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CITY OF RIVERBANK

AMERICANS WITH DISABILITIES ACT

Self-Evaluation and Transition Plan Update



ADA Self-Evaluation and Transition Plan

September 15, 2015 Public Draft

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1.0 Introduction

1.1 Executive Summary

This Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan is being prepared to partially fulfill the requirements set forth in Title II of the Americans with Disabilities Act. The ADA states that a public entity must reasonably modify its policies, practices, or procedures to avoid discrimination against people with disabilities. This report will assist the City of Riverbank to identify policy, program, and physical barriers to accessibility and to develop barrier removal solutions that will facilitate the opportunity of access to all individuals.

Title II of the ADA emphasizes the accessibility of programs, activities and services. This Plan addresses these issues by providing recommendations for action steps based on a comprehensive review of current practices including an on-line questionnaire that was completed by City staff regarding the delivery of services to the public. This process included every department that provides services to the public.

As noted in Section 2.0, many City staff members report making modifications to City practices and procedures to assist people with disabilities in receiving the services provided by the City including providing materials in alternate formats, and holding meetings in accessible locations to ensure that people with disabilities have an opportunity to participate in civic life. A review of the City of Riverbank Municipal Code and other planning documents was also completed.

When it is not feasible to provide accessible City programs, activities and services by relocating these activities to accessible facilities or providing auxiliary aids and services, the ADA requires the City to complete a Transition Plan describing the physical modifications to facilities that will support accessible programs.

The Transition Plan described in Section 3.0 is the result of a detailed evaluation of all City of Riverbank municipal facilities where programs, activities and services are available to the public. Municipal facilities include City buildings, parks, and public rights-of-way. Facilities that are not addressed in this ADA Title II Plan include private businesses and offices, private schools, county, state or federal facilities, places of worship or private clubs.

The facility evaluations were conducted using the most current accessibility standards. The resulting facility reports are available under separate cover through the City's ADA Coordinator. Each facility report lists potential barriers, provides information about the relevant state and federal codes, includes a planning level cost estimate to remove the barrier, and indicates a barrier removal priority. These reports are a snapshot in time of the conditions observed during the evaluation period. The information contained in these reports will be transferred to a

Microsoft Excel barrier analysis workbook. The workbook will be the living Transition Plan document and the City's on-going record of the remediation of barriers.

The Transition Plan is intended to provide a framework for the continuous improvement of City facilities for people with disabilities. Barriers in City facilities will be removed systematically, based on established program priorities. It is the intent of the City to address and remove barriers to accessibility in public facilities based upon the immediate necessity of programmatic access, degree of complexity, and overall cost.

A table describing the schedule for barrier removal in public facilities owned by the City of Riverbank will be developed under the direction of staff. The preliminary schedule will represent a schedule for barrier removal.

The City of Riverbank has designated an ADA Coordinator. The ADA Coordinator is responsible for coordinating the efforts of the City to comply with Title II and for investigating any complaints that the City has violated Title II of the ADA. The ADA Coordinator is also responsible for coordinating the efforts of the City to comply with all other applicable State and Federal physical and program accessibility requirements.

1.2 Legislative Mandate

The American with Disabilities Act (ADA) is a comprehensive civil rights law for persons with disabilities in both employment and the provision of goods and services. The ADA states that its purpose is to provide a "clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities." Congress emphasized that the ADA seeks to dispel stereotypes and assumptions about disabilities and to assure equality of opportunity, full participation, independent living, and economic self-sufficiency for people with disabilities.

The development of a Transition Plan is a requirement of the federal regulations implementing the Rehabilitation Act of 1973, which requires that all organizations receiving federal funds make their programs available without discrimination toward people with disabilities. The Act, which has become known as the "civil rights act" of persons with disabilities, states that:

No otherwise qualified handicapped individual in the United States shall, solely by reason of handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. (Section 504)

Subsequent to the enactment of the Rehabilitation Act, Congress passed the Americans with Disabilities Act on July 26, 1990. Title II of the ADA covers programs, activities, and services of public entities. The Department of Justice's ADA Title II Regulations adopts the general prohibitions of discrimination established under Section 504 and incorporates specific

prohibitions of discrimination for the ADA. Title II provides protections to individuals with disabilities that are at least equal to those provided by the nondiscrimination provisions of Title V of the Rehabilitation Act.

Specifically, the City of Riverbank may not, either directly or through contractual arrangements, do any of the following:

- Deny persons with disabilities the opportunity to participate as members of advisory boards and commissions.
- Deny persons with disabilities the opportunity to participate in services, programs, or activities that are not separate or different from those offered others, even if the City offers permissibly separate or different activities.
- In determining the location of facilities, make selections that have the effect of excluding or discriminating against persons with disabilities.

Title II of the ADA provides that public entities must identify and evaluate all programs, activities, and services and review all policies, practices, and procedures that govern administration of the entity's programs, activities, and services. This Plan and certain documents incorporated by reference, establishes the City's ADA Self-Evaluation and Transition Plan.

1.3 Discrimination and Accessibility

This section provides an overview of physical and programmatic accessibility and the basic methods of providing access. There are two kinds of accessibility:

- Program accessibility; and
- Physical accessibility

Absence of discrimination requires that both types of accessibility be provided. Program accessibility includes physical accessibility, but also entails all of the policies, practices, and procedures that permit people with disabilities to participate in programs and to access important information. Physical accessibility requires that a facility be barrier-free. Barriers include any obstacles that prevent or restrict the entrance to or use of a facility. Program accessibility requires that individuals with disabilities be provided an equally effective opportunity to participate in or benefit from a public entity's programs and services. Program accessibility may be achieved by either structural or non-structural methods. Non-structural methods include acquisition or redesign of equipment, assignment of aides to beneficiaries, and provision of services at alternate sites.

Programs offered by the City to the public must be accessible. Accessibility includes advertisement, orientation, eligibility, participation, testing or evaluation, physical access,

provision of auxiliary aids, transportation, policies, and communication. The City may achieve program accessibility by a number of methods:

- Structural methods such as altering an existing facility;
- Acquisition or redesign of equipment;
- Assignment of aides; and
- Providing services at alternate accessible sites.

It is required that when choosing a method of providing program access, the City will give priority to the one that results in the most integrated setting appropriate to encourage interaction among all users, including individuals with disabilities. In compliance with the requirements of the ADA, the City must provide equality of opportunity.

1.4 ADA Self-Evaluation and Transition Plan Requirements and Process

The ADA Self-Evaluation and Transition Plan is intended to provide a framework for the continuous improvement of the City's programs and facilities for people with disabilities. The Transition Plan is a living document that is regularly updated as programs and services change, as barriers are removed, and new facilities come under ownership or control of the City. Programs, activities, and services offered by the City of Riverbank to the public must be accessible for people with and without disabilities. Accessibility applies to all aspects of a programs or services provided by the City, including:

- Accessible/Adaptive Equipment;
- Customer Service;
- Emergency Evacuation Procedures;
- Facilities;
- Notice Requirements;
- Printed Information;
- Program Eligibility and Admission;
- Public Meetings;
- Public Telephones and Communication Devices;
- Special Events on Public Properties;
- Televised and Audiovisual Public Information;
- Tours and Trips;
- Training and Staffing;
- Transportation Services;
- Use of Consultants for Delivering Program Services; and
- Website.

The ADA Self-Evaluation for programmatic access identifies and makes recommendations to correct those policies and practices in the above mentioned programs and services that are

inconsistent with Title II requirements and result in limitations on access for persons with disabilities. As part of the Self-Evaluation¹, the City:

- Identifies the City's programs, activities, and services;
- Reviews the policies, practices, and procedures that govern the administration of the City's programs, activities, and services;
- Provides opportunity for public comment;
- Makes the report available to the public; and
- Correct any programs, activities, and services that are not consistent with the requirements.

A Transition Plan is a document that outlines a strategy for the City to progress toward compliance with the Americans with Disabilities Act. The Transition Plan identifies barriers for persons with disabilities and a schedule to remove those barriers over time and must include:

- 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 used to remove these barriers and make the facilities accessible;
- A schedule for taking the steps necessary to achieve compliance with the ADA, Title II;
- Provide opportunity for the public to provide comment on the Transition Plan; and
- The name of the individual responsible for the Plan's implementation.

1.5 Self-Evaluation

In 2014, the City of Riverbank evaluated its policies, programs, and procedures to determine current levels of service and the extent to which its policies and programs created barriers to accessibility for persons with disabilities. Questionnaires were distributed and received from the following departments:

- Administration
- Administration - City Clerk's Office
- Community Development/Neighborhood Improvement
- Development Services
- Development Services - Building and Planning Divisions
- Housing Division
- Recreation

Findings for the City's programs, activities, and services can be found in Section 2.0 of this Plan.

¹ Department of Justice, Title II Regulations Subpart D § 35.105

1.6 Facility Assessments

In the spring of 2015, the City completed a physical audit of facilities to identify potential facility barriers and identify recommendations and alterations in order to meet state and federal accessibility standards. The list of facilities evaluated included:

- City-owned parks;
- City-owned buildings; and
- City-owned public-rights-of-way.

At the time of the facility evaluations, the ADA 2010 Standards and the 2013 California Building Code (CBC) were used to identify barriers at City facilities. Building codes are revised every few years. The barrier evaluations conducted provide an assessment of current conditions as viewed by current code and provide a baseline for future barrier removal.

1.7 Undue Burden

The City is not required to take any action that it can demonstrate would result in a fundamental alteration in the nature of its program or activity, would create a hazardous condition resulting in a direct threat to the participant or others, or would represent an undue financial and administrative burden.

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

1.8 Safe Harbor Provisions

The 2010 ADA regulations introduced the concept of “safe harbor”, which allows facilities built prior to March 15, 2012 that comply with the 1991 ADA Standards to remain as-is until the structural feature is altered. For example, the 1991 Standards allowed a 54 inches maximum for a side reach range, and the 2010 Standard lowered the side reach range to 48 inches maximum. Items positioned at the 54 inch height would fall under safe harbor if built before March 15th 2012² until the time of an alteration.

² § 35.150 Existing facilities (b)(2)(i) Safe harbor. Elements that have not been altered in existing facilities on or after March 15, 2012, and that comply with the corresponding technical and scoping specifications for those elements in either the 1991 Standards or in the Uniform Federal Accessibility Standards (UFAS), Appendix A to 41 CFR part 101–19.6 (July 1, 2002 ed.), 49 FR 31528, app. A (Aug. 7, 1984) are not required to be modified in order to comply with the requirements set forth in the 2010 Standards.

The exception applies to elements that might otherwise have to be modified under: 1) the program access requirement for public entities; 2) the readily achievable barrier removal requirement for places of public accommodation; or 3) the path of travel requirement for any alteration that affects the usability of a primary function area in any covered facility³.

