



**AMERICANS WITH  
DISABILITIES ACT  
TRANSITION PLAN**



CITY OF GRAND JUNCTION

ADA TRANSITION PLAN

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## I. INTRODUCTION AND DEFINITION OF DISABILITY

### **Introduction:**

On July 26, 1992, President Bush signed into law the Americans with Disabilities Act (ADA). The ADA provides comprehensive Civil Rights protection to Individuals with Disabilities in the areas of Employment, State and Local Government Services, Public Accommodations, Public Transportation and Telecommunications.

The American with Disabilities Act is comprised of five major sections or titles, they are as follows:

TITLE I	Employment
TITLE II	Nondiscrimination on the Basis of Disabilities in State and Local Governments
TITLE III	Nondiscrimination on the Basis of Disabilities by Public Accommodations and in Commercial Facilities
TITLE IV	Nondiscrimination on the Basis of Disabilities in Public Transportation
TITLE V	Telecommunications

Title I, II and Title III will be addressed in this plan. Title IV is covered by the Mesa County Regional Transportation Planning Organization's Grand Valley Transit and can be found at the following link: <http://gvt.mesacounty.us/>

### ***Title I: Employment***

Private employers, state and local governments must comply with Title I regulation of the ADA. The ADA calls these "covered entities." Covered employers are those who have 15 or more employees. Employers must reasonably accommodate the disabilities of qualified applicants or employees, including modifying workstation and equipment, unless undue hardship would result.

The Americans with Disabilities Act of 1990 (ADA) Title I regulations require that all municipalities with fifty (50) or more employees adopt and publish grievance procedures. The purpose is to encourage local resolution of complaints concerning employment, services or programs and activities.

It is important to note that complainants are not required to exhaust the City of Grand Junction (hereafter referred to as "the City") procedures before filing a federal complaint or taking court action.

The regulations do not stipulate time frames or procedures for the grievance procedure, but the City believes the following to be fair and expedient:

1. A detailed description of the procedures for submitting a complaint is available to all employees and the public.
2. The grievance procedure is a review process that allows for appeals.
3. The grievance procedure includes reasonable time frames for review and resolution of the complaint.
4. The grievance procedure requires good record keeping for all complaints submitted and documentation of steps taken toward resolution.

It should also be noted that there does exist a grievance mechanism for those who are aggrieved by a public entity's non-compliance with the regulations of the ADA. An aggrieved individual may file a civil lawsuit in Federal Court or complaints may be made directly to the U.S. Department of Justice. It is not mandatory to file a grievance using the City's Grievance Procedure.

### ***Title II: State and Local Governments***

Title II prohibits a public entity from discriminating against or excluding people from programs, services or activities based on disability. Public entities covered by Title II include state or local governments, including all departments, agencies, special purpose districts or other municipalities, as well as certain commuter authorities.

Title II provisions fall into four broad areas: (1) general non-discrimination, (2) equally effective communication, (3) program accessibility and (4) employment. Equal opportunity must be provided through reasonable modifications in policies, practices or procedures; effective communication must be ensured through the provision of auxiliary aids and services, programs must be made accessible through non-structural (programmatic) or architectural modifications; and nondiscriminatory employment practices are required, as presented in Title I of the ADA.

Under Title II, physical modifications are necessary only when there is no other way to make the program accessible.

Title II of the ADA applies the Title I regulations to most public entities.

### ***Title III: Nondiscrimination on the basis of Disabilities by Public Accommodations and in Commercial Facilities***

Under Title III, all existing privately owned or leased facilities open to the public must make structural changes that are readily achievable, that is easily accomplishable and able to be carried out without significant difficulty or expense.

#### Definition of a Disability:

The term "Disability" means, with respect to an individual:

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

If an individual meets any one of these three tests, he or she is considered to an individual with a disability for purposes of protection under the Americans with Disability Act.

## II. SUMMARY: PURPOSE OF THE SELF EVALUATION

The purpose of self evaluation is to assist the City in compliance with the Americans with Disabilities Act and to develop a tool to assist the City in areas that non-compliance is found.

1. Compliance with ADA Regulations requires the City to complete a self-evaluation. Self evaluations were conducted in 1984, 1992 and most recently again in 2010 for Parks and City Hall. Virtually all of the Priority I facilities have been constructed, reconstructed or renovated since 1995 and therefore were ADA compliant at the time of their construction or renovation. The City Parks & Recreation Department facilities and City Hall were evaluated again in 2010 and have since upgraded facilities to be compliant.
2. Compliance with ADA Regulations requires that the City may not discriminate against qualified individuals with disabilities AND must reasonably accommodate the disabilities of a qualified applicant or employee.
3. Compliance with ADA Regulations requires the City to make structural changes to existing facilities only when the service, program or activity is not feasible any other way.
4. Implementation of the recommendations in the transition plan will bring the City into compliance with all aspects of the ADA Regulations.
5. The City will work with the ADA Compliance Coordinator to achieve accessibility within the City will serve as a valuable resource for the Self-Evaluation and Transition Plan.
6. The transition plan and self evaluation and all grievances shall be filed with the City Clerk and be readily available to the public upon request.
7. The transition plan outlined in this document will only be effective if monitored and fully implemented by the City. This transition plan identifies and describes the areas of non-compliance of the City's facilities as identified in the survey. The facilities summary is included in Appendix A.

The proposed structural changes for compliance with the ADA Regulations are scheduled over a twenty-year rolling period from the time ADA guideline changes were made contingent on funding. The Department of Public Works and/or the City's Facilities staff will undertake small projects. Designers and outside contractors will be hired for larger projects. It should be noted that unlike existing facilities, new construction shall be designed and built to be fully accessible to all individuals with disabilities.

