



CITY OF TUMWATER
ADA TRANSITION PLAN UPDATE:
Public Rights-of-Way

August 5, 2021 DRAFT

Table of Contents

Introduction	3
Self-Assessment	4
Community and Stakeholder Engagement	5
Implementation	6
Schedule	6
Methods for Removing Barriers	6
Prioritization	7
<i>Special Request</i>	7
<i>Location Priority</i>	7
<i>Accessibility Condition</i>	7
<i>Priority Rank</i>	7
<i>Cost Effectiveness</i>	8
Appendix A: Self-Assessment Data	9
Appendix B: City of Tumwater ADA Transition Plan, 1992	10
Appendix C: Operating Policies Section 7	11
Appendix D: Notice of Compliance and Grievance Procedure	12

Introduction

The Americans with Disabilities Act (ADA) enacted on July 26, 1990, and as amended, provides comprehensive civil rights protections to persons with disabilities in the areas of employment, state and local government services, telecommunications, transportation, and access to public accommodations.

Title II of the ADA dictates that a public entity must evaluate its services, programs, policies, and practices to determine whether they are in compliance with the nondiscrimination regulations of the ADA. The entity must then proceed to make the necessary changes resulting from the self-evaluation. The ADA further requires that a transition plan be prepared to describe any structural or physical changes required to make programs accessible.

The City of Tumwater has undertaken an evaluation of its policies and programs and begun the process of evaluating all facilities to determine the extent to which individuals with disabilities may be restricted in their access to City services and activities. Our first version of the Transition Plan was completed in July of 1992 and has not been updated. The 1992 Transition Plan is included as Appendix B to this update.

The purpose of this plan update is to ensure that City of Tumwater continues to create reasonable, accessible paths of travel in the public right-of-way for everyone, including people with disabilities. The City of Tumwater has made a significant and long-term commitment to improving the accessibility of its pedestrian facilities, in addition to all other aspects of ADA compliance.

Discussed in this plan update:

- Public Input
- The means and methods implemented by the City to identify, evaluate, and remove barriers
- Implementation and prioritization

The ADA requires that a transition plan shall, at a minimum—

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

Self-Assessment

During the summer of 2020, City staff undertook an inventory of sidewalks throughout the City, noting deficiencies and locations. This data, combined with previously completed curb ramp documentation, forms the basis of the City's self-assessment for rights-of-way.

It is important to note that for the purposes of this Transition Plan Update, the date of data point serves as the "datum", indicative of the state of the facility as included assessment data. While the City has been making ongoing improvements and removing as many barriers as possible on a continual basis, some physical improvements listed in the detailed surveys may have begun, been partially completed, or fully completed prior to the adoption of this Transition Plan update.

The City will continue to undertake structural and transportation modifications as part of capital improvement projects.

Self-assessment data is included as Appendix A.

Community and Stakeholder Engagement

The City of Tumwater provided opportunities for individuals and stakeholders to comment on this Transition Plan Update. City staff notified the following groups of the plan update and invited input:

- Capital City Council of the Blind
- Hearing, Speech, and Deaf Center
- Intercity Transit
- Tumwater Lions Club
- Partnerships for Action, Voices for Empowerment
- Senior Services for the South Sound
- Tumwater School District
- Disabled Veterans of America
- WSDOT Diversity Coordinator

The Plan Update was made available on the City website and was offered to be provided in hard copy upon request.

Public input was also invited through presentations to the Public Works Committee (PWC) of the City Council on June 17, 2021, and August 5, 2021.

Additionally, the following practices are already in place for ADA compliance and implementation:

- Reasonable accommodation statements and processes are incorporated in all print and digital public notices, hand-outs, maps, and other communications and related materials.
- The City has adopted and published grievance procedures providing for prompt review and equitable resolution of complaints alleging any action that would be prohibited by Title II of the ADA. This document can be found in Appendix D.
- Section 7 of the Operating Policies addresses compliance with the ADA. This section has been attached as Appendix C.

Implementation

One of the most important aspects of preparing a transition plan is assigning priorities to structural modifications necessary to achieve program access. Obviously, the highest priority items should be undertaken first, and the schedule for completion is dependent on these determinations.

The official responsible for the implementation of the City of Tumwater's ADA Transition Plan: Rights-of-Way is:

Transportation & Engineering Director
555 Israel Road SW
Tumwater, WA 98501

Schedule

The City of Tumwater will make reasonable efforts to improve the accessibility of pedestrian facilities in the public right-of-way by appropriating funding specifically for ADA compliance through the City Council. The Council will determine the appropriate amount to spend each year.