In addition to the exceptions, Title II Regulations specify structural elements not previously included in the 1991 ADA Standards that do not fall under the safe harbor provision:

§ 35.150(b)(2)(ii) The safe harbor provided in § 35.150(b)(2)(i) does not apply to those elements in existing facilities that are subject to supplemental requirements (i.e., elements for which there are neither technical nor scoping specifications in the 1991 Standards). Elements in the 2010 Standards not eligible for the element-by-element safe harbor are identified as follows—

- (A) Residential facilities dwelling units, sections 233 and 809.*
- (B) Amusement rides, sections 234 and 1002; 206.2.9; 216.12.*
- (C) Recreational boating facilities, sections 235 and 1003; 206.2.10.*
- (D) Exercise machines and equipment, sections 236 and 1004; 206.2.13.*
- (E) Fishing piers and platforms, sections 237 and 1005; 206.2.14.*
- (F) Golf facilities, sections 238 and 1006; 206.2.15.*
- (G) Miniature golf facilities, sections 239 and 1007; 206.2.16.*
- (H) Play areas, sections 240 and 1008; 206.2.17.*
- (I) Saunas and steam rooms, sections 241 and 612.*
- (J) Swimming pools, wading pools, and spas, sections 242 and 1009.*
- (K) Shooting facilities with firing positions, sections 243 and 1010.*
- (L) Miscellaneous.*
 - (1) Team or player seating, section 221.2.1.4.*
 - (2) Accessible route to bowling lanes, section. 206.2.11.*
 - (3) Accessible route in court sports facilities, section 206.2.12.*

1.9 Construction Tolerances

The ADA and California Building Code (CBC) reflect the need for small variations between the standards and the resulting constructed feature. The CBC states that all dimensions are subject to conventional industry tolerances except where the requirement is stated as a range with specific minimum and maximum end points.

³ ADA Safe Harbor Provisions, Evan Terry Associates, August 22, 2013

Application of conventional industry tolerances must be on a case-by-case, project-by-project basis. Predetermined guidelines for construction tolerances could unnecessarily encourage contractors and others to deviate from the access regulations found in the CBC and may wrongfully be viewed by some to have the effect of law.

Conventional building industry tolerances include those for field conditions and those that may be a necessary consequence of a particular manufacturing process. Recognized tolerances are not intended to apply to design work.

The barrier reports available under separate cover through the City do not reflect the application of construction tolerances. The City will evaluate the application of construction tolerances on a case by case basis when alterations or barrier remediation actions are undertaken.

1.10 Public Outreach

A public meeting was held on March 4, 2015 to introduce the project and receive questions and comments related to the ADA Plan. Presentation materials for all community meetings related to the project are located in Appendix A.

The Plan will be presented to the public for comment at the September 22, 2015 City Council meeting. The City will collect public comment and answer questions pertaining to the Draft Self Evaluation and Transition Plan. Revisions will be made to the Public Draft to reflect comments received from the public. The Final Plan will be presented to the City Council for adoption.

2.0 Self-Evaluation of Policy and Programmatic Accessibility

Programs, activities, and services offered by the City of Riverbank to the public must be accessible for people with and without disabilities. Accessibility applies to all aspects of a program or service, including advertisement, orientation, eligibility, participation, testing or evaluation, physical access, provision of auxiliary aids, transportation, policies, and communication.

This section details the review of current City-wide policies, services, programs, and activities based on City staff and responses to the program accessibility questionnaire. The seven participating departments include the following:

- Administration
- Administration – Human Services
- Administration - City Clerk's Office
- Community Development/Neighborhood Improvement
- Development Services
- Development Services - Building and Planning Divisions
- Housing Division
- Recreation

The findings and recommendations contained in this section will serve as a basis for the implementation of specific improvements for providing access to City programs as required by the ADA. The questionnaire administered to City staff is included in Appendix B and detailed department summaries can be found in Appendix C.

2.1 Programmatic Modifications

The ADA Coordinator, or designee, will follow-up with each department to review the recommendations contained in this Self-Evaluation Report. In those situations where a policy, program, or procedure creates a barrier to accessibility that is unique to a department or a certain program, the ADA Coordinator, or designee, will coordinate with the department head or program manager to address the removal of the barrier in the most reasonable and accommodating manner in accordance with applicable law.

2.2 Findings and Recommended Actions - Citywide Programs, Activities and Services

This section is organized into categories based on the requirements of Title II of the ADA.

- Accessible/Adaptive Equipment
- Customer Service
- Notice Requirements
- Printed Information
- Televised and Audiovisual Public Information
- Website
- Public Telephones and Communication Devices
- Training and Staffing
- Program Eligibility and Admission
- Public Meetings
- Transportation Services
- Tours and Trips
- Use of Consultants for Delivering Program Services
- Emergency Evacuation Procedures
- Facilities
- Special Events on Public Properties

Actions are listed as required or recommended based on the Americans with Disabilities Act. Some actions are always required, such as posting a non-discrimination notice in City offices, while other actions are only required when requested, such as providing alternative formats such as large print agendas. In many cases, the City has many alternatives in selecting methods for providing accessible programs, activities and services.

Accessibility/Adaptive Equipment

Adaptive aids are devices, controls, appliances, or items that make it possible for persons with disabilities to improve their ability to function independently and participate in programs, services, and activities offered by the City. For example, a pen, note pad and clip board provided to a person with a hearing or speech impairment to write notes on or accessible electronic equipment such as an accessible computer station are considered adaptive equipment.

Self-Evaluation Findings:

The City does not currently provide electronic equipment for public access. Some departments do provide auxiliary aids to assist people with disabilities in participating in their programs, activities, and services.

Required or Recommended Actions:

1. It is required to provide and maintain in working order accessible equipment for people with disabilities when the public is allowed or required to use equipment such as computers, copy machines, telephones or other technologies.
2. It is recommended to collaborate with community organizations that serve people with disabilities to develop and maintain a current resource list of assistive technology equipment and sources.
3. It is recommended to establish and maintain a “Resources Toolkit” of adaptive aids and human resources that should be available for use by individuals participating in City programs. Include information about the availability of specific equipment and/or individuals who are available to provide special services (e.g., ASL translation) in public information materials such as brochures and the City’s website.
4. It is recommended to include accessibility as a criterion for purchasing. Whenever possible, evaluate furniture and building material purchases for compatibility with a wide range of disabilities and sensitivities. Select items that are easily adjustable or can be modified to accommodate a variety of physical and ergonomic needs when purchasing items such as furniture, site furnishings, and office systems. Consultation with disability organizations and persons with disabilities will assist in this task.

Customer Service

In-person interaction with the public is one of the primary functions of most City departments.

Self-Evaluation Findings:

Some departments do make changes to standard operating procedure to include people with disabilities. One department indicated that they have a partnership with an outside

organization that provides services to assist people with disabilities. Another department reported they tracked accessibility requests. Providing accessible programs is an obligation of the City and it is not allowed to ask the person with a disability to incur the costs of providing accessible services.

Required or Recommended Actions:

1. It is required to continue to make appropriate modifications to regular practices to accommodate the needs of individuals with disabilities when providing customer service.
2. In order to meet this requirement it is recommended that the City develop criteria for determining reasonable modifications to provide program accessibility, which may include acquisition or redesign of equipment, assignment of aides to persons with disabilities, and provision of services at alternative accessible sites. An approach should include:
 - Requests for reasonable modification in programs or services should be made to the department responsible for the program or service.
 - The department offering the program or service should meet with the individual with a disability to identify which aspects of the program limit participation and what modifications can be made.
 - The department offering the program or service should consult with the relevant program or service staff to determine the reasonable modification. The department offering the program or service may also consult with the City's ADA Coordinator or other resources providing services or information regarding persons with disabilities as appropriate.
 - The department offering the program or service should document the modification(s) that was offered and the response of the person with the disability to the modification(s) offered. This documentation should be filed with the City ADA Coordinator's office. All accessibility requests should be tracked. The ADA requests should be analyzed periodically to look for global issues that can be addressed and problems that can be solved proactively.
 - If individuals with a disability are not satisfied with the results of this process, they should be directed to the City's ADA Grievance Procedure.
3. It is required that the City continue the policy of not charging an additional fee to the person requesting accommodation for their disability for program modifications or alternative formats.

4. It is recommended that the City:
 - Assess the composition and needs of the population of people with disabilities, and take the necessary steps to improve communication and outreach to increase the effective participation of community members with disabilities in all City programs and activities.
 - Create partnerships with organizations that provide services to people with disabilities to assist in communicating about accessible City programs. Keep programs up-to-date through increased community involvement and partnerships with organizations that offer services to persons with disabilities.
 - Publicize efforts to increase participation by persons with disabilities, which might include activities such as distributing program brochures to members of the disability community.

Notice Requirements

Title II regulations require the City to inform the public of the rights and protections provided by the ADA for access to public programs, services, and activities.

Self-Evaluation Findings:

Three departments reported that they are aware that the City has a nondiscrimination statement that includes persons with disabilities.

Required or Recommended Actions:

1. It is required that the City include the following or similar notice regarding the City's commitment to providing accessible services in all City publications that provide information about City services, programs, or activities. The notice should also be placed in all City departments in a location that will maximize public exposure.

In accordance with the Americans with Disabilities Act and California Law, it is the policy of the City of Riverbank to offer its public programs, services and meetings in a manner that is readily accessible to everyone, including individuals with disabilities. If you are a person with a disability and require information or materials in an appropriate alternative format; or if you require any other accommodation, please contact department staff. Advance notification within this guideline will enable the City to make reasonable arrangements to ensure accessibility. The City ADA Coordinator can be reached at (209) 863-7120 or by email: adacoordinator@riverbank.org.

2. It is required to provide non-discrimination language on both hard copies and documents posted on the web. Include the following or similar notice regarding the City's non-discrimination policy in all City publications that provide general information about City services, programs, or activities.

POLICY ON NON-DISCRIMINATION ON THE BASIS OF DISABILITY

The City of Riverbank does not discriminate on the basis of disability in the admissions or access to its programs or activities. An ADA Coordinator has been designated to coordinate compliance with the non-discrimination requirements contained in the Department of Justice regulations implementing Subtitle A of Title II of the Americans with Disabilities Act (42 U.S.C. 12131), which prohibits discrimination on the basis on disability by public agencies.

*City Riverbank ADA Coordinator
6617 Third Street, Riverbank, CA 95367
Phone: (209) 863-7120
Email: adacoordinator@riverbank.org*

3. It is required that the ADA Coordinator is able to communicate with a person with hearing impairment using a TTY system. As an interim solution, consider using the 711 California Relay Service.
4. It is required that a statement regarding the availability, upon request, of alternative formats and auxiliary aids is included on announcements for City programs, and applications, including:
 - The notice of non-discrimination;
 - The department's text telephone (TTY) number and/or California Relay Service information, and the phone number and email address of the person who can provide assistance in meeting special needs; and
 - A notice that requests for alternative formats or auxiliary aids is required with 72 hours notice.
5. It is recommended that the City increase outreach to persons with disabilities and the organizations that serve them. The City should inform the public of the possible modifications that can be provided to make services, programs, and activities accessible.

Printed Information

In order to meet the ADA's communication standards, City departments must be able to provide information, when requested, in alternative formats such as using easy-to-understand language, Braille, large-print format, audiotape or CD, computer disk, or other formats as requested.

Self-Evaluation Findings:

All departments produce printed information made available to the public. One department reported that they provided printed materials in alternative formats upon request. Two departments reported that they provide materials in easy to understand language for people with learning disabilities.

Required or Recommended Actions:

1. It is required that the City provide alternative formats to printed information, when requested (for example, enlarged print format for persons with visual disabilities or in simple language for persons with cognitive disabilities).
2. It is required that the City address all requests for other alternative formats or lengthy documents on an individual basis.
3. It is recommended that the City provide instruction to each department on how to produce printed information in alternative formats for persons with various disabilities to ensure that requests are handled in a uniform and consistent manner.
4. It is required that any additional costs for alternative forms of communication are not assigned to the person with a disability requesting the alternative format.
5. It is required to include the following notice on materials printed by the City that are made available to the public:

This publication can be made available in alternative formats, such as Braille, large print, audiotape, or computer disk. Requests can be made by calling the ADA Coordinator at (209) 863-7120 (Voice) or by using the 711 California Relay Service. Please allow 72 hours for your request to be processed.