### III. COMPLIANCE REQUIREMENTS

#### Title I Employment and Title II Non-discrimination on the Basis of Disabilities in State and Local Government

### POLICY AND PROCEDURES MANUAL

#### ADMINISTRATION –

##### *Public Notice of ADA Compliance*

**Policy:** The City posts a public notice of its support for and compliance with the Americans with Disabilities Act (ADA). This notice is provided in accordance with Title I of the Americans with Disabilities Act (ADA) of 1990.

**Procedure:** The following notice is posted in prominent locations within the City and on the City's website.

### NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

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

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

**Effective Communication:** The City of Grand Junction 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 programs, services and activities.

**Modifications to Policies and Procedures:** The City of Grand Junction will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services and activities. For example, individuals with service animals are welcomed in the City of Grand Junction offices, even where pets are generally prohibited.

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

Complaints that a program, service or activity of the City of Grand Junction is not accessible to persons with disabilities should be directed to the **Fix It Form** on the City website at **www.gjcity.org** (see more detailed description under Grievance Procedure below). A link to this form can be reached on the City website's home page. Grievances may also be directed by telephone or in person to appropriate City staff listed under ADA Contacts below.

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

## ADMINISTRATION –

### ***Designation of ADA Compliance Coordinator***

Policy: The City designates an ADA Compliance Coordinator to coordinate its efforts for compliance with the Americans with Disabilities Act (ADA). This designation is in accordance with Title I of the Americans with Disabilities Act (ADA) of 1990. While retaining responsibility for compliance, the ADA Compliance Coordinator may designate other personnel to carry out the duties and responsibilities referenced herein without specifically citing those designees in this Plan.

Procedure: The following notice is posted on the City's website:

### **ADA Contacts**

#### **ADA – General Access, Employment**

David Roper, Risk Manager  
250 North 5th Street  
Grand Junction, CO 81501  
(970) 244-1592  
[daver@gjcity.org](mailto:daver@gjcity.org)

#### **ADA – Parks Facilities and Programs Access**

Rob Schoeber, Parks & Recreation Director  
1340 Gunnison Ave.  
Grand Junction, CO 81501  
(970) 254-3881  
[robosc@gjcity.org](mailto:robosc@gjcity.org)

#### **ADA – Street & Sidewalk Infrastructure**

Trent Prall, Engineering Manager  
250 North 5th Street  
Grand Junction, CO 81501  
(970) 256-4047  
[trentonp@gjcity.org](mailto:trentonp@gjcity.org)

#### **ADA – Legal Compliance, Notices, Grievances**

John Shaver, City Attorney  
250 North 5th Street  
Grand Junction, CO 81501  
(970) 244-1506  
[johns@gjcity.org](mailto:johns@gjcity.org)

### **ADA Facilities Coordinators**

#### **City Hall**

David Roper, Risk Manager  
250 North 5th Street  
Grand Junction, CO 81501  
(970) 244-1592  
[daver@gjcity.org](mailto:daver@gjcity.org)

#### **Fire Station #1**

Bill Roth, Deputy Chief  
333 West Ave. Bldg B  
Grand Junction, CO 81501  
(970) 244-1476  
[billr@gjcity.org](mailto:billr@gjcity.org)

#### **Two Rivers Convention Center/Avalon Theatre**

Sheryl Thompson, Event Operations Supervisor  
159 Main Street  
Grand Junction, CO 81501  
(970) 263-5711  
[sherylt@gjcity.org](mailto:sherylt@gjcity.org)

#### **Stocker Stadium/Suplizio Field and Parks**

Mike Vendegna, Parks Superintendent  
2529 High Country Court  
Grand Junction, CO 81501  
(970) 254-3843  
[mikev@gjcity.org](mailto:mikev@gjcity.org)

## ADMINISTRATION –

### **Notice and Grievance Procedure**

**Policy:** The City recognizes the rights of any individual to initiate a grievance when they feel that their rights have not been observed. It is City’s hope that when such incidents occur they can be handled at the lowest possible level and in the most informal manner and if mistakes have been made, they can be admitted promptly. When this is not possible, a formal grievance procedure is needed and has been established.

This grievance procedure is specifically addressed to meet requirements of the Americans with Disabilities Act. It may be used by any individual who wishes to file a grievance alleging discrimination based on disability in employment practices or the business operations, services, programs or activities of the City.

**Procedure:** The following notice is posted on the City’s website:

### **ADA Title II – Notice and Grievance Procedure**

The City of Grand Junction hereby adopts this internal grievance procedure to provide for prompt and equitable resolution of complaints alleging any action that is prohibited by Title II of the Americans with Disabilities Act (hereinafter “ADA”).

Individuals with a grievance regarding access to programs, services or facilities of the City may file a written grievance on the City website using the Fix It Form. The Fix It Form is available at [www.gjcity.org](http://www.gjcity.org). The form should be filled out as shown below. The second line is a drop-down box. Select “Grievance under ADA” from the menu options and fill in the other fields as shown. When completed, click “Submit Fix It Form” at the bottom of the form. Your information will be forwarded to the appropriate department and you will be contacted.