As stated in the *Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way*, "compliance is required to the extent practicable within the scope of the project." There will be times when it is technically infeasible to provide technical compliance. For example, if clear space at the top of the ramp is obstructed by a building or the slope of a hill is so extreme as to prevent a reasonable slope for a ramp in both directions, an improvement in accessibility may not be possible. The inventory process may not account for such situations and could show a high-priority rating when all feasible actions have been taken. The City of Tumwater will choose areas with high priority and solvability where feasible before moving on to lower priorities unless a specific request is made by the public.

Additionally, given a program as broad and comprehensive as the City of Tumwater's pedestrian network, the City of Tumwater will follow the concept of Program Access under Title II of the ADA. Program Access does not necessarily require a public entity to make each of its existing facilities accessible to and usable by individuals with disabilities, as long as the program as a whole is accessible. Under this concept, the City of Tumwater may choose not to install a sidewalk at some locations (or to install them as a lower priority later), as long as a reasonable path of travel is available.

Methods for Removing Barriers

The City of Tumwater utilizes many different approaches in removing barriers in the public right-of-way, including: proactively identifying and eliminating the barrier; responding to public grievances; and ensuring the appropriate design and build-out of new construction following current design guidelines.

Prioritization

The City of Tumwater bases barrier removal priorities within the right-of-way on a number of factors: special request, location, condition, priority ranking, cost effectiveness, and any other pertinent considerations of the removal.

Special Request

Tumwater will attempt to give priority to any site where a person with a disability has requested modification or correction.

Location Priority

According to the *Accessible Rights-of-Way: A Design Guide*, “the DOJ regulation imposes a specific construction requirement...specifies a priority for locating (curb ramps) at: state and local government offices and facilities; transportation; places of public accommodation; places of employment; and other locations.” Following this guidance, the City identified its location priority as follows:

- (i) Intersections serving government facilities,
- (ii) Intersections serving commercial and employment centers, and
- (iii) Intersections serving other areas.

Accessibility Condition

Using the data collected via the self-assessment, deficiencies will be ranked based on their accessibility condition. A location with higher severity or more frequent deficiencies will therefore rank as higher than a location with lower severity or only a few deficiencies.

Priority Rank

In order to determine the overall priority of a location, or Priority Rank, the City will use the following matrix.

Road Classification	Locations serving Government Facilities	Locations serving Commercial & Employment Centers	Locations serving Other Areas
Major Collector (A)	High	High	High
Minor Arterials (B)	High	Medium	Medium
Principal Arterials (C)	Medium	Medium	Medium
Local Access (D)	Medium	Low	Low

Priority Rank Levels

High	Medium	Low
------	--------	-----

The City of Tumwater determines the priority of improvements by identifying which of the groupings are high, medium, or low priorities. The federal and state agency road classifications are used as a general guideline to rank the priority intersections.

Cost Effectiveness

As a final step, the cost is determined and each location within the priority ranking is then further prioritized using the relationship between cost and the above factors (location, accessibility, road classification, special request, etc.). This step will attempt to maximize the work accomplished for the construction dollars spent.

DRAFT

Appendix A: Self-Assessment Data

A1: [Curb Ramp Self-Evaluation](#)

A2: [Sidewalk Self-Evaluation](#)

DRAFT

Appendix B: City of Tumwater ADA Transition Plan, 1992

DRAFT

**CITY OF TUMWATER
THE AMERICANS WITH DISABILITIES ACT (ADA)
TRANSITION PLAN AND COMPLIANCE PROGRAM**

The Americans with Disabilities Act (ADA) was signed into law in July, 1990. The purpose of the act is to extend civil rights to persons with disabilities. The act establishes guidelines and requirements for the removal of barriers to employment, public services, and communications.

As a local government, the City of Tumwater provides a variety of services and numerous opportunities for participation to its citizens. The City is establishing this Transition Plan and Compliance Program to assure that access to employment, services, and participation is provided wherever reasonably possible.

A key requirement of the ADA is the designation of one employee as the City's ADA Coordinator. Eric Trimble, the City's Human Resources Manager, has been so designated. He can be reached at City Hall or by calling 754-4121.

