



Draft

**Americans with Disabilities Act
(ADA) Title II Self-Evaluation and
Transition Plan**



Department of Public Works DRAFT
1-9-2017

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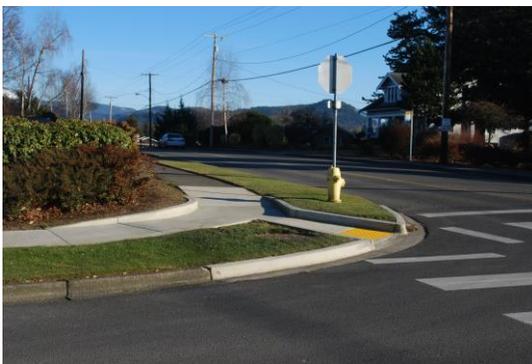
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I. Executive Summary

The Americans with Disabilities Act of 1990 (the ADA) has been hailed as one of the most significant civil rights laws since the Civil Rights Act of 1964. Its intent is to ensure that people with disabilities are able to participate in and enjoy the benefits of the services and activities of state and local governments, as well as most private entities, without experiencing discrimination. This is also a goal of the City of Enumclaw.

The year 2010 marked the twentieth anniversary of the ADA. The anniversary brought revised, expanded ADA regulations from the Department of Justice. Two years earlier, the ADA Amendments Act of 2008 had reset the broad definition of “person with a disability.” Prompted in part by these developments, and as part of its ongoing commitment to civil rights, the City of Enumclaw’s department of Public Works determined the need to develop the public right-of-way (PROW) section of an ADA Transition Plan. This project was budgeted in 2015 and 2016, but without sufficient staff resources, the development process was set back. The staff did, on the other hand, embrace the principles enacted in the legislation, and beginning well before 2015 began fully integrating the requirements of the Act in ongoing construction and right of way improvements. This is made abundantly clear in all construction and development projects undertaken since 2010, for example street improvements on Semanski Street and Battersby Avenue.



Semanski St.



Battersby Ave.

The primary driving guidelines for this integration was the Washington State Department of Transportation’s Local Agency Guide (LAG) Manual and the Certification Authority (CA) agreement between the city and the state DOT.

Evaluation of the curb ramps in the public right-of-way (PROW) began in June 2016, when the City Public Works department developed data tables to determine the general status of each intersection in the city. From these tabulations the Public Works Department began the process of public outreach and prioritization to complete the removal of barriers to the full use of the city's streets and sidewalks without regard to any disability.

This initial planning process will culminate the adoption of this transition plan by the city council in the first quarter of 2017.

Concurrent with the initiation of the right-of-way assessment, a document search was initiated to determine what formal actions were taken by previous administrations to assess barriers to full access in both facilities and public rights of way. While no formal document was found, it is clear from recent past building modifications that handicap access was clearly addressed.



City Hall: The primary access for staff and visitors has van-accessible parking adjacent to the powered door. Inside is accessible to all public areas and offices.

Likewise, an informal survey of staff resulted in several key observations by staff at the management level, in addition to validating the results of the document search:

- No department head or management level employee had current knowledge of the most recent changes to the ADA, with the exception of the city's transportation engineer, who had received formal training through WSDOT:
- No of the city management staff were aware of any policies or procedures regarding ADA complaints or requests for accommodation, although the Engineering Department had received and filed recent complaints regarding rights of way barriers and had responded to those complaints very quickly;
- All department heads recognized the importance of active compliance with the Act and all recognized the need for improved processes as well as training for many of the city employees who have frequent contact with the public, especially those whose responsibilities are essentially full time contact, e.g., mayor and administrators receptionist, finance bill paying and reception, planning and engineering service counter.

. The identified gaps in knowledge will require a City-wide commitment to address the areas and ensure ongoing compliance with the regulations. The staff in the Public Works Department have fully implemented the design guidelines in all city projects as well as requiring compliance with developer projects that will become future city public works.