<b>Your Name</b>	<input type="text" value="Input your name"/>
	<input type="text" value="Grievance under A.D.A."/> ▼
<b>FixIt Address</b>	<input type="text" value="(Input address or location where problem exists)"/>
<b>Describe FixIt Problem</b>	<input type="text" value="Describe the nature of your grievance under the Americans with Disabilities Act."/>
<b>Your Address</b>	<input type="text" value="Address - where you can be contacted"/>
<b>Phone Number</b>	<input type="text" value="Your home or cellular phone number"/>
<b>Email</b>	<input type="text" value="Email address where you can be contacted"/>

City contacts, listed below, are also available to disabled persons requiring assistance. The City of Grand Junction’s communications regarding grievances will be provided in a format that is accessible to the complainant.



## **Complaint Procedure**

The procedure to file a grievance is as follows:

Step 1. A written grievance should be filed through the **Fix It Form** (as shown above). If requested, special assistance will be given to assist in the process of input.

Step 2. An oral grievance can be filed by contacting the appropriate City ADA Contact as listed below. The oral grievance will be documented in writing by City staff and will be authorized by the complainant.

Step 3. The grievance will be responded to or acknowledged within 20 working days of receipt from complainant.

Step 4. Within 60 calendar days of receipt, City staff will conduct an investigation necessary to determine the validity of the alleged violation. If appropriate, a City ADA Coordinator and/or other City staff will arrange to meet and/or otherwise discuss with the complainant the matter and attempt to reach or mediate, a resolution of the grievance.

Step 5. If an informal resolution or mediation of the grievance is not reached, a written determination as to the validity of the complaint and description of the resolution, if appropriate, shall be issued by the City Attorney's office and a copy forwarded to the complainant no later than 90 days from the date of the City's receipt of the grievance.

Step 6. The complainant may request reconsideration if he/she is dissatisfied with the written determination. The request for reconsideration shall be in writing and filed with the City of Grand Junction Attorney's office, 250 North 5th Street, Grand Junction, CO 81501, within 30 days after the Attorney's determination has been mailed to the complainant. The City of Grand Junction Attorney's Office shall review the request for reconsideration and make a final determination within 90 days from the filing of the request for reconsideration.

Step 7. If the complainant is dissatisfied with City's handling of the grievance at any stage of the process or does not wish to file a grievance by utilizing the City's ADA Grievance Procedure, the complainant may file a grievance directly with the United States Department of Justice or other appropriate state or federal agency. Use of the City's grievance procedure is not a prerequisite to the pursuit of other remedies.

The resolution of any specific complaint will require consideration of varying circumstances, such as, the specific nature of the disability, the nature of the access to services, programs or facilities at issue and the essential eligibility requirements for participation. Also areas to consider would be the health and safety of others, the degree to which an accommodation would constitute a fundamental alteration to the program, service or facility or would cause an undue hardship to the City. Accordingly, the resolution by the City of any one grievance does not constitute a precedent upon which the City is bound or upon which other complaining parties may rely.

## **File Maintenance**

The City of Grand Junction shall maintain all ADA grievance files for a period of three years.

## EMPLOYMENT -

### *Employment Practices*

Policy: The City does not discriminate in employment practices against qualified job applicants or employees on the basis of disability in areas hiring, promotion; demotion; transfer; recruitment; job advertisements; termination; post offer; and training, etc.

No qualified individual with a disability shall, solely by reason of his/her disability, be excluded from the participation in, be denied the benefits of or otherwise be subjected to discrimination under any of the City's business operations, services, programs or activities.

The City shall provide a program of information and awareness training about persons with disabilities to all supervisors and interviewers; review all job descriptions to ensure that they do not tend to screen out qualified individuals; and eliminate unnecessary non job-related mental and or physical requirements for entry into each job.

No qualified individual with a disability shall, solely because of his/her disability, be excluded from employment. Employment review and hiring will be based on the prospective employee's ability to perform what the City determines to be the essential functions of a job.

The City does not discriminate in employment practices against qualified job applicants or employees on the basis of disability in the areas of: hiring, promotion, demotion, transfer, recruitment, job advertisements, termination, post job offer and training, etc.

It is understood that the obligation to comply with this policy is not obviated or alleviated by a state or local law or other requirement that, based on disability, imposes inconsistent or contradictory prohibition.

Any prohibitions or limits upon the eligibility of qualified individuals with disabilities to receive services or practice any occupation or profession are not allowed under this policy.

- Procedure:
1. The ADA Coordinator will review all job descriptions to ensure that they do not tend to screen out qualified individuals; and will eliminate unnecessary non job-related mental and or physical requirements for entry into each job.
  2. The ADA Coordinator will provide alternative methods of informing employee of relevant information, such as informing blind individuals of announcements posted on bulletin boards.
  3. The ADA Coordinator will review employee performance appraisals to ensure that no discriminatory patterns or practices exist or are developed affecting employees with disabilities or applicants; and provide reasonable accommodation in all areas of accessibility.

### ***Training Assurance***

Employee training provided includes information about rights and obligations under Title I of the ADA. The information includes a full explanation of the City's ADA policies, procedures and practices regarding employment.

All materials include information on reasonable accommodations, grievance procedures, essential v. nonessential job functions and permissible and impermissible inquiries. Training will be conducted annually and all new employees will be trained on all of the above requirements. The ADA Coordinator is the employee responsible for seeing this done.

Details of the disability are kept separate from other employment information. Employee rights to confidentiality (whenever confidential information regarding disability, etc., is required to evaluate accommodation) will be assured.

