

CITY OF GRANITE FALLS
Granite Falls, Washington

RESOLUTION 2023-08

**A RESOLUTION OF THE CITY OF GRANITE FALLS, WASHINGTON
ADOPTING AN AMERICANS WITH DISABILITIES ACT (ADA) SELF
EVALUATION AND PROGRAM ACCESS PLAN.**

WHEREAS, the Federal Government enacted the Americans with Disabilities Act of 1990 (ADA), and its amendments, to prevent discrimination, to extend the protections of the Rehabilitation Act of 1973, and to ensure equal access for all individuals, including those with disabilities to the facilities, transportation, and services, programs or activities of all state and local governments, and

WHEREAS, The ADA is a civil rights law that prohibits discrimination against individuals with disabilities in access to jobs, public accommodations, government services and programs, public transportation, and telecommunications. and

WHEREAS, The ADA and Section 504 of the Rehabilitation Act of 1973 require cities with fewer than fifty employees that are a recipient or sub-recipient of Federal financial assistance to prepare a self-evaluation and ADA Program Access Plan, and

WHEREAS, Title I of the ADA prohibits local governments from discriminating against qualified individuals with disabilities in job application procedures, hiring, employment termination, job promotion, compensation, job training, and other terms, conditions, and privileges of employment, and

WHEREAS, Title II of the ADA adopts the general prohibitions against discrimination contained in Section 504 of the Rehabilitation Act of 1973 but applies to all state and local governments regardless of whether or not they receive federal funding, and

WHEREAS, a self-evaluation and program access plan has been prepared that reflects the City of Granite Falls' compliance with Title I and Title II of the ADA.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRANITE FALLS, WASHINGTON, AS FOLLOWS:

Section 1- The above recitals are found to be true and correct in all respects.

Section 2- The City Council adopts by reference the City of Granite Falls, Washington American with Disabilities Act Self Evaluation and Program Access Plan.

ADOPTED by the city council and **APPROVED** by the mayor this 16th day of Aug.
 , 2023.


CITY OF GRANITE FALLS



~~Matthew Hartman, Mayor~~

Steven Glenn, Mayor Pro Tem

ATTEST:



Darla Reese, MMC, City Clerk

APPROVED AS TO FORM:



Thom Graafstra, City Attorney



**CITY OF
GRANITE FALLS**

**AMERICANS WITH DISABILITIES ACT
SELF-EVALUATION
AND
PROGRAM ACCESS PLAN**

Introduction and Background

The City of Granite Falls is committed to providing equal access to all its public programs, services, and activities for citizens with disabilities. The City will use this plan to help guide future planning and implementation of necessary accessibility improvements. The City will update the plan periodically and always seek public comments on required changes and modifications.

Federal Requirements

The Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973 requires cities with fewer than fifty employees that is a recipient or sub-recipient of Federal financial assistance to prepare a self-evaluation and ADA Program Access Plan.

The U.S. Congress signed the ADA in 1990, which was enacted in 1992. The ADA is a civil rights law that prohibits discrimination against individuals with disabilities in access to jobs, public accommodations, government services and programs, public transportation, and telecommunications.

Title I of the ADA prohibits local governments from discriminating against qualified individuals with disabilities in job application procedures, hiring, employment termination, job promotion, compensation, job training, and other terms, conditions, and privileges of employment. The City of Granite Falls is an Equal Employment Opportunity (EEO) employer and adheres to the requirements of Title I.

Title II of the ADA adopts the general prohibitions against discrimination contained in Section 504 of the Rehabilitation Act of 1973 but applies to all state and local governments regardless of whether or not they receive federal funding. It prohibits the City from denying persons with disabilities the equal opportunity to participate in its services, programs, or activities, directly or indirectly, through contractual arrangements.

The administrative requirements contained in Title II that apply to the City are:

- Designation of an ADA Coordinator responsible for overseeing Title II compliance,
- Development of an ADA grievance/complaint procedure;
- Completion of a self-evaluation of facilities, programs, and services; and
- Development of a program access plan if the self-evaluation identifies any accessibility deficiencies.

ADA Coordinator

The Deputy City Manager/Human Resources Manager was designated the ADA Coordinator. This position is responsible for ensuring that all programs, services, and activities of the City of Granite Falls are accessible to and usable by individuals with disabilities. He reports directly to the City Manager. The City's ADA Coordinator is:

Jeff Balentine
215 S. Granite Avenue
P.O. Box 1440
Granite Falls, WA 98642
Jeff.Balentine@ci.granite-falls.wa.us
360-691-6441

Requesting Accommodation

Requests for accommodation (e.g., translator, barrier removal, etc.) or documents/materials in alternate formats should be made as soon as the need for the accommodation is known. Requests should be made to the ADA Coordinator as follows:

Requests for accommodation at a City meeting or event should include the following:

- The requestor's name, address, email, and telephone number.
- A description of the programs, services, or activities where the