The three main areas for compliance with the ADA are discussed below:

I. Employment

The City has modified its employment forms and procedures to encourage participation of persons with disabilities. Job applicants are actively encouraged to notify the City of their need for accommodation to allow them to compete for available open positions. The essential duties of positions are made known to applicants and are the basis for selection decisions.

II. Public Services and Participation

The City is prepared to offer its services in a variety of ways to meet the special needs of citizens who, because of their disabilities, may not otherwise be served or be able to participate. With adequate advance notice, the City will discuss accommodations that will allow for participation or service delivery to persons with disabilities. The City's ADA Coordinator should be contacted with such requests.

III. City Facilities

The City has conducted an assessment of City-owned and leased facilities that are available for public use, to identify any need for structural changes to permit access. Under the ADA, these changes must be made by January 26, 1995.

The following is a transition plan for such changes. All the changes cited here are scheduled for completion before January 26, 1995.

City Hall:

Because it is a relatively new building that was built with access in mind, the need for changes at City Hall are minimal. No structural changes are recommended in counter heights in the building, since visibility and staffing will permit services and communication in other areas of the building. The identified changes for the transition plan are as follows:

1. Installation of an automatic door opener at the front entrance.
2. Installation of accessible signage (eg. tactile as well as visual) to notify visitors of the City's compliance with the ADA and to give directions for accessibility.

Public Works - Operations:

The Public Works - Operations building behind City Hall is also relatively new. Access to the building for the general public is generally good. Visibility from within the building and from the one service counter is sufficient to allow staff to respond to anyone who needs assistance. The identified changes for the transition plan are as follows:

1. Installation of one power assisted door to improve public access at the main entrance.
2. Installation of signage at the side of the building to direct people to the accessible entrance.

Fire Station Headquarters:

The Fire Station Headquarters is largely accessible in the public portions of the building. Countertops of the main reception area are above wheelchair height but due to the staffing patterns of the building, the public can be served without using the counter. The public restroom is accessible and door widths of the main entrance are accessible. The identified change for the transition plan at this facility is as follows:

1. Installation of a ramp to the main entrance door in compliance with ADA ramp guidelines.
2. Installation of new door closure hardware to improve access.
3. Installation of new parking lot striping to clearly designate accessible parking.

Henderson House and Crosby House Museums:

Under the ADA, access to historical buildings is covered by special regulations intended to allow preservation of historic and architectural features.

The City owns and operates two museums that were originally victorian homes. These museums, the Crosby House and the Henderson House, are located near each other in the City's Historical Park. The Crosby House Museum is currently operated on limited hours each week. It features a wheelchair accessible ramp.

Inside the Crosby House, portions of the first floor are accessible. Access to the second floor is limited by a narrow stairway. Overall, the primary features of the Crosby House Museum are accessible and no structural changes are needed.

The Henderson House Museum is the main historical museum. It is open many more hours than the Crosby House and contains a number of historical exhibits and displays. Access to the Henderson House Museum is limited. Several stairs are required to access the front entrance. Inside the building doorways limit some access and access to the second floor is limited by a significant stairway. Access for entrance to the Henderson House would require a significant ramp that would substantially alter the historical and architectural character of the building.

The City will continue to search for ways that the building's access could be improved. Also, the City's Historical Commission will be asked to participate with staff in developing alternative ways for the public to access these historical resources.

Given the historic setting of the museums and the architectural value of the buildings and grounds, access could be improved to the museum area. Therefore, the identified areas for change are:

1. Installation of an accessible phone booth outside of the Henderson House Museum.
2. Paving the parking area for improved accessibility.
3. Installation of signage to explain access.
4. Marking the parking area for accessible parking.

City Parks:

The City views its parks as one facility which offer a number of amenities at different locations within the City. Thus, while not all equipment, trails, and

facilities of all parks are accessible, there are accessible facilities, equipment, and trails within the larger park system. Also, as the City is poised to build new parks in the immediate future, accessibility will be a design criteria and programmatic goal for new park development. The Historical Park is currently the City's flagship park. For that reason, most of the accessibility changes will be directed toward that park.

For information about access, the City's Parks Department can be contacted at 754-4160. The identified changes for the transition plan which are all located at the Historical Park are as follows:

1. Removal of inaccessible playground equipment and installation of a new swing set with accessible swings.
2. Installation of a new surface on the play area. The new surface will be soft enough to increase safety for both able and differently abled persons, while providing a surface firm enough to allow mobility for the differently abled.
3. Installation of a concrete picnic slab to provide improved access to a picnic site.
4. Installation of new parking lot striping to designate accessible parking spaces.
5. Installation of accessibility signage at the restroom, playground and parking lot.