In order to ensure that State and local government entities comply with the ADA (by eliminating physical and communication barriers that prevent people with disabilities from participating fully in community life), the United States Department of Justice (DOJ) Civil Rights Division established Project Civic Access (PCA). It conducts wide-reaching reviews of each entity. Some cities are selected by size, while others are selected in response to complaints filed against the locality. The PCA program now includes over 200 settlement agreements involving 192 localities and all 50 states.

To attain City-wide ADA compliance and meet the intent of the ADA, recommendations have been identified to guide this effort. The critical needs include but are not limited to:

- Immediately implement staff training to insure staff understand and

can appropriately respond to any ADA contingency, such as phone calls requiring voice repeating, and requests for accommodation and access to city facilities and programs;

- Establish an official ADA Program with responsibility vested in one individual who is well trained and resourced to implement the program;
- Recognize the need for funding and allocate sufficient funding in addition to staff resources;
- Review current policies and procedures and modify to meet ADA compliance as identified in the departmental Self-Evaluation survey.
- Create “desk-side” procedures with points of contact, phone numbers and other information so that staff can respond appropriately to those who may require assistance or accommodation.

In addition to internal staff actions, the city should take actions to insure that the ADA program is sustained by insuring periodic updates to this plan as well as evaluations of progress towards the goals established on at least an annual basis. Further, and in compliance with the Act, the city should affirm its intent to comply by publishing and making this plan available on the city website, and make it available in other forms at places where it can be assessed in hard copy, for example the library and Senior Center. The procedure for requesting accommodation as well as making complaints or expressing concerns regarding accessibility should likewise be available on the city website. The Senior Center is an excellent place to disseminate information and gathering public input regarding ADA issues.

Finally, the City Council should formally adopt this Transition Plan and staff should insure on-going compliance and accountability.

II. History of the Americans with Disabilities Act (ADA), of 1990

A. The ADA

On July 26, 1990, President George H. W. Bush signed into law the Americans with Disabilities Act (ADA), a comprehensive civil rights law which broadened the coverage of Section 504 of the Rehabilitation Act of 1973 and the Architectural Barriers Act (ABA) of 1968. The ADA broadly protects the rights of individuals with disabilities in employment, access to state and local government services, places of public accommodation, transportation, and other important areas of American life. The ADA also requires newly designed and constructed or altered state and local government facilities, public accommodations, and commercial facilities to be readily accessible to and usable by individuals with disabilities. The Rehabilitation Act of 1973 prohibited discrimination in any program or activity that received federal financial assistance, including programs and activities of state and local governments. The Architectural Barriers Act of 1968 is a Federal law that requires facilities designed, built, altered or leased with Federal funds to be accessible.

On the twentieth anniversary of the ADA, the U.S. Census Bureau announced that almost one in five people living in the United States – a total of about 54 million – have one or more disabilities, including those affecting sight, hearing, and mobility, as well as mental disabilities and learning disabilities. Most people have disabilities that are not readily visible, including disabilities such as hearing impairments, low vision, cognitive or mental disabilities, AIDS, diabetes, cancer, and epilepsy. Census Bureau data shows that people with disabilities comprise more than 19% of the people living in the United States.

Most likely, the impact of the ADA is even broader than what is revealed by the census data. The Act's comprehensive civil rights protections extend to "individuals with disabilities," which includes those who have, have a record of, or are regarded as having a physical or mental impairment that substantially limits a major life activity. The ADA Amendments Act of 2008 (ADAAA) clarifies that the definition of "disability" is intended to be broadly inclusive.

Finally, the current and recent wars and conflicts in which the United States has participated have also had a profound impact on the population of individuals with disabilities. As medical procedures and military equipment

have improved the survivability of what in earlier times would have been fatal wounds, a greater number of wounded veterans are returning with disabilities. One quarter of veterans nationwide have disabilities, as noted by the 2010 census.

The Key Principles of the ADA

Title II of the Americans with Disabilities Act promises full access to state and local government services and activities for individuals with disabilities.

It is based on four principles:

1. Policy and operations

Make reasonable modifications and accommodations to policies and practices.

2. Communication

Ensure effective communication with people with disabilities affecting hearing, vision, or speech, including through the provision of auxiliary aids and services.

3. Integration

Offer services in the most integrated setting appropriate to the needs of individuals with disabilities.

4. Physical access

Meet accessibility standards for new and altered buildings and ensure that programs are accessible as a whole.

Equal Opportunity underlies all the principles and requirements of the ADA. The law does not require equal treatment, which, in fact, can often lead to discrimination against people with disabilities. But it requires modifying policies or the way they are implemented, providing auxiliary aids, and ensuring physical accessibility in order to ensure that people with disabilities are offered the same opportunity as others to benefit from the City of Enumclaw's programs.

B. Self-Evaluation and Transition Plan Requirements

The ADA requires State and local governments to evaluate its current services, policies, and practices to ensure compliance is met.

Generally, Title II requires a public entity such as the City of Enumclaw to make

reasonable changes to policies, ensure effective communication with people with disabilities, and provide physical access to buildings, facilities, and programs, with the goal of ensuring meaningful access to all of its services and offerings. This extends to a wide variety of activities, including, but not limited to:

- Communication
- Community development
- Courts
- Events such as those relating to the arts and culture
- Furniture and equipment
- Housing
- Human services
- Licensing
- Parks and recreation
- Police, fire, and emergency response services
- Procurement
- Public assistance programs
- Public Works
- Technology and City website

1. 28 CFR 35.105 Self-Evaluation

(a) A public entity shall, within one year of the effective date of this part, evaluate its current services, policies, and practices, and the effects thereof, that do not or may not meet the requirements of this part and, to the extent modification of any such services, policies, and practices its required, the public entity shall proceed to make the necessary modifications.

(b) A public entity shall provide an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the self-evaluation process by submitting comments.

(c) A public entity that employs 50 or more persons shall, for at least three years following completion of the self-evaluation, maintain on file and make available for public inspections:

- (1) A list of the interested persons consulted;*
- (2) A description of areas examined and any problems identified; and*
- (3) A description of any modifications made.*

(d) If a public entity has already complied with the self-evaluation requirement of a regulation implementing section 504 of the Rehabilitation Act of 1973, then the

requirements of this section shall apply only to those policies and practices that were not included in the previous self-evaluation.

2. The self-evaluation measures compliance with the ADA's mandate to:

- Eliminate any policies or practices that deny an opportunity for a person to participate simply because of a disability.
- Eliminate any unnecessary eligibility standards or criteria (e.g., requiring people who have mobility disabilities to be accompanied by an attendant in a class) unless they are necessary for the provision of the service, program, or activity.
- Make reasonable modifications to policies, practices, and procedures that deny equal access, unless a fundamental alteration in the program would result. For example, the City would be required to make an exception to a rule prohibiting animals in its buildings in order to admit service animals.
- Ensure effective communication (subject to limitations concerning financial and administrative burden and fundamental alteration of the nature of the program) with people with disabilities, including providing auxiliary aids and services such as oral and sign language interpreters, captioning, and alternate formats such as Braille or large print documents and accessible electronic formats.
- Provide the same protections to people who are associated with a person with a disability. For example, the City cannot deny a position on an advisory board to a parent of a child with a severe disability because of a concern that the parent will be unreliable because of the needs of the child.
- Not impose charges on individuals with disabilities to cover the costs of necessary measures, such as interpreters and alternate formats.
- Ensure that any programs carried out by contractors or others on behalf of the City --such as processing applications or providing benefits--comply with the Act.
- Ensure that people with disabilities are not excluded from programs or activities, or otherwise discriminated against, because of inaccessible facilities. The "program access" provision of Title II requires that an entity operate its programs so that, when viewed "in their entirety," each is accessible to people with disabilities.
- Ensure that newly constructed or altered facilities meet the Department of Justice's (DOJ) accessibility standards.
- Remove physical barriers to full participation in programs and activities.
- Provide all activities in the most inclusive setting appropriate to the needs of individuals with disabilities.

The City of Enumclaw completed a departmental ADA Title II Self-Evaluation survey in the second half of calendar year 2016 with planned community outreach and plan adoption in the first quarter of 2017.

3. Transition Plan

The ADA requires State and local governments to develop and implement a Transition Plan to achieve program accessibility.

4. 28 CFR 35.150(d) Transition Plan

(1) In the event that structural changes to facilities will be undertaken to achieve program accessibility, a public entity that employs 50 or more persons shall develop, within six months of January 26, 1992, a transition plan setting forth the steps necessary to complete such changes. A public entity shall provide an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the development of the transition plan by submitting comments. A copy of the transition plan shall be made available for public inspection.

(2) If a public entity has responsibility or authority over streets, roads, or walkways, its transition plan shall include a schedule for providing curb ramps or other sloped areas where pedestrian walks cross curbs, giving priority to walkways serving entities covered by the Act, including State and local government offices and facilities, transportation, places of public accommodation, and employers, followed by walkways serving other areas.

(3) The plan shall, at a minimum—

- i. (i) Identify physical obstacles in the public entity's facilities that limit the accessibility of its programs or activities to individuals with disabilities;*
- ii. (ii) Describe in detail the methods that will be used to make the facilities accessible;*
- iii. (iii) Specify the schedule for taking the steps necessary to achieve compliance with this section and, if the time period of the transition plan is longer than one year, identify steps that will be taken during each year of the transition period; and*
- iv. (iv) Indicate the official responsible for implementation of the plan.*

(4) If a public entity has already complied with the transition plan requirement of a Federal agency regulation implementing section 504 of the Rehabilitation Act of 1973, then the requirements of this paragraph (d) shall apply only to those policies and practices that were not included in the previous transition plan.

28 CFR 35.150 Subpart (c): *Time period for compliance. Where structural changes in facilities are undertaken to comply with the obligations established under this section, such changes shall be made within three years of January 26, 1992, but in any event as expeditiously as possible.*

The City of Enumclaw through the Public Works Department has taken the initial

steps to initiate this Draft Development of the Americans with Disabilities Act (ADA) Title II Self-Evaluation and Transition Plan in an effort to meet compliance.

C. Requirements of Public Involvement

Per the Transition Plan 28 CFR 35.150, Subpart (d), public involvement is required as follows:

A public entity shall provide an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the development of the transition plan by submitting comments. A copy of the transition plan shall be made available for public inspection.

The City of Enumclaw needs to make a copy of its transition plan available for public comment and inspection and will do so via its web site.

D. Grievance Procedure Requirements

A Grievance Procedure shall be 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 Enumclaw. The City's Personnel Policy governs employment-related complaints of disability discrimination.

The City of Enumclaw has drafted for future approval and use, a Policy and Procedure for a Grievance under the ADA. See Attachment B.

E. Public Notice about ADA Requirements

The Public Notice under the ADA shall be established and distributed to all its agency heads; publish the Notice in a local newspaper of general circulation serving the City; post the Notice on its Internet Home Page; and post the Notice in conspicuous locations in the City's public buildings. The City will refresh each posted Notice, and update the contact information contained on each Notice, as necessary. The Notice will be provided to any person upon request.

Rand Black, PE has been designated as the ADA Coordinator. This information is included in the Draft Notice under the ADA Transition Plan Attachment A.

The City of Enumclaw will review its distribution of notices and refresh its notice postings where needed.

F. Program Access

Program accessibility refers to the extent to which people with disabilities can participate in the City’s programs and is the foundation of the ADA Title II regulations. The City must ensure that people with disabilities are not excluded from programs or activities, or otherwise discriminated against, because of inaccessible facilities. The “program access” provision of Title II requires that an entity operate its programs so that, when viewed “in their entirety,” each is accessible to people with disabilities. It is also important that all activities are in the most inclusive setting appropriate to the needs of individuals with disabilities.

1. 28 CFR 35.149 Discrimination prohibited

Section 35.149 states the general nondiscrimination principle underlying the program accessibility requirements of 35.150 and 35.151.

Barriers to program access are often embedded in discriminatory policies, procedures, and practices. For example, a policy that requires a participant in a recreational program to complete a written form can be a barrier for someone who is blind, has low vision, or a cognitive impairment. It may be possible to create program access by staff offering to assist an individual over the phone or in person. Another example, of a discriminatory policy would be to require all program participants to complete a form online. However, if the City’s website is not accessible to a person who is blind and uses a screen reader, or to a person with fine motor skills issues that cannot use a mouse, this policy is discriminatory. The burden is on the City to be flexible and to consider each request on a case-by-case basis.

2. 28 CFR 35.130 General prohibitions against discrimination

Paragraph (b) (7) is a specific application of the requirement that public

entities make reasonable modifications in policies, practices, or procedures where necessary to avoid discrimination on the basis of disability. The exception is when the entity can show that the modification would result in a fundamental alteration of the program.

The requirement to make reasonable modifications is perhaps the most challenging and yet the most critical aspect to ensuring program access. Every procedure, policy, and practice is modifiable. Writing a specific reasonable modification policy that addresses every situation is impossible. Well trained staff is perhaps the best method for ensuring programmatic access. Staff can often make easy and quick modifications so that qualified individuals can enjoy the benefits of a program. It is important to note, the facility where the program is held must also be accessible to meet program accessibility requirements.

The City, through the departmental ADA Title II Self-Evaluation survey has identified the need to meet program access by addressing the current procedures, policies, and practices.

III. City of Enumclaw’s Past Compliance Efforts

A. ADA Program Overview

The bulk of the city’s ADA efforts are currently focused on Rights of Way, however the responsibility for the overall program, including compliance, rests with the City Administrator. The city’s department heads acting with the Administrator, operate as the ADA Compliance Working Group of the City. The Administrator is responsible for the overall execution of this plan and compliance with the Act.

B. Commitment to Equal Access

The City, by its past actions, has demonstrated a commitment to equal access to those with disabilities, and this commitment is reconfirmed by the adoption of this plan and succeeding actions.

C. Previous Self-Evaluation and Transition Plan Enumclaw’s Past Compliance Efforts

There is no central source memorializing efforts by the City of Enumclaw to meet compliance obligations identified in Title II ADA and the Rehabilitation Act of 1973, and Public Works staff has not found a previous ADA self-evaluation by the City of Enumclaw. The information that follows highlights some of the known efforts of the Public Works department. It should not be considered a comprehensive list of all compliance efforts undertaken by this or any other department.

- Key city buildings have been retrofitted with access ramps, e.g., City Hall, The Planning and Engineering Departments and the Police Departments;
- All engineering designs and construction for new buildings or renovations and rights of way have incorporated ADA design guidelines for as long as anyone can remember, e.g., city street projects going back at least 10 years;
- Several city departments service counters have wheelchair height counters;
- Numerous rest room projects have been reconstructed to ADA standards;
- Rand Black, PE, was assigned and attended training on right of way barriers and design requirements;
- The Public Works Department was tasked to complete an inventory and survey of right of way features for ADA compliance and barriers, and to plan for their removal, etc.;
- As a part of the Public Works survey, the overall ADA program was reviewed and this plan updated and compliance issues addressed.

IV. The Self-Evaluation Process

A. Approach and Processes

The first step toward compliance for the City of Enumclaw with the ADA is a self-evaluation of non-discriminatory policies and practices in programs, services and activities to identify inconsistencies with the ADA Title II requirements.

In an effort to be comprehensive and thorough, the City of Enumclaw has

begun a two-phased approach to the self-evaluation: 1) A review of current facilities, programs, policies and procedures related to the ADA, and 2) physical assessments of facilities and infrastructure (accessibility of curb ramps in the public right-of-way being the first item evaluated).

1. The City Programs and Events Review

The program review identified that particular efforts have been made to fully include those with disabilities, including the provision of a fully equipped bus that is used daily to transport those with mobility limitations to programs at and sponsored by the Senior Center. Likewise, the Recreation Coordinator has provided access to both special programs for those with disabilities, while including those with a broad spectrum of disabilities into the same programs as the general population.

2. Physical/architectural access to facilities

The City has completed a preliminary evaluation of facilities under city control. To date it appears that all facilities have handicap accessible access to their customer service areas, including finance, city clerk/mayor/administrator reception and offices, council chambers, planning and engineering, police department and city shops. Likewise satellite buildings including the senior center and youth center are accessible.

Each of these facilities will be further evaluated including detailed measurements, access grades, etc., in 2017 to ensure compliance.

It is important to note the lack of physical access to a facility can also deny an individual with a disability the opportunity to participate in a program.

28 CFR 35.149

Except as otherwise provided in § 35.150, no qualified individual with a disability shall, because a public entity's facilities are inaccessible to or unusable by individuals with disabilities, be excluded from participation in, or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any public entity.

To ensure barriers do not impede physical access to a building, public entities are required to evaluate facilities that are fully or partially owned or leased, identify barriers and develop a plan for barrier removal, which is referenced as a transition plan.

28 CFR 35.150 Existing Facilities

(d) (3) *The plan shall, at a minimum-*

- (i) Identify physical obstacles in the public entity's facilities that limit the accessibility of its programs or activities to individuals with disabilities;*
- (ii) Describe in detail the methods that will be used to make the facilities accessible;*
- (iii) Specify the schedule for taking the steps necessary to achieve compliance with this section and, if the time period of the transition plan is longer than one year, identify steps that will be taken during each year of the transition period; and*
- (iv) Indicate the official responsible for implementation of the plan.*

The City has designated Rand Black as the ADA Coordinator for facilities and rights of way and he will be responsible for the continued development and implementation of the Draft Title II Self-Evaluation and Transition Plan.

3. Rights of Way

The city completed an inventory and preliminary assessment of all city streets, curbs and sidewalk segments in December 2017. These locations and sidewalk segments were visually evaluated by Streetview photography and further reviewed for accuracy by project engineers who have completed recent projects to convert or remove known barriers to access, particularly removing curbs and replacing them with ramps meeting current standards. This inventory and condition status are included as Appendix 2 to this plan. This document must be kept active, maintained and updated. The most commonly used approach to managing this process will be to convert this data to GIS, which is planned to take place late in 2017 as the city implements its GIS platform across all utilities, including Streets.

B. Overview of Strengths and Areas Needing Improvement

The city has demonstrated commitment to ADA accessibility by insuring that all buildings are accessible, and that programs are welcoming to those affected. The city has also fully committed to ADA design standards for public rights of way and has incorporated those standards through all engineering and public works projects over the past 25 years.

Several areas have been identified previously in the document as needing immediate attention, including:

Training for staff, particularly those in customer service/regular citizen contact;

Publication of this plan and actively seeking public input;

Establishment of policies and procedures, especially complaints and requests for accomodation; and,

Formal adoption of this plan.

V. Effective Communication

A. Elements of Effective Communication

Access to programs, services, and activities is not possible without effective communication. Members of the public, using various forms of communication, routinely contact the City to gain access to programs and information.

1. 28 CFR.35.160 (Subpart E) Communications

(a) (1) A public entity shall take appropriate steps to ensure that communications with applicants, participants, members of the public, and companions with disabilities are as effective as communications with others.

Not all methods of communication are equally accessible to everyone. One form of communication that is effective for one person may not be for another. For this reason, the ADA emphasizes 'equal' access rather than the 'same' access. For example, offering a brochure in large print may be accessible to a person with low vision but not to a person who is blind. People with sensory and cognitive disabilities face the most communication barriers. Since most methods of communication tend to cater to the 'average person,' people with vision and hearing impairments often encounter barriers. The same is true for people with intellectual disabilities, learning disabilities, traumatic brain injuries, psychiatric disabilities, and speech impairments. Offering information in a variety of formats reduces barriers and increases access.

It is important to note that effective communication applies to all forms of communication, and the City shall do whatever is necessary to ensure communication is accessible to all people with disabilities. The City departmental Self-Evaluation has identified areas which need further

evaluation to ensure compliance is met.

B. Methods for Providing Effective Communication

Providing effective communication means offering auxiliary aids and services to enable someone with a disability to participate in all City programs, services, and activities.

In order to be effective, persons with disabilities must have an opportunity to request an auxiliary aid or service. Primary consideration must be given to the requested auxiliary aid or service. However, another method of communication may be implemented if it is effective for the person making the request.

1. 28 CFR 35.160 (b) General

(1) A public entity shall furnish appropriate auxiliary aids and services where necessary to afford qualified individuals with disabilities, including applicants, participants, companions, and members of the public, an equal opportunity to participate in, and enjoy the benefits of, a service, program, or activity of a public entity.

(2) The type of auxiliary aid or service necessary to ensure effective communication will vary in accordance with the method of communication used by the individual; the nature, length, and complexity of the communication involved; and the context in which the communication is taking place. In determining what types of auxiliary aids and services are necessary, a public entity shall give primary consideration to the requests of individuals with disabilities. In order to be effective, auxiliary aids and services must be provided in accessible formats, in a timely manner, and in such a way as to protect the privacy and independence of the individual with a disability.

The expense of making communication effective may not be charged to a person requesting the accommodation. A policy and procedure for requesting an aid or service is necessary to ensure consistency in administration and City compliance with the ADA. Several examples of auxiliary aids and services are identified in the regulations:

(1) Qualified interpreters on-site or through video remote interpreting (VRI)

services; note takers; real-time computer-aided transcription services; written materials; exchange of written notes; telephone handset amplifiers; assistive listening devices; assistive listening systems; telephones compatible with hearing aids; closed caption decoders; open and closed captioning, including real-time captioning; voice, text, and video-based telecommunications products and systems, including text telephones (TTYs), videophones, and captioned telephones, or equally effective telecommunications devices; videotext displays; accessible electronic and information technology; or other effective methods of making aurally delivered information available to individuals who are deaf or hard of hearing;

(2) Qualified readers; taped texts; audio recordings; Brailled materials and displays; screen reader software; magnification software; optical readers; secondary auditory programs (SAP); large print materials; accessible electronic and information technology; or other effective methods of making visually delivered materials available to individuals who are blind or have low vision.

Effective communication most often involves people with sensory disabilities such as hearing, vision, and speech but also includes people with intellectual, memory, and psychiatric disabilities. For example, a constituent who is deaf or hard of hearing attending a council meeting is not able to access auditory information without the aid of a sign language interpreter, FM system (amplified aural form) or real-time captioning. In addition, a person who is deaf may not be able to contact a City staff person's phone without the use of a TTY (teletypewriter) or Washington Relay Services 7-1-1. These are just a couple examples of how auxiliary aids and services ensure effective communication.

The City should immediately incorporate these straight-forward methods for insuring accessibility to those with sensory disabilities in the policies and procedures recommended in earlier sections of this Plan.

VI. The ADA Transition Plan

A. Plan Overview of the Public Right-of-Way (PROW)

The physical field assessment process began with a City-wide evaluation of all existing curb ramps and nonexistent curb ramps at pedestrian street crossings to determine ADA compliance.

To complete the public right-of-way element assessments, future evaluations will need to include:

- pedestrian access routes within sidewalks;
- accessible pedestrian signals (APS) and pushbuttons;
- on-street metered and/or marked parking spaces;
- passenger loading zones; and
- Transit bus stops.

B. Field Assessment Processes and Findings for:

1. *Public Right-of-Way*

In March, 2014 the city further committed to full compliance with the ADA when Rand Black was designated as the ADA Coordinator with specific responsibility for Rights of Way compliance. The city was already complying with ADA design standards and this represented an update to the program and resulted in the City Transportation Engineer being updated on all current requirements. While implementing requirements into on-going projects, a complete survey was not conducted until late 2016, at which time some 350 street intersections and 645 sidewalk segments were summarily categorized and tabulated. Given that a major project is currently in engineering that will result in approximately 80 access ramps being upgraded (demolished and replaced) at a cost of over \$250,000, the next increment of replacements has been identified and prioritized. After this list is finalized, the next increment will be prioritized, in conjunction with further public input and detailed reviews that will occur in late 2017.

2. *Parks and Recreation*

Handicap accessible parking and park facilities have been tabulated and are continuously reviewed. The summary of these facilities is attached at Appendix F.

The Recreation Department encourages participation of all individuals in planned and scheduled events and provides specific activities for those with limited physical abilities or impairments. These activities are included in the semi-annual programs published by the Parks and Recreation Department.

3. *Leased, Owned, or Operated Facilities*

This item has been identified as needing to be addressed in the future.

C. Prioritization and Implementation Plan

The City of Enumclaw is committed to meeting City-wide compliance for all facilities and understands this effort will require a long term strategic program. The interim step for the department of Public Works is to prioritize curb ramp improvements which will require dedicated staff and resources.

1. 28 CFR 35.150(d)

If the public entity has responsibility or authority over streets, roads, or walkways, its transition plan shall include a schedule for providing curb ramps or other sloped areas where pedestrian walks cross curbs, giving priority to walkways serving entities covered by the Act, including State and local government offices and facilities, transportation, places of public accommodation, and employers, followed by walkways serving other areas.

City staff must establish a priority criteria for meeting curb ramp compliance and should include:

- Receipt of community member comments including people with disabilities.
- Identified routes of travel of pedestrians with disabilities serving organizations and facilities, such as a Senior Center.
- Proximity to medical facilities, public transit stops, City Hall, libraries, parks and recreation facilities and schools.

D. Funding Mechanisms and Schedule of Future Improvements

Established Funding Mechanisms:

- The City of Enumclaw has committed significant resources over past years implementing barrier removal in the city. In 2017 the city has committed approximately \$3.5-million to pavement preservation. As part of this the city expects approximately 80 curb ramps to be upgraded at an average cost of \$5,500 each, or approximately \$440,000.
- Future improvements will be planned, prioritized, scheduled and included in future budgets.

Other Potential Funding Mechanisms:

- Private development and redevelopment projects that require PROW improvements will require construction to current ADA guidelines.

- City of Enumclaw General Fund/Capital Improvement Program
- Grants from FHWA, Community Development Block Grant (CDBG)

1. Schedule for Implementation

The 2017 ROW ADA program is in final design and should be constructed prior to August 31, 2017

2. Future Financial Picture

Future scopes and budgets will be identified during annual budget cycles.

E. Public Involvement

A focus group has been identified through the Senior Center and a meeting is planned for January 2017.

A public workshop is under consideration and will be undertaken if the focus group and outreach via public hearings and other methods indicates that such a meeting will be helpful.

Additionally, a public hearing will be conducted prior to adoption of the resolution proposed to be adopted by the city council adopting this plan.

F. Designated Responsible Individual

The designated City of Enumclaw ADA Coordinator is:

Rand Black, PE
Department of Public Works
Attn: ADA Coordinator
1309 Myrtle Ave
Enumclaw, WA 98022

360-615-5730

rblack@ci.enumclaw.wa.us

G. Monitoring the Process

The Public Works staff is developing an ongoing process to maintain a current curb ramp inventory in the City's Geographic Information System (GIS). As the city implements GIS mapping of public facilities in 2017, the data collected in 2016 will be entered into the GIS system where it

can be maintained, updated, and used to plan future improvements in ADA accessibility.

H. Critical Steps for Meeting ADA Compliance

- Establish an official ADA Program with dedicated personnel and an ongoing source of funding.
- Conduct formal training for all staff in order to foster a cultural shift and to create awareness of the ADA throughout the City organization.
- Ensure MUTCD Part 6, Temporary Traffic Control Zone Activity requirements are implemented on all projects affecting PROW in order to ensure pedestrians with disabilities have a safe accessible route of travel at construction sites.
- Incorporate the inventory of ROW ADA status in the new GIS system being implemented.

Appendices / Attachments

Attachment A	Notice of Program and Service Accessibility
Attachment B	Policy and Procedure for Grievance under ADA
Attachment C	City of Enumclaw Resolution on Right of Way Improvements– Draft
Attachment D	Right-of-Ways Inventory and ADA Status Assessment-2016
Attachment E	City Facilities ADA Access Summary
Attachment F	Parks and Recreation Access Summary