6. It is required to provide programmatic changes (e.g., staff assistance), upon request to assist in filling out forms or when alternative formats are unavailable or infeasible.
7. It is recommended that when photos are part of a brochure or publication photos of persons with disabilities are included.

Televised and Audiovisual Public Information

Televised and audiovisual information is a means for disseminating public information through presentations produced by City departments. All televised and audiovisual information must be accessible to persons with disabilities. As more and more communication is being done remotely via the rapidly changing internet, it will be increasingly important that all communication tools maintain accessibility as technology changes.

Self-Evaluation Findings:

Three departments reported preparing audiovisual or televised presentations for the public. Two of the departments provide transcription services for audiovisual presentations to people with disabilities when requested.

Required or Recommended Actions:

1. It is required that the City provide, when requested, alternatives to audio presentations for City programs and for audiovisual presentations produced by the City (including videos, films, and City Council, and Planning and Transportation Commission meetings) in order to ensure that persons with hearing impairments can benefit from these presentations. Closed captioning is not required.
2. It is recommended that when presenting PowerPoint or other visual presentations that the presenter read the slides and describe the graphics. This will allow people who are blind or visually impaired to receive the information being presented.
3. It is recommended that when photos are part of an audio visual presentation, images of persons with disabilities are included.

Website - City and Department Websites

As people turn to the Internet as their primary source of information regarding services, programs, activities, and facilities, the City's website <http://www.riverbank.org/> takes on increased importance as a communications tool.

Providing public access to City publications online is an effective means of reaching persons with disabilities. New accessibility standards for electronic and information technology covered by Section 508 of the Rehabilitation Act Amendments of 1998 have set forth the technical and functional performance criteria necessary for such technology to be accessible.

Self-Evaluation Findings:

Most departments provide information about their programs online, either on their own or the City's website. One department ensured that the documents provided on the website for

download were accessible to people with visual disabilities. Content is managed by both the departments and others.

Required or Recommended Actions:

1. It is required that the City's website is accessible to people with disabilities, including those with visual impairment.
2. It is required that the City publish the Policy of Non-Discrimination, including non-discrimination on the Basis of Disability, on the City's website.
3. It is recommended that the City:
 - Increase outreach to persons with disabilities by having the website include more information about the City's commitment to providing accessible services.
 - Continually improve the accessibility of web pages through the use of web accessibility analysis to meet and/or exceed Section 508 of the Rehabilitation Act guidelines for accessibility of electronic information. Acquire the technological resources necessary to create accessible PDF and graphics files as described in ADA standards for electronic and information technology.
 - Assign one department the authority to provide standards and oversight for outside vendors who create pages and for departments who post their own documents. This will support consistent and accessible web pages. Monitor web pages for continued compliance with accessible web page standards.
 - Provide training to City staff members in creating accessible PDF and other electronic files for posting on City or departmental websites.
 - Use services that help web page authors provide an accessible website by identifying and repairing barriers to access for individuals with disabilities.

Public Telephones and Communication Devices

Communication technology facilitates the ability for the public to communicate effectively with City staff when not physically present. Cell phones, text and instant messaging have become widely available, but there is still a requirement for the provision of alternative communication technologies such as teletypewriters (TTY), telecommunication display devices (TDDs), or relay services for conducting communications with the public.

Self-Evaluation Findings:

One department reported communicating by telephone with members of the public with hearing or speech disabilities.

Required or Recommended Actions:

1. It is required that staff members are able to use TTY equipment or other means of communicating over the telephone with a person with a hearing or speech impairment, such as the California Relay Service (CRS) – 711, or are able to direct member of the public to knowledgeable staff.
2. It is required that publications that list phone numbers also include information on how people with hearing and/or speech impairment can communicate with departments by phone.
3. It is recommended that City staff become familiar with Video Remote Interpreting Services (VRI) for communicating with people with hearing and/or speech impairment. There are many situations where a live interpreter is required, such as in medical situations, but RVI is a convenient, flexible, lower-cost alternative to live interpreters.

Training and Staffing

As a part of the City's on-going staff development and training, the incorporation of disabilities awareness, standards, and resources is encouraged for all staff interfacing with the public or who maintain the facilities used by the public.

Self-Evaluation Findings:

All departments reported that their staff members have contact with the public.

Required or Recommended Actions:

1. It is required that City staff is knowledgeable in providing accessible services, programs and activities for the public and that accessible facilities are maintained in working order.
2. It is recommended that the City:
 - Provide all City staff members with on-going awareness and sensitivity training.
 - Provide training to City staff members who have contact with the public about how to provide modifications and use assistive devices to make their programs, activities, and services accessible. Ensure that customer service training includes information about communicating with and providing modifications for persons with a variety of disabilities. Include program-specific adaptations, assistive devices, and modifications in each department's accessibility policy manual.
 - Develop a comprehensive disability access training program. Educate all City staff about their responsibilities under the ADA. The City's ADA Coordinator and department supervisors should be responsible for ensuring that staff members

receive training. Reference materials that address special modifications should be included in this training.

- Develop standard guidelines for training materials. The guidelines should include standard language that appropriately describes the City's policy on inclusion and non-discrimination, and staff members should receive training in using the guidelines effectively.
- Consider offering training to employees who wish to learn basic American Sign Language (ASL) communication skills for staff who have contact with the public and depending on operational needs. This training should emphasize basic communication skills and should not be viewed as a substitute for utilizing qualified ASL interpreters when requested.
- Train maintenance services staff with respect to accessibility compliance and building codes to maintain facilities in an accessible condition.
- Provide City staff members with training in general building evacuation procedures for assisting persons with hearing, speech, visual, mobility, and learning disabilities in an emergency.
- Designate one manager in each department to serve as the department's Disability Access Liaison. The Liaison will be required to complete a training program and attend periodic retraining regarding accessibility issues.

Program Eligibility and Admission

The public must be able to access all programs, service, and activities, regardless of disability. Admission criteria, ability to complete forms and participation in interviews must be available to all members of the public by providing reasonable accommodations.

Self-Evaluation Findings:

No departments reported having limitations or ratio requirements for the number of people with disabilities who can participate in their program. No departments noted that they have eligibility requirements.

One department requires an interview prior to participation in City programs activities and practices. Two departments use both criteria and forms in the admissions process. Two departments reported that their forms contain a nondiscrimination statement.

Required or Recommended Actions:

1. It is required that individuals with disabilities are not excluded from regular programs or are required to accept special services or benefits.

2. It is required to include individuals with disabilities in regular programs to the maximum extent possible.
3. It is required that the City modify standard policies, practices, or procedures to avoid discrimination unless the modification would fundamentally alter the nature of the program, result in an undue financial or administrative burden, or create a hazardous situation for the participant or others.
4. It is required that when specific policies that would exclude or limit the participation of persons with disabilities are necessary for the safe operation of programs, those requirements are based on real risks, not on speculation, stereotypes, or generalizations.
5. It is required that a non-discrimination statement is included on application or registration forms.
6. When interviews are required for program participation, it is required that the meetings are held in an accessible location and that alternative formats or auxiliary aids are provided upon request.

Public Meetings

Public meetings are a regularly occurring activity for public agencies. The main objective of any public meeting is to impart and solicit information on public issues of importance to the local government. Meeting location is an important consideration in fulfilling the requirements of the ADA.

Self-Evaluation Findings:

Most departments hold public meetings and most of them require meetings to be held in accessible locations. Three departments reported that American Sign Language (ASL) interpreters, readers or adaptive equipment were provided when requested for meetings, interviews and conferences.

Required or Recommended Actions:

1. It is required that public meetings are held in accessible facilities in order to accommodate the participation of people with mobility disabilities. An accessible location includes, but is not limited to, the following: wheelchair accessible path-of-travel to the meeting room, accessible restrooms, accessible parking, an accessible route from transit and parking to the meeting facility, temperature control, signage, and the ability to provide access to fresh air for persons with chemical sensitivities.
2. It is recommended to continue to schedule public meetings at accessible locations.
3. It is recommended to prepare a list of accessible meeting spaces to facilitate the scheduling of meetings and/or the relocation of meetings upon request.

4. It is required to display a notice on meeting agendas indicating the availability of accessibility modifications.
5. It is required to provide agendas and other meeting materials in alternative formats, when requested.
6. It is required to provide flexibility in the time limit on speaking for individuals with communication difficulties.
7. It is required to have assistive listening devices available at public meetings.
8. It is recommended for the City to maintain a list of on-call American Sign Language interpreters who may be brought to meetings to assist individuals with hearing impairments.
9. It is recommended to provide instruction to City staff on the types of modification requests that may be made by persons with different types of disabilities including auxiliary aids such as different types of assistive listening systems, sign language interpreters, readers, descriptive services, and other assistive technologies like "real-time captioning." Provide guidance in the layout of the room, sign-in table and refreshments table, to ensure that these features are accessible.
10. Consider assigning a staff member to be a greeter at public meetings and events. Identify the staff member as a resource for persons who may require assistance.
11. It is recommended to develop a checklist for creating accessible meetings and selecting accessible meeting spaces, and make the list available to all City departments and programs who conduct public meetings.
12. It is recommended to move disability-related agenda items to the beginning of agendas when possible. Some people with disabilities are unable to stay late at meeting because they use para-transit, or have fixed schedules, and/or need to use personal care attendants.

Transportation Services

Many public agencies provide transportation services to and from their programs. The public accommodation standards for these services are set forth by the Federal Transit Administration.⁴

Self-Evaluation Findings:

No department reported providing transportation services to the public.

⁴ Title 49, Subtitle A, Part 38 - Americans with Disabilities Act Accessibility Specifications for Transportation Vehicles.

Tours and Trips

Tours and trips may be included as part of some public agency programs and activities. The public agency is responsible for providing accommodations or changing the tour to make it accessible to everyone.

Self-Evaluation Findings:

One department reported that they provide tours and trips to the public.

Required or Recommended Actions:

1. It is required that the City modifies tours and trips, when requested, to enable people with mobility, visual, speech, hearing and cognitive disabilities to participate. Tour or trip registration materials must enable a person who may need accessibility accommodation to communicate the requested modification. Provide information to participants in advance of a tour or trip regarding the destination, transportation, and other characteristics of the event so that informed requests for accommodations can be made.
2. It is recommended that the City evaluate the destination of the tour or trip and the means of transportation in order to determine its accessibility and any accommodations or modifications that may be required. If a tour route or a portion of a route is not accessible, the City will continue the practice of rerouting the tour or providing alternate accommodation (e.g., photographs, close-captioned videos, etc.) that will allow the tour to be experienced if requested.

Use of Consultants for Delivering Program Services

Many public agencies rely on the use of consultants for the delivery of services. These consultants are considered an extension of the City's services and are required to adhere to the same ADA regulations as the City.

Self-Evaluation Findings:

Two departments reported the use of consultants for delivering program services.

Required or Recommended Actions:

1. Ensure consultants are aware of their obligation to make city programs and activities are accessible.
2. Monitor programs and activities to ensure continued accessibility.

Emergency Evacuation Procedures

Life and safety protocols and procedures are required to include plans for people with disabilities.

Self-Evaluation Findings:

No department reported that they notify individuals with disabilities of emergencies and evacuation procedures.

Required or Recommended Actions:

1. It is required that the City develop guidelines and a plan for the evacuation of persons with disabilities in various types of emergency situations. These plans should:
 - Address what to do when an alarm is triggered;
 - Establish meeting places for assistance and evacuation chairs;
 - Provide direction on what to do if assistance is not available; and
 - Establish floor captains.
2. It is required to train City staff regarding emergency evacuation procedures with periodic drills, both announced and unannounced.
3. It is recommended that the City:
 - Review existing procedures dealing with emergencies to ensure that persons with disabilities can be alerted and that they can alert emergency service providers.
 - Work with disability organizations to explore the use of other technologies such as audible exit signs for orientation and direction and vibrating paging systems.
 - Provide training for public safety personnel to enable them to communicate in basic American Sign Language in the event that there is an emergency condition and the area is being evacuated. For example, this training would be provided to police, firefighters, lifeguards, and building inspectors involved in post-disaster emergencies.
 - Take the necessary steps to ensure that emergency teams are aware of persons with disabilities in their communities who may require special assistance in the event of an emergency.
 - Provide American Sign Language interpreters at emergency facilities, on an as-needed basis. To accomplish this, form a pool of interpreters as a resource from which to draw upon (see Section 6).
 - Specific suggestions for evacuation plans and procedures can be found through the US Access Board website at <http://www.ada.gov/emergencyprepguide.htm> and the Emergency Procedures for Employees with Disabilities in Office Occupancies document published by FEMA and the US Fire Administration.

Facilities

The identification of structural barriers in buildings, parks and the public rights-of-way are a required element of an ADA Transition Plan.

Self-Evaluation Findings:

One department reported that they had requests for improving accessibility in their department's programs and facilities.

Required or Recommended Actions:

1. It is recommended that the City provide information about facility accessibility on department publications including the department's website.
2. It is recommended that requests relating to facility access be recorded and monitored. Accessibility requests should be analyzed periodically to look for global issues that can be addressed and problems than can be solved proactively.

Special Events on Public Properties

Public agencies often make their facilities available for private organizations or third parties to host a special event open to the public. When a public agency rents its properties to a third party for special events, the responsibility for maintaining an accessible environment is temporarily deferred to the tenant.

Self-Evaluation Findings:

Five departments reported that they offer special events on City property.

Required or Recommended Actions:

1. It is recommended that in situations where private organizations sponsor events in City facilities, the City inform the organizer about applicable ADA requirements.
2. It is recommended that the City provide a checklist and information during the application process to inform organizers of their responsibility for accessibility under the ADA.

2.3 Policy Review

This review was completed using the electronic copies of the City of Riverbank Municipal Code and the City of Riverbank General Plan 2030.

City Municipal Code

This review was completed using the electronic copy version of the City of Riverbank Municipal Code in December 2014:

Overall Recommendations:

- It is recommended to replace references of the terms “handicapped” and “invalid person” with the word “disabled” or “person with a disability”.

Codes: Title VII Traffic Code § 71.08 Curb Markings. (B) Blue curb parking. (1)(2)(3)

Title IX: General Regulations § 91.02 Amendments Section 7.52.1 (3)

Title XI: Business Regulations § 119.13 Massage Establishment, Generally(9)

Title XV: Land Usage § 151.05 Definitions. Hardship.

Title XV: Zoning § 153.003 Definitions. Residential Care Home.

- Provide meeting agendas, handouts, forms, and other written materials including information that is sent via postal mail in alternative formats upon request. Alternative formats may include large print, audio tape, CD, Braille, etc.
- When notices are provided to the public regarding the location of or change in venue of a public meeting, ensure notice is given with sufficient time to provide for alternate trip planning.
- When notices are provided to the public, provide alternative accessible formats for a person with disabilities, when requested.
- When forms are required for applications, provide alternative accessible formats for a person with disabilities, when requested.
- When signatures are needed, give an alternative for a person with a disability to providing a written signature such as a signature stamp.
- It is recommended to add specific language for service animals*. It is also recommended to use exceptions to where service animals are not allowed. Provide an exception for a miniature horse that is serving as a service animal.

*There will be certain circumstances that are not appropriate for service dogs (Senior Tours of wild animal sanctuaries) but this should be addressed programmatically.

- Ensure exclusion of bicycles or vehicles does not also exclude Other Power Driven Mobility Devices (OPDMDs). If the City intends to make exclusions, identify a standard OPDMD

policy. Provide exception for mobility devices being used by qualified persons with disabilities including manual and power wheelchairs, and OPDMDs

Codes: Title VII Traffic Code § 70.04 Driving on sidewalks, new pavement, public lawns.

Title IX General Regulations § 94.04 Rules and regulations.

Title IX General Regulations § 95.03 Obstructing Sidewalks.

- Ensure access to the public right-of-way during construction and temporary closures.

Codes: Title IX General Regulations § 95.41 Emergency work.

Title IX General Regulations § 95.42 Temporary closing of public ways.

Code Recommendations:

37.05 (5)(a) Emergency Services Operational Area Council.

Recommended action: Provide additional language to explicitly include people with disabilities in the special needs population.

50.06 (D)(3) Refuse Collection Service

Walk-in service. Walk-in service is available to those customers who have applied to and have been approved by the City Manager. This service shall be limited to only those dwellings where there is no able-bodied resident capable of placing the container in the approved location. If approved by the City Manager, there shall be no additional charge for this service.

Recommended action: It is recommended to rephrase the language in the second sentence of this code to something similar to *“This service shall be limited to only those dwellings where the resident(s) are unable to place the container in the approved location due to a qualified disability.”*

70.04 (A) and (C) Driving on Sidewalks, New Pavement, Public Lawns

(A) The driver of a vehicle shall not drive within any sidewalk area or parkway except at a permanent or temporary driveway.

(C) It shall be unlawful and a misdemeanor for any person to drive any motorcycle, automobile or truck upon the lawn or any area planted with grass in any park owned by the city.

Recommended action: It is recommended to include an exception for Other Power Driven Mobility Devices (OPDMDs) that are used by individuals with mobility disabilities.

77.01 Traffic Control through Certain Alleys

Whenever any resolution of this city designates an alley or street as one-way, it is unlawful to drive any vehicle through the alley or street except in the direction authorized, or to stop or park any vehicle in any such alley except on the side thereof designated by the Director and as near the property line as is practicable. The Director shall cause signs to be erected on one-way alleys indicating the side or portion thereof upon which loading or unloading is authorized.

Recommended action: It is recommended to include an exception for Other Power Driven Mobility Devices (OPDMDs) that are used by individuals with mobility disabilities.

91.02.7.52.1(3) Removal of Animal Defecation

The provisions of this section shall not apply to visually handicapped persons who have the charge or control of a guide dog.

Recommended action: It is recommended to expand the exception for people with visual disabilities who have the charge or control of a guide dogs to any person with a disability who has charge or control of a service animal.

City of Riverbank 2005-2025 General Plan

Overall Recommendations:

- It is recommended to incorporate accessibility into the definitions of or references to pedestrian-friendly and pedestrian-oriented development and streetscapes.

Examples: Policy LAND-5.4
Goal CONS-7

- Provide meeting agendas, handouts, forms, and other written materials including information that is sent via postal mail in alternative formats upon request. Alternative formats may include large print, audio tape, CD, Braille, etc.

Other Recommendations:

Policy CONS-1.3.

The City will promote and encourage adaptive reuse of historic buildings. Consistent with health, safety, and other basic considerations, the City will be flexible in applying building and zoning standards to encourage continued use and adaptive reuse of historic buildings.

Recommended action: Include a reference to accessibility as a basic consideration of adaptive reuse of historic buildings.

Policy PUBLIC-1.6.

The City will require that the methods, materials, and design of infrastructure and utilities achieve the City's environmental, public health and safety, and community character goals and policies, in addition to the City's level of service standards for public services, facilities, and infrastructure.

Recommended action: Include a reference to accessibility as a goal and policy to be achieved.

Policy PUBLIC-11.1.

Recommended action: Include a reference to ADA accessibility standards as a criteria for park design and facilities.

3.0 ADA Transition Plan

Title II of the ADA requires that public entities having responsibility for or authority over facilities, streets, roads, sidewalks, and/or other areas meant for public use to develop a Transition Plan to make their facilities meet the standards for Program Accessibility. Program Accessibility means that a program, activity and/or service are accessible when viewed in its entirety. Simply put, a Transition Plan transitions inaccessible facilities into environments that are accessible to and functional for individuals with disabilities.

This Transition Plan combines the findings of the facility and public rights-of-way evaluations, policy assessments, and program evaluations. Specific policy and program recommendations are found in Section 2.0. The specific structural modifications required to make programs accessible will be listed in the City of Riverbank Facility Barriers Analysis Tool, which is an Excel workbook of barriers identified during the facility evaluations. The workbook details a complete list of structural barriers and barrier removal actions for each of the City's facilities. Not all of these barriers must be removed in order to provide program access. The first priority is to remove those barriers limiting access to programs.

This Transition Plan is organized into two parts; facilities, which includes buildings, parks, and their related grounds, and the public rights-of-way, which includes sidewalks and curb cuts that fall within the City's area of responsibility.

In compliance with the requirements of the ADA, the City will maintain in working order equipment and features that are required to provide access to individuals with disabilities.

3.1 Facilities

The ADA evaluations were completed in 2015, and included an evaluation of all portions of the interior and exterior features of the City's facilities used by the public. At the time of the facility evaluations, the 2010 ADA Standards and 2013 California Building Code (CBC) were used to identify potential barriers at City facilities. Building codes are revised every few years. The evaluations conducted provide an assessment of current conditions as viewed by current code and provide a baseline for future actions.

The site evaluations were accomplished using a team of accessibility assessors equipped with measuring devices, facility diagrams and evaluation checklists. Diagrammatic sketches of each site were annotated during the evaluation process and were included with the facility reports to the City. These resulting reports are included as Appendix D of this document, however these reports are a snapshot in time of the conditions observed during the evaluation period. The information contained in these reports will be transferred to a Microsoft Excel barrier analysis workbook. The workbook is the living Transition Plan document and is the City's on-

going record of the remediation of barriers. The tracking tool will be updated over time as the City either removes barriers or finds programmatic solutions to barriers. The record is maintained by the City's ADA Coordinator. For the most current status of the remediation of barriers, contact the City of Riverbank ADA Coordinator.

A. Transition Plan for Facilities

The Transition Plan for the removal of structural barriers to program access must contain the following information:

- Identification of the barriers to program access;
- Identification of the specific barrier removal action(s);
- Identification of a schedule for barrier removal; and
- Identification of responsibility for ensuring barrier removal.

The facility reports, provided the identification of potential barriers and a feasible barrier removal actions for each facility. This information has been translated into the barrier analysis workbook which is the most current information on the status of remediation.

The City will accomplish barrier removals based on two strategies: policy and procedure modifications to remove programmatic barriers; and maintenance and construction projects to remove structural barriers. The responsibility for ensuring barrier removal will reside with the City of Riverbank's ADA Coordinator.

B. Priorities for Barrier Removal within Facilities

The following prioritization process is referenced in the ADA Title II Regulations. The principle is to ensure basic access to facilities and amenities, access to activities, and allowing alternatives to structural modifications when appropriate. Translating these priorities into action plans must be accomplished using a programmatic approach. The following guidelines are proposed to be used to prioritize barriers found within City facilities:

Priority One

Removing barriers that impede accessibility at the main entrance of a facility, or improving a path of travel to the portion of the facility where program activities take place. Examples:

- Connection to the public rights-of-way
- Parking and passenger loading
- Entrance walks
- Entrance ramps
- Entrance stairs
- Entrance doors

Priority Two

Removing barriers that impede access to program use areas. Examples:

- Transaction counters
- Recreation environments/features
- Public offices
- Public restrooms

Priority Three

Removing barriers that impede access to amenities serving program areas. Examples:

- Drinking fountains
- Public telephones
- Site furnishings
- Vending machines

Priority Four

The fourth priority addresses features that are not required to be modified for accessibility because no public programs are located in this area, or there are nearby duplicate accessible features.

Priority Five

Historically significant facilities are those facilities or properties that are listed or eligible for listing in the National Register of Historic Places or properties designated as historic under State or local law. Structural changes to these facilities that would threaten or destroy the historical significance of the property or would fundamentally change the program being offered at the historic facility need not be undertaken. The City of Riverbank will consider policy and program alternatives to structural changes in these instances.

The priorities listed above are associated with each of the potential barriers identified at a City facility. The priorities are modifiable and are maintained by the City within the barrier analysis workbook. The priorities within facilities can change over time as programs at facilities change, alternative program solutions are identified, or alterations occur at facilities.

C. Program Barrier Removal Priorities

A phasing schedule for the removal of barriers at each of the City's facilities was developed at a prioritization meeting that was conducted with City staff on June 23, 2015. All facilities in which the City provides programs, activities, and services were reviewed and ranked based on the following criteria. Each of these criteria were deemed by the City to have importance with no single criteria having priority over another:

- **Level of use by the public:** Facilities that have a high level of public use can be assigned a higher priority;
- **Program uniqueness:** Some programs are unique to a building, facility, or park and cannot occur at another location. Seasonal availability and programs that emphasize health and wellness can be assigned a higher priority;
- **Geographic distribution:** Selecting a range of facilities that are distributed throughout the City, and considering the proximity of these facilities to public transportation help provide maximum accessibility for all residents;
- **Critical nature of the service provided:** Facilities that provide services related to accessibility, health, safety, and the administration of essential City services such as permitting and licensing can be assigned a higher priority; and
- **Identified complaints:** Facilities that have a history of citizen complaints related to accessibility can be assigned a higher priority.

As part of the prioritization process City staff reviewed the facilities and the programs, activities, and services provided to the public at each location. Each facility was evaluated using the criteria listed above. The prioritization of the facilities resulted in a phasing schedule for the removal of barriers contained in the following section.

D. Phasing Schedule for Facilities

Barriers identified at the City's facilities will be removed systematically based on established program priorities. It is the intent of the City to address and remove barriers to accessibility at City facilities based on the need for programmatic access, degree of complexity, and overall cost.

The City of Riverbank reserves the right to modify barrier removal priorities in order to allow flexibility in accommodating community requests, petitions for reasonable modifications from persons with disabilities, changes in City programs, and funding opportunities and constraints. It is the goal of this Transition Plan to provide access to the programs, activities, and services provided by the City. Interim measures will be explored and implemented in order to provide programmatic access to the public pending the implementation of physical barrier removal projects.

The barrier removal strategy incorporates flexibility in the process and allows the City to respond to new opportunities as they arise. The City will perform an initial review of all barriers and address those barriers that can be resolved through programmatic modifications and maintenance tasks. The City will then revise the schedule for removal of the remaining barriers. It is also assumed that as facility barriers will be evaluated in greater detail as part of future projects and complaints, a percentage of the barriers will fall within the "safe harbor"

provisions, as previously explained in Section 1. The "safe harbor" status will help to reduce the inventory of work to be done. The City will then revise and update the inventory of barriers, and when applicable revise the Transition Plan schedule for the removal of remaining barriers on a regular basis.

The potential barriers listed in these reports may not need to be mitigated if they fall within construction tolerances common to that feature. In addition, the City may relocate a service, activity or program from a facility with accessibility barriers to a barrier free facility in order to provide access to that service, activity, or program.

The following table describes the scheduled priorities for barrier removal in public facilities owned by the City of Riverbank.

Transition Plan Schedule

Park Facilities		Years
Community Pool & Locker Room	Paths of travel, doors and gates, drinking fountains, counter, restrooms/locker rooms, pool, and picnic area.	1-3
Jacob Myers Park	Parking, paths of travel, doors and gates, drinking fountains, restrooms, sports areas, picnic areas, and play area.	1-3
Castleberg Park	Parking, paths of travel, doors and gates, drinking fountains, restrooms, sports areas, and picnic areas.	1-3
Staley Park (Skate Park)	Stairs, uncontrolled drop-off, door, drinking fountains, restroom, and picnic area.	1-3
Community Center Park	Paths of travel, drinking fountains, restroom, picnic areas, and play area.	1-3
Silva Park	Paths of travel, drinking fountain, and play area.	4-6
Rotary Centennial Park	Path of travel and play area.	4-6
Sorensen Park	Paths of travel and play area.	4-6
Harless Park	Paths of travel, picnic area, and play area.	4-6
Pioneer Park	Parking, paths of travel, restrooms, sports areas, picnic areas, and play areas.	4-6
Zerillo Park	Parking, paths of travel, doors and gates, drinking fountain, restrooms, picnic area, and play area.	7-10
Whorton Park	Paths of travel, picnic area, and play area.	7-10
Safreno Park	Paths of travel, picnic area, and play area.	7-10
Plaza Del Rio	Paths of travel and drinking fountain.	7-10
Sports Complex	Parking, curb ramps, paths of travel, gates, and signage.	7-10
Hutcheson Park	Paths of travel and picnic areas.	7-10

Buildings		Years
City Hall North - Administration	Ramp and signage.	1-3
City Hall North - Parks and Recreation	Stairs, doors, restrooms, and assembly area.	1-3
Teen Center	Doors, drinking fountain, restroom, and exercise area.	4-6
Community Center	Parking, paths of travel, ramp, stairs, doors, restrooms, and kitchen.	4-6
Scout Hall	Doors, restrooms, and kitchen.	4-6
Sheriff Office Building	Doors, public telephone, reach range, and restroom.	7-10
Corporation Yard Office Trailer	Parking, ramp, doors, restroom.	7-10
Museum	Parking, ramp, stairs, doors, restroom, and picnic area.	7-10

3.2 Pedestrian Facilities in the Public Rights-of-Way

The City of Riverbank has incorporated pedestrian infrastructure in the planning and construction of residential neighborhoods, commercial areas and the downtown for many years. Pedestrian features such as sidewalks and curb ramps provide accessibility to people with and without disabilities.

Sidewalks encourage pedestrian travel and connection throughout neighborhoods, to schools, parks and other destinations. The design and condition of sidewalks including pavement width, cross slope (the angle of the pavement perpendicular to the line of travel), and the surface condition can have a positive or negative effect on pedestrian safety and comfort. Narrow walks do not facilitate passing of wheeled mobility devices such as wheelchairs, strollers or tricycles, steep cross slopes are difficult for people who use walkers, crutches, or who are pushing strollers or shopping carts. Surface irregularities including vertical changes in elevation because of tree roots or upheaval of concrete create tripping hazards or barriers for wheeled movement. Curb ramps allow pedestrians to safely cross the street without stepping off and onto a vertical curb. Curb ramps facilitate the use of wheeled devices such as wheelchairs, scooters, and strollers.

The design of public sidewalks and curb ramps in Riverbank represent several generations of construction standards. Many curb ramps in Riverbank were constructed when the State of California required a ½ inch vertical change of elevation at the base of the ramp to provide a tactile cue for people with visual disabilities to recognize their arrival at the point where they were entering or leaving the roadway. This State of California requirement has subsequently been removed. Detectable tactile strips were introduced in 1991 and were required to be installed on the surface of curb ramps to provide a tactile cue for pedestrians with visual disabilities. The requirement was suspended between 2001 and 2004.

Most neighborhoods in Riverbank have sidewalks free of excessive cross slopes and surface hazards, and have curb ramps that enable people with wheeled mobility devices to cross the street to curb ramps and sidewalks on the opposite side. In neighborhoods with vertical curbs and sidewalks that are immediately adjacent to the street, driveways create cross slopes for pedestrians that exceed the two percent maximum slope. In many neighborhoods this steep cross slope is eliminated by the use rolled curbs.

Sidewalk and Curb Ramp Evaluations

All 110 miles of public sidewalks and more than 200 high priority curb ramps were evaluated as part of the preparation of this ADA Transition Plan. Two assessment methods were used for the evaluations. Public rights-of-way adjacent to facilities where the City provides services or programs were assessed with a detailed evaluation similar to the level of assessment for the facilities in Section 3.1. Curb ramps and sidewalks in all other areas of the City were evaluated using the rapid assessment method described below. The evaluations were completed in 2015 using the 2010 ADA and 2013 CBC standards to identify barriers within the public rights-of-way. The results of the rights-of-way assessments are provided in Appendix E of this document.

Sidewalks:

A rapid assessment of 110 miles of identified public sidewalks included the following determinations:

- The width of the sidewalk is 48 inches minimum.
- Vertical changes in elevation do not exceed ½ inch.
- Driveway crossings do not increase the cross slope of the sidewalk to more than 2.5 percent.

Curb ramps:

A rapid assessment of 200 curb ramps was completed to evaluate the public right-of-way in commercial and school zones and other high use pedestrian corridors. Rapid assessment criteria for curb ramps included the following determinations:

- Running slope of the curb ramp does not exceed 8.5 percent.
- The combined slope of the curb ramp and the bottom landing does not exceed 14 percent.
- The width of the curb ramp is 48 inches minimum.
- A 48 by 48 inch minimum top landing is provided.
- A detectable warning comprised of tactile domes is provided.

Prioritizing Improvements

Under Title II Regulation § 35.150(d)(2) the criteria for prioritizing barriers within the public rights-of way are identified.

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.

The City of Riverbank has included the following in the criteria for prioritizing facilities in the public rights-of-way:

- Locations serving government offices and public facilities;
- Locations serving transportation;
- Locations serving commercial districts and employers; and
- Locations serving other areas.

Under Title II of the ADA, a City is not necessarily required to construct curb ramps at every point where a sidewalk intersects a curb. Traffic safety considerations may make construction of curb ramps at some locations undesirable. 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. In addition, the undue financial or administrative burden limitation recognized by Title II of the ADA may limit the number of curb ramps that the City is required to provide.

Time Period for Public Rights-of-Way Improvements

The ADA Title II regulations state that if a transition plan will take more than one year to fully implement, it must contain interim steps to provide program accessibility. The City has established a 10-year strategy for removing public rights-of-way barriers that limit program accessibility. The City reserves the right to modify barrier removal priorities in order to allow flexibility in accommodating community requests, petitions for reasonable modifications from persons with disabilities, changes in City programs, and funding opportunities and constraints. The barrier removal strategy for the next 10 years incorporates flexibility in the process and allows the City to respond to new opportunities as they arise.

Strategies for Funding Barrier Removal

Opportunities for funding the removal of access barriers include:

- Capital projects for new construction;
- Capital projects for roadway alterations;
- Maintenance and repair projects and programs;
- Dedication of a fund for ADA barrier removal, i.e. incorporate curb ramp barrier removal within the street fees;
- Require private developers to remove access barriers when development affects facilities within the right-of-way; and
- Actively seek out and apply for grant funding specific to removal of access barriers when available.

Roadway Alterations and Maintenance: Triggers for Barrier Removals

The Department of Justice, in coordination with the U.S. Department of Transportation, specifies that public agencies are required to provide curbsramps or upgrade curb ramps whenever roadways are altered. An alteration is a change that affects or could affect the usability of all or part of a building or facility⁵. Alterations of streets, roads, or highways include activities such as reconstruction, rehabilitation, resurfacing, widening, and projects of similar scale and effect⁶. Maintenance activities on streets, roads, or highways, such as filling potholes, are not alterations⁷. The following list distinguishes between roadway alterations versus maintenance activities.

ALTERATION

- Addition of new layer of asphalt
- Cape seals
- In-place asphalt recycling
- Micro-surfacing and thin-lift overlay
- Mill and fill / mill and overlay
- New construction
- Open-graded surface course
- Rehabilitation and reconstruction
- Resurfacing of a crosswalk

⁵ Title II Regulation § 35.151(b)(1)

⁶ 2010 ADA Standards, 106.5

⁷ July 8, 2013 Department of Justice/Department of Transportation Joint Technical Assistance on the Title II of the Americans with Disabilities Act Requirements to Provide Curb Ramps when Streets, Roads, or Highways are Altered through Resurfacing.

MAINTENANCE

- Chip seals
- Crack filling and sealing
- Diamond grinding
- Dowel bar retrofit
- Fog seals
- Joint crack seals
- Joint repairs
- Pavement patching
- Painting or striping
- Scrub sealing
- Slurry seals
- Spot high-friction treatments
- Surface sealing

Safe Harbor Provisions

The 2010 ADA regulations introduced the concept of “safe harbor”, which allows facilities built prior to March 15, 2012 that comply with the 1991 ADA Standards to remain as-is until the structural feature is altered. The exception applies to elements that might otherwise have to be modified under: 1) the program access requirement for public entities; 2) the readily achievable barrier removal requirement for places of public accommodation; or 3) the path of travel requirement for any alteration that affects the usability of a primary function area in any covered facility⁸.

If pedestrian facilities such as curb ramps and sidewalks were built or altered in the past 20 years to become compliant with the 1991 ADA Standards, no further changes to those elements are mandated until the structural feature is altered even though the 2010 standards have different requirements. However certain exceptions to "safe harbor" do exist, roadway alterations as described in the *Roadway Alterations and Maintenance Triggers for Barrier Removals* section of this chapter are required to bring all of the curb ramps up to the current standard and “safe harbor” does not apply.

PROW City Standard Details

The City's standard drawings and details are included in Appendix F of this document.

⁸ ADA Safe Harbor Provisions, Evan Terry Associates, August 22, 2013

4.0 ADA Policy and Complaint Procedure

If a public entity has 50 or more employees, it is required to:

- Designate at least one responsible employee to coordinate Americans with Disabilities Act (ADA) compliance; and
- Develop and publish grievance procedures to provide fair and prompt resolution of complaints under Title II of the ADA at a local level⁹.

The City has a designated ADA Coordinator for coordinating the efforts of the City to comply with Title II and for investigating any complaints that the City has violated Title II of the ADA. The Coordinator also is responsible for coordinating the efforts of the City to comply with all other applicable state and federal physical and program accessibility requirements.

4.1 ADA Grievance Procedure

The City currently has a Grievance Form for submitting formal written complaints regarding the accessibility of city services and programs. The Grievance Form is included in Appendix G of this Plan.

The ADA under, Title II requires that a grievance procedure be established for any program, service or activity offered by the City, whether federally funded or not. Neither Title II nor its implementing regulations describe what ADA grievance procedures must include. However, the Department of Justice has developed a model grievance procedure that is included in this section. The grievance procedure should include:

- A description of how and where a complaint under Title II may be filed with the government entity;
- If a written complaint is required, a statement notifying potential complainants that alternative means of filing will be available to people with disabilities who require such an alternative;
- A description of the time frames and processes to be followed by the complainant and the government entity;
- Information on how to appeal an adverse decision; and
- A statement of how long complaint files will be retained.

⁹ ADA Best Practices Tool Kit for State and Local Governments, <http://www.ada.gov/pcatoolkit/chap2toolkit.htm>

Sample ADA Grievance Procedure:

City of Riverbank, California
Grievance Procedure under
The Americans with Disabilities Act

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("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 **[name of public entity]**. The **[e.g. State, City, County, Town]**'s Personnel Policy governs employment-related complaints of disability discrimination.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant 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:

[Insert ADA Coordinator's name]
ADA Coordinator [and other title if appropriate]
[Insert ADA Coordinator's mailing address]

Within 15 calendar days after receipt of the complaint, **[ADA Coordinator's name]** or **[his/her]** designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, **[ADA Coordinator's name]** or **[his/her]** designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the **[name of public entity]** and offer options for substantive resolution of the complaint.

If the response by **[ADA Coordinator's name]** or **[his/her]** designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the **[City Manager/County Commissioner/ other appropriate high-level official]** or **[his/her]** designee.

Within 15 calendar days after receipt of the appeal, the **[City Manager/County Commissioner/ other appropriate high-level official]** or **[his/her]** designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the **[City Manager/County Commissioner/ other appropriate high-level official]** or **[his/her]**

designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by **[name of ADA Coordinator]** or **[his/her]** designee, appeals to the **[City Manager/County Commissioner/ other appropriate high-level official]** or **[his/her]** designee, and responses from these two offices will be retained by the **[public entity]** for at least three years.

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5.0 Definitions

The following is a summary of many definitions found in the ADA. Please refer to the Americans with Disabilities Act¹⁰ for the full text of definitions¹¹ and explanations.

5.1 Auxiliary Aids and Services

The term *auxiliary aids* and services include:

- Qualified interpreters or other effective methods of making orally delivered materials available to individuals with hearing impairments;
- Qualified readers, taped texts, or other effective methods of making visually delivered materials available to individuals with visual impairments; and
- Acquisition or modification of equipment or devices; and other similar services and actions.

5.2 Complaint

A *complaint* is a claimed violation of the ADA.

5.3 Disability

The term disability means, with respect to an individual:

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

5.4 Discrimination on the Basis of Disability

Discrimination on the basis of disability means to¹²:

- Limit, segregate, or classify a citizen in a way that may adversely affect opportunities or status because of the person's disability;
- Limit, segregate, or classify a participant in a program or activity offered to the public in a way that may adversely affect opportunities or status because of the participant's disability;
- Participate in a contract that could subject a qualified citizen with a disability to discrimination;

¹⁰ ADA.gov United States Department of Justice Civil Rights Division, <http://www.ada.gov/>

¹¹ Title II Regulations. 28 C.F.R. § 35.104 Definitions.

¹² Title II Regulations. 28 C.F.R. § 35.130 General prohibitions against discrimination.

- Use any standards, criteria, or methods of administration that have the effect of discriminating on the basis of disability;
- Deny equal benefits because of a disability;
- Fail to make reasonable accommodations to known physical or mental limitations of an otherwise qualified individual unless it can be shown that the accommodation would impose an undue burden on the City's operations;
- Use selection criteria that exclude otherwise qualified people with disabilities from participating in the programs or activities offered to the public; and
- Fail to use tests, including eligibility tests, in a manner that ensures that the test results accurately reflect the qualified applicant's skills or aptitude to participate in a program or activity.

5.5 Having a Record of Impairment

An individual is disabled if he or she has a history of having an impairment that substantially limits the performance of a major life activity; or has been diagnosed, correctly or incorrectly, as having such impairment.

5.6 Physical or Mental Impairments

Physical or mental impairments may include, but are not limited to¹³: vision, speech, and hearing impairments; emotional disturbance and mental illness; seizure disorders; mental retardation; orthopedic and neuromotor disabilities; learning disabilities; diabetes; heart disease; nervous conditions; cancer; asthma; Hepatitis B; HIV infection (HIV condition); and drug addiction if the addict has successfully completed or is participating in a rehabilitation program and no longer uses illegal drugs.

The following conditions are not physical or mental impairments: transvestitism; illegal drug use; homosexuality or bisexuality; compulsive gambling; kleptomania; pyromania; pedophilia; exhibitionism; voyeurism; pregnancy; height; weight; eye color; hair color; left-handedness; poverty; lack of education; a prison record; and poor judgment or quick temper if not symptoms of a mental or physiological disorder.

5.7 Qualified Individual with a Disability

A *qualified individual* with a disability means an individual with a disability who, with or without reasonable modification to rules, policies, or practices; the removal of architectural, communication, or transportation barriers; or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by the City.

¹³ Title II Regulations. Appendix B 28 C.F.R. Test C—Being regarded as having such an impairment.

5.8 Reasonable Program Modifications

If the individual's disabilities prevent them from performing the essential functions of the program or activity, it is necessary to determine whether reasonable program modifications would enable an individual to perform the essential functions of the program or activity¹⁴.

Reasonable program modification is any change in program or activity or in the way things are customarily done that enables an individual with a disability to enjoy equal program opportunities. Accommodation means modifications or adjustments:

- To a registration or application process to enable an individual with a disability to be considered for the program or activity;
- To the program or activity environment in which the duties of a position are performed so that a person with a disability can perform the essential functions of the program or activity; and
- That enables individuals with disabilities to enjoy equally the benefits of the program or activity as other similarly situated individuals without disabilities enjoy.

Modification includes making existing facilities and equipment used by individuals readily accessible and usable by individuals with disabilities.

Modification applies to:

- All decisions and to the application or registration process;
- All services provided in connection with the program or activity; and
- Known disabilities only.

Modification is not required if:

- It changes the essential nature of a program or activity of the person with a disability;
- It creates a hazardous situation;
- Adjustments or modifications requested are primarily for the personal benefit of the individual with a disability; or
- It poses an undue burden on the City.

5.9 Regarded as Having a Disability

An individual is disabled if she or he is treated or perceived as having an impairment that substantially limits major life activities, although no such impairment exists.

¹⁴ Title II Regulations. 28 C.F.R. § 35.130 General prohibitions against discrimination. Subpart B—General Requirements

5.10 Substantial Limitations of Major Life Activities

An individual is disabled if she or he has a physical or mental impairment that (a) renders her or him unable to perform a major life activity, or (b) substantially limits the condition, manner, or duration under which she or he can perform a particular major life activity in comparison to other people.

Major life activities are functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

In determining whether physical or mental impairment substantially limits the condition, manner, or duration under which an individual can perform a particular major life activity in comparison to other people, the following factors shall be considered:

- The nature and severity of the impairment;
- The duration or expected duration of the impairment; and
- The permanent or long-term impact (or expected impact) of or resulting from the impairment.

5.11 Undue Burden

The City of Riverbank shall not provide an accommodation that imposes an undue burden on the operation of the City's business.

Undue burden means significant difficulty or expense incurred in the provision of accommodation. Undue burden includes, but is not limited to, financial difficulty. Undue burden refers to any modification that would be unduly costly, extensive, substantial, or disruptive, or that would fundamentally alter the nature of operation of the business of the City.

Whether a particular accommodation will impose an undue hardship is determined on a case-by-case basis. If a particular modification is determined to cause an undue burden to the City of Riverbank, the City shall attempt to identify another modification that would not pose such a burden. If cost causes the undue burden, the City must consider whether funding for the modification is available from an outside source. If no such funding is available, the City must give the person with a disability the opportunity to provide the modification or to pay for that portion of the modification that constitutes an undue burden.

The following factors shall be considered in determining whether a program modification would create an undue burden: the nature and cost of the modification; the financial resources of the City available to make the modification; the impact the expense of the accommodation will have on the affected City operation; and the permanence of the alterations affecting the site.

6.0 Program Accessibility Guidelines, Standards and Resources

6.1 Introduction

In order to facilitate access to all City programs and departments, the City will maintain these program accessibility guidelines, standards and resources. This information is available to all employees and volunteers. The City will add to these guidelines when necessary to address its needs and include information and technological devices that help staff and volunteers members communicate with individuals with a variety of disabilities. The City will periodically review the components of this section, as new technologies are developed in order to ensure that the best types of modifications are included. This section also contains the accessibility standards of care that govern new construction and alterations to facilities.

6.2 Federal Accessibility Standards and Regulations

There are both state and federal regulations for accessible facilities. Below are resources for both the State of California and Federal facility regulations.

U.S. Department of Justice

The U.S. Department of Justice provides many free ADA materials including the Americans with Disability Act (ADA) text. Printed materials may be ordered by calling the ADA Information Line [(800) 514-0301 (Voice) or (800) 514-0383 (TTY)]. Publications are available in standard print as well as large print, audiotape, Braille, and computer disk for people with disabilities. Documents, including the following publications, can also be downloaded from the Department of Justice website (<http://www.ada.gov/>).

- ADA Regulation for Title II: This publication describes Title II of the Americans with Disabilities Act, Pub. L. 101-336, which prohibits discrimination on the basis of disability by public entities. Title II of the ADA protects qualified individuals with disabilities from discrimination on the basis of disability in the services, programs, or activities of all state and local governments. This rule adopts the general prohibitions of discrimination established under section 504, as well as the requirements for making programs accessible to individuals with disabilities and for providing equally effective communications. It also sets forth standards for what constitutes discrimination on the basis of mental or physical disability, provides a definition of disability and qualified individual with a disability, and establishes a complaint mechanism for resolving allegations of discrimination. http://www.ada.gov/regs2010/titleII_2010/titleII_2010_regulations.htm
- Title II Technical Assistance Manual (1993) and Yearly Supplements. This 56-page manual explains in lay terms what state and local governments must do to ensure that their

services, programs, and activities are provided to the public in a nondiscriminatory manner. Many examples are provided for practical guidance. <http://www.ada.gov/taman2.html>

- Accessibility of State and Local Government Websites to People with Disabilities. A 5-page publication providing guidance on making state and local government websites accessible. <http://www.ada.gov/websites2.htm>
- ADA Information for Law Enforcement. This page contains compliance assistance materials to help state and local law enforcement officers understand how to interact with victims, witnesses, suspects, and others who have disabilities. <http://www.ada.gov/policeinfo.htm>

U.S. Access Board Publications

The full texts of federal laws and regulations that provide the guidelines for the design of accessible facilities and programs are available from the U.S. Access Board. Single copies of publications are available free and can be downloaded or ordered by completing a form available on the Access Board's website (<http://www.access-board.gov/>). In addition to regular print, publications are available in: large print; disk; audiocassette; and Braille.

Communications & IT

Access to information and communication technology (ICT) is addressed by Board standards and guidelines issued under Section 508 of the Rehabilitation Act and Section 255 of the Telecommunications Act.

- Section 508 Standards:
<http://www.access-board.gov/guidelines-and-standards/communications-and-it/about-the-section-508-standards>
Refresh of the Section 508 Standards and the Telecommunications Act Guidelines:
<http://www.access-board.gov/guidelines-and-standards/communications-and-it/about-the-ict-refresh>
Telecommunications Act Accessibility Guidelines : <http://www.access-board.gov/guidelines-and-standards/communications-and-it/about-the-telecommunications-act-guidelines>

Buildings & Sites

Standards issued under the Americans with Disabilities Act (ADA) address access to buildings and sites nationwide in new construction and alterations.

- 2010 ADA Standards for Accessible Design: This document contains scoping and technical requirements for accessibility to buildings and facilities by individuals with disabilities under the Americans with Disabilities Act (ADA) of 1990. These scoping and technical requirements are to be applied during the design, construction, and alteration of buildings and facilities covered by Titles II and III of the ADA to the extent required by regulations

issued by federal agencies, including the Department of Justice and the Department of Transportation, under the ADA. This document must be used in conjunction with Title 24 of the California Building Code (see State of California Accessibility Standards and Regulations).

- 2010 ADA Standards:
<http://www.access-board.gov/guidelines-and-standards/buildings-and-sites/about-the-ada-standards>

Recreation Facilities

Access to recreation facilities, including play areas, swimming pools, sports facilities, fishing piers, boating facilities, golf courses, and amusement rides is addressed in the ADA and ABA standards. New provisions will cover access to trails, picnic and camping sites, and beach access routes.

- Recreation Facilities:
<http://www.access-board.gov/guidelines-and-standards/recreation-facilities/about-recreation-facilities>
- Outdoor Developed Areas:
<http://www.access-board.gov/guidelines-and-standards/recreation-facilities/outdoor-developed-areas>

Streets and Sidewalks

New guidelines the Board is developing will cover access to public rights-of-way, including sidewalks, intersections, street crossings, and on-street parking. The Board is also addressing access to shared use paths providing off-road means of transportation and recreation.

- Public Rights-of-Way:
<http://www.access-board.gov/guidelines-and-standards/streets-sidewalks/public-rights-of-way>
- Shared Use Paths:
<http://www.access-board.gov/guidelines-and-standards/streets-sidewalks/shared-use-paths/about-this-rulemaking>

6.3 Title II: U.S. Department of Justice Publications

Title II Technical Assistance Manual | Supplement

A 56-page manual that explains in lay terms what state and local governments must do to ensure that their services, programs, and activities are provided to the public in a nondiscriminatory manner. (1993) <http://www.ada.gov/taman2.html>

The ADA and City Governments: Common Problems | PDF

A 9-page document that contains samples of common problems shared by city governments of all sizes, provides examples of common deficiencies and explains how these problems affect persons with disabilities. (2000) <http://www.ada.gov/comprob.htm>

ADA Guide for Small Towns | PDF

A 21-page guide that presents an informal overview of some basic ADA requirements and provides cost-effective tips on how small towns can comply with the ADA. (2000) <http://www.ada.gov/smtown.htm>

Accessibility of State and Local Government Websites to People with Disabilities | PDF

A 5-page publication providing guidance on making state and local government websites accessible. (2003) <http://www.ada.gov/websites2.htm>

ADA Checklist for Polling Places | PDF

A 39-page checklist used as a self-help survey for voting officials to determine whether a polling place has basic accessible features needed by most voters with disabilities. (2004) <http://www.ada.gov/votingchecklist.htm>

An ADA Guide for Local Governments: Making Community Emergency Preparedness and Response Programs Accessible to People with Disabilities | PDF

An 11-page illustrated publication that provides guidance on preparing for and carrying out emergency response programs in a manner that results in the services being accessible to people with disabilities. (2006) <http://www.ada.gov/emergencyprep.htm>

Access for 9-1-1 and Telephone Emergency Services | PDF

A 10-page publication explaining the requirements for direct, equal access to 9-1-1 for persons who use teletypewriters (TTYs). (1998) <http://www.ada.gov/911ta.htm>

Commonly Asked Questions About the ADA and Law Enforcement

A 12-page publication providing information for law enforcement agencies in a simple question and answer format. (2006) <http://www.ada.gov/q&a law.htm>

Communicating with People Who Are Deaf or Hard of Hearing: ADA Guide for Law Enforcement Officers | PDF

An 8-panel pocket guide providing basic information for officers about ADA requirements for communicating effectively with people who are deaf or hard of hearing. (2006) <http://www.ada.gov/lawenfcomm.htm>

Model Policy for Law Enforcement on Communicating with People Who Are Deaf or Hard of Hearing | PDF

A 4-page document serving as a model for law enforcement agencies to adopt policies on effective communication with people who are deaf or hard of hearing. Agencies are encouraged to download and adapt the policy to suit their needs. (2006) <http://www.ada.gov/lawenfmodpolicy.htm>

Questions and Answers: The ADA and Hiring Police Officers

A 5-page publication providing information on ADA requirements for interviewing and hiring police officers. (1997) <http://www.ada.gov/copsq7a.htm>

6.4 State of California Accessibility Standards and Regulations

Title 24, California Building Code

The State of California has also adopted a set of design guidelines for accessible facilities, which can be found in the California Code of Regulations, Title 24, Part II, California Building Code (CBC). CBC contains general building design and construction requirements relating to fire and life safety, structural safety, and access compliance. CBC provisions provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures and certain equipment. Although California has adopted most of the ADAAG requirements, there are some differences. In general, the more restrictive requirement (whether federal or state) should be applied when designing accessible facilities. The complete Title 24 or any of its parts is available for purchase from the International Code Council (ICC), 5360 Workman Mill Road, Whittier, CA 90601, (800) 423-6587, (<http://www.iccsafe.org>) or at various bookstores that carry technical books.

Since the CBC is updated every three years, the City should have an ongoing program of regularly reviewing these changes and updating policies and procedures related to accessibility to keep them current.

Division of State Architect

The Division of State Architect (DSA) also provides information and resources for accessible or universal design. Publications available for downloading at DSA's website (<http://www.dgs.ca.gov/dsa>) include:

- DSA's 2011 California Access Compliance Reference Manual: The purpose of this book of regulations and statutes together is to clarify the obligations for architectural accessibility in California.

For further technical assistance contact DSA's Access Compliance Program at 1102 Q Street, Suite 5100, Sacramento, California 95811 (916) 445-8100.

Resources for Providing Accessible Programs and Facilities

- ADA Document Portal: This website provides links to an ADA Collection consisting of more than 7,400 documents on a wide range of topics. The ADA Document Portal is supported by the ten ADA & IT Technical Assistance Centers (<http://www.adaportal.org/>).
- American Association of Museums: Accessible exhibit design publications are available for purchase from AAM's website, including Everyone's Welcome (available in a variety of formats), which addresses museum programs and the ADA, The Accessible Museum, which offers model programs of accessibility for older people and people with disabilities, and What Museum Guides Need to Know to provide access to blind and visually impaired visitors (<http://www.aam-us.org>).
- Beneficial Design: Beneficial Designs works toward universal access through research, design, and education. Beneficial Designs develops assistive and adaptive technology, performs rehabilitation research, contract design, legal consultation, standards development, and serves as a rehabilitation information resource. Contact Beneficial Designs, Inc. at 2240 Meridian Blvd, Suite C, Minden, NV 89423-8628, (775) 783-8822, (<http://www.beneficialdesigns.com/>).
- California State Parks Accessibility Guidelines: A State outdoor recreation resource: (<http://www.parks.ca.gov>)
- DisabilityInfo.Gov: A one-stop interagency portal for information on Federal programs, services, and resources for people with disabilities, their families, employers, service providers, and other community members.
- National Center on Accessibility: The Center is a cooperative project between the National Park Service and Indiana University to provide information and technical assistance, primarily on recreation access. The NCA website also has information on campground accessibility, accessible picnic tables, access to beaches, and inclusion of people with disabilities in aquatic venues. (<http://www.ncaonline.org/>)
- National Center on Physical Activity and Disability: The Center provides information and resources on physical activity to help people with disabilities find ways to become more active and healthier. The Center also provides information on how to provide access to fitness centers, schools, recreation facilities, camps, and health and leisure services (<http://www.ncpad.org/>).
- Smithsonian Institution: The Accessibility Program has developed the Smithsonian Guidelines for Accessible Exhibition Design (1996), which are available for downloading from their website: (<http://accessible.si.edu>).

Further information is available from the Smithsonian Accessibility Program at the Arts and Industries Building, Room 1239 MRC 426, Washington, D.C. 20560 (202) 786-2942.

Resources for Assistive Technologies (General)

The City should utilize the many disability-related resources available through the Internet.

AbleData

The National Institute on Disability and Rehabilitation Research of the U.S. Department of Education maintains a national web-based service which provides up-to-date links to assistive technologies and disability-related resources (<http://www.abledata.com/>).

California Assistive Technology System (CATS)

CATS is a statewide project of the California Department of Rehabilitation that promotes access to assistive technologies, related services, and information to enable people with disabilities to be successful, independent, and productive. CATS maintain several directories on their website (<http://www.atnet.org>) including:

- On-site and remote real-time captioning services
- American Sign Language (ASL) Interpreters
- Ergonomic office equipment vendors
- Augmentative and assistive communications manufacturers and vendors
- Organizations that provide low-cost and donated computers for organizations that provide services to people with disabilities
- Assistive technology vendors and service providers for:
 - Hard of Hearing/Deaf
 - Learning Disabled
 - Mobility/Physical/Orthopedic
 - Speech/Language
 - Visually impaired/Blind

Alternative Format Communication

Resources to produce standardized publications such as applications and registration forms in Braille, audiotape, large-print text, and accessible electronic media will be assembled. Information regarding Braille Services and other accommodations for people with visual disabilities is available by contacting:

- American Council of the Blind: ACB (<http://www.acb.org/>) is a national organization advocating on behalf of persons who are blind or have low vision. ACB also publishes A Guide to Making Documents Accessible to People Who Are Blind or Visually Impaired, which is available online, in regular print, large print, Braille, or on cassette

- tape. ACB is located at 1155 15th St. NW, Suite 1004, Washington, DC 20005 (800) 424-8666 or by email at info@acb.org.
- National Center on Accessibility: NCA publishes 'What are Alternative Formats? How Do They Apply to Programs and Services?' which is available for downloading from their website (<http://www.ncaonline.org/>).
 - National Center for Accessible Media: NCAM is a research and development facility dedicated to the issues of media and information technology for people with disabilities in their homes, schools, workplaces, and communities. Developers of Web- and CD-ROM-based multimedia need an authoring tool for making their materials accessible to persons with disabilities. NCAM has developed two such tools, version 1.0 and 2.01 of the Media Access Generator (MAGpie), for creating captions and audio descriptions for rich media. Media Access Generator (MAGpie) is available for downloading from NCAM's website (<http://ncam.wgbh.org>).

American Sign Language Interpreters

A pool of on-call American Sign Language interpreters should be developed. This list should be routinely updated to ensure their availability. Some programs may need to have a pool of interpreters who are available on a twenty-four-hour basis to handle emergency procedures.

The required qualifications of these interpreters should be established. Many non-certified interpreters provided by local services may have excellent skills and be qualified to handle most circumstances. However, certain circumstances, such as the provision of emergency medical services, may require interpreters who are approved by the courts and can ensure a level of confidentiality.

You may want to contact each agency in advance of a need for services to determine their rates so that you are prepared to cover the communication expenses, should the need arise.

You should always request RID certified interpreters. Only in the event that certified interpreters are unavailable should you rely on non-certified interpreters.

Individuals who are hard of hearing generally do not use ASL interpreters. Always ask the individual requesting an accommodation what type of accommodation works best for them. Determining what accommodation(s) will be provided is an interactive process. Depending on the situation, accommodating an individual who is hard of hearing may include note writing, use of assistive listening devices, and/or provision of Computer Assisted Real-Time (CART) captioning.

Assistive Listening Systems and Devices

Systems and devices to amplify sound for persons with hearing disabilities should be available for public meetings and events. Various technologies exist for these devices. Different types of devices are more suitable for different types of hearing disabilities. Devices should be chosen to accommodate the greatest number of individuals.

- See the on-line directory of augmentative and assistive communications manufacturers and vendors available at the California Assistive Technology System website (<http://www.atnet.org>).
- See also the Assistive Listening Systems Technical Bulletins available on the U.S. Access Board's website (<http://www.access-board.gov/>).

Closed Caption Machine

To the extent practical, City departments should have access to a device for encoding closed captioning on films and videotapes used for training and other programs.

- See the on-line directory of On-site and remote real-time captioning services available at the California Assistive Technology System website (<http://www.atnet.org>).

Optical Readers

Equipment that can translate printed information into an audio format should be available to the City programs.

Text Telephone (TTY)

City programs should have access to a text telephone or have access to a telephone transfer service as required by the law and offered by public telephone companies.

- TDI: TDI's (formerly known as Telecommunications for the Deaf, Inc.) mission is to promote equal access in telecommunications and media for people who are deaf, hard of hearing, late deafened, or deaf blind. TDI's on-line resources include information about telecommunications access such a TTY, pagers, telephony, VoIP, and more (<http://tdiforaccess.org/>).
- See the Text Telephones Technical Bulletin available on the U.S. Access Board's website (<http://www.access-board.gov/>).

Video Relay Services (VRS)

Video Relay Service (VRS) is a form of Telecommunications Relay Service (TRS) that enables persons with hearing disabilities who use American Sign Language to communicate with voice telephone users through video equipment, rather than through typed text. Video equipment links the VRS user with a TRS operator – called a “communications assistant” (CA) – so that the VRS user and the CA can see and communicate with each other in signed conversation. Because

the conversation between the VRS user and the CA flows much more quickly than with a text-based TRS call, VRS has become a popular form of TRS (www.fcc.gov/guides/video-relay-services).

- Hands on Video Relay Service: (877) 467-4877 English or (877) 467-4875 Spanish
- Sorenson Video Relay: Using a standard telephone, simply call the toll-free number 1-(866)-327-8877. Have the contact information of the deaf or hard-of-hearing individual (i.e. name, videophone number or IP address) ready. Remain on hold until the call is answered by the next available interpreter.
- Sprint VRS Directions: (877)709-5776 or website www.sprintvrs.com

Enlarging Printed Materials

A copy machine capable of enlarging printed materials should be available for staff.

Guide to Disabilities and Disability Etiquette

A guide to disabilities and disability etiquette should be assembled and distributed to staff and volunteers. The guide will ensure that staff and volunteers are familiar with a variety of types of disabilities and that they are sensitive to the abilities and needs of people with disabilities in order not to offend or demean them. The guide should be periodically updated to ensure that it includes current acceptable language for talking about disabilities.

- Disability Etiquette:
Interacting with People with Disabilities is available on-line at the County of Long Beach's website: (http://www.longbeach.gov/hr/ada/disability_etiquette.asp).

Lending Library of Assistive Technology Equipment

The City should establish a "Resources Toolkit" of adaptive aids and resources that will be available for use by staff and volunteers without the means to assemble their own. It is recommended that the City explore local sources of assistive technology.

- DisabilityInfo.gov's online resources for High School: Guidelines for Accessing Alternative Format, inclusion materials, educational technology, a comprehensive list including college preparatory materials, transition issues for children with special needs and more (<https://www.disability.gov/education>).
- Accessibility Connections Community Map: A Directory of Bay Area Assistive Technology Services is an on-line service available at (<http://www.cforat.org/BARD/>).
- American Association of People with Disabilities: The American Association of People with Disabilities is the largest nonprofit, nonpartisan, cross-disability organization in the United States (<http://www.aapd.com/>).

- American Foundation for the Blind: The American Foundation for the Blind is committed to improving accessibility in all aspects of life—from cell phones to ATMs, on web sites and in workplaces. Services include assistance in making products and services accessible to people with visual impairments. AFB offers expert consulting services and accessible media production. AFB provides objective product evaluations of adaptive technologies through its assistive technology product database (<http://www.afb.org/>). Local assistance is available through the American Foundation for the Blind-West, 44 Montgomery Street, Suite 1305, San Francisco, CA 94040 (415) 392-4845 or by email at sanfran@afb.net.
- Adaptive Environments: This educational non-profit organization is committed to advancing the role of design in expanding opportunity and enhancing experience for people of all ages and abilities. Adaptive Environments provides education and consultation to public and private entities about strategies, precedents and best practices that go beyond legal requirements to design places, things, communication and policy that integrate solutions to the reality of human diversity (<http://www.adaptenv.org/>).
- The Arc: The Arc (formerly Association for Retarded Citizens of the United States) is the country's largest voluntary organization committed to the welfare of all children and adults with mental retardation and their families (<http://www.thearc.org>). Local information is available from Arc Alameda County, 14700 Doolittle Drive, San Leandro, CA 94577, (510) 357-6619 or by email via the website (www.arcalameda.org) and The Arc San Francisco, 1500 Howard Street, San Francisco, CA 94103, (415) 255-7200 or by email via the website (www.thearc.org).
- Disability Resources, Inc.: Disability Resources, Inc. is a national nonprofit organization that provides information about resources for independent living. DRI maintains an on-line directory of assistive technology resources (<http://www.disabilityresources.org/>).
- Environmental Health Network: EHN's focus is on issues of access and developments relating to the health and welfare of the environmentally sensitive and to promote public awareness of environmental sensitivities and causative factors. EHN provides information environmental and chemical sensitivities at EHN, P.O. Box 1155, Larkspur, California, 94977-1155 (415) 541-5075 and on its website (<http://ehnca.org/>).
- National Association of the Deaf: NAD is a national consumer organization representing people who are deaf and hard of hearing. NAD provides information about standards for American Sign Language Interpreters and the Captioned Media Program on its website (<http://www.nad.org/>).
- National Federation of the Blind: NFB is a national organization advocating on behalf of persons who are blind or have low vision. NFB provided on-line resources for technology for the blind, including a technology resource list, a computer resource list, screen access technology, sources of large print software for computers, and sources of closed circuit TV (CCTV's) (<http://www.nfb.org/>).

- National Organization on Disability: The National Organization on Disability promotes the full and equal participation and contribution of America's 54 million men, women and children with disabilities in all aspects of life. NOD maintains an on-line directory of information and links including transportation-related resources (<http://www.nod.org/>).
- Paralyzed Veterans of America: PVA is a national advocacy organization representing veterans. PVA's Sports and Recreation Program promotes a range of activities for people with disabilities, with special emphasis on activities that enhance lifetime health and fitness. PVA's website: (<http://www.pva.org>) provides information on useful sports publications and a list of contacts.
- State Council on Developmental Disabilities,
1507 21st Street, Ste. 210, Sacramento, CA 95814-5299
Phone: (916) 322-8481
email: scdd@dss.ca.gov or website (<http://www.scdd.ca.gov/>).
- State Office for Deaf Access, Department of Social Services
744 P Street, MS 6-91, Sacramento, CA 95814
Phone: (916) 653-8320.
email: deaf.access@dss.ca.gov or website (<http://www.dss.cahwnet.gov>)
- State Office of Services to the Blind, Department of Social Services
744 P Street, MS 6-94, Sacramento, CA 95814
Phone: (916) 657-3327,
email: BlindAccess@dss.ca.gov or website: (<http://www.dss.cahwnet.gov>).
- United Cerebral Palsy Association: UCP's mission is to advance the independence, productivity and full citizenship of people with cerebral palsy and other disabilities, through our commitment to the principles of independence, inclusion and self-determination. UCP's Sports and Leisure Channel is designed for people with disabilities who are interested in sports and other leisure activities. Information about the Sports and Leisure Channel is available on UCP's website (<http://www.ucp.org>).
- United Spinal Association: United Spinal Association is a membership organization serving individuals with spinal cord injuries or disease. Formerly known as the Eastern Paralyzed Veterans Association, the organization expanded its mission to serve people with spinal cord injuries or disease regardless of their age, gender, or veteran status. Information on accessibility training and consulting services and recreational opportunities for people with spinal cord injuries or disease is available on their website (<http://www.unitedspinal.org>).
- World Institute on Disability: WID is an international public policy center dedicated to carrying out research on disability issues. WID maintains an online information and resource directory on technology, research, universal design, and ADA (<http://www.wid.org/resources/>).