### ***Reasonable Accommodation***

Policy: The City is committed to providing reasonable accommodation to qualified job applicants and employees with disabilities, and will make reasonable modifications to all policies, practices, and procedures in order to accommodate persons with disabilities. The only limiting condition upon such accommodation is when the resources needed to make such an accommodation would be so great as to cause undue financial or administrative hardship on the business operation of the City, or fundamentally alter the nature of the business operation

The ADA Coordinator will review all job descriptions to ensure that they do not tend to screen out qualified individuals; eliminate unnecessary, non job-related mental and/or physical requirements for entry into each job. In the area of promotion, when a vacancy occurs, the City will institute an internal search to determine if there is a qualified employee with a disability who could be promoted.

Reasonable accommodation means changing the way a job is done to accommodate a person with a disability. Persons requesting a particular modification may be asked to furnish documentation to support the need for the modification

The City of Grand Junction policy on reasonable accommodation for job applicants will be referenced on all postings and advertisements, and will be made available upon request to applicants with disabilities during the pre-employment process, to provide equal opportunity to secure employment with the City of Grand Junction

The final decision concerning whether a request for a modification is reasonable (or is a fundamental alteration of the services of program) is made by the City Manager or his/her designee, in discussion with the ADA Coordinator.

Procedure: 1. All prospective employees will be informed at the time of application that the City does not discriminate on the basis of disability. Requests for reasonable accommodations should be made by prospective employees following receipt of a conditional offer of employment.

2. Persons with disabilities employed by the City may request reasonable accommodations from their immediate supervisor, or from the ADA Compliance Coordinator, and such requests should be verbal as well as written.

3. As needed, the ADA Compliance Coordinator will assist these persons in identifying or documenting the reasonable accommodations needed.
4. Within forty-five (45) business days of the submission of the request, a decision regarding reasonable accommodation will be rendered.
5. The effectiveness of the accommodation will be assessed and the accommodation maybe altered during the first thirty (30) days of use of the accommodation.
6. Aggrieved individuals have the right to appeal as per our written grievance procedure. The ADA Coordinator will modify this policy when necessary.
7. The ADA Coordinator will modify this policy as needed to comply with regulatory changes and/or to improve effectiveness of accommodation.

### ***Undue Hardship***

Policy: A requested accommodation may pose “undue hardship.” Undue hardship means that a requested accommodation requires significant difficulty or expense. While it is not possible to define in the abstract, undue hardship includes an examination of the following: the nature and cost of the accommodation, the overall financial resources of the City and the impact of the accommodation on the City’s business operations.

Procedure: 

1. An accommodation that is perceived to produce undue hardship must be discussed with the City Manager and the ADA Compliance Coordinator.
2. Any decision that results in a determination of undue hardship can be appealed by the petitioner through the ADA grievance procedure.

## **NON-DISCRIMINATORY OPERATIONS**

### ***Reasonable Modifications***

Policy:

The City is committed to making reasonable modifications to all aspects of its business operations to afford persons with disabilities with access. "Reasonable modifications" applies to annual expenditures of City resources which are within the range of regular line item budget items unless the City can demonstrate that such modification would impose an undue burden or fundamentally alter the nature of our program or the services that the City offers.

Persons requesting a particular modification may be asked to furnish documentation to support the need for the modification.

The final decision concerning whether a request for a modification is reasonable (or is a fundamental alteration of the program) is made by the City Manager or his/her designee in discussion with the ADA Coordinator.

Procedure:

1. The ADA Compliance Coordinator is charged with the responsibility of recommending to the City Manager any reasonable modifications of policies, practices, procedures, business operations, services, programs or activities.
2. The City Manager may approve items which are not financially extraordinary and respond to the request within forty-five (45) working days.
3. Items whose impact on the budget would be viewed as extraordinary will be referred to the City Manager for consideration, approval and prioritization.
4. Individuals seeking to contest the denial of request for reasonable modification may use the grievance procedure.

## **Equal Opportunity**

**Policy:** The City strives to ensure that persons with disabilities are provided maximum opportunity to participate in, and benefit from all business operations, services, programs, or activities of the City. Moreover, it is the City's goal that such participation will be in the same manner as those of non-disabled persons and in fully integrated settings.

The City similarly seeks qualified individuals with disabilities to participate on boards or committees. No qualified individual with a disability shall solely by reason of his/her disability, shall be excluded from the participation in; be denied the benefits of; or otherwise be subjected to discrimination.

The City will not deny a qualified individual with a disability the opportunity to participate as a member of any board, or commission; or otherwise limit a qualified individual with a disability the enjoyment of any right, privilege, advantage, or opportunity enjoyed by other qualified individuals participating as a member of a board, or commission of the City. The City shall provide a program of information and awareness training about persons with disabilities to all employees and volunteers

It is understood that the obligation to comply with this policy is not obviated or alleviated by any state or local law or other requirement that, based on disability, imposes inconsistent or contradictory prohibition. Any prohibitions or limits upon the eligibility of qualified individuals with disabilities to participate in, or receive services or practice any occupation or profession are not allowed under this policy.

**Procedure:**

1. The ADA Compliance Coordinator will proactively examine the City's operations and facilities and report annually to the City Manager opportunities for more inclusive operations and facilities.
2. The ADA Compliance Coordinator will further seek opportunities to challenge and remove attitudinal barriers to any individuals with disabilities.

### **Eligibility Requirements Assurance**

**Policy:** The City's eligibility requirements are designed to be as inclusive as possible. The City will review and continue to review annually its hiring criteria to ensure that it is inclusive as possible for all people with disabilities.

In addition, requirements designed to provide safety and security for individuals will be reviewed on an annual basis to be sure that they do not inadvertently screen out individuals with disabilities. Safety requirements of the City are based on actual risks. The determination of the presence of a direct threat must be based on objective factual evidence and not stereotypes or misconceptions about a person's disability. Any prohibitions or limits on the eligibility of qualified individuals with disabilities to receive services or practice any occupation are not allowed under this policy.

If any new criteria are developed, the City Manager and the ADA Coordinator will review the impact on persons with disabilities and all staff will be informed on all changes in eligibility requirements that may arise as a result of this review.

**Procedure:**

1. The ADA Compliance Coordinator annually reviews eligibility requirements and safety requirements to be sure that they do not screen out people with disabilities overtly or covertly.
2. The ADA Compliance Coordinator, in addition, is attentive to the impact of any new eligibility criteria or safety requirements on the access of persons with disabilities to all business operations, services, programs or activities of the City.

### **Assurance Regarding Surcharges**

**Policy:** Surcharges are never charged to employees, participants or any other interested person for reasonable accommodations under any circumstances. Such accommodations include, but are not limited to: American Sign Language (ASL) interpreters, Computer Aided Real-time Translation (CART), architectural accessibility, computer accessibility hardware or software, Braille material or any other costs related to the participation of a person with a disability.

**Procedure:**

1. The ADA Compliance Coordinator will review all business operations, services, programs or activity charges to assure that there are no surcharges or hidden surcharges.
2. As part of his/her annual review, the ADA Compliance Coordinator will assure that surcharges have not been charged to persons with disabilities for the provision of reasonable accommodations, reasonable modifications to policies and procedures, auxiliary aids, business operations, services, programs or activities or any other costs related to the participation of a person with a disability.
3. As appropriate, the ADA Compliance Coordinator and the City Manager will seek, where possible, additional funding to make any changes necessary to provide access.

### ***Integrated Services Assurance***

Policy: The City seeks to ensure that its business operations, services, programs or activities, are provided in the most integrated setting possible. People with disabilities are never required to participate in separate programs. Business operations, services, programs or activities will not be provided to any person with a disability in a manner or at a location different from that available to others.

In all cases, the person with a disability (including family members and other representative only when appropriate) will be fully involved in the consideration and decisions.

The City recognizes that integration of people with disabilities is one of the major goals of the ADA.

Procedure: All modifications to business operations, services, programs or activities and the development of new business operations, services, programs or activities will be examined by the ADA Compliance Coordinator who will make recommendations to insure continued integration of people with disabilities.

### ***Significant Assistance Assurance***

Policy: It is the policy of the City that all business operations, services, programs, or activities that the City may provide support to, or contract with, may not discriminate against people with disabilities. All contracts and program sites are regularly assessed to ensure nondiscrimination against people with disabilities. The City will not contract with any entity that discriminates.

The City does not support services, programs, or activities, which discriminate against people with disabilities.

Procedure:

1. The ADA Compliance Coordinator annually reviews all contracts, services, programs, or activities regardless of the support provided, to assure the services, programs, or activities do not discriminate against people with disabilities.
2. When a supported or sponsored service, program, or activity is identified which discriminates against people with disabilities, the ADA Compliance Coordinator initiates remedial action.
3. If prompt remedial action is not taken, the ADA Compliance Coordinator will recommend termination of the relationship to the City.



### **Accessible Transportation**

**Policy:** All transportation services provided by the City are accessible to everyone regardless of their disability.

When the City provides transportation, the City will seek to make a reasonable accommodation for an individual with a disability whose mobility/transport represents a barrier to participation in a City business operations, services, programs or activities.

**Procedure:**

1. The ADA Compliance Coordinator will evaluate requests for accessible transportation.
2. The ADA Compliance Coordinator maintains the list of names and numbers of accessible transportation providers which includes the following:
  - i. Mesa County Regional Transportation Planning Organization's Grand Valley Transit and can be found at the following link: <http://gvt.mesacounty.us/> or by calling 970) 256-RIDE (7433).

### **Community Referral Assurance**

**Policy:** The City conducts an annual survey of its primary referral agencies. This survey determines which of the agencies to which it regularly refers individuals are accessible to persons with disabilities and aware of their obligations under the Americans with Disabilities Act (ADA). The City provides this information to individuals with disabilities who are in need of referral to such services.

Whenever the City is to participate in other programs and services, as a condition of that participation (e.g. Commonwealth programs) or refer to other programs, it is the City's policy that such programs and services must be accessible.

**Procedure:**

1. On an annual basis, the ADA Compliance Coordinator conducts a survey of referral agencies.
2. The ADA Compliance Coordinator determines which referral agencies are accessible and knowledgeable of the ADA.
3. If a category of referral does not include accessible services, programs, or activities, the ADA Compliance Coordinator will identify an appropriate service, program, or activity and establish an affiliation relationship.

### **Training Assurance**

Policy: Employee training and other development activities provided by personnel and volunteers include information about ADA requirements. The City's business operations, services, programs, or activities will operate in such a manner that will not discriminate against people with disabilities.

The City will on a yearly basis, provide training for all employees on topics related to the Americans with Disabilities Act (ADA). The ADA Coordinator has the overall responsibility for ensuring that all employees are trained, including new employees.

Topics will include, but are not limited to the meaning and importance of public notification; the ADA grievance procedure; the concept of reasonable accommodation and its implication for the City; the issue of equal opportunity for persons with disabilities; the concept of reasonable modifications; a proactive perspective; the meaning of disability; alternative communication systems; and attitudinal barriers.

Procedure:

1. The ADA Compliance Coordinator will conduct in service training for all employees.
2. The in service training will operate in such a manner that will not discriminate against people with disabilities and will be documented in the manner that all other City in services are documented.

## **EFFECTIVE COMMUNICATION-**

**Policy:** The City recognizes the need to ensure that individuals with disabilities need to have communication access that is equally effective as that provided to people without disabilities. Further, the City recognizes that there are a variety of formats in which equally effective communication may occur including: large print, print scanners, Braille, recordings, ASCII disks, TTYs, interpreters, computers, etc. and in the future new and emerging technologies may offer other methods. Finally, the City wants to provide equally effective communication.

The City also desires to give the person with communications impairment the opportunity to request the auxiliary aid or service of his/her choice. Where possible, that choice will be honored unless it would fundamentally change programming or provide undue burden.

**Procedure:**

1. Persons with communications disabilities may request communications aids or services from the ADA Compliance Coordinator.
2. In determining the choice of auxiliary aid and/or service, the following factors will be considered by the ADA Compliance Coordinator: the duration and complexity of the communication, the context of the communication, the number of people involved in the communication and the importance and potential impact of the communication.
3. If an undue burden is claimed, the petitioner will be directed to the ADA grievance process.

### ***Interpreter Services***

**Policy:** Sign language interpreters will be provided upon request to any person needing interpreter services in order to participate in any meeting, service, program or activity when communications are complex, the exchange is lengthy or the information being communicated is extremely important. Qualified interpreters are individuals who are able to interpret effectively, accurately and impartially, both receptively and expressively, using any necessary specialized vocabulary.

**Procedure:**

1. The person needing the interpreter services or his/her representative will so indicate to the ADA Compliance Coordinator by telephone or in writing at least thirty days (30) business days before the event, activity or meeting. Every reasonable effort will be made to meet requests made with less than 30 days notice.
2. If an interpreter service cannot be obtained, the ADA Coordinator will offer the option of an alternative effective form of communication.
3. When a request cannot be met, the petitioner will be informed at least two (2) days before the event or activity.

Services maybe requested through:

**Sign Language Network, Inc**

<http://www.signlanguagenetwork.com/>

P.O. Box 25102

Colorado Springs, CO 80936

Tel: (719) 599-4517 V TTY VP

Toll Free: (866) 599-4517 V TTY VP

Fax: (719) 531-7841

Emergency Pager: (719) 474-7154

[sln@signlanguagenetwork.com](mailto:sln@signlanguagenetwork.com)

**Professional Sign Language Interpreting, Inc**

Norma Blanke, president

PO Box 33557

Northglenn, CO 80233

303-920-7330 (V/TTY)

303-920-7335 (FAX)

Email: [psli@psli.net](mailto:psli@psli.net)

***TTY/TDD Assurance***

Policy: The City of Grand Junction recognizes that TTY/TDD telecommunication devices are effective means of communications for many individuals with hearing and speech disabilities. In Colorado, TTY/TDD may be accessed by dialing **711**.

***Alternative Format***

Policy: The City of Grand Junction recognizes the need to provide information in alternative formats to people with disabilities. The City will make all documents, publications, materials and services used in services, programs available in alternative format to persons with disabilities who request them.

Procedure: The person making the request should identify the materials desired and specify his/her preferred alternate format to the ADA Coordinator either in person, by phone or in writing at least 30 days in advance of the event or the activity for which the material is needed.

The materials will be provided in the requested format at no charge. Every reasonable effort will be made to meet requests made with less than 30 days notice before an event or activity.

If, after primary consideration has been given to the preferred format, the request cannot be met, an alternative effective format will be made available. If a request cannot be met, the person making the request shall be informed as soon as possible but at least 2 days in advance of the event or activity. The ADA compliance Coordinator will respond in the format that is requested unless there is an equally effective, but more convenient format readily available. If the ADA Compliance Coordinator determines there is an undue burden she/he can refer the person requesting the information to the grievance procedure.

Names and numbers of individuals who provide Braille:

Colorado Center for the Blind

<http://coloradocenterfortheblind.org/our-programs/independence-training/braille/>

Phone: 303.778.1130

Toll Free: 800-401-4632

Fax: 303-778-1598

2233 West Shepperd Ave, Littleton CO 80120

Braille Computer Center

Boulder Public Library, P.O. Box Drawer H

Boulder, CO 80306

(303) 441-3098 Voice

Contact: Donna Gartenmann

Services: Transcription service to braille form print or WordPerfect 5.1 disk.

Preference given to Colorado residents. Fee for services.

### ***Assistive Listening Device Assurance***

**Policy:** Assistive listening devices will be provided upon request to persons needing such device to participate in business operations, services, programs or activities of the City.

The City recognizes the need to obtain assistance listening devices when needed by persons with hearing impairments who are not totally deaf. [Auxiliary aids and services for people with hearing disabilities include: qualified interpreters, written notes, real time transcriptions, video text displays, amplified and hearing aid compatible telephones, assistance listening systems, open or closed captioning and caption decoders and text telephones or telecommunication devices for the deaf (TDDs)]. Equipment will be rented or leased as needed.

**Procedure:**

1. The person needing the assistive listening device or his/her representative will so indicate to the ADA Compliance Coordinator by telephone or in writing at least thirty days (30) business days before the event, activity or meeting. The request should identify the materials desired and specify his/her preferred alternate format to the ADA Coordinator. Every reasonable effort will be made to meet requests made with less than 30 days notice.
2. The petitioner will be informed as soon as possible on the receipt of the assistive listening devices.
3. When the City decides what type of aid or service is to be provided, primary consideration is given to the type of aid or service preferred by the person with a disability. If the request cannot be met, an alternative effective format will be made available.
4. When a request cannot be met, the petitioner will be informed at least two (2) days before the event or activity.

**Hearing Resource Center**

120 West Park Drive, Suite 111

Grand Junction, CO 81505

970.464.3064 <http://www.hearingrehabcenter.com/locations/hearing-aids-grand-junction/>

**Western Colorado Hearing Clinic**

2139 North 12th Street, Unit 4  
Grand Junction, CO 81501  
<http://wchearingclinic.com/>

**Com-Tek**

357 West 2700 South  
Salt Lake City, UT 84115-2904  
Website: [www.comtek.com](http://www.comtek.com)  
801-466-3463 Voice  
801-484-6909 TTY  
Email: [sales@comtek.com](mailto:sales@comtek.com)

**Gentner Communications Corporation**

1825 Research Way  
Salt Lake City, UT 84119-2302  
Website: [www.gentner.com](http://www.gentner.com)  
FM ALDS 800-945-7730 Voice 800-933-5107 Fax  
801-975-7200 Voice 801-977-0087 Fax  
Email: [sales1@gentner.com](mailto:sales1@gentner.com)

**Listen Technologies Corporation**

8535 South 700 West, Suite A  
Sandy, UT 84070-2515  
Website: [www.ListenTech.com](http://www.ListenTech.com)  
800-330-0891 Voice 801-233-8992 Voice Fax: 801-233-8995  
Email: [info@ListenTech.com](mailto:info@ListenTech.com)

**Oval Window Audio**

33 Wildflower Court  
Nederland, CO 80466-9638  
Website: [www.ovalwindowaudio.com](http://www.ovalwindowaudio.com) Audio Induction Loop ALDS  
303-447-3607 Voice/TTY/Fax  
Email: [info@ovalwindowaudio.com](mailto:info@ovalwindowaudio.com)

### ***TV & Video Captioning Assurance***

Policy: Audio-visual aids will be accessible to all individuals with disabilities.

The City seeks to have all audio-visual presentations (provided for the public by the library or any other department) accessible to all individuals with disabilities. Captioned videos are used when necessary to provide effective communication for all employees and participants.

Procedure: Specify the need either by in person, by telephone or in writing to the ADA Coordinator at least fourteen (14) days before presentation.

Within four (4) business days, the City will provide the closed caption video and device or descriptive reading service during the presentation at no cost to the participant.

### ***Training Assurance***

Policy: The City seeks to ensure that all personnel who do training, in services and other program activities, are trained in the use of auxiliary aids and services and are familiar with all policies and procedures related to auxiliary aids and services. These personnel should be aware that primary consideration should be given to the type of service or format preferred by the persons with the disabilities.

Procedure:

1. Effective communication training is given during orientation by the ADA Compliance Coordinator.
2. Training on effective communication is scheduled regularly for in-service training or programs.

***Title III: Nondiscrimination on the basis of Disabilities by Public Accommodations and in Commercial Facilities***

***Compliance Guidelines***

The following excerpt was taken from the Title III Regulations:

“It is not required that a public entity take any action that it can demonstrate would constitute a fundamental alteration in the nature of the service, program or activity or would cause an undue administrative or financial burden. Regardless of that, a public entity is required to take some action that would not trigger this limitation and ensure program accessibility.

A public entity is required to make structural changes to existing facilities only when program accessibility is not feasible any other way (i.e., Reassignment of services to an accessible building or the provision of auxiliary aids). Where “Structural Changes” to existing facilities are the only way to arrive at program accessibility, a “Transition Plan” outlining the steps necessary to complete the structural changes is required

***Facilities Survey Appendix A [City buildings, curb cuts]***

The attached Appendix A “Facilities Survey” provides an assessment of the overall degree of accessibility of city buildings and facilities and is not meant to be an exhaustive survey. The City will continue to review all programs, services and properties to ultimately reach the goal of complying with the Americans with Disabilities Act. This and future surveys will result in the City identifying the shortcomings of existing programs, services and properties and to develop a plan to remedy them. New Techniques and technologies are being developed and approved all the time, with these advances the City of Grand Junction is committed to expanding access to an ever widening group of people.

The City of Grand Junction’s ADA Self-Evaluation Facilities Survey provides an assessment of the degree of accessibility of the City of Grand Junction’s programs, services and properties to people with disabilities.



## Appendix A - Assessment

The City has conducted a variety of site visits, surveys and inventories of its facilities, sidewalks, curb ramps and parks starting after the ADA became law in 1992. Today, the majority of the City's public facilities are ADA compliant and it continues to make progress on installing curb ramps and sidewalks along its roadways and providing increased access to its indoor and outdoor parks and recreation facilities. The following is a summary of the currently status of City facilities and a summary of street infrastructure improvement priorities and needs.

The City of Grand Junction currently operates under the 2012 International Building Code as its building code, which includes provisions ensuring accessibility for people with disabilities. The City also uses the Americans with Disabilities Act Guidelines for Building and Facilities (ADAAG) and the ADA Standards for Accessible Design in the design and construction of its facility improvements and construction projects.

In the assessment of the facilities' accessibility surveys, all facilities were prioritized on the basis of extent of public usage, the type of services provided and the availability of alternative sites with a provision of similar services. A facility with a priority ranking of I (one) has been designated as high priority and should be ADA compliant unless otherwise noted. A priority ranking of II (two) is indicative of those facilities which are currently used by municipal employees only. Structural modifications to allow for accessibility in these structures will be addressed at such time as an employee or prospective employee would require same for his/her employment.

### Priority One

City Hall	Constructed 2000 / Updated Auditorium 2013
Two River Convention Center	Reconstructed and Renovated 2004
Avalon Theater	Reconstructed and Refurbished 2014
Senior Center	Renovations 2002
Parks and Recreation Office	Renovations 2012
Fire Station Administration	Constructed 2012
Fire Station #1	Reconstructed 2012
Police Station	Constructed 2012
Auditorium Barn	Renovations 2004
Municipal Services Center	Renovations 2008
Downtown Shopping Park (Main St)	Reconstructed 2010-2011
Lincoln Park Pool	Renovations 2013
Orchard Mesa Pool	Renovations 2013
Stocker Main Stadium	Reconstructed 2012
Stocker West Stadium	Renovated 2004
Lincoln Park Golf Course Clubhouse	Assessed 2010 / Renovations pending
Tiara Rado Golf Course Clubhouse	Assessed 2010 / Renovations pending
Hawthorne Park	Reconstructed bathroom 2012
Orchard Mesa Municipal Cemeteries	Reconstructed 2010
Canyon View Park	Constructed 1996
Eagle Rim Park	Constructed 1999
Lincoln Park Parking Lot	Restriped 2013
Columbine Park Concession	Compliant
Columbine Park Restroom	Compliant
Stocker Main Concessions	Compliant 2012
Pomona Park Concession / Restroom	Compliant 1994
Tiara Rado Restroom	**
Melrose Park	Compliant
Sherwood Park Restroom	Reconstructed 2012
Emerson Park Restroom	Compliant
Whitman Park Restroom	Compliant

Duck Pond Park Restroom	Reconstructed 2010
Riverside Park	Compliant
Old City Shop Building	Renovated 1995

\*\*Note1: To date, no interest has been expressed by the disabled community with regard to the use of the facilities. No modifications to this facility will be undertaken until such time as reconstruction or remodeling is initiated by the City.

**Priority II**

Fire Station #2	Constructed 1992 / Renovated 2014
Fire Station #3	***
Fire Station #4	*** / Reconstruction pending 2015
Fire Station #5	Constructed 2006
Persigo Wastewater Treatment Plant	***
Water Treatment Plant	***
Maintenance Shops – Parks	***
Maintenance Shops – Fleet	***
Maintenance Shops – Tiara Rado	***
Maintenance Shops – Lincoln Park	***
Maintenance Shops – Canyon View	Constructed 1996

\*\*\*Note2: This facility is used by municipal employees only. In the event an employee or prospective employee requires structural modifications, accommodations for that individual would be addressed at that time.

**Streets and Sidewalks Summary**

The City of Grand Junction has over 365 miles of public streets and over 800 intersections to maintain and upgrade. It has been a priority for the City to improve accessibility for pedestrians and the disabled through the expansion of an accessible sidewalk network. The City has implemented several programs and policies and developed funding mechanisms to address the system needs for accessibility, including:

- Ensuring new transportation capital projects include pedestrian access and meet the current ADA design standards and guidelines.
- Completing updates of the Transportation Engineering Design Standards (TEDS) and Standard Specifications and Details to address changes and clarifications on ADA design from the federal Access Board and to better incorporate pedestrian facilities.
- Providing funding in pavement management overlay projects for building missing or repairing existing ADA sidewalk ramps and sidewalks.
- Requiring that all new developments and site expansions or improvements include ADA facilities.
- Creating an on-going funding source for completing projects identified in the system inventory and to address specific citizen requests
- Adopting a revised Comprehensive Plan with policies that strive to meet the requirements of the ADA (2008, 2014 update)
- Continuing to seek a funding program to complete the projects identified in the Capital Facilities Plan.

**System Inventory**

The City continues to work towards completing a full inventory of sidewalks and curb ramps for all streets in Grand Junction. A sidewalk inventory will be completed by 2016. This inventory compiled data from several sources will identify which streets had sidewalk on one or both sides. This inventory will then be used to create a database and mapping tool to develop a project needs list and project prioritization.

### **Curb Ramp Inventory**

In 2006, the City of Grand Junction completed a curb ramp inventory for all streets in the City. The inventory included all streets with sidewalks on at least one side and covered both arterial and local streets. At that point 178 ramps remained to be installed. The inventory analyzed just whether a ramp was present or not. As of March of 2015, 88 of those had been installed, usually under major street maintenance programs leaving 90 to be installed of which only three were on arterial roadways.

By 2016, for each intersection, data will be collected updating the curb ramp inventory to verify whether or not existing curb ramps meet ADA standards, including slope, lip, ramp width, landing area and tactile warning. This data will allow the City to confirm a list of missing curb ramps and create a list identifying what elements of existing curb ramps were out of compliance. The final results will show the approximate number of existing curb ramps in some way do not meet ADA standards. From this a budget will be proposed to bring the remaining ramps into compliance.

### **Curb Ramp Project Prioritization**

Generally, the City's primary focus is given to intersections on arterial roadways without existing curb ramps. Subsequently, the following criteria are used to help determine which intersections are completed first:

- Proximity to government facilities
- Streets with higher traffic volumes
- Streets with public transit service
- Streets with pedestrian attractors like schools, parks and shopping
- Proximity to medical facilities
- Improved system connectivity
- Request by impaired individual

The City does allow exceptions to the criteria if it helps ensures public safety, is more efficient or maximizes the overall benefit.

End Appendix A