- Employee contact with individuals with disabilities in the City should be as effective as contact with people without disabilities. This effective communication requirement extends to everything from field interviews and traffic stops to witness interviews and citizen complaints, and even to arrests and interrogations. Ready access to auxiliary aids and services is critical to ensuring effective communication with people with disabilities.
- Facilities used by police employees, including the booking, interview, meeting and holding areas, should be accessible to people with disabilities<sup>9</sup>, including suspects, offenders, families and attorneys.
- The Tacoma Police Department should adopt a policy related to specific aspects of police operations affected by the ADA's effective communication and program accessibility requirements<sup>11</sup>.

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<sup>8</sup> Section 2.3.3 contains information on the ADA's implications for hiring police officers.

<sup>9</sup> As long as each service, activity or program is made available in one accessible location, it may also be provided in additional inaccessible locations. If providing access to a program, service or activity would fundamentally alter its nature or place an undue financial or administrative burden on the City, the City is not required to make such an accommodation, but a less burdensome accommodation should be sought.

<sup>10</sup> Section 2.3.2 contains information on effective emergency communications in the 911-call center.

<sup>11</sup> See the publication "Commonly Asked Questions about the ADA and Law Enforcement" available from the Department of Justice at [http://www.ada.gov/q%26a\\_law.htm](http://www.ada.gov/q%26a_law.htm).

- Tacoma Police Department staff should be trained in effective communications and other aspects of law enforcement contact with people with disabilities.

✓ **Proposed Policies and Procedures**

The City ADA Transition Workgroup will appoint an ADA Law Enforcement Self-Evaluation Team (SET) to develop a checklist and implement it. The purpose of the checklist is to examine City compliance with the ADA's effective communication and program accessibility requirements as they relate to law enforcement. The checklist will enable the SET to identify areas where new training, policies, procedures or services may be needed.

In coordination with the City ADA Coordinator, the SET will develop a self-evaluation checklist using the requirements and considerations above, the Department of Justice (DOJ) ADA Toolkit, the DOJ ADA Model Law Enforcement Policy and other cities' ADA self-evaluation reports. The SET will offer members of the disabled community the option of serving as advisors to the self-evaluation process.

SET members will carry out the law enforcement self-evaluation as follows:

- Interview a sample of Tacoma police officers;
- Interview a sample of Tacoma police managers;
- Assess the adequacy and availability of existing TPD communications and program accessibility as they relate to people with disabilities;
- Document their findings; and,
- Forward their findings to the City's ADA Coordinator for prioritization.

Once possible law enforcement changes are prioritized, the City ADA Coordinator will recommend the top priorities to the City Council for funding over the next one to five years.



## **2.3.7 City-Managed Parks**

### **Section Summary**

The ADA requires public facilities, programs and activities be accessible to people with disabilities. Metro Parks has developed a Transition Plan for City-owned, Metro Parks-managed parks (see section 3.3). This section addresses a self-evaluation for City-owned, City-managed parks.

### **ADA Requirements**

The City may not deny the benefits of its programs, activities and services to individuals with disabilities because its facilities are inaccessible.

### **Considerations for Self-Evaluation**

Facilities' self-evaluations are technical in nature. Consequently the parks self-evaluation will require the services of a consulting firm with expertise in assessing facility accessibility.



### **Proposed Policies and Procedures**

The City will propose a funding request for the 2009 budget to retain a consulting firm to perform the parks self-evaluation. The City ADA Coordinator will use that self-evaluation to develop a transition plan for City-owned and managed parks.



## **Part Three: Transition Plans**



## **3.1 Facility Transition Plan**

### **Section Summary**

The ADA Workgroup has created a Facility Transition Plan that prioritizes the work included in the Endelman and Associates Report. This section summarizes the ADA requirements for a Facility Transition Plan and describes the actions, funding and timeframes related to improving access to City buildings.

### **ADA Requirements**

Where structural modifications are required to achieve program accessibility, a city must create and adopt a transition plan that provides for the removal of these barriers. A transition plan should contain at a minimum:

- A list of the physical barriers in the City's facilities that limit the accessibility of its programs, activities, or services to individuals with disabilities;
- A detailed outline of the methods to be utilized to remove these barriers and make the facilities accessible;
- The schedule for taking the necessary steps to achieve compliance with Title II of the ADA. If the time period for achieving compliance is longer than one year, the plan should identify the interim steps that will be taken during each year of the transition period; and,
- The name of the official responsible for the plan's implementation.

### **Strategic Approach**

Barrier removal prioritization is based on the volume and frequency of public use, concentration of elderly and disabled users and likely future lifespan of each facility. The prioritized table listing City-owned facilities shows the calculations that went into prioritization decisions. Point values between 1 and 3 were assigned for the proportion of the population served that is elderly or disabled, the volume of people visiting the facility, and the frequency of use. Each facility's score on each criterion were added together and multiplied by a point value representing the life expectancy or term of use of that facility. Facilities are ranked according to the resulting total number of points. The highest priority facilities scored 24 points. Same-scored facilities are prioritized by their scores on elderly and disabled populations served, then by their scores on people visits per week and then by their scores on frequency of use (for example, a facility that scored a total of 24 points, including 3 points on the criteria "elderly and disabled populations served" will rank higher than a facility that also scored a total of 24 points with 2 points on the highest priority criteria.

Although the building and facilities transition plan has been prepared with proper care and attention, it must be understood that there is a possibility that it contains inadequacies and/or errors. The ADA regulations along with the WAC 51-40 requirements are documents that change with interpretations and code updates. Further, because of the broad scope of all City programs and services and the multitudes of locations from which they are accessed, there is the probability that the City's research has inadvertently omitted certain details. The City's transition plan is intended to be a fluid document that can and will be refined and expanded during its continued life. The City understands the possibility of the need to amend its plan and stands ready to review and consider suggestions and input.

### **Implementation**

The Endelman & Associates PLLC report has identified barriers to access in City Facilities (see Appendix C). The ADA Workgroup has prioritized facilities in need of modification in the table that follows. The City will address these facility modification needs as funding becomes available. Each year, as budgets are known, the ADA Coordinator will introduce an addendum to this plan outlining which projects the City will address that year. It is likely that relatively major projects will either be contracted out to private companies or, in some cases, performed by City workers.

In parallel with that effort, other work will be undertaken by City staff as routine maintenance. The first year's budget will be known in January 2008 and the 2008 addendum will be added shortly thereafter. The City's goal is to begin with the highest priority physical facility projects and have them all accomplished within 5 years.

Costs for the modifications recommended in the Endelman and Associates PLLC report (contained in Appendix C) are, according to that report's Executive Summary, "concept level cost estimates that are provided only to assist the [City] with establishing budgets" (p. 15). The cost estimates shown in the following table do not include contractor mark-up, Washington State sales tax or inflation adjustments.

The costs estimated in the Endelman and Associates PLLC report, and noted in the following table, total \$2,864,885 in 2006 dollars. Once contractor mark-up (estimated at 25 percent) and sales tax (8.8 percent) are factored in, the total cost for completing modifications, in 2006 dollars, rises to \$3,896,244. As each year's allotted funds are used to complete modifications, the cost of the remaining modifications will rise due to inflation. If the City is able to fund ADA facility modifications at a rate of \$1 million per year, the total cost of inflation (at a rate of 5 percent per year) for all the projects over the five year period is estimated at \$766,315 for a total of \$4,663,199. Consequently, all of the modifications listed in the Endelman and Associates PLLC report and reflected in the following table are achievable in a five year period if the City is able to fund the effort at \$1 million per year.

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The \$4,663,199 figure is still a general estimate for planning purposes. As implementation of each project is planned, contingencies may arise that add to actual costs. These might include:

- Design and project management fees
- Contingencies for unforeseen existing conditions
- Premiums due to construction in occupied and heavily used spaces
- Premiums for potential overactive bid climates and potential high volatility and unpredictability reported for certain materials such as lumber and steel
- Potential asbestos abatement, lead paint abatement, or other environmental impact costs
- High levels of fit, finish and detail that may be desired on an aesthetic basis, and
- Permit fees

None of these contingency costs are reflected in the Endelman and Associates PLLC report, the following table or the adjusted \$4,633,199 figure.

The person responsible for Transition Plan implementation in each City department is that department's ADA Representative. This Facility Transition Plan involves buildings managed by many City departments, so responsibility for Facility Transition Plan implementation is dispersed by building management responsibility.

**Prioritized List of City Facilities Requiring Modification**

Facility	Elderly & Disabled Populations Served (A)			People visits per week + (B)			Frequency of use + (C)			Term of Use X (D)			Total Score*	Estimated Cost	
	Primary 66% + 3	High 33% + 2	Medium <33% 1	High 1000+ 3	Med. 50-1000 2	Low <50 1	Daily 3	2-3 x /week 2	1 x /week 1	> 10 years 3	5-10 years 2	< 5 years 1			
T.A.C.I.D.	3				2		3				3			<b>24</b>	\$24,232
Beacon Senior Center	3				2		3				3			<b>24</b>	\$64,762
Lighthouse Senior Center	3				2		3				3			<b>24</b>	\$35,351
Point Defiance Senior Center	3				2		3				3			<b>24</b>	\$14,563
Tacoma Learning Center	3				2		3				3			<b>24</b>	\$8,590
Mottet Branch Library		2		3			3				3			<b>24</b>	\$52,861
Swasey Br. Library		2		3			3				3			<b>24</b>	\$50,108
Main Library		2		3			3				3			<b>24</b>	\$47,996
Fern Hill Br. Library		2		3			3				3			<b>24</b>	\$27,240

\* The Total Score is attained by adding the value of Column A to that of Columns B and C then multiplying by the value of Column D



Facility	Elderly & Disabled Populations Served (A) +			People visits per week (B) +			Frequency of use (C) x			Term of Use (D)			Total Score*	Estimated Cost
	Primary 66% + 3	High 33% + 2	Medium <33% 1	High 1000+ 3	Med. 50-1000 2	Low <50 1	Daily 3	2-3 x /week 2	1 x /week 1	> 10 years 3	5-10 years 2	< 5 years 1		
Moore Br. Library		2		3			3			3			<b>24</b>	\$15,505
Wheelock Br. Library		2		3			3			3			<b>24</b>	\$14,430
Martin Luther King, Jr. Br. Library		2		3			3			3			<b>24</b>	\$12,396
Kobetich Br. Library		2		3			3			3			<b>24</b>	\$11,851
South Tacoma Br. Library		2		3			3			3			<b>24</b>	\$10,584
<b>Subtotal of costs for facilities scoring 24</b>													<b>\$390,469</b>	
Peoples Community Center		2			2		3			3			<b>21</b>	\$108,952
South End Neighborhood Center		2			2		3			3			<b>21</b>	\$18,394
Tacoma Municipal Building (HR)			1	3			3			3			<b>21</b>	\$132,810

\* The Total Score is attained by adding the value of Column A to that of Columns B and C then multiplying by the value of Column D

Facility	Elderly & Disabled Populations Served (A) +			People visits per week (B) +			Frequency of use (C) x			Term of Use (D)			Total Score*	Estimated Cost	
	Primary 66% + 3	High 33% + 2	Medium <33% 1	High 1000+ 3	Med. 50-1000 2	Low <50 1	Daily 3	2-3 x /week 2	1 x /week 1	> 10 years 3	5-10 years 2	< 5 years 1			
Swan Creek Br. Library			1	3			3				3			21	\$31,783
TPU Complex			1	3			3				3			21	\$28,510
Park Plaza North Garage			1	3			3				3			21	\$22,751
Park Plaza South Garage			1	3			3				3			21	\$18,798
Tacoma Municipal Building North			1	3			3				3			21	\$15,714
<b>Subtotal of costs for facilities scoring 21</b>														<b>\$377,712</b>	
Tacoma Dome			1	3				2			3			18	\$669,431
Cheney Stadium			1	3				2			3			18	\$623,572

\* The Total Score is obtained by adding the value of Column A to that of Columns B and C then multiplying by the value of Column D.

Facility	Elderly & Disabled Populations Served (A) +			People visits per week (B) +			Frequency of use (C) x			Term of Use (D)			Total Score*	Estimated Cost	
	Primary 66% + 3	High 33% + 2	Medium <33% 1	High 1000+ 3	Med. 50-1000 2	Low <50 1	Daily 3	2-3 x /week 2	1 x /week 1	> 10 years 3	5-10 years 2	< 5 years 1			
Eastside Boys Club			1		2		3				3			<b>18</b>	\$101,954
Les Davis Pier / Public Restrooms			1		2		3				3			<b>18</b>	\$19,320
Main Library Parking Lot			1		2		3				3			<b>18</b>	\$6,854
Municipal Building Parking Lot			1		2		3				3			<b>18</b>	\$1,340
Museum of Glass Parking Garage			1		2		3				3			<b>18</b>	\$1,278
<b>Subtotal of costs for facilities scoring 18</b>														<b>\$1,423,749</b>	
Rialto Theater			1		2			2			3			<b>15</b>	\$100,885

\* The Total Score is obtained by adding the value of Column A to that of Columns B and C then multiplying by the value of Column D.

Facility	Elderly & Disabled Populations Served (A) +			People visits per week (B) +			Frequency of use (C) x			Term of Use (D)			Total Score*	Estimated Cost	
	Primary 66% + 3	High 33% + 2	Medium <33% 1	High 1000+ 3	Med. 50-1000 2	Low <50 1	Daily 3	2-3 x /week 2	1 x /week 1	> 10 years 3	5-10 years 2	< 5 years 1			
Pantages Theater - Jones Bldg. - Annex			1		2			2			3			15	\$72,862
<b>Subtotal of costs for facilities scoring 15</b>														<b>\$173,747</b>	
A Street Garage (Tacoma Parking)			1	3			3					2		14	\$10,924
<b>Subtotal of costs for facilities scoring 14</b>														<b>\$10,924</b>	
Working Waterfront Maritime Museum			1		2				1		3			12	\$34,042
Airport Terminal Building			1			1		2			3			12	\$50,314

\* The Total Score is obtained by adding the value of Column A to that of Columns B and C then multiplying by the value of Column D.

Facility	Elderly & Disabled Populations Served (A) +			People visits per week (B) +			Frequency of use (C) x			Term of Use (D)			Total Score*	Estimated Cost
	Primary 66% + 3	High 33% + 2	Medium <33% 1	High 1000+ 3	Med. 50-1000 2	Low <50 1	Daily 3	2-3 x /week 2	1 x /week 1	> 10 years 3	5-10 years 2	< 5 years 1		
Fire Prevention			1			1		2		3			12	\$11,322
Fire Station #3			1			1		2		3			12	\$5,796
Fire Stn. #9			1			1		2		3			12	\$5,075
Fire Station #14 (HR)			1			1		2		3			12	\$3,930
Fire Stn. #12			1			1		2		3			12	\$1,530
Fire Stn. #17			1			1		2		3			12	\$840
Fire Stn. #1			1			1		2		3			12	\$318
<b>Subtotal of costs for facilities scoring 12</b>													<b>112,987</b>	
Fire Station #13 (HR)			1			1	3				2		10	\$1,222
<b>Subtotal of costs for facilities scoring 10</b>													<b>\$1,222</b>	
Hill Climb at S. 12th			1			1			1	3			9	\$28,616

\* The Total Score is obtained by adding the value of Column A to that of Columns B and C then multiplying by the value of Column D.

Facility	Elderly & Disabled Populations Served (A) +			People visits per week (B) +			Frequency of use (C) x			Term of Use (D)			Total Score*	Estimated Cost
	Primary 66% + 3	High 33% + 2	Medium <33% 1	High 1000+ 3	Med. 50-1000 2	Low <50 1	Daily 3	2-3 x /week 2	1 x /week 1	> 10 years 3	5-10 years 2	< 5 years 1		
Environmental Svcs – Admin. Ofc. (2nd Flr.)			1			1			1	3			9	\$15,937
Solid Waste Mgmt. Admin. Offices			1			1			1	3			9	\$8,131
Hill Climb at S. 10th			1			1			1	3			9	\$7,250
Municipal Svcs. Center - TV Tacoma			1			1			1	3			9	\$6,426
Hangar Bldg. 1			1			1			1	3			9	\$1,004
Hangar Bldg. 2			1			1			1	3			9	\$2,972
Hangar Bldg. 3			1			1			1	3			9	\$1,471
Hangar Bldg. 4			1			1			1	3			9	\$1,430
<b>Subtotal of costs for facilities scoring 9</b>													<b>9</b>	<b>\$73,192</b>
Fire Station #2 (HR)			1			1		2			2		8	\$3,138
Fire Station #10 (HR)			1			1		2			2		8	\$3,077

\* The Total Score is obtained by adding the value of Column A to that of Columns B and C then multiplying by the value of Column D.

Facility	Elderly & Disabled Populations Served (A) +			People visits per week (B) +			Frequency of use (C) x			Term of Use (D)			Total Score*	Estimated Cost
	Primary 66% + 3	High 33% + 2	Medium <33% 1	High 1000+ 3	Med. 50-1000 2	Low <50 1	Daily 3	2-3 x /week 2	1 x /week 1	> 10 years 3	5-10 years 2	< 5 years 1		
Fire Station #11 (HR)			1			1		2				2	8	\$2,563
Fire Station #4 (HR)			1			1		2				2	8	\$580
Fire Stn. #7			1			1		2				2	8	\$360
<b>Subtotal of costs for facilities scoring 8</b>													<b>8</b>	<b>\$9,718</b>
Bi-Centennial Pavilion (Old Tacoma Convention Center)			1	3				2				1	6	\$41,961
Bi-Centennial Pavilion Parking (at Sheraton)			1	3				2				1	6	\$14,325
I-705 Lot "A"			1		2		3					1	6	\$14,000
I-705 Lot "B"			1		2		3					1	6	\$6,510
I-705 Lot "C"			1		2		3					1	6	\$14,930
Sea Scout Building			1			1			1			2	6	\$32,690

\* The Total Score is obtained by adding the value of Column A to that of Columns B and C then multiplying by the value of Column D.

	Elderly & Disabled Populations Served (A) +			People visits per week (B) +			Frequency of use (C) x			Term of Use (D)			Total Score*	Estimated Cost
	Primary 66% +	High 33% +	Medium <33%	High 1000+	Med. 50-1000	Low <50	Daily	2-3 x /week	1 x /week	> 10 years	5-10 years	< 5 years		
<b>Facility</b>	3	2	1	3	2	1	3	2	1	3	2	1		
Fire Department Training Facility			1			1			1		2		6	\$21,249
Fire Stn. #15			1			1			1		2		6	\$2,836
Fire Stn. #6			1			1			1		2		6	\$120
<b>Subtotal of costs for facilities scoring 6</b>													<b>\$148,621</b>	
Carlton Parking Lot & Garage			1			1	3					1	5	\$11,300
<b>Subtotal of costs for facilities scoring 5</b>													<b>\$11,300</b>	
TPU South Service Center			1			1		2				1	4	\$5,404
<b>Subtotal of costs for facilities scoring 4</b>													<b>\$5,404</b>	
													<b>\$2,864,885</b>	

\* The Total Score is obtained by adding the value of Column A to that of Columns B and C then multiplying by the value of Column D.



## **3.2 Curb Ramps Transition Plan**

### **Section Summary**

The Public Works Department has developed a transition plan for compliance with ADA curb ramp requirements. This section summarizes those requirements and describes the actions, costs and timeframes related to improving the City's curb ramp and intersection crossing accessibility.

### **ADA REQUIREMENTS**

The ADA has two sets of requirements for curb ramps, one for existing facilities and one for new construction and alterations. Under its existing facilities provisions, the ADA requires the City to prepare a schedule for providing curb ramps where pedestrian walkways cross curbs and to give priority to walkways serving government offices and facilities, transportation, places of public accommodation, and employees. The City may, but is not required to, construct curb ramps at every point where a pedestrian walkway intersects a curb.

Under the ADA's program accessibility provisions, City offices and programs must be accessible to people with disabilities. Alternative routes to City buildings and programs that make use of existing curb ramps may be an acceptable substitute for creating new curb ramps where individuals with disabilities need only travel a marginally longer route. Additionally, curb ramps that either fundamentally alter a facility or program or that constitute an undue burden may not be required. To achieve or maintain program accessibility, it may be appropriate to establish an ongoing procedure for installing curb ramps upon request in areas frequented by individuals with disabilities as residents, employees or visitors.

Under the ADA's new construction and alterations provision, all newly constructed or altered streets, roads and highways must contain curb ramps or other sloped areas at any intersection having curbs or other barriers to entry from a street-level pedestrian walkway. Similarly, street-level pedestrian walkways must contain curb ramps or other sloped areas at intersections to streets, roads or highways.

Current Washington law, which has been certified by the U.S. Department of Justice as equivalent with ADA Standards, states that intersections in private developments must have three curb ramps. The City's policy for City-funded projects is to provide curb ramps at all four sides of each intersection.

The City's curb ramp transition plan must, at a minimum:

- Identify areas where curb ramps are needed;
- Describe the methods that will be used to create curb ramps;
- Specify the schedule for taking steps to achieve ADA compliance and, if the schedule exceeds one year, identify steps that will be taken during each year of the transition period; and,
- Indicate the official responsible for plan implementation.

## **STRATEGIC APPROACH**

### **Background**

The City has constructed curbs at street intersections for many years. In an attempt to reduce costs, not all street intersections were constructed with adjacent sidewalks or curbs. In most cases, The City's residential streets were constructed using Local Improvement Districts (LID) or by private work order (developer improvements). Arterial streets have been improved with City funds together with financial assistance from state or Federal grants. Curb ramps are constructed through the requirements of the City's building code; developer improvements; and City capital improvement projects. These programs are funded through a variety of sources; some of which receive funding priority in the City's Six-Year Transportation Plan.

### **Training**

The Public Works Department will develop a training program to provide specialized training to its design engineers, construction inspectors, and street maintenance crews to assist them in the design, construction, and enforcement of rights-of-way accessibility issues for curb ramp construction in accordance with ADA requirements.

### **Implementation**

The City's Transition Plan for curb ramps per Section 35.150(d)(2) of the ADA requirements shall include the following strategic elements:

- Identify inaccessible curb ramps and intersection crossings
- Develop a planning schedule and budget for curb ramp maintenance
- Complete the curb ramp maintenance
- Include a public involvement process (request or complaint and review maps via GIS)

The City completed the first inventory of curb ramps and intersection crossings during calendar year 2006. The inventory identified the location, construction type, and condition of all the curb ramps at intersection crossings within the City and placed them in three categories:

1. No curb ramp exists;
2. Ramp exists, but does not have a tactile warning surface at the bottom of the ramp; and
3. Ramp exists and has tactile warning surface (compliant with current ADA standards).

The data collected provides a comprehensive review of the City's accessibility as it relates to curb ramps and intersection crossings. As part of this implementation phase, the location, type, and condition data for the curb ramps and intersection crossings were placed in the City's Graphic Information System

(GIS) database, giving the City the ability to accurately map, evaluate, and prioritize those pedestrian facilities currently not in compliance with ADA standards. This prioritized list shown below will be matched against available funding to develop a strategic plan. The City has identified six specific resources in which to provide the necessary financial support needed to bring the City into full compliance. The six primary sources are:

1. Private Development and Redevelopment – All frontage improvements will be constructed in full ADA compliance.
2. City Sidewalk Maintenance program – A small dedicated budget for upgrades and repairs to sidewalks.
3. City Capital Projects – All pedestrian facilities altered or constructed by a City capital project will be ADA compliant.
4. City Street Maintenance – All pedestrian facilities altered or constructed by a City maintenance repair project will be ADA compliant.
5. Utilities – All pedestrian facilities altered or constructed by a public or private utility installation project will be ADA compliant.

The City is fully committed in making curb ramps and intersection crossings accessible to all pedestrians including those with disabilities. It is the City's goal to work within budget and resource constraints and complete the Transition Plan work within as short a time frame as possible to not only comply with the ADA requirements, but also to ensure citizens can travel safely throughout the City. Therefore, the City shall work to become fully compliant with ADA requirements as they relate to curb ramps and intersection crossings. Whenever capital or maintenance funds are available to be committed solely to correcting pedestrian facilities, the following priorities will be followed. For more information, please see the Funding section at the end of this Curb Ramps Transition Plan.

### **Strategic Priorities**

Public entities that have responsibility or authority over streets, roads, or walkways must prepare a schedule for providing curb ramps where pedestrian walkways cross curbs. Public entities must give priority to walkways serving State and local government offices and facilities, transportation, places of public accommodation, and employees, followed by walkways serving other areas.

To promote both efficiency and accessibility, public entities may choose to construct curb ramps at every point where a pedestrian walkway intersects a curb; however, public entities are not necessarily required to construct a curb ramp at every such intersection. Alternative routes to buildings that make use of existing curb ramps may be acceptable under the concept of program accessibility in the limited circumstances where individuals with disabilities need only travel a marginally longer route. To achieve this requirement, the following priority list has been established:

**1. State and local government offices and facilities**

Facilities near essential public facilities such as City Hall, County and State offices.

**2. Transportation**

Facilities near heavily used public transit stops or along transit routes. Transportation shall include (but not be limited to) the location of bus shelters, bus stops, bus routes and transit centers; designated park and ride locations; and passenger rail.

**3. Places of public accommodation and employees**

Facilities near major commercial centers and along major arterials. A public accommodation is a private entity that owns, operates, leases, or leases to, a place of public accommodation. Places of public accommodation include (but not be limited to) restaurants, schools, theaters, professional/medical offices, retail stores, museums, parks, libraries, day care centers and hotels.

Curb ramps at intersection crossings serving schools should be given highest priority in this section.

**4. Walkways serving other areas**

Facilities along known frequented routes of disabled citizens, as well as, facilities near neighborhood commercial development and residential neighborhoods.

**5. Reconstruction of Non-Compliant Curb Ramps**

Using the data collected during the inventory of curb ramps and intersection crossings, the City will strive to commit available resources to the reconstruction of existing curb ramps and crossings in order to bring the City into full compliance with ADA standards.

Procedures were implemented by the City to ensure the construction of curb ramps meet current ADA standards and will continue to be required when work is conducted at pedestrian facilities under the following conditions:

- Upon request for any location within the City where there is a special need for a curb ramp.
- When new construction or a remodel project valued to exceed 50% of the existing building value occurs at a corner or intersection, curb ramps shall be constructed in compliance with the Revised Code of Washington (RCW) 35.68.075. The requirements call for the installation of curb ramps at the project location and matching the curb ramps at the other end of the intersection crossing (if curb and/or sidewalk are already present at the opposite corner).

- When alterations or improvements occur to City corners due to activities by a utility provider, the affected corners shall either be restored with curb ramps or constructed with new curb ramps in accordance with RCW 35.68.075.
- Any damaged curb ramps shall be repaired or replaced when construction is occurring at the adjacent site or within the right-of-way at the location of the curb ramp.
- When a City street is altered, which includes at a minimum: the laying of at least 1 ½ inches of new asphalt, sealing open joints and cracks, and patching depressions of more than one inch for the entire street from one intersection to the next intersection; and if concrete curb and/or sidewalk exists at a corner, then a curb ramp shall be constructed at the corner and matched with curb ramps at the other end of the intersection crossing (if curb and/or sidewalk are already present at the opposite corner).
- Unfit/unsafe sidewalks – When curb ramps are repaired or replaced in conjunction with the City’s sidewalk maintenance program, the financial responsibility of installation or repair of the curb ramps shall be at the discretion of the Public Work Department. If an unfit/unsafe sidewalk is being replaced on an intersection corner as part of new building construction, then the responsibility for the curb ramp costs will be borne by the abutting property owner.

In addition to this overarching plan, the City will develop a list of specific curb ramp projects and intersections that will be addressed with available funding after funding decisions have been finalized. This list will be updated annually and will be available for the public to review and comment upon. The plan will be consistent with the five strategic priorities outlined herein, and implementation of the plan will be monitored to ensure adherence to these priorities.

**Funding**

The City has several funding sources for road-related projects. Some of the funds are discretionary and some are designated for specific projects. The primary source of discretionary funding is the State Gas Tax, which in part funds curb ramp maintenance program. The curb ramp maintenance program funds the installation of curb ramps at locations not associated with City street construction projects. Other state and federal grant funding sources are used to finance capital street improvements where curb ramps are included in the improvement.

Within the City’s Comprehensive Plan lies the Six-Year Transportation Program. This program represents the City’s multiyear financing plan for transportation

improvements. The program states the anticipated funding level for various years of programs, like the curb ramp program, and street projects.

The City's curb ramp maintenance program is the primary driver in constructing curb ramps to meet the five priorities outlined in above. The majority of the funding for this program has been generated from the Public Works Trust Fund, which has provided approximately \$213,000 per year since 2004 and expires in 2007. In anticipation, approximately \$250,000 has been programmed from Gas Tax revenues for years 2008-2013.

As it stands, the combination of Gas Tax revenues, work that will be done through arterial street projects, the residential street maintenance program and private development will assist in making progress towards ADA compliance goals. The volume of work to be done, however, is considerable and the top two or three strategic priorities will easily consume all the funds currently committed. To make meaningful progress on the backlog of curb ramps and address the fourth and fifth strategic priority, the Public Works Department will require a minimum general fund commitment of \$500,000 per year.

The Public Works Department will work with the City's ADA Coordinator to develop a plan for additional dedicated revenue streams into the future. The results of this approach will be submitted in the 2009-2010 Capital Budget for consideration and implementation.

Community members with concerns about specific curbs should contact Code Enforcement with the specific street crossing and the nature of their concern.

### **3.3 Parks Transition Plan**

#### **Summary**

The ADA requires public facilities, programs and activities be accessible to people with disabilities. This section provides the City's Transition Plan for Parks Department facilities.

#### **ADA Requirements**

The City may not deny the benefits of its programs, activities and services to individuals with disabilities because its facilities are inaccessible.

#### **Strategic Approach**

The Metropolitan Parks District (MPD) conducts the operation and maintenance of some City-owned parks through a stewardship contract. This ADA Transition Plan covers modifications for ADA compliance to be performed by Metro Parks on behalf the City of Tacoma as part of the stewardship contract.

The City-owned properties in this Parks Transition Plan are all slated for improvements under the Park Improvement Bond of 2005. These parks have been the main focus of planning for the last two years, and this planning has included ADA accessibility needs. That level of assessment for the listed City-owned parks provides up-to-date information for reporting the ADA Transition Plan that follows.

ADA accessibility needs for City-owned, City-managed parks are addressed in the Parks Self-Evaluation contained in section 2.3.7 of this report (p. 31).

#### **Implementation**

Each facility or project listed in this Parks Transition Plan includes its own project timeline.



### **Mission-Led – Specialty Centers**

Fort Nisqually – Point Defiance Park, 5400 North Pearl: This historic facility has latent accessibility barriers because the floors of several buildings are raised above ground level. Interim access ramps have been provided at the store and granary, which are not fully ADA compliant. In 2004 the Factor's House was renovated to include full accessibility. Two new structures, the Interpretive Center and Store 1 are slated to open in the fall of 2008 and will also be fully accessible including an elevator in Store 1 for access to the second floor. Handicapped parking is available. Remaining accessibility barriers in the attraction will be identified for future correction.

Peck Field – 2102 South 14<sup>th</sup> Street: This sports complex is slated for improvements with design work beginning in 2010. Only broad scope planning has been performed for upgrades at this time. All improvements will be made in accordance with Accessible Guidelines for Recreational Facilities, Trails and Beaches. Existing accessibility barriers in the park will be identified for correction.

Titlow Lodge Community Center – 8425 6<sup>th</sup> Avenue: This historic structure has latent accessibility barriers because the main floor is a half story above ground level. This center is slated for improvements with design work beginning in 2009. Only broad scope planning has been performed for upgrades at this time. Current accessibility conditions are too complicated to define. Professional consulting services are needed to identify and plan feasible upgrades for accessibility compliance. Expect a definitive ADA Transition Plan to be completed as part of the architectural design work planned for 2009.

Titlow Pool – 8201 6<sup>th</sup> Avenue: This swimming pool may be demolished and the land restored to natural upland conditions at the edge of the historic Titlow Tidal Lagoon. There is a slight possibility that a completely new swimming pool may be constructed on the site to replace the existing. The current level of ADA accessibility at the facility is sufficient for the remaining life of the existing pool.

The Zoo and Aquarium – Point Defiance Park, 5400 North Pearl: There has been a major phase of new construction at the Zoo and Aquarium over the past six years. Improving accessibility throughout the grounds and buildings has been aggressively addressed in older facilities. Significant numbers of new facilities are ADA compliant as certified by occupancy permits issued for full accordance with Washington State Accessibility Codes. The Zoo and Aquarium facilities are in overall compliance with ADA standards except for:

- Aquarium lower and upper viewing locations
- Northeast area Men's and Women's' restrooms
- Polar Bear exhibit
- Rocky Shores exhibits
- Tundra and Red Wolf exhibits

### **Community Resource Centers - Specialty Centers**

People's Community Center – 1602 Martin Luther King Jr. Way: A major improvement project is currently being set up. Design work is expected to begin early December 2007. Construction work would likely begin in early September 2008. Significant ADA improvements were made in 2000. A new main entrance was built to provide automated door opening for greater accessibility. Restroom facilities were also upgraded in 2000 to improve accessibility. Additional ADA improvements have been planned for the pending project:

- Existing restroom fixtures will be upgraded to meet current ADA standards
- Existing toilet partitions will be realigned to meet current ADA standards
- Restroom and dressing facilities will be fitted with ADA compliant accessories
- Upgrade interior signage to current ADA standards
- Circulation within the center will be updated for more convenient accessibility

South End Neighborhood Center – 7802 South “L” Street: This center is slated for improvements with design work beginning in 2010. Only broad scope planning has been performed for upgrades at this time. However, an existing ADA Transition Plan has been updated to identify the following needed ADA improvements:

- Replace all interior signage to attain current ADA compliance
- Revise specific doorway configurations to attain current ADA compliance
- Clear hall ways of elements projecting more than 4” to meet ADA standards
- Remove any barriers that would impede individuals using white canes
- Update the drinking fountain to attain current ADA compliance
- Restroom and dressing facilities will be fitted with ADA compliant accessories
- Upgrade the alarm system with visual warning devices for current compliance

### **Other Building Facilities**

The Lodge – Point Defiance Park, 5400 North Pearl: This historic structure has latent accessibility barriers because the main floor is a raised above ground level. An historic residence, it is not open to the public except for special occasions. Manpower is provided for assisting patrons around accessibility barriers at such openings. Major work is underway to define future functions at Point Defiance Park. In 2010, design work will begin for improvements at the Lodge. Professional consulting services will then identify and plan feasible upgrades for accessibility compliance.

The Pagoda – Point Defiance Park, 5400 North Pearl: This historic structure has latent accessibility barriers because the restrooms are in the basement without elevator service. However, a small restroom near the main floor kitchen has

been modified to provide interim accessibility. This facility is rented out for private events. A redefinition of future functions at Point Defiance Park is in the planning stage. The future use of the Pagoda is under consideration. In 2010, design work will begin for improvements at the Pagoda. Professional consulting services will then identify and plan feasible upgrades for accessibility compliance.

Maintenance Shops – Point Defiance Park, 5400 North Pearl: The maintenance shops compound at Point Defiance Park is an uncoordinated assemblage of buildings. New garages and shops built since 1996 are generally compliant to ADA standards. Other lean-to and outbuilding sheds are for storage only. An old residence is used for storage space. It is likely that the future definition of functions for Point Defiance Park will call for the removal of the maintenance shops in favor of new revenue generating facilities on that prime real estate location. Upgrades for ADA compliance are not worth the building costs at this transitory location.

### **Neighborhood Parks**

Alderwood Park – 33<sup>rd</sup> NE and Browns Point Boulevard: A major improvement project is currently being set up. All improvements will be made in accordance with Accessible Guidelines for Recreational Facilities, Trails and Beaches. Existing accessibility barriers will be identified for correction.

Alling Park – 6001 South Sheridan: A major improvement project is currently being set up. A new playground will be constructed and it will meet Accessible Play Areas Guidelines. All other improvements will be made in accordance with Accessible Guidelines for Recreational Facilities, Trails and Beaches. Existing accessibility barriers will be identified for future correction.

Baltimore Park – 4700 North Baltimore: This Park is slated for improvements with design work beginning in 2009. Only broad scope planning has been performed for upgrades at this time. All improvements will be made in accordance with Accessible Guidelines for Recreational Facilities, Trails and Beaches. Existing accessibility barriers will be identified for correction.

Celebration Park – South 80<sup>th</sup> and “D” Street: A new playground has recently been constructed. It meets Accessible Play Areas Guidelines. Additional improvements are planned for pathways and trails at the park to be completed by 2010. All improvements will be made in accordance with Accessible Guidelines for Recreational Facilities, Trails and Beaches. Existing accessibility barriers will be identified for correction.

Cloverdale Park – 1635 East 59<sup>th</sup> Street: This Park is slated for improvements with design work beginning in 2009. Only broad scope planning has been performed for upgrades at this time. All improvements will be made in accordance with Accessible Guidelines for Recreational Facilities, Trails and Beaches. Existing accessibility barriers in the park will be identified for correction.

Fern Hill Park – South 88<sup>th</sup> Street and Fawcett: This Park is slated for improvements with design work beginning in 2010. Only broad scope planning has been performed for upgrades at this time. All improvements will be made in accordance with Accessible Guidelines for Recreational Facilities, Trails and Beaches. Existing accessibility barriers in the park will be identified for correction.

Garfield Park & Gulch – 400 Borough Road: A major improvement project is currently being set up. All improvements will be made in accordance with Accessible Guidelines for Recreational Facilities, Trails and Beaches. Existing accessibility barriers will be identified for correction.

Lots for Tots – South 12<sup>th</sup> and “I” Street: A new playground has recently been constructed. It meets Accessible Play Areas Guidelines. Existing accessibility barriers in the park need to be identified for correction.

North Slope Historic Park – 1015 North 8<sup>th</sup> Street: The current configuration of the park is in overall compliance with Accessible Guidelines for Recreational Facilities, Trails and Beaches.

Neighbors’ Park – 722 South “I” Street: A new playground has recently been constructed. It meets Accessible Play Areas Guidelines. The park is in overall compliance with Accessible Guidelines for Recreational Facilities, Trails and Beaches.

People’s Park – South 9<sup>th</sup> and Martin Luther King Jr. Way: This Park is slated for improvements with design work beginning in 2010. Only broad scope planning has been performed for upgrades at this time. All improvements will be made in accordance with Accessible Guidelines for Recreational Facilities, Trails and Beaches. Existing accessibility barriers in the park will be identified for correction.

Sawyer Tot Lot – South 25<sup>th</sup> and Sheridan: A new playground has recently been constructed. It meets Accessible Play Areas Guidelines. Existing accessibility barriers in the park need to be identified for correction.

Wapato Hills – South 56<sup>th</sup> and Tacoma Mall Blvd.: Renovation of the trail system is slated for 2009. The focus will be to improve accessibility in accordance with Accessible Guidelines for Recreational Facilities, Trails and Beaches.

### **Community Parks**

Lincoln/Eldridge Park – South 37<sup>th</sup> and Thompson: A major improvement project is currently being set up. A new playground will be constructed and will meet Accessible Play Areas Guidelines. All other improvements will be made in accordance with Accessible Guidelines for Recreational Facilities, Trails and Beaches. Existing accessibility barriers will be identified for future correction.

**Part Three**

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**Signature Community Parks**

Titlow Park – 8201 6<sup>th</sup> Avenue: This Park is slated for improvements with design work beginning in 2010. Only broad scope planning has been performed for upgrades at this time. All improvements will be made in accordance with Accessible Guidelines for Recreational Facilities, Trails and Beaches. Existing accessibility barriers in the park will be identified for correction.

**Regional Parks**

Point Defiance Park – 5400 North Pearl: A redefinition of future functions at Point Defiance Park is in the planning stage. The future use of Point Defiance Park facilities is under consideration. In 2010 design work will begin for improvements in the park. Professional consulting services will then identify and plan feasible upgrades for accessibility compliance.

Ruston Way Parks – Ruston Way WaterFront: A redefinition of future functions at the Ruston Way Parks is in the planning stage. The future use of park facilities is being evaluated. In 2009 design work will begin for improvements in the park. Professional consulting services will then identify and plan feasible upgrades for accessibility compliance. The following parks are part of this complex:

- Chinese Reconciliation Park
- Commencement Park
- Marine Park
- Old Town Dock

**Green Space**

Swan Creek Park – East 48<sup>th</sup> and Everett: Minor improvements are slated for the main access to this undeveloped green space with design work beginning in 2010. Accessible paths will be built in accordance with Accessible Guidelines for Recreational Facilities, Trails and Beaches.

Ursich Park – 2300 North 29<sup>th</sup> Street: Trail improvements are slated for this green space with design work beginning in 2009. Accessible paths will be built in accordance with Accessible Guidelines for Recreational Facilities, Trails and Beaches.



**Appendix A**  
**City of Tacoma ADA Transition Plan Glossary of Terms**





Appendix A: Glossary

**Access, accessible, and accessibility** – access for or accessible to people with disabilities as well as for or to others

**Accommodation** – See Reasonable accommodation

**Activity** – See Program or activity

**ADA** – the Americans with Disabilities Act

**Alternative formats** – a different means of delivering the same information to make that information more accessible to people with disabilities.

**Auxiliary aids and services** – These could include, but are not limited to, equipment and services in the following list:

<ul style="list-style-type: none"> <li>• Qualified interpreters</li> <li>• Note takers</li> <li>• Screen readers</li> <li>• Computer-assisted real-time transcription (CART)</li> <li>• Written materials</li> <li>• Telephone handset amplifiers</li> <li>• Assistive listening systems</li> <li>• Hearing aid-compatible telephones</li> <li>• Computer terminals</li> <li>• Speech synthesizers</li> <li>• Communication boards</li> <li>• Text telephones (TTYs)</li> <li>• Open or closed captioning</li> <li>• Closed caption decoders</li> <li>• Video interpreting services</li> </ul>	<ul style="list-style-type: none"> <li>• Videotext displays</li> <li>• Description of visually presented materials</li> <li>• Exchange of written notes</li> <li>• TTY or video relay service</li> <li>• Email</li> <li>• Text messaging</li> <li>• Instant messaging</li> <li>• Qualified readers</li> <li>• Assistance filling out forms</li> <li>• Taped texts</li> <li>• Audio recordings</li> <li>• Brailled materials</li> <li>• Large print materials</li> <li>• Materials in electronic format (compact disc with materials in plain text or word processor format)</li> </ul>
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**Communicate effectively** – See Effective communications

**Contracting** – both contracts where the City is the recipient of products or services and those where the City is the provider of products or services.

**Direct and equal access** – PSAPs must directly receive TTY calls without relying on an outside relay service or third party service. Equal access means that the telephone emergency services provided for TTY users are as effective as those services provided for people who make voice calls in terms of response time, response quality, hours of operation and all other features offered (e.g.,

**Appendix A: Glossary**

automatic number identification, automatic location identification, automatic call distribution).

**Disability, disabilities or disabled -**

- 1) A physical or mental impairment that substantially limits one or more of the major life activities of such individual;
- 2) A record of such an impairment; or
- 3) Being regarded as having such an impairment.

If an individual meets any one of these three tests, he or she is considered to be an individual with a disability for purposes of coverage under the Americans with Disabilities Act. The DOJ regulations describe in greater detail the conditions included and excluded as disabilities under the ADA, and these rules should be referred to if more detailed descriptions of covered disabilities are desired.

**DOJ** – the U.S. Department of Justice

**Effective communications** – the City communicates as effectively with people who have disabilities as it does with others.

**Equal access** – See Direct and equal access

**In its entirety** – Each component, part or element of a program, service or activity should be accessible at some location. It does not mean that every location must be accessible.

**Primary consideration** – The local government can use another equally effective means of communication if it is available. The preference would be for meeting the individual's request if it does not place an undue burden or fundamentally alter the nature of the service or activity.

**Primary PSAP** – The initial PSAP answering calls (i.e.: LESA)

**Program or activity** – The programs, activities and services offered by a covered entity in fulfillment of its mission. It spans all offerings open to any of the audiences served by the City.

**PSAP or Public Safety Answering Point** – Police and fire communications such as 911 operators at LESA (the primary PSAP) and Fire Dispatch (the secondary PSAP).

**Qualified individual, applicant or provider** – One who can meet the essential eligibility or qualification requirements. Factors relating to the disability may be considered in determining whether the individual is qualified.

**Appendix A: Glossary**

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**Qualified interpreter** – An interpreter who is able to interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary.

**Reasonable, reasonable accommodation, or reasonable modification** – A change or adjustment to a job or work environment that permits a qualified applicant or employee with a disability to participate in the job application process, perform essential job functions, or enjoy benefits and privileges of employment equal to those enjoyed by employees without disabilities; **OR** a change or adjustment in how city programs, services, activities or events are delivered so that they are accessible to people with disabilities or so that people with disabilities are receiving effective communications as part of those programs, services, activities or events.

**Secondary Public Safety Answering Point (PSAP)** – One to whom calls are transferred (i.e.: Fire Dispatch)

**Third party providers** – Organizations contracted by the City to provide programs, activities, services or events, including private companies, nonprofit organizations, and religious entities.

**TTY** – Teletypewriter

**Undue burden or hardship** – An action requiring significant difficulty or expense relative to the size, resources, or structure of the specific program, activity, service or event. If one accommodation would pose an undue hardship, the City must determine if another accommodation is available that would not. Undue hardship is determined on a case-by-case basis.



**Appendix B**  
**City of Tacoma ADA Workgroup Members**



<b>Name</b>	<b>Department</b>	<b>Title</b>
John Briehl (Chair)	Human Rights & Human Services	Director
Rae Bailey	Public Works, Construction	Interim Division Manager
Robin Clausen	Tacoma Public Library	Business Manager
Christian Clegg	City Manager's Office	Management Intern
Daniel Crotty	Tacoma Fire, Prevention & Preparedness	Assistant Chief
Cynthia Davis	Public Assembly Facilities	Operations/ Maintenance Manager
Ron Francis	Public Works, Facilities Management	Facilities Maintenance & Repair Supervisor
Paul Goulding	City Attorney's Office	Assistant City Attorney
Rick Herrmann	Tacoma Power, Generation	Assistant Manager
Jon Houg	Public Assembly Facilities	Sales & Events Manager
Cydney Ketchum	Public Works, Facilities Mgmt.	Senior Real Estate Specialist
Colleen Laing		Consultant
Charles Leech	Human Rights & Human Services	Human Rights Manager
Anne Michael-Smith	Human Rights & Human Services	Office Assistant
Michael Miller	Tacoma Police Department	Lieutenant
Charles (Cap) Pearson	Public Works, BLUS	Civil Engineer
Pete Rambow	Public Works, BLUS	Code Inspection Supervisor
Stan Smith	Tacoma Area Commission on Disabilities	Member

<b>Name</b>	<b>Department</b>	<b>Title</b>
Dan Sully	Public Works, BLUS	Structural Engineer



**Appendix C:  
Endelman & Associates PLLC Report**

**Foreword**

The following report was commissioned by the City of Tacoma and contains ADA accessibility findings, and recommendations for 74 City-owned buildings. In the work that led to the report, Endelman & Associates PLLC used Title 28 of the Code of Federal Regulations, Part 36.

February 16, 2007

Mr. Charles Leech  
City of Tacoma  
Human Resources & Human Services Dept.  
747 Market St.  
Tacoma, WA 98402

**Re: City of Tacoma – 74 City Owned Facilities - ADA Facility Survey Report**  
E&A Project #04.215 / Tacoma Contract # 500042459

Dear Charles:

Endelman & Associates PLLC is pleased to present this ADA Facility Survey Report of 74 City Owned Facilities. We trust you will find the report thorough and useful for your efforts to remove barriers to accessibility. Along with the hard copy report, we have provided the electronic data and the Survey Management Software per contract, which will help you manage the survey data over time as barriers are removed.

Each facility report is in a separate tabbed section, arranged alphabetically, which includes the ADA Survey Results Matrix and captioned photo pages of representative conditions. Where provided directly by the City, or available as public information, we have included reference plans of some of the large facilities for assistance in understanding the report.

The Overview / Executive Summary explains the survey context and how to use the report. This leads to an important recommendation – E&A recommends that anyone receiving a copy of any portion of the report data be provided the Overview / Executive Summary Section. This section answers many questions, and helps assure that the data is used properly.

It has been my pleasure working with you, and we will be glad to provide you with any clarifications necessary on our report contents.

Sincerely,



William E. Endelman, AIA, Principal  
Endelman & Associates PLLC

CityofTacomaCvrLtr.doc

**City of Tacoma - 74 City Owned Facilities**  
**ADA FACILITY SURVEY REPORT**

**Prepared by: Endelman & Associates PLLC - February 16, 2007**

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**Section 2 - APPENDIX / LEGEND**

- A. Abbreviations
- B. Legend for the ADA Survey Results

**Sections 3 - ADA SURVEY RESULTS - For each of the following 74 facilities, a Detailed Matrix of observed issues, captioned photo pages and key plans as provided are in separate tabbed sections in multiple volumes, alphabetically.**

**Volume One**

A Street Garage (Tacoma Parking)	110 S. 10th	Tacoma	WA
Airport Terminal Building	1022 26th Avenue NW	Tacoma	WA
Beacon Senior Center	415 South 13th Street	Tacoma	WA
Bi-Centennial Pavilion (Old Tacoma Convention Center)	1313 Market Street	Tacoma	WA
Bi-Centennial Pavilion Parking (at Sheraton)	1320 Broadway Plaza	Tacoma	WA
Carlton Parking Lot & Garage	1551 Broadway	Tacoma	WA
Cheney Stadium	2501 S. Tyler St.	Tacoma	WA
Eastside Boy's Club	614 East 64th Street	Tacoma	WA
Environmental Services - Administration Offices (2nd Flr.)	2201 Portland Avenue	Tacoma	WA
Fernhill Branch Library	765 South 84th Street	Tacoma	WA
Fire Department Training Facility	2124 Marshall Avenue	Tacoma	WA
Fire Prevention	3471 South 35th Street	Tacoma	WA

**Volume Two**

Fire Station #1	901 South Fawcett Avenue	Tacoma	WA
Fire Station #2 (HR)	2701 Tacoma Avenue South	Tacoma	WA
Fire Station #3	206 Browns Point Boulevard	Tacoma	WA
Fire Station #4 (HR)	1453 South 12th Street	Tacoma	WA
Fire Station #6	1015 East "F" Street	Tacoma	WA
Fire Station #7	5448 South Warner	Tacoma	WA
Fire Station #8	4911 South Alaska Street	Tacoma	WA
Fire Station #9	3502 6th Avenue	Tacoma	WA
Fire Station #10 (HR)	7247 South Park Avenue	Tacoma	WA
Fire Station #11 (HR)	3802 McKinley Avenue	Tacoma	WA
Fire Station #12	2015 54th Avenue East	Fife	WA
Fire Station #13 (HR)	3825 North 25th Street	Tacoma	WA
Fire Station #14 (HR)	4701 North 41st Street	Tacoma	WA
Fire Station #15	3510 East 11th Street	Tacoma	WA
Fire Station #16	7216 6th Avenue	Tacoma	WA
Fire Station #17	302 Regents Boulevard	Tacoma	WA
Hangar Building #1	1620 26th Avenue NW	Tacoma	WA
Hangar Building #2	1624 26th Avenue NW	Tacoma	WA
Hangar Building #3	1712 26th Avenue NW	Tacoma	WA
Hangar Building #4	1724 26th Avenue NW	Tacoma	WA
Hill Climb at S. 10th	South 10th & Pacific Avenue	Tacoma	WA
Hill Climb at S. 12th	South 12th & Pacific Avenue	Tacoma	WA

I-705 Lot "A"	E. 26th St. (Beneath I-705)	Tacoma	WA
I-705 Lot "B"	E. 26th St. (Beneath I-705)	Tacoma	WA
I-705 Lot "C"	E. 26th St. (Beneath I-705)	Tacoma	WA
Kobetich Branch Library Les Davis Pier / Public Restrooms	202 Browns Point Blvd NE	Tacoma	WA
Lighthouse Senior Center	3405-3427 Ruston Way	Tacoma	WA
Main Library	5016 "A" Street	Tacoma	WA
Main Library Branch Parking Lot	1102 South Tacoma Avenue	Tacoma	WA
Martin Luther King Branch Library	1102 South Tacoma Avenue	Tacoma	WA
Moore Branch Library	1902 South Cedar	Tacoma	WA
	215 South 56th Street	Tacoma	WA

**Volume Three**

Mottet Branch Library	3523 East "G" Street	Tacoma	WA
Municipal Building Parking Lot	728 Market St.	Tacoma	WA
Municipal Services Center - TV Tacoma	1224 Martin Luther King Jr. Way	Tacoma	WA
Museum of Glass Parking Garage	1801 Dock St.	Tacoma	WA
Pantages Theater - Jones Bldg. - Annex	901 Broadway	Tacoma	WA
Park Plaza North Garage	923 Commerce Street	Tacoma	WA
Park Plaza South Garage	1124 Commerce Street	Tacoma	WA
Peoples Community Center	1602 MLK, Jr. Way	Tacoma	WA
Point Defiance Senior Center	4716 North Baltimore	Tacoma	WA
Rialto Theater	310 South 9th Street	Tacoma	WA
Sea Scout Building	1132 Dock Street	Tacoma	WA
Solid Waste Management Administration Offices	3510 South Mullen St.	Tacoma	WA
South End Neighborhood Center	7802 South "L" Street	Tacoma	WA
South Tacoma Branch Library	3411 South 56th Street	Tacoma	WA
Swan Creek Branch Library	3828 Portland Avenue	Tacoma	WA
Swasey Branch Library	7001 6th Avenue	Tacoma	WA
T.A.C.I.D.	6315 South 19th St	Tacoma	WA

**Volume Four**

Tacoma Convention Center (New)	1500 Broadway, Tacoma 98402	Tacoma	WA
Tacoma Dome	2727 East "D" Street	Tacoma	WA
Tacoma Learning Center	6316 South 12th Street	Tacoma	WA

Tacoma Municipal Building (HR)	747 Market Street	Tacoma	WA
Tacoma Municipal Building North	733 Market Street	Tacoma	WA
Theater On The Square (Broadway)	915 Broadway	Tacoma	WA
TPD Fleet (Maintenance Div. at Costco Site)	35th & Pine Street	Tacoma	WA
TPD Sector 2	5136 N 26th	Tacoma	WA
TPD Sector 4	3524 McKinley Avenue	Tacoma	WA
TPU Complex	3625 S. 35th	Tacoma	WA
TPU South Service Center	3002 - 224th St. E.	Spanaway	WA
Wheelock Branch Library	3722 North 26th Street	Tacoma	WA
Working Waterfront Maritime Museum	705 Dock Street	Tacoma	WA

CityoftacomaExecSumF.doc

## **City of Tacoma - 74 City Owned Facilities ADA FACILITY SURVEY REPORT**

**Prepared by: Endelman & Associates PLLC - February 16, 2007**

### **I. OVERVIEW / SCOPE OF SERVICES**

City of Tacoma contracted with Endelman & Associates PLLC (E&A herein), to perform an Americans with Disabilities Act (ADA) Survey of public areas of the 74 City Owned Facilities in Tacoma, Washington. This list is the updated list based upon working with the City to determine currently owned facilities that have City programs. This ADA Facility Survey is an effort to identify observed barriers to program accessibility in the public areas of City facilities for compliance with the “program accessibility” requirements of Title II of the Americans with Disabilities Act.

It is important to understand that the facilities are one component of City program accessibility, and E&A’s scope of work is limited to facility access only. Additionally, there may be many available programmatic solutions for facility access, such as relocating programs to alternate accessible locations. However, the focus of this report is on removing physical barrier at each facility in order to provide enduring program access.

Specifically excluded are assessments of staff-only (employee) areas where the public is not given self directed access. Under Title I of the ADA, the City must make “reasonable accommodation” to employees with disabilities. However, staff-only areas are beyond E&A’s scope of work.

E&A is also providing preliminary “Recommended Solutions” to remove each barrier, along with itemized budget costs. Title II of the ADA requires Owners to remove barriers to programs over time to the extent that it is “does not cause an undue burden”. In this report, the “Owner” refers to the City.

This ADA Facility Survey was performed to assess observed barriers under the ADA located in public areas of the facilities. Employee-only (or staff areas) were not assessed or part of E&A’s scope of work.



This Report does not evaluate whether the facility was constructed in full compliance with the applicable Building Code accessibility provisions in force at the time of the original permit, or during any for subsequent renovations. Note that Building Code accessibility compliance is not enforced retroactively. However, ADA compliance is retroactive and is a Civil Rights Law that presents the biggest exposure from a risk management perspective. It is important to note that in obtaining a building permit for any areas to be renovated for ADA compliance, there may be some more stringent dimensional aspects under the current building Code that would also apply.

This survey does not address “auxiliary aids”, operational issues assuring that people with disabilities are not denied equivalent services, such as provision of interpreters or Braille printed material.

The field ADA Facility Survey for the properties were conducted using proven ADA Survey instruments and calibrated measurement tools. Collected data was reviewed and analyzed, and recommended preliminary solutions were developed to result in the ADA Facility Survey Report. We used Endelman & Associates PLLC’s custom Survey Solutions Software™ database to generate the ADA Survey Results section. The field ADA Surveys were performed on between March and December 2006.

Each item in the ADA Survey Results for each building, that follows this Overview & Executive Summary, includes the *ADA Accessibility Guidelines (ADAAG) Citation*, the *Observed Barrier, Location, General Priority (PR)*, a *“Sufficiency” Code*, and a *Comments* field per item.

The Report includes captioned photographs of typical or unique conditions, along with limited key reference plans for the most complex buildings, where provided by the City.

## **II. OVERVIEW OF ADA REQUIREMENTS**

### **A. BACKGROUND**

The Americans with Disabilities Act of 1990 (ADA) is civil rights legislation designed to extend civil rights protection to persons with disabilities. It is not a building code, although many of the technical requirements in ADAAG resemble technical standards of a building code. It is primarily administered by the Department of Justice. A complaint can be filed by any person, and fines and other penalties may be assessed as determined by the Department

of Justice. In addition, the ADA includes a mechanism for the Justice Department approval of local codes to be consistent with the requirements of the ADA.

There are four Titles to the Americans with Disabilities Act:

**Title I Employment** - Prohibits discrimination in hiring and requires employers to provide "reasonable accommodation" to disabled individuals with respect to job description and the work place. Employment accessibility is/was not included in the E&A' scope of work and is not part of this report.

**Title II Public Services and Transportation** - Prohibits state and local governments from discrimination by requiring "program accessibility". Program accessibility can be attained by rescheduling and/or relocating programs to accessible locations or by making physical facility changes, called "structural changes" in the ADA. Program accessibility must be achieved to the extent that it does not cause "an undue burden", a significantly higher standard than "readily achievable", applicable under Title III, which applies to privately owned "public accommodations". The 74 City Owned Facilities fall under Title II.

**Title III Public Accommodations** - Places of public accommodations are required to be made accessible where "it is readily achievable", with a deadline for existing facilities as of January 26, 1992. Title III is applicable to the private sector.

**Title IV Telecommunications** - Applies to companies providing telephone service to the public. They must offer telecommunications devices for the deaf (TDD'S), or other equipment.

*Title II applies to the 74 City Owned Facilities as part of the City's "program."*

*City's Curb Ramp Inventory* - Although not part of E&A's scope of work, E&A was asked reference in this document the City's staff performed public right of way curb ramp inventory effort. This document could not be attached to this document because it is in an electronic format (estimated 10,000 pages), and not usable in this format. The City Curb Ramp Inventory data is not part of E&A's survey effort, analysis, or part of our database. The data is available from *City of Tacoma, PWD – Streets and Grounds Division*.

Under Title II, the ADA requires owners public entities to remove barriers in their existing programs *to the extent that it is does not cause an “undue burden”*. In preparing this report, E&A was not provided confidential information on the details of the City’s finances and/or annual budgeting. Therefore, it is the responsibility of the City to make the final determination of what constitutes does not cause an “undue burden” for the entity in a given year. In addition, the ADA is designed so that accessibility can be achieved over the long term. This means that what is not achievable in year one (based on what is does not cause an undue burden), may be achievable at a future point in time.

Because E&A did not survey areas within staff spaces, E&A is not addressing any potential Title I Employee issues that may be required as “reasonable accommodation” to any disabled employees.

## **B. TECHNICAL REQUIREMENTS / STANDARDS**

The Americans with Disabilities Act Accessibility Guidelines (ADAAG) as adopted and enforceable by the U.S. Department of Justice, is the technical accessibility standard applicable when constructing new public accommodation facilities or altering existing facilities after January 26, 1993. These standards apply retroactively in requiring owners to remove barriers to existing facilities.

Public entities may elect to use another federal accessibility standard, the Uniform Federal Accessibility Standard (UFAS) to assess existing buildings. However, the City has elected to use the ADAAG standard for this assessment, which is the basis for E&A’s report.

When implementing solutions to barrier removal, as an alternative to literally complying with a technical standard cited in ADAAG, the ADA allows for an “equivalent facilitation” to accomplish barrier removal. This is acceptable to the extent that such action provides greater or equal access. For example, a pharmacy may provide a free prescription drug delivery service *in lieu of* renovating the entry to the pharmacy. However, the Owner should be aware that providing “operational solutions”, rather than physical facility solutions, is a less enduring approach to barrier removal and may require continued training, monitoring and enforcement of staff operations.

State and local code requirements apply to buildings constructed or renovated under a building permit. These may also apply if, and when

renovations are made to remove barriers. As previously stated, E&A assessed for compliance with the currently enforceable ADA Accessibility Guidelines (ADAAG) only. Building Code compliance is not applied retroactively, unlike the ADA.

In addition, it is important to note that ADAAG is amended periodically to meet newly adopted standards. On July 23, 2004, a “New ADAAG” was issued by The Access Board. It contains some revisions to some dimensions, and some additional provisions to the original ADAAG, which was used for this survey. It reorganizes the current standards for improved use, incorporates public facilities, and incorporates more specialty building types. The New ADAAG is not enforceable until such time that the Department of Justice adopts the new standards at a future uncertain date. In a few instances, we may have recommended postponing some items, with large cost implications, that are non-compliant under the current ADAAG, but which may be compliant under the New ADAAG. Therefore, we have reviewed this facility according to the current ADAAG, which is in force.

E&A also cited “New ADAAG” dimensional standards where they differ from the current ADAAG dimensions, for future reference. These are clearly noted as such in the citation of the barrier in the ADA Survey Results.

**C. GENERAL PRIORITIES UNDER THE ADA**

The ADA provides general priorities in 28 CFR Part 36.304(c) as guidance only for barrier removal in public accommodations. These would be reasonable to apply to public entity facilities as well. These are not mandatory priorities, but rather, general guidance as to relative importance. As the Owner makes a determination of phasing and implementation priorities for barrier removal, we recommend taking the ADA general priorities into account, along with other factors including budget, operational issues, and public usage data. In this report E&A has assigned these ADA general priorities (PR) to each noted barrier for guidance only. As part of a Transition Plan, it is the City’s responsibility to further prioritize removal of barriers to programs based upon finances and program priorities to the extent that it does not cause an “undue financial burden”.

<b>ADA Priorities per 28 CFR Part 36.304(c)</b>	
<b>1</b>	Provision of access to a place of public accommodation from public sidewalks, <u>parking</u> , or public transportation. These measures include installing <u>entrance</u> ramps, widening entrances, and providing accessible parking spaces/ signage.

<b>2</b>	Provision of <u>access to those places where goods and services</u> are made available. These measures include revising interior routes, adjusting the layout of tables, providing Braille and raised character building signage, widening interior doors, and installing ramps.
<b>3</b>	Provision of <u>accessible restrooms</u> , such as removal of obstructing items on the route to the restroom, widening of restroom doors, widening of toilet stalls, provision of accessible plumbing fixtures, and installation of grab bars.
<b>4</b>	Making <u>other modifications</u> to provide access to the goods, services, facilities, privileges, advantages, or accommodations, such as accessible public <u>phones</u> and <u>water fountains</u> .

### **III. ADA FACILITY SURVEY REPORT OVERVIEW**

#### **A. REPORT CONTENTS AND FORMAT**

This report is based upon field observations of barriers, as defined by the currently enforceable ADA Accessibility Guidelines (Appendix A to Part 36 7/1/94). The complete report for each facility includes the following:

1. The *Overview/ Executive Summary*, with the essential *Assumptions Sections* accompanies the report.
2. The *Appendix* includes an *ADA Survey Results Legend and Abbreviation List* in this section.
3. The *ADA Survey Results* is the detailed report of the observed barriers observed at each public restroom, citations, and comments on ADA compliance. Please reference the *ADA Survey Results Legend* for more information on reading the report. Each building also includes *Captioned Photo Pages* are provided for illustrative purposes. Photos are not intended as comprehensive documentation. Where provided and useful, we have included reference key plans.

All Report Data Tables can be provided in electronic format (database-compatible Excel spreadsheet format) for the Owner to use in managing a barrier removal program.

As part of this scope of work, E&A will be providing a stand alone Project Status / Report Writer for the City to manage the data in the database.

## **B. ASSUMPTIONS & CONSIDERATIONS**

This report divides Assumptions and Considerations into three categories: *Facility, General, and Technical.*

### ***Facility Assumptions***

These assumptions are specific to the City of Tacoma project.

1. *Public Use* – E&A treated the term “public” to mean facilities used by “other than City employees only”. This may include City residents, sports teams and theater troupes, vendors, and other similar outside users.
2. *Private Tenant Spaces* - Spaces that are leased from the city to Tenants, such as a coffee concession or restaurant, were not surveyed as part of this report. E&A assumes that compliance with applicable Codes and Federal laws are a tenant responsibility as defined in City Lease terms. E&A recommend verifying City Lease terms at such applicable spaces.
3. *Department Office Spaces* – This ADA Survey addresses public program areas of facilities. In a typical administrative office, this might include a public information counter and/or a conference room (spaces where the public may be directed unescorted). E&A did *not* survey staff areas. If the public is allowed into these areas, the assumption is that the public would only do so in an escorted manner, where any assistance (such as an inaccessible door knob) could be provided by the person escorting. Title I of the ADA covers employee issues, and the city needs to make reasonable accommodations to employees with disabilities, on a personal basis, not a prescriptive standard.
4. *Properties Surveyed* – The original list of properties was provided by the City. E&A worked with the City to reduce the list to those that are public program areas, to the best of our joint knowledge. During the course of our work, the list was further modified in consultation with Charles Leech, as we ascertained that some facilities had been closed to the public, new facilities have been constructed, some facilities were determined not to be City owned, and other such determinations. The final list is 74 facilities.

5. *Areas Under Remodel Construction* – Where we encountered some portions of a building under construction during the time of our scheduled survey, such as at the Pantages Theater, E&A did not survey such areas. These areas were limited in size, and the assumption is that the renovation plans must meet current building code accessibility standards, which are more stringent than ADA. We were not provided any renovation / building plans and/or Permits of such areas.
6. *Tour Groups* – E&A did not assess areas normally used solely by staff, even if such areas may potentially have “tour groups” visit. Many such areas, such as a fire department personnel area are not required to be accessible public accommodations based upon their staff function. However, the City should evaluate whether or not tours of inherently non accessible areas should be permitted as part of City programs, as they could be considered discriminatory.
7. *City Policies for Equivalent Facilitation* – We became aware of some “unofficial” policies that are currently used in facilities to provide an equivalent service, such as taking the blood pressure of a person located in their car at a fire station, where the fire station entry may not be fully accessible. E&A recommends all such operational policies be formally adopted in writing, and signage be posted in a conspicuous location to allow customers to note such available equivalent services.
8. *“Historic” Buildings* - Alterations in historic buildings must comply with the same standards as other alterations to existing buildings unless “it is determined in accordance with defined procedures (ADAAG) 4.1.7(2) that compliance with accessibility requirements for accessible routes (exterior and interior), ramps, entrances or toilets would threaten to destroy the historic significance of the building or facility.” If this were determined to be the case at specific locations, then some deviations from the strict standards specified in the law may be used instead.

Although there are many buildings people would believe to be historic or which have unique details, only those buildings registered as a National, State or Local Historic Landmark would meet the requirements. There are prescribed procedures per the National Historic Preservation Act Section 106 for determining deviations. For state and local Historic Landmarks, there are similar determinations to

be made by the State Historic Preservation Officer or other delegated authority.

Per the ADAAG, Minimal Requirements for accessibility in Historic Buildings are:

- a) A minimum of one accessible route from the site to an accessible entry. (A ramp with a 1:6 slope for a maximum 2 foot length may be used at an exterior entry.)
- b) At least one accessible entry shall be provided. (If public entries cannot comply, then a non-public, unlocked entry may be provided, with directional signage provided at the public entries.)
- c) If toilets are provided, at least one toilet on an accessible route must be provided. (A unisex privacy restroom may be used.)
- d) An accessible route shall be provided to all public spaces at the level of the entry.
- e) Displays and written information must be viewable by a seated person, including horizontal displays at 44" maximum.

Again, these minimal requirements may only be used by exception, when it is formally and properly determined that meeting the standard requirements for alterations to buildings cannot be done, in order to preserve the historic nature. It may be that only some aspects of the standards specifically cannot be met. Although we have been design sensitive in our recommendations, we have not coordinated with the preservation authorities. The Owner needs to take this step.

9. *E&A Recommended Solutions* – The solutions proposed in our survey are recommendations based upon survey observations and our experience, and do not reflect any design study. There maybe alternative compliant solutions. For some items we indicated “further design study required” where the solution requires detailed study, or where there is no obvious solution. In retrofits, accessibility must be provided to the maximum extent technically feasible. Solutions also do not take into account notable aesthetic considerations which could modify or increase the cost of implementing the solution in an acceptable way.
10. *Locked Rooms* – Occasionally we encountered an area that was locked, there was no one on site who could provide access. We assumed that most of these were storage areas, however, there could be some areas used by the public that was not assessed.



11. *Sports Facilities* – Per provided information, E&A assumes that specialty training equipment such as weight machines, therapeutic spas, etc. are the property of a tenant, not the City. Therefore, E&A did not assess any equipment access for any ADA compliance issues, other than provision of an accessible route to the item.
12. *Door Maneuvering Space* – In our report we use the term “level” for door maneuvering space, clear floor space, and ramps landings. In this context “level” means having a slope in all directions no more than 2% (1:48) per ADAAG requirements, which is a slope of ¼” per foot. This is considered level per ADAAG.
13. *Private Entity versus City “Ownership” and Responsibilities* – Per our discussion with *Puget Sound Freight Building Museum* representative, we were lead to believe in the course of our work that the museum is a private, non-profit tenant under a public-private umbrella organization, housed within a City owned building. E&A recommends that the City sort out compliance and cost responsibility for this building’s issues. There may be other such “ownership” issues for the *Sea Scouts Facility, the Old Convention Center, the Museum of Glass Parking and maybe some others like parking operated by a private entity*. Per the ADA, relative responsibility for ADA compliance was left to rest on lease terms, rather than imposed by the law. Therefore, some costs in our report may not be direct City costs.
14. *Tolerances at Toilets* – Where the ADAAG technical requirements specifies a range of dimensions, the range is the tolerance, and dimensions above or below that range are not compliant. There is also a dimensional tolerance issue for the required distance between the centerline of an accessible toilet and an adjacent wall, required to be 18” exactly. Due to construction sequencing where the location of plumbing is set before slabs are poured and walls constructed, it is very difficult to provide 18” exactly. In our professional opinion, a +- ½” tolerance is an acceptable deviation. Note that the current 2003 International Building Code and referenced ANSI A117.1 -2003 allows 16”-18”, a range which is in conflict with the currently enforceable ADAAG.
15. *Drug Enforcement Agency* - E&A assumes that the DEA, located in the Municipal Building North, is excluded from the report since it is a Federal Agency that occupies the space. E&A did survey the core restrooms on this floor that are a part of the Public corridor.

**General Assumptions:**

1. *Operations and Program Information* – E&A was provided limited general information concerning facility operations. The report was developed based upon the Consultant’s observations of existing conditions and programmatic information provided. E & A surveyed the properties based upon the current use of the facility, and based our solutions accordingly.
2. *ADAAG Amendments* - The ADA Accessibility Guidelines (ADAAG) are periodically amended by The Access Board. The ADA Facility Survey and citations applied were based upon the ADAAG standards *currently enforceable by USDOJ* at the time of conducting the field survey. Amendments issued in the Federal Register as adopted by the Department of Justice subsequent to the issuance of the report may affect future barrier removal plans.

On July 23, 2004, a “New ADAAG” was issued by The Access Board. It contains some revisions to some dimensions, and some additional provisions to the original ADAAG, which was used for this survey. The New ADAAG is not enforceable until such time that the Department of Justice adopts the new standards at a future uncertain date.

3. *“Undue Burden” and Barrier Removal* – The Owner is solely responsible for determining when program accessibility does not cause an undue burden based upon the Owner’s current finances. Generally, where the Consultant has made a recommendation to not remove a barrier at the present time, it is only if the cost appeared extremely high *and* only if minor increased accessibility would be achieved as a result of this removal. Such recommendations should be re-reviewed by the Owner over periods of time, as finances may change.
4. *Reasonable Accommodation to Employees* - Under the ADA Title I, staff areas of existing facilities need not be changed unless an employee with a disability requests a reasonable accommodation be provided. Note that actual accommodations required by an individual with a disability will depend upon their specific needs. Also note that if currently designated “staff” areas were changed into designated “public” areas in the future, it may require removing additional barriers to satisfy ADA requirements for public use.

5. *Building Code* - The current building code may be applicable when securing a building permit for renovations requiring such a permit. There may be some deviations in dimensional requirements for accessibility, which should be verified prior to construction.
6. *Code Required Accessibility Expenditures* - Renovation projects completely distinct from an ADA project may trigger the Code “percentage of cost for path of travel compliance” rules. These regulations require that a portion of the total money spent on renovation be spent to improve the accessibility of the building. Therefore, it would be prudent to evaluate the long-term facility uses and renovation plans prior to implementing ADA barrier removal in order to perform work most cost effectively.
7. *No Testing of Hidden Conditions or Alarms* - Barrier removal solutions were based upon field observations of existing conditions. No testing, review of construction documents, or review of building codes was undertaken as part of this ADA Facility Survey. For example, grab bar reinforcing within walls was not verified by E&A to be present, or tested by the E&A to assure that the reinforcing meets the required loads for safety. E&A did no testing of alarm systems for compliance with technical standards in ADAAG.
8. *An Important Note* - The Americans with Disabilities Act is a complex law. It contains many concepts and terms which have not been tested by actual experience or defined in the courts with respect to particular factual situations. Accordingly, the E&A make no claim, expressed or implied, that, in preparing this limited verification ADA Facility Survey, all barriers (to all individuals with disabilities) have been identified whose removal might be required by the ADA.

The E&A performed a visual ADA Facility Survey only, and, in accordance with the contract, did not test any building / site systems or components for adequacy. The Owner is solely responsible for non-discrimination under the ADA and other applicable laws, and civil lawsuits under the ADA (frivolous or otherwise) remain possible regardless of the number or types of barriers, if any, that are removed.

E&A’s recommendations should be reviewed by the Owner’s legal counsel and risk management and compliance personnel. The modification work required to comply with the ADA varies according to

many factors among which are the financial resources of the Owner and significance/ severity of the barriers. The Owner's decisions regarding the scope of work to perform should be based upon the professional advice of the noted parties, along with input from the disabled community or representatives, whenever possible.

**Technical Assumptions:**

1. *Mounting Heights at Dispensers* – Note that State of Washington Amendments (WAC 51-50) to the 2003 International Building Code and referenced 2003 ANSI A117.1 technical standards, per section 1101.2.5 requires that maximum mounting height for new dispensers (for example, dispensers located within restrooms) be maximum 40” high. This is more stringent than the current ADAAG requirements of maximum 48” high with a 30” x 48” clear floor space for a front approach, or maximum 54” high with a 30” x 48” clear floor space for a parallel approach. We recommend that all new dispensers and/or relocated dispensers should meet this more stringent Code reach range requirement. Also note that the “New ADDAG” specifies a maximum 48” mounting height for both front and side reach range.
2. *Slip Resistance* - ADAAG Section 4.5 and Appendix Section A4.5.1 require that both floors on accessible routes and floors within accessible room areas are to be "slip-resistant". While OSHA has considered a Static Coefficient of Friction of 0.5 to be "slip-resistant", the Access Board *recommends* a coefficient of 0.6. Ramps require a higher "slip- resistance" of 0.8.

There is more than one testing methodology, and the results of the different tests are not interchangeable. Tests are for dry surfaces, and do not take into account wet surfaces.

The Owner should be aware that some VCT (vinyl composition tile) and sheet vinyl floors commonly used may not have Coefficients of 0.6; therefore, would not be considered slip-resistant under the new standard. Generally, stone, tile, wood and vinyl floors with specified “polished” finishes are likely to not meet the ‘slip-resistant’ coefficient. Polishes and contaminants further exacerbate the situation, suggesting a maintenance program. Floors in wet areas, such as hotel guestroom bathrooms are made more slippery by water and soaps. The E&A recommend that detailed product information be reviewed for new

installations to assure compliance. More discussion is available from the Access Board in a Technical Bulletin (available online at [www.access-board.gov](http://www.access-board.gov)).

Your cleaning and maintenance program should be reviewed in the context of slip resistance.

Floors and surfaces were neither tested nor specifically cited in the ADA Facility Survey Reports as this testing is not included in the E&A' scope of work, nor is it our technical expertise.

3. We have assessed barriers using the dimensions in ADAAG taking into account reasonable construction tolerances based upon our general experience for various building trades and materials. This does not mean that we have done extensive research of trade councils and documentation on tolerances. In some instances, such as dimensions from toilet centerlines to side walls that are required to be 18", we have cited virtually all deviations, but addressed an acceptable  $\pm 1/2$ " tolerance as reasonable. This is a judgment call and various recommendations are based upon this.

### **C. BUDGET COST ASSUMPTIONS**

The Budget Costs included in the ADA Survey Results Matrix are concept level cost estimates that are provided only to assist the Owner with establishing budgets to remove physical barriers in public accommodation areas, subject to the assumptions in this Executive Summary.

*The costs in the Survey Report are **budget** costs, subject to the following conditions:*

Budget Costs INCLUDE:

- Costs for direct material, labor and equipment costs, without general contractor mark-ups for overhead and profit, General Conditions, or sales tax.
- Costs are based upon costs typical for the location of the facility at the time of survey. Please refer to indexes such as the Means Construction Index to reflect changing costs over time.
- Costs based upon typical costs for labor and materials for each item, given moderate quantities for typical construction types.

Budget Costs DO NOT INCLUDE the following:

*Therefore, the following are some specific budget items the Owner should consider in project budgeting, in addition to the costs summarized in this report:*

- General Contractor overhead and profit and / General Conditions.
- Construction Management, if used.
- Design and project management fees.
- Inflation factors when phasing construction over time.
- Contingency for unforeseen existing conditions.
- Premiums due to construction in occupied and heavily used spaces.
- Premium for any potential overactive bid climate and potential high volatility and unpredictability reported for certain materials such as lumber and steel.
- Potential asbestos abatement, lead paint abatement, or other environmental impact costs that may arise doing accessibility renovation work.
- Alternate costs that may be included in the comment field, not in the budget cost field.
- High levels of fit, finish and detail that may be desired on an aesthetic basis.
- Contingency due to future changes in the accessibility laws/ codes.
- Permit fees.
- Sales tax.
- Any in-house costs allocated to projects.

#### **D. Removing Barriers to Programs - Using This ADA Survey Report**

It is important to understand that the ADA Master Survey Report represents preliminary solutions and costs for physical facility modifications to remove barriers, as if the building were to be constructed to new compliant standards, and that it is NOT automatically necessary to remove barriers to programs by making all these expenditures. There are also some limitations due to of structural or technical infeasibility (as specifically defined in the law).

As outlined above in the requirements for Public Sector entities under Title II of the ADA, it is important to understand that there are many ways to remove barriers to the City of Tacoma's programs, and that program accessibility include far more than the facility survey that is E&A scope of work under our contract.

Part of the City's programs include telephone services and written information at each department. This type of program access is not part of this report.

*To implement the survey information in this report, there are some important concepts.*

- The ADA requires that public entities perform a "Self Assessment" and a "Transition Plan" (implementation plan). The Self Assessment is the list of barriers. Because E&A survey reports include recommended solutions and itemized costs, the detailed portion of a Transition Plan is completed. The missing piece is the overview planning and prioritization, and matching the needs to annual budgets. It is the City's responsibility to perform this part of the Transition Plan. E&A can assist the City as an additional hourly consulting service. We have successfully used a facilitation approach with other entities with a work session of stakeholders.
- This report provides physical facility solution to remove barriers, and such solutions are enduring solutions.
- There may be other methods to remove barriers in a compliant fashion which may be found as a result of further design study. Our recommendations are preliminary, based upon observed conditions and our experience, and were NOT based upon any design work.
- The City may use operational solutions such as relocating a program to a fully accessible facility from a non-accessible facility.
- Equivalent facilitation, such as providing the service in a different way under the ADA as permitted. However, operationally dependant solutions require clear written policies, ongoing monitoring, training of staff, and usually cannot be depended upon to work on a long term basis.

### **Alterations**

Per Section 4.1.6 in the ADA Accessibility Guidelines, there are some aspects worth highlighting.

- No alteration shall be undertaken which decreases or has the effect of decreasing accessibility or usability of a building or facility below the requirements for new construction at the time of alteration.
- Where compliance is "technically infeasible" alterations should provide accessibility to the maximum extent feasible. (Technically infeasible means having little likelihood of being accomplished because existing structural conditions would require removing or altering a load bearing member which is an essential part of the structural frame, OR because

existing physical or site constraints prohibit modification or additions for full compliance.

- Elevators do not need to be added to an existing facility of less than 3 stories or of less than 3000 s.f. per story. This does not eliminate the need to comply with other aspects of facility accessibility. It also does not eliminate the need to provide access to the City programs in another fashion.
- Alterations to primary functions must be done so as to ensure to the *maximum extent feasible* that restrooms, telephones and drinking fountains serving the area are usable unless such alterations are disproportionate to the overall alteration in terms of scope and cost as determined by criteria by the Attorney General.
- In assembly areas, where it is technically infeasible to disperse seating throughout, accessible seating areas may be clustered.



**IV. EXECUTIVE ACCESSIBILITY SUMMARY**  
**74 City Owned Facilities**

E&A was contracted to perform an ADA Facility Accessibility Survey of public areas of the 74 City Owned Facilities to assess observed barriers under Title II of the ADA using the ADA Accessibility Guidelines (ADAAG) currently enforceable by the US Dept. of Justice as a technical standard. A review of accessibility issues per applicable Building Code was NOT part of our scope of work. Review of accessibility within staff only areas was NOT part of our scope of work. However, our proposed preliminary solutions do attempt to take into account some more stringent Building Code dimensional requirements, where clearly applicable.

Under the ADA, the Owner of an existing building needs to remove barriers to programs to the extent that it is “does not cause an undue burden” over time. All new construction after January 26, 1993 should have been constructed in compliance with ADAAG. Please reference essential Assumptions in Section III - B above.

As previously stated, the ADA Master Survey Report represents preliminary solutions and costs for physical facility modifications to remove barriers, as if the building were to be constructed to new compliant standards, and that it is NOT automatically necessary to remove barriers to programs by making all these expenditures.

The Total cost to remove all barriers using facility modifications per the detailed reports is: \$2,864,885, subject to all the Budget Assumptions above. Again, this is not what it is likely to cost for full barrier removal if other operational solutions are applied where possible.

Fire Stations have limited public programs, but there were some issues. Community Centers appeared to often be in old facilities with a “hodge-podge” of furniture and locations that sometimes created issues.

Fully compliant accessible parking stalls, accessible routes to building entries and restrooms comprise an extremely large amount of the overall issues. Many items that have the “general appearance or symbols of accessibility” are not compliant with the ADA standards. In many conditions, good directional signage will be essential to understanding accessible routes and “wayfinding” for people with disabilities.

Administrative spaces were viewed from the perspective of the limited areas that the public can use unaccompanied by staff. These areas are often essential interface points for public service.

Where appropriate, the City may relocate and reschedule programs to alternate accessible locations, or rethink how some services are provided. The completion of a Transition Plan must match the findings to annual budgets, and prepare an overall strategy for removal of barriers to programs.

It is also important to understand that we have based our recommendations using somewhat limited input from representatives on site and City published information, which may not be a complete understanding of the operation. Again the City's judgment needs to be applied during implementation.

It should be noted that there is virtually no such thing as a perfectly compliant new building, and we did find some issues in the newest City buildings.

There are a number of facilities where the actual ownership, operational agreements, and/or lease terms may affect the financial responsibility for barrier removal. Some of these arrangement may be very complex with a number of quasi-public entities involved. We have applied our best judgment, again, based upon reported program information. The City will have to perform any parsing of responsibility.

Finally, we recommend that the appropriate people in Departments take some time to digest the wealth of detail to understand the large picture of their operations and facility issues. The standards are not simple and implementing barrier removal should be a considered action.

E&A is providing the survey data in electronic format and with our custom ADA Project Management / Report Writer application for the City to use in managing the process.

Endelman & Associates PLLC has been pleased to work with the City to assist you, and remain available to work with you as your future needs may require.

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*Please see the ADA Master Survey Reports for details of these and other items not discussed above. Total budget cost to address all the issues as defined, subject to assumptions herein, is included at the end of the ADA Survey Report.*

Please call me you require any clarifications on our report.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Wm E Endelman", with a long horizontal flourish extending to the right.

William E. Endelman, AIA, Principal  
Endelman & Associates PLLC

CityofTacomaExecSumF.doc

**APPENDIX**

Included in the Appendix are the following items:

**A. Abbreviations**

**B. Legend for the ADA Survey Results Report**

## **APPENDIX A - ABBREVIATIONS**

**General:** *These are common abbreviations that may be used in the Report.*

		<b>FLR or FL</b>	Floor
		<b>INT</b>	Interior
<b>@</b>	At	<b>LEV</b>	Level
<b>AC</b>	Asphalt Paving	<b>LF</b>	Lineal Feet
<b>ACCESS</b>	Accessible	<b>LL</b>	Lower Level
<b>ADA</b>	Americans with Disabilities Act		
<b>ADAAG</b>	ADA Accessibility Guidelines	<b>LBS</b>	Pounds Force
<b>AFF</b>	Above Finished Floor	<b>LS (or LSsum)</b>	Lump Sum
<b>AMBU</b>	Ambulatory Stall	<b>MAX</b>	Maximum
<b>ANSI</b>	American National Standards Institute, Inc.	<b>MIN</b>	Minimum
		<b>MEZZ</b>	Mezzanine
<b>APPROX</b>	Approximately	<b>N</b>	North
<b>BBQ</b>	Barbecue	<b>PH</b>	Phone
<b>BLDG</b>	Building	<b>P</b>	Public
<b>BSMT</b>	Basement	<b>POS</b>	Point of Sale
<b>COMM'L</b>	Commercial	<b>PR</b>	Priority
<b>CONC</b>	Concrete	<b>PUB</b>	Public
<b>CONF</b>	Conference	<b>RM</b>	Room
<b>CORR</b>	Corridor	<b>RR</b>	Restroom
<b>CT</b>	Court (Tennis, etc.)	<b>S</b>	South
<b>E</b>	East	<b>S</b>	Staff
<b>EA</b>	Each	<b>SF</b>	Square Feet
<b>ELEV</b>	Elevator	<b>SAN NAPKIN</b>	Sanitary Napkin
<b>EXT</b>	Exterior		

## **APPENDIX A - ABBREVIATIONS**

**General:** *These are common abbreviations that may be used in the Report.*

<b>STR</b>	Stair
<b>T</b>	Toilet
<b>TYP</b>	Typical
<b>W</b>	West
<b>WAC (51-50)</b>	Washington Administrative Code Amendments to 2003 IBC
<b>WF</b>	Water Fountain

## **Appendix B. LEGEND for the ADA Survey Results Report (Matrix)**

**This Legend is essential to assist in for properly interpreting the recommendations for facility accessibility solutions to program barriers in the report.**

**Building ID (Client):** The facility location may be followed by an ID# using any Client provided numbers.

**Barrier (#xx):** This item describes the observed barrier (or potential barrier) to the disabled. (Numbers are used for report cross referencing use only.)

**ADAAG Citation:** This item identifies the section of the ADA Accessibility Guidelines (ADAAG) referenced for each Barrier. The Citations are per ADAAG as enforced by the U.S. Dept. of Justice current at the completion of the field ADA Facility Survey.

**Location:** This is the area where the barrier was observed. Where appropriate, items may be grouped and shown with multiple quantities. The first number shown is the floor(s) number. The second number identifies Suite number(s) as appropriate.

**Recommendation (Proposed Solution):** This column describes the solution proposed to remove or reduce the potential barrier identified, compliant with ADAAG standards current at the time of survey. Often there may be alternate solutions. Some solutions may require further design study.

**PR (ADA Guidance Priority):** For general guidance only, the recommended solution is given an ADA General Priority Coding of 1, 2, 3, or 4. These codes correspond to the barrier removal categories provided for general guidance in the *Regulation on Nondiscrimination on the Basis of Disability by Public Accommodations and in Commercial Facilities* (reference 28 CFR Part 36.304(c)). Upon completion of the Survey, the County should establish implementation priorities in detail based upon criteria such as the law, operational needs, funding and long range planning.

- 1** Provision of access to a place of public accommodation from public sidewalks, parking, or public transportation. These measures include installing entrance ramps, widening entrances, and providing accessible parking spaces/ signage.
- 2** Provision of access to those places where goods and services are made available. These measures include revising interior routes, adjusting the layout of tables, providing Braille and raised character building signage, widening interior doors, and installing ramps.
- 3** Provision of accessible restrooms, such as removal of obstructing items on the route to the restroom, widening of restroom doors, widening of toilet stalls, provision of accessible plumbing fixtures, and installation of grab bars.
- 4** Making other modifications to provide access to the goods, services, facilities, privileges, advantages, or accommodations, such as accessible public phones and water fountains.

**Comments:** This column is used to clarify the ADAAG requirement or further clarify the Recommendation shown.

**Recommendation (Proposed Solution):** This column describes the solution proposed to remove or reduce the potential barrier identified, compliant with ADAAG standards current at the time of survey. Often there may be alternate solutions. Some solutions may require further design study.

**Code:** Each recommended solution is given a compliance sufficiency code, numbered from 1 to 5. The Sufficiency Code is to further qualify the level of compliance achieved by, or other major aspect of the recommended solution. The meanings are as follows:

- 1** When the proposed solution is implemented, this barrier will be removed, and will be, in our opinion, in compliance with the requirements of the Americans with Disabilities Act's current ADA Accessibility Guidelines.
- 2** Complete compliance with the requirements of the ADA will not be provided. It is either "technically infeasible", or (for the Public Sector), the solution would appear to be "an undue burden" per ADA standards for Public entities. Therefore, the Consultants have recommended that no changes be made at this time. Strict adherence with the ADAAG standards would in our opinion carry an unreasonable cost (to be solely determined by the Owner) or be technically infeasible. In enforcement, the USDQJ would take into account the Owner's financial capability among other ADA criteria.
- 3** The solution appears to be the responsibility of another entity such as a Tenant, who we recommend be notified of the barrier.
- 4** The condition identified technically does not meet the requirements of ADAAG. However, in our professional opinion, the deviation is minor enough or within construction tolerances that correction of it would not likely significantly increase the degree of accessibility of the condition. For that reason, no modification beyond what is described in the *Recommendation* column is proposed, but sufficiency is not indicated as fully compliant.
- 5** Because complete compliance appears to be technically infeasible or extremely difficult due to the existing building configuration, the proposed alternative means (or policy implementation) has been proposed. While this recommended solution provides less than complete physical compliance, it may constitute a reasonable course of action for this situation that improves the condition.
- 6** E&A recommends considering delay in implementing a specific item pending resolution and adoption of the "New ADAAG" which may make the current condition compliant.
- 7** The subject item is not accessible, but is not required to be based upon an exemption in the law. It may, however, be a program issue that requires some action.

**Comments:** This column is used to clarify the ADAAG requirement or further clarify the Recommendation shown.

**TYPE (S/P):** This column provides an indication of the area in which the barrier was observed. E&A's scope of work is solely public accommodation areas. **S** indicates that it is in a **Staff** area; **P** indicates a **Public** Accommodation area, and therefore subject to Title II. Under Title I, Work in a staff area would



not technically required to be performed until a person with a disability employed in this area requires reasonable accommodation, except for provision of an accessible route to staff areas.

**PRI (ADA Guidance Priority):** For general guidance only, the recommended solution is given an ADA General Priority Coding of 1, 2, 3, or 4. These codes correspond to the barrier removal categories provided for general guidance for public accommodations in the *Regulation on Nondiscrimination on the Basis of Disability by Public Accommodations and in Commercial Facilities* (reference 28 CFR Part 36.304(c)). Upon completion of the Survey, the Owner may establish implementation priorities in detail based upon criteria such as the law, operational needs, funding and long range planning.

- 1** Provision of access to a place of public accommodation from public sidewalks, parking, or public transportation. These measures include installing entrance ramps, widening entrances, and providing accessible parking spaces/ signage.
- 2** Provision of access to those places where goods and services are made available. These measures include revising interior routes, adjusting the layout of tables, providing Braille and raised character building signage, widening interior doors, and installing ramps.
- 3** Provision of accessible restrooms, such as removal of obstructing items on the route to the restroom, widening of restroom doors, widening of toilet stalls, provision of accessible plumbing fixtures, and installation of grab bars.
- 4** Making other modifications to provide access to the goods, services, facilities, privileges, advantages, or accommodations, such as accessible public phones and water fountains.

**Qty / Units:** The quantity includes the unit of measure applicable to the Recommended Solution, and to the Budget Cost immediately following.

**Budget (Budget Cost):** This column provides a budgetary opinion of approximate construction cost per item, based only upon descriptive scope, not a completed design. This is not a cost estimate. Design fees, management costs, sales tax, internal costs and General Contractor overhead and profit, escalation, and other items are not included in these figures. Allowances are shown when further design study is required. *All costs for implementation are not included in these costs. Therefore, please see Budget Cost Assumptions section and Facility Assumptions section in the Report for details.*

**Appendix D**  
**City of Tacoma TTY Survey**  
Completed August 23, 2006

**City of Tacoma**  
**Appendix D**

**ADA Self-Evaluation**

1. Department	2. Division	3. Contact Person	4. Phone Number	5. Email	6. TTY Number	7. Sign Language	8. Sign Refer-ral	9. Use Interpret-er in Dept.?	10. Special Notes
BCPA		Jane Bell	591-5890	<a href="mailto:jbelle@bcpa.org">jbelle@bcpa.org</a>					
City Council		Dio Neris	591-5100	<a href="mailto:dneris@cityoftacoma.org">dneris@cityoftacoma.org</a>	No	No	No	No	
City Manager		Cheryl Jensen	591-5120	<a href="mailto:cjensen@cityoftacoma.org">cjensen@cityoftacoma.org</a>	None	No		Yes	
Community & Economic Dev		Michele Regan		<a href="mailto:mregan@cityoftacoma.org">mregan@cityoftacoma.org</a>	591-5153	No	No	Yes	
Finance	Administr-ation	Diane Winebarger	591-5803	<a href="mailto:dwinebar@cityoftacoma.org">dwinebar@cityoftacoma.org</a>					
Finance	Accounts Payable	Roxanne Johnston	502-8483	<a href="mailto:rjohnsto@cityoftacoma.org">rjohnsto@cityoftacoma.org</a>	No	No		n/a	Use Language Line
Finance	Payroll	LeAnne Nelson	591-5858	<a href="mailto:lnelson@cityoftacoma.org">lnelson@cityoftacoma.org</a>					
Finance	Purchasi- ng	Debbie Seibert	502-8587	<a href="mailto:Dseibert@cityoftacoma.org">Dseibert@cityoftacoma.org</a>					
Finance	Tax & License	Jodie Trueblood	591-5252	<a href="mailto:jtrueblo@cityoftacoma.org">jtrueblo@cityoftacoma.org</a>	None	No	No	No	
Finance	Treasure- r	Randy McClelland	591-5847	<a href="mailto:rmcclell@cityoftacoma.org">rmcclell@cityoftacoma.org</a>	None	Yes, Trujillo (basic)	No	No	
Finance	HALO	Kerrie Marshall	591-5825	<a href="mailto:kmarshal@cityoftacoma.org">kmarshal@cityoftacoma.org</a>	None	No	No		None
Finance	Budget & Research								
Fire		Capt. Robert Digmon	591-5730	<a href="mailto:rdigmon@cityoftacoma.org">rdigmon@cityoftacoma.org</a>	911	No	No	No	911 calls are typically dispatched within a minute or less. Responding units are on scene within 3-4 minutes.
Hearing Examiner		Louisa Legg		<a href="mailto:llegg@cityoftacoma.org">llegg@cityoftacoma.org</a>	None	None	None	None	None
Human Rights & Human Services		Susan Brown	591-5156	<a href="mailto:sbrown@cityoftacoma.org">sbrown@cityoftacoma.org</a>	591-5153	No	Tacoma Communi-ty House	yes	Use Language Line
Human Resources	Administr-ation	Caren Owens	591-2059	<a href="mailto:cowens@cityoftacoma.org">cowens@cityoftacoma.org</a>	None	No	None	No	

**City of Tacoma**  
**Appendix D**

**ADA Self-Evaluation**

1. Department	2. Division	3. Contact Person	4. Phone Number	5. Email	6. TTY Number	7. Sign Language	8. Sign Refer-ral	9. Use Interpret-er in Dept.?	10. Special Notes
Human Resources	Training	Cathy Gantenbein	591-5435	<a href="mailto:cgantenb@cityoftacoma.org">cgantenb@cityoftacoma.org</a>	No	No	No	No	
Human Resources	Risk Management	Vicki Kasper	591-5440	<a href="mailto:vkasper@cityoftacoma.org">vkasper@cityoftacoma.org</a>	No	No	No	No	Contact L&I for interpreter
Human Resources	Worker's Compensation	Angela Hardy	591-5231	<a href="mailto:mwhitney@cityoftacoma.org">mwhitney@cityoftacoma.org</a>	No	No	No	No	Contact L&I for interpreter
Information Technology	SAP	Manuela Pinckney	502-2682	<a href="mailto:mpinckne@cityoftacoma.org">mpinckne@cityoftacoma.org</a>	None	No			
Information Technology	SAP	Elizabeth Cantrell	502-2727	<a href="mailto:ecantrell@cityoftacoma.org">ecantrell@cityoftacoma.org</a>	None	No			
Information Technology	Infrastructure Support	Michele Lewis Hodges	502-2210	<a href="mailto:mlewis@cityoftacoma.org">mlewis@cityoftacoma.org</a>	None	No		No	
Legal		Joanne Grassi	591-5885	<a href="mailto:jgrassi@cityoftacoma.org">jgrassi@cityoftacoma.org</a>	None	No		Yes	Used city employee
LESA		Donna Dammel	798-6078	<a href="mailto:ddammel@lesa.net">ddammel@lesa.net</a>	911	No		Yes	Use language line also.
Library		Joyce Huseby	591-5606	<a href="mailto:jhuseby@tpl.lib.wa.us">jhuseby@tpl.lib.wa.us</a>	591-5667	no	no	no	
Mayor		Cindy Leingang	594-7848	<a href="mailto:cleingan@cityoftacoma.org">cleingan@cityoftacoma.org</a>	None	No	No	No	Other employees
Metropolitan Park District		Lisa McDonald	305-1091	<a href="mailto:lisam@tacomaparks.com">lisam@tacomaparks.com</a>	See #12	yes	Yes	Staff in Specialized Recreation Department (South Park Community Center know sign language or have interpreters available on as needed	We used to have a TTY phone number — 591-5314. The equipment is no longer functioning, but we plan to replace it some time within the next several months.
Municipal Court		Karen Buchanan	591-5235	<a href="mailto:kbuchana@cityoftacoma.org">kbuchana@cityoftacoma.org</a>	No	No	No	Yes	Have agreements with individuals to interpret in many languages.

**City of Tacoma**  
**Appendix D**

**ADA Self-Evaluation**

1. Department	2. Division	3. Contact Person	4. Phone Number	5. Email	6. TTY Number	7. Sign Language	8. Sign Refer-ral	9. Use Interpret-er in Dept.?	10. Special Notes
Pierce Transit	Customer Service	Janis Robinson	581-8000	<a href="mailto:jrobinson@piercetransit.org">jrobinson@piercetransit.org</a>	582-7951				Use a list to contact different agencies
Police	Admin	Jeanette Blackwell	591-5905	<a href="mailto:jblackwe@cityoftacoma.org">jblackwe@cityoftacoma.org</a>	No	No	Yes	Yes	Police frequently have need for interpretation in the field. We utilize officers and various community resources
Public Assemblies	Tacoma Dome	Jackie Chesley	593-7600	<a href="mailto:jchesley@cityoftacoma.org">jchesley@cityoftacoma.org</a>	593-7670 – equipment is broken	When needed			
Public Assemblies	Convention Center	Joni Dalin	573-2557	<a href="mailto:Joni.dalin@cityoftacoma.org">Joni.dalin@cityoftacoma.org</a>					
Public Utilities		Liz Larson	383-2471 xt. 8200	<a href="mailto:Llarson1@cityoftacoma.org">Llarson1@cityoftacoma.org</a>	Customer service billing	No		No	
Public Works	Building & Land Use Services	Vicki Walker	591-5012	<a href="mailto:vwalker@cityoftacoma.org">vwalker@cityoftacoma.org</a>	No	None	No	Occasionally – Sp, R	
Public Works	Boiler Inspection								
Public Works	Construction	Kimberly Nakano	591-5748	<a href="mailto:Kimberly.nakano@cityoftacoma.org">Kimberly.nakano@cityoftacoma.org</a>	No	No	No	No	n/a
Public Works	Administration	Donna Stewart	591-5082	<a href="mailto:dstewart@cityoftacoma.org">dstewart@cityoftacoma.org</a>	WA Relay	No	Yes		
Public Works	Engineering	Mike Waits	594-7863	<a href="mailto:mwaits@cityoftacoma.org">mwaits@cityoftacoma.org</a>	None	None	No	No	
Public Works	Environmental Services	LaVonne Waller	404-6925	<a href="mailto:lwaller@cityoftacoma.org">lwaller@cityoftacoma.org</a>	None	?	No	No	
Public Works	Permit Counter	Lorna Dawson	591-5773	<a href="mailto:ldawson@cityoftacoma.org">ldawson@cityoftacoma.org</a>					
Public Works	Solid Waste Mgmt	Monica Tipton	593-770	<a href="mailto:mtipton@cityoftacoma.org">mtipton@cityoftacoma.org</a>					

1. Department	2. Division	3. Contact Person	4. Phone Number	5. Email	6. TTY Number	7. Sign Language	8. Sign Refer-ral	9. Use Interpret-er in Dept.?	10. Special Notes
Public Works	Streets and Grounds	Elaine Forch	591-5305	<a href="mailto:eforch@cityoftacoma.org">eforch@cityoftacoma.org</a>	No	No	No	No	No
Retirement		Elizabeth San Juan	591-2039	<a href="mailto:esanjuan@cityoftacoma.org">esanjuan@cityoftacoma.org</a>	No	No		No	Call HR
TPCETC	Administration	Kathryn Tyler	404-3930	<a href="mailto:kt Tyler@pic.tacoma.wa.us">kt Tyler@pic.tacoma.wa.us</a>	No	No	No	No	

Questions

1. Department Name
2. Division Name (if applicable)
3. Name of the person providing information
4. Telephone number of the person providing information
5. Email address of the person providing information
6. Does your department/division have a TTY telephone number? If so, what is the telephone number?
7. Does anyone in your department/division know sign language? - If applicable, please include the person's name
8. Do you know who to contact if there is a need?
9. Does anyone in your department/division use interpreters? – If applicable, please include the person's name and language spoken
10. Any additional Special Notes

<b><i>City of Tacoma</i></b>	<b><i>ADA Self-Evaluation</i></b>
<b><i>Appendix E</i></b>	

**Appendix E**  
**ADA Policy, Notice, Grievance Form and Coordinator**  
**Job Description**



## NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

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

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

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

**Modifications to Policies and Procedures:** The City will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in City offices, even where pets are generally prohibited. Questions about service animals can be found at [www.cityoftacoma.org/hrhs](http://www.cityoftacoma.org/hrhs).

Anyone who requires an auxiliary aid or service for effective communication or a modification of policies or procedures to participate in a program, service, or activity of the City should contact the City ADA Coordinator, Human Rights and Human Services Department, 747 Market St. Room 836, Tacoma, WA 98402, (253) 591-5151 or TTY (253) 591-5153, as soon as possible but no later than 48 hours before the scheduled event.

Complaints that a program, service or activity of the City is not accessible to persons with disabilities should be directed to the City ADA Coordinator.

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

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



**City of Tacoma - ADA Complaint / Grievance Form**

Grievant:

\_\_\_\_\_

Person Preparing Complaint  
(if different from Grievant):

Relationship to Grievant  
(if different from Grievant):

\_\_\_\_\_

\_\_\_\_\_

Contact Person

Street Address & Apt. No.:

\_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: (\_\_\_\_\_) \_\_\_\_\_

E-mail: \_\_\_\_\_

Circle or bold preferred Method of Contact (US Mail, telephone, e-mail, other)

please do not contact me personally (see contact-person information above).

Please specify any location(s) related to the complaint or grievance (if applicable):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Please provide a complete description of the specific complaint or grievance:

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Please state what you think should be done to resolve the complaint or grievance:

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Please attach additional pages as needed.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Return to: City of Tacoma, ADA Coordinator, 747 Market Street, Tacoma, Washington 98402.

Upon request, reasonable accommodation will be provided in completing this form or copies of the form will be provided in alternative formats. Contact the ADA Coordinator at the address listed above or via telephone (253) 591-5151 or TTY (253) 591-5153.

## Americans with Disabilities Act (ADA) Coordinator Job Description

### BASIC FUNCTIONS AND RESPONSIBILITIES

Coordinates City of Tacoma programs and responsibilities to assure compliance with all current federal and state laws and regulations pertaining to persons with disabilities, including but not limited to the Americans with Disabilities (ADA) Act, and Sections 503 and 504 of the Rehabilitation Act of 1973.

Responsible for coordinating City policies and procedures relating to persons with disabilities, tracking City progress relating to its policies and procedures as well as state and federal laws relating to persons with disabilities, and providing consultative services to employing units and offices.

### JOB DUTIES

#### Planning

- Serves as the principal planning coordinator for City programs, policies, and procedures relating to City compliance and the promotion of opportunities for persons with disabilities
- Ensures that access issues are integrated into the daily operation of the City, including budget, policy, and public information. Ensures staff implementation of access considerations in their specific areas of specialization
- Meets with staff on a regular basis to discuss access issues in general, including the state of access among constituents/grantees, budgeting for accessibility, citizen participation on City Commissions or Committees, access needs within City of Tacoma, new access developments/technologies, and universal access to programs and activities

#### Informational

- Maintains current information and supplementary materials regarding state and federal laws and regulations as well as the best practices of municipalities and other institutions concerning the rights of persons with disabilities and ways of providing reasonable accommodations to persons with disabilities while maintaining program performance standards
- Develops, maintains and ensures that written materials and other informational resources are available to broadly disseminate information regarding the ADA and the City's policies relating to persons with disabilities as well as services, accommodations, policies, and demographics relating to persons with disabilities
- Maintains and makes accessible information on materials, organizations, and other resources available in the community which provide support to persons with disabilities
- Attends meetings in the field sponsored by organizations, agencies, etc., on topics dealing with accessibility

**Appendix E**

- Keeps City Council, Commissions, and staff updated on best practices in the field and programs sponsored by municipalities that are programmatically accessible to people with disabilities

**Compliance Process**

- Ensures that a City Self-Evaluation and Transition Plan are implemented, and updates City Council, the Tacoma Area Commission on Disabilities, and staff on its progress
- Conducts regular reviews of City facilities, programs, and policies as well as updates the Transition Plan and to assure compliance with all current federal and state laws and regulations pertaining to person with disabilities
- Coordinates provision of reasonable accommodations to persons with disabilities and coordinates ADA grievances to ensure that appropriate processes are in place to provide for the prompt and equitable resolution of complaints and inquiries from citizens regarding discrimination on the basis of disabilities
- When necessary, coordinates with other appropriate agencies and refers allegations of complaints alleging discrimination on the basis of disability

**Consulting and Outreach**

- Works with City Council, Commissions, and staff to clarify City responsibilities under current federal and state laws and regulations pertaining to persons with disabilities
- Serves as staff liaison to the Tacoma Area Commission on Disabilities
- Provides expertise and interpretation on program and facility accessibility compliance to all Departments in the City
- Designs and participates in the development of presentations for City employees, contractors, grantees, and the public on the provision of equal opportunity for persons with disabilities
- Develops and maintains good working relationships with the disabled community, as well as organizations representing individuals with disabilities
- Serves as primary liaison with relevant state and federal agencies, as well as ADA coordinators of other municipalities and institutions
- Serves as the central intake for matters relating to the ADA and facilities activity and the flow of information among the various City departments with responsibilities relating to compliance
- Coordinates regularly with departmental ADA Coordinators

**Reporting**

- Maintains a record of all disability and accommodation issues and the resolution of each
- Ensures the timely filing of all required compliance reports
- Develops and implements outcomes to measure the status of accessibility in the City

<b><i>City of Tacoma</i></b>	<b><i>ADA Self-Evaluation</i></b>
<b><i>Appendix E</i></b>	

- Prepares regular reports which inform City Council, Commissions, and City administration of the status of accessibility in the City
- Reports to the Director of Human Rights and Human Services

**Appendix E****CLASSIFICATION SPECIFICATIONS:**

Minimum Education and Experience:

Licenses and/or Certificates: Possession and maintenance of a valid State of Washington Driver's License.

Experience working with people with disabilities

Knowledge, Skills, and Abilities:

- Knowledge of rules, regulations, and guidelines of various federal or State laws governing programs, and Titles I, II and III of the Americans with Disabilities Act.
- Knowledge of operations and practices of local government; ability to analyze and interpret departmental functions, procedures and policies.
- Skill in the use of standard office computer equipment and software applications including word processing, spreadsheets, databases, project management,
- Ability to assess processes and operational performance and to make appropriate adjustments to maximize efficiencies, quality of output and operational performance.
- Ability to make decisions recognizing established precedents and practices and to use resourcefulness and tact in solving new problems.
- Ability to exercise judgment and discretion in applying and interpreting department rules, regulations, policies, and procedures.
- Strong analytical and research skills; ability to ascertain priorities and meet deadlines and objectives.
- Strong written and oral communication skills to include public speaking and the ability to develop effective proposals and maintain accurate records and reports.
- Ability to establish and maintain effective working relationships.
- Ability to operate a motor vehicle.

**WORKING ENVIRONMENT:**

Working Conditions: Work typically requires moderate exposure to one or more disagreeable conditions (i.e., irate customers, outdoors weather conditions, excessive noise, extreme heat, odors or dust).

Risk/Safety Conditions: This position requires moderate exposure or risk to physical health and/or physical safety (e.g., exposure to environmentally hazardous material, heavy equipment, assault and battery, communicable disease, etc.).

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Essential Physical Activities: Stooping, crouching, walking, pulling, lifting, grasping, hearing, seeing up close, seeing far away, kneeling, reaching, pushing, talking, standing, climbing, finger movement, repetitive motions, depth perception.

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<b><i>City of Tacoma</i></b>	<b><i>ADA Self-Evaluation</i></b>
<b><i>Appendix F</i></b>	

**Appendix F**  
**All Parks in Tacoma, by Owner**  
**and Managing Organization**

**Legend**

MPD = Metropolitan Parks District      City = City of Tacoma  
 State = State of Washington      TPS = Tacoma Public Schools  
 R/W = Right of Way

<b>Park Name</b>	<b>Ownership</b>	<b>Maintenance</b>
"A" Street Alliance	State	City
"T" Street Gulch	MPD/City	City
Alling Park	City	MPD
Alaska - Grant Triangle	City	City
Alderwood Park	City	MPD
Baltimore Park	City	MPD
Bayside	City	City
Blueberry Park	MPD	MPD
Brown's Point Lighthouse	US Coast Guard	MPD
Brown's Point Playfield	Pierce County	MPD
Celebration Park	City	MPD
Center at Norpoint	City	MPD
China Lake	City	MPD
Cloverdale Playground	City	MPD
Commencement Park	City	MPD
Dash Point Park	Pierce County	MPD
Delong	MPD	MPD
Dickman Mill	MPD	MPD
Eastside Pool	MPD/TPS	MPD
Fern Hill Park	City	MPD
Fern Hill Square	City	Neighborhood
Ferry Tot Lot	MPD	MPD
Fireboat	City R/W	MPD/City
Fireman's Park	City	City
Franklin	MPD	MPD
Frost Park	City	City
Garfield Gulch	City	City
Garfield Park	MPD	MPD
Gunderson Point	City	City
Hamilton Park	City	MPD
Harborview Park	City	City
Harmon Park	MPD	MPD
Heidelberg Park	MPD	MPD

<b>City of Tacoma</b>	<b>ADA Self-Evaluation</b>
<b>Appendix F</b>	

<b>Park Name</b>	<b>Ownership</b>	<b>Maintenance</b>
Irving Park	MPD	MPD
Jane Clark Playground	MPD	MPD
Jefferson Park	MPD	MPD
Julia's Gulch	City	City
Kandle Park	MPD	MPD
Knox Park	City R/W	MPD
Les Davis Pier & Marine Park	City	MPD
Lincoln Heights	MPD	MPD
Lincoln/Eldridge Park	City	MPD
Manitou Community Center	MPD	MPD
Manitou Park	MPD	MPD
Marine Park	MPD/City	MPD
Marine Park	MPD	MPD
McCarver	TPS	MPD/TPS
McCormick Park	City	City
McKinley Park	MPD	MPD
McKinley Playground	MPD	MPD
McKinley Trans	City	City
Meadow Park Golf Course	MPD	MPD
Meeker Triangle	Pierce County	MPD
Mini Park - Pacific Avenue	City	City
Mini Park - Pacific Avenue	City	City
Nalley Valley Bus Stop	City	City
National Guard Site/ Chinese Reconciliation	City	TBD
Neighborhood Park	City R/W	City
Neighborhood Park	City	MPD
Neighbor's Park	City	PD/Neighborhood
Northeast Tacoma	MPD	MPD
Northwest Trek Wildlife Park	MPD	MPD
Norton Memorial	City	City
Oakland /Madrona Park	MPD	MPD
Oaktree Park	MPD	MPD
Old Town Dock	City	MPD/City
Old Town Park	MPD	MPD
Optimist Park	MPD	MPD
Park - St. Helens & Market Street	City	City
Park & Ride	State	City
Park District Headquarters	MPD	MPD
Peace Arch	MPD	City
Peck Field	MPD & City	MPD
Peoples Center	City	MPD

## Appendix F

Park Name	Ownership	Maintenance
Peoples Park	City	MPD
Point Defiance Park	City	MPD
Portland Avenue	City	City
Portland Avenue Community Center	City	MPD
Portland Avenue Playfield	City	MPD
Puget Gardens	MPD	MPD
Puget Gulch	MPD	City
Puget Park	MPD	MPD
Pugnetti Park	City R/W	City
Rogers	MPD	MPD
Roosevelt	MPD	MPD
Ruston Way	Joint	MPD
Salishan Playground (2 sites)	MPD	MPD
Sawyer Tot Lot	City	MPD
Senior Center	City	City
Sheridan Park	City	MPD
Snake Lake	MPD	MPD
South End Neighborhood Center	City	MPD
South End Recreation Area	MPD/TPS	MPD
South Park	MPD	MPD
Spanish Steps	City	City
SR 16 Bike Trail	City	City
SR 16 Bike Trail	City	City
Stanley Park	MPD	MPD
Stewart Heights	MPD	MPD
Swan Creek Park	City/MPD	MPD
Tacoma Park	City	City
Thea Foss Esplanade	City	City
Thea's Park	MPD	MPD
Titlow Park	City	MPD
Top of the Ocean Site	City	MPD
Tot Lot	City	MPD
Tyler Square	City	Neighborhood
Ursich Park	City	MPD
Vassault Park	MPD	MPD
Viewpoint NE	City	City
Wapato Hills Neighborhood Park	MPD	MPD
Wapato Hills Open Space	City	City
Wapato Park	MPD	MPD
War Memorial Park	State	City
Wedge	City	City
Wright Park	MPD	MPD

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<i>City of Tacoma</i>	<i>ADA Self-Evaluation</i>
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**Appendix G**  
**Public Comments**

**DRAFT**

**Compilation of ADA Transition Plan Community Notes**

December 3, 2007 3:00 p.m.	Community
December 3, 2007 6:00 p.m.	Community
December 6, 2007	Commission on Disabilities
January 3, 2008	Community
January 7, 2008	Commission on Disabilities

**ADA Coordinator**

When full-time ADA coordinator is hired, the five self-evaluation teams should have some flexibility in working with the coordinator Double check the language related to that.

The ADA coordinator should have experience with people with disabilities. Will candidates with disabilities or those with experience get preference? We want the best candidate. The job description sets the standards on qualifications desired.

When ADA coordinators position is announced it would be good to have a member of commission on search committee, as well as on interview panel. The ADA coordinator will have to respond to citizens and not be solely focus solely on risk management issues.

I (Stan Smith) also gave input into the ADA coordinator position. We need someone responsible for implementation. While they can't be an expert in everything, each department has someone and they would work as a team. Tacoma is making strides in implementation. There is also the issue of making facilities and programs available for one type of disability, which inadvertently causes problems for others.

Question about whether the ADA Coordinator should be managed under Human Rights/Human Services department or under the City Manager? We must break communication barriers regardless whether we have an ADA coordinator. Will ADA Coordinator be a trainer/coordinator? Answer: Someone for City will

**Transition Plan Details**



**Appendix G**

Concerned about the phrase, “undue hardship,” being included at it can be used when the City doesn’t want to spend money. Include people with disabilities in the self evaluation teams in each department

Break down barriers within City departments and work as a team. Share Info among selves. Have regular meetings of liaison & staff.

Frustration about the inclusion of the foreign language being included in the TTY survey. Also, basic sign language should not be included. Perhaps change it to “sign language upon request.”

The ADA Transition Plan should be based on current laws, as well as updates.

Spokane has very good practices related to ADA, and they conduct regular evacuation drills. It would be a good idea to connect with them for information.

Survey conducted by Endelman & Associates focused on buildings for public compliance. Let’s not forget access for employees. Let’s make it part of the 2008 plan

Would like to see closed captions for Council meetings.

What is the situation with Metro Parks facilities in the Plan?

People should have information, should be with each other. Need to have communication between groups, no sole owner dept. – work together as a team, share info, monthly – repeat and remind staff to work together.

Post ADA buildings were brought up by me, quite often, in the ADA Transition Plan workgroup meetings. A certificate of occupancy often is given when the electrical and safety issues are approved but if time is short, ADA gets dropped. How do we keep this from happening?

Universal design is the way to go. The law is vague and hard to decipher. Access to a building should be no different than for anyone else. The City should call on the expertise of people in the disabled community. New construction needs to be accessible now.

People need to be aware of all different levels of disability, sometimes within one person on one day. Universal design is the way to go. Decorations, design elements, i.e. plants, hallways and corridors (if people have to wind their way through to someone’s office) need to be considered

The absence of specific dates is of concern. It feels like a lack of commitment. When will the deaf be able to access City Council meetings? I want a timeline.

**Appendix G**

In reference to the Department of Justice toolkit that was use to guide the development of the Plan: Do they also provide consultants, live, onsite visits? Doesn't like the notion of an "undue hardship" as a reason not to remove a physical barrier.

What is the relationship between the current workgroup and the self-evaluation team?

A proposed language change in the last paragraph on the first page of the Executive Summary to read: "Over the intervening decade, adaptive technologies, case law and City facilities and program have changed substantially In addition, the City found it difficult to monitor consistently the progress of the 1995 transition plan.

Need language of commitment.

Want Draft of Plan – when available.

Language in Plan is passive, not active or affirmative. Need to say "we will."

Which non compliant facilities should begin to be fixed first? "Safety" might be added to matrix

Thurston County business owner. Constitution provides rights. Shouldn't use "may" and "should."

Qualifiers in plan.

Plan is limited to access; it's not for all people. Not sure City Council understands the depth of problem. City Council needs to talk to people with disabilities to understand the issue.

Change – Can we be more efficient and creative cross departmentally? City should say "We haven't done all we can do." Own up to our situation. Haven't been an open door in the past.

People underestimate the sheer magnitude of problem in City. He is overwhelmed with requests for field assessments of facilities. Claims he hasn't see a compliant building built in the last several years. City has been grossly, criminally negligent over past 40 years. Stadium HS has 17½% cross slope on sidewalk. Stop building buildings that are noncompliant.

Advice to avoid a riot. Should patch the hole in the ship to stop it from sinking.

Self evaluation, have we considered “counseling?” Do we need a different set of eyes on our policies?

\$5 million – City should acknowledge that this is a start and the money being discussed will not go the whole way. This would appease a lot of people. Concerned that not enough commitment will result in lawsuits that take away from resources to correct the problem.

Need hotline for people to report curb ramp situations.

Much new private construction since 1996 is non compliant.

### **City Facilities Upgrades**

Concerns about the stretching out of improvements over 5 years as being too long.

How are priorities established? How far are we along?

Question – Tacoma has many properties out of ADA compliance. If that remains for another five years, will we be open for future lawsuits?

Formula for facility priority, I understand that is just a best guess. People with disabilities are increasing, was this considered in the formula?

A concern over the formula for arriving at building improvement priority setting. The feeling is that the “term of use of the building criterion is over weighted. Opinion that putting tremendous weight just on the age of a building doesn’t seem logical.

Historical buildings in Tacoma don’t necessarily have to meet ADA compliance. Renovations to meet compliance don’t have to be made unless the cost is 65% or more of property value.

The City is considering budgeting \$1 million a year for ADA compliance. Spread over five years that would be 5 million.

FM Loop – built into walls – helps hard of hearing

Post 1990 facilities should be fully accessible. This should be not in the ADA plan. These post 1990 properties should not draw from the five million. Funding should come from elsewhere.

Need better signage at Fire Station 1 so that sign says someone will come down and serve you

A sign is needed to lead people with disabilities to assert their needs – not special treatment but medically necessary.

How can the City of Tacoma break state laws re: disabilities? Tomay Manning 776 Commerce 98402.

Setting buildings aside out of the plan not an option

City should be correcting its problems before building new facilities

### **Building Plan Review, Building Inspectors**

Some new buildings are not ADA compliant. How can we hold City Building Inspectors accountable to keep with the ADA?

No enforcement of the ADA by building inspectors. Building inspectors should be held to higher standards.

Building inspectors have a culture. Training needs to increase and a line needs to be drawn. Inspectors don't seem to know the law.

Building inspectors are not enforcing laws and common practices

City should not sign-off on building plans that are not ADA compliant. Eminent life safety was stated as focus by building inspector as reason for approving plans. ADA accessibility is also an eminent life safety issue and should be considered before approval. It should not come down to building divisions work load issues.

New construction currently – who is minding the store re: preconstruction & design – again promoting Universal Design. Save money by preventing barriers.

Universal Design benefits all, not just those with disabilities.

Requested members of committee attend. Building inspectors should attend. No genuine cross departmental collaboration – worried about City inspectors approving.

Revision – Interdepartmental collaboration. Training of inspectors.

Better communication all through the City.

**Emergency/Evacuation**

Are self-evaluation teams only City staff? Need to have whole building know how to use Evacu-Trac. Staff should go through training once a year and have records in their file.

Are agencies practicing with the Evacu-Trac equipment to help disabled employees during emergency evacuations? Yes, Human Rights and Human Services is an example, practicing with disabled and non-disabled staff.

While people talk often of access, getting people out in emergencies is quite important, i.e. the Convention Center. There is also the consideration of echo off walls which makes it harder to hear.

Policies and practices: everyone should be trained and know how to evacuate someone with a disability – Emergency

What about Evacutrac for visitors, not just employees. WAC5150-more stringent than ADA. Once people get out of the building, what is done for them then?

**Curb ramps**

City needs to find additional funding sources for curb ramps & sidewalk repair

Concerns about curb ramps in new construction. All 4 corners are important.

The lack of all four corners with curb ramps is very dangerous. I have seen improvements though. If you can't get to these upgraded facilities, it doesn't make sense to upgrade them. The number of disabled users is dependent on choosing already accessible facilities.

We should double curb ramp budget to \$500,000. Start with bus lines – shopping centers

Ruston Way has crosswalks but no curb ramps. This is very dangerous. The lack of communication between Public Works and other City departments is sloppy and inconsiderate

Right-of-way, curb ramps. Is there a plan to have more of a plan? Where can the curb ramps and ramps inventory? More transparency please. \$250,000 sounds like very little money

When 13<sup>th</sup> street was repaved, from Tacoma Ave, down the hill, why weren't curb ramps done then? Sidewalks are in such bad shape all over Tacoma that curb ramps don't help if you can't get to the curb.

Mayor's Commission in Seattle reviewed plans for all public buildings. COD could review all building plans before approved.

Tacoma should fix sidewalks before building trolley

Complaints to be filed with the City. Jacki filed a complaint on lack of curb ramps on Ruston Way. Beef up complaint site. Fifth paragraph needs to go away because it is not true. Storage sheds listed on 1995 plan.

Need to move more quickly than \$1 million a year. How much is set aside for sidewalks/curb ramps?

### **Other than City bldgs**

Any school securing federal funds must be compliant

County Bldg on S 35<sup>th</sup> St is... City granted??? and variance that didn't allow access for people in wheelchairs to access from the bus routes. Done this summer

What is Title III responsibility for City issuing permits to other jurisdictions in City of Tacoma either public or private? Marcato not accessible.

Lakewood Library restroom