Old City Hall:

The former Tumwater City Hall is currently used as a volunteer fire station. It has sufficient access for the firefighters who are qualified to serve as volunteers. It does not have sufficient access for public use. The City intends to sell this property before January of 1995 when ADA structural changes must be completed.

City Sidewalks:

The City has for many years included curb ramps and sidewalk widths in its construction standards for sidewalks. Older sidewalks have been modified to add new curb ramps in selected areas. The identified needs for compliance with the ADA are as follows:

1. Priority areas for curb ramps, as specified by federal regulations, will be inventoried and a program established to retrofit curb ramps at identified, priority sites.

City of Tumwater Timberland Library:

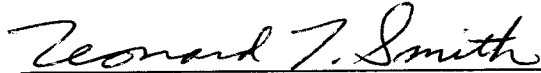
The current Tumwater Library facility is leased by the City for the use of the library and has some limits to accessibility. The front entrance is not constantly accessible but anyone approaching the entrance is visible to staff and would be assisted as needed. The restroom facilities in the building are not accessible. The bookshelves are either accessible or can be made accessible with staff assistance.

There are two main issues that affect whether structural changes in the current library facility are an undue burden for the City. First, the library is part of the regional Timberland Library network and alternative, accessible libraries are available to all Tumwater residents in nearby Olympia and Lacey. Secondly, The City has in place a Capital Facilities Plan that calls for completion of a new library building by the end of 1995.

The identified needs for compliance with the ADA are as follows:

1. Timberland Library should provide services in a manner that optimize accessibility.
2. In its plans to construct a new library facility, the City will provide for accessibility.

Dated this 26th day of July, 1992.



LEONARD L. SMITH
City Administrator

Appendix C: Operating Policies Section 7

DRAFT

**CITY OF TUMWATER
POLICY MANUAL - PART 2: OPERATING POLICIES**

**SECTION 7
COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA)**

- 7.01 Purpose
- 7.02 References
- 7.03 Policy
- 7.04 Scope
- 7.05 Procedures
- 7.06 Grievance Procedure

7.01 Purpose

To establish as a matter of policy, that the City of Tumwater complies with all pertinent provisions of the Americans with Disabilities Act (ADA) and subsequent Amendments.

7.02 References

The Americans with Disabilities Act of 1990, Public Law 101-336 and the ADA Amendments Act of 2008 (P.L. 110-325), which became effective on January 1, 2009, and their implementing federal rules.

7.03 Policy

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 and the ADA Amendments Act of 2008, the City of Tumwater will not discriminate against qualified individuals with disabilities on the basis of disability in the City's programs, activities, or services.

7.04 Scope

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

The City of Tumwater provides accessibility to city-owned or leased property and facilities which serve the public as required by the ADA.

The City of Tumwater will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City's programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other

**CITY OF TUMWATER
POLICY MANUAL - PART 2: OPERATING POLICIES**

**SECTION 7
COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA)**

ways of making information and communication accessible to people who have speech, hearing, or vision impairments.

The City of Tumwater will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all City programs, services, and activities. For example, individuals with service animals are welcomed in City offices, even though pets are prohibited.

Anyone who requires an auxiliary aid or service for effective communication or modification of policies or procedures to participate in a City program, service, or activity, should contact the person or department who scheduled the event as soon as possible but no later than 48 hours before the scheduled event. If you are not sure who you should contact, you may contact the ADA Coordinator identified in this notice.

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

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

7.05 Procedures

The Administrative Services Director serves as the City's ADA Coordinator. The City has a designated ADA Coordinator and grievance procedure to ensure that complaints and accommodations are handled properly. Equitable resolution is a priority through the review process. Please contact the ADA Coordinator with questions, concerns, suggestions, or requests related to ADA compliance efforts. The ADA Coordinator can be contacted by writing to: ADA Coordinator, City of Tumwater, 555 Israel Rd. SW, Tumwater, WA 98501; by calling (360) 754-4128, weekdays between the hours of 8:00 a.m. and 5:00 p.m.; or by the use of the Washington State Relay Service at 7-1-1 or 1-(800)-833-6384.

**CITY OF TUMWATER
POLICY MANUAL - PART 2: OPERATING POLICIES**

**SECTION 7
COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA)**

7.06 Grievance Procedure

It is the intent of the City of Tumwater to expediently and equitably resolve issues concerning barriers to persons with disability or alleged discrimination toward persons with disability, in employment practice or in the provision of programs, services, or activities provided by the City. Complaints regarding improper denial of rights under the ADA by the City of Tumwater should be submitted as per the following grievance procedure:

A. ADA Coordinator: The ADA Coordinator is responsible to hear and/or cause investigation of any question or concern by a member of the public or employee regarding discriminatory practices in the provision of services, barriers to accessibility to services or employment practices. A decision by the ADA Coordinator will be rendered within ten (10) working days.

B. Ad-Hoc Compliance Committee: If the complaint cannot be resolved satisfactorily by the ADA Coordinator, it will be forwarded to a five (5) member committee composed of a disabled person, three (3) at-large citizens, and a health/medical representative. The committee will be appointed by the Mayor.

The committee will be charged by the Mayor to establish ground rules or procedures for hearing complaints, requests, or suggestions from disabled persons regarding access to and in the community. Further, the committee will be directed to hear such complaints in public, after adequate public notice, in an unbiased, objective manner, and to make a written decision within 30 days of notification. Proceedings of the committee shall be recorded and maintained.

C. Mayor: If the complaint cannot be resolved satisfactorily by the committee, the complaint will be heard by the Mayor or the Mayor's designee. A determination must be made within thirty (30) days. The decision of the Mayor or designee is final.

D. Recordkeeping and Public Proceedings: A record of action taken on each request or complaint must be maintained as a part of the records or minutes at each level of the investigation and resolution process.

E. Alternative Remedies: The individual's right to prompt and equitable resolution of the complaint must not be impaired by pursuit of other

**CITY OF TUMWATER
POLICY MANUAL - PART 2: OPERATING POLICIES**

**SECTION 7
COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA)**

remedies, such as the filing of a complaint with the Department of Justice or other appropriate federal or state agency. Furthermore, the filing of a lawsuit in state or federal court can occur at any time. The use of this grievance procedure is not a prerequisite to the pursuit of other remedies.

Appendix D: Notice of Compliance and Grievance Procedure

DRAFT

NOTICE OF COMPLIANCE

AMERICANS WITH DISABILITIES ACT (ADA)

The City of Tumwater does not discriminate on the basis of race, sex, color, religion, national, origin, age, disability or veteran status in the provision of services, in programs or activities, or employment opportunities and benefits.

The City of Tumwater does not discriminate on the basis of disability in the programs and activities which it operates pursuant to the requirements of the Americans with Disabilities Act of 1990, Publ. L. 101-336. This policy extends to both employment by and admission to and participation in the programs, services and activities of the City of Tumwater.

Inquiries concerning the Americans with Disabilities Act of 1990 and request for reasonable accommodation should be directed to ADA Coordinator, at 555 Israel Rd. SW, Tumwater, WA 98501, 360-754-4121. Charges of violation of the above policy should also be directed to the ADA Coordinator and will be handled in accordance with the Grievance Procedure adopted by the City of Tumwater on July 26, 1992 and detailed below:

CITY OF TUMWATER GRIEVANCE PROCEDURE:

1. Submit complaints regarding access or discrimination in writing to the ADA Coordinator for resolution. A record of the complaints and action taken will be maintained. A decision by the ADA Coordinator will be rendered within ten (10) working days.
2. If the complaint cannot be resolved to your satisfaction by the ADA Coordinator, it will be forwarded to a five (5) member committee composed of a disabled person, three (3) at-large citizens, and a health/medical representative. The committee will be appointed by the Mayor.
3. The committee will be charged by the Mayor to establish ground rules or procedures for hearing complaints, requests, or suggestions from disabled persons regarding access to and participation in public facilities, services, activities, and functions in the community. Further, the committee will be directed to hear such complaints in public, after adequate public notice, in an unbiased, objective manner, and to make a written decision within thirty (30) days of notification. Proceedings of the committee shall be recorded and maintained.
4. If the complaint cannot be resolved to your satisfaction by the committee, the complaint will be heard by the Mayor or their designee. A determination must be made within thirty (30) days. The decision of the Mayor or their designee is final.
5. A record of action taken on each request or complaint must be maintained as a part of the records or minutes at each level of the grievance process.
6. Your right to a prompt and equitable resolution of the complaint must not be impaired by your pursuit of other remedies, such as the filing of a complaint with the Department of Justice or other appropriate federal agency, or the filing of a suite in state or federal court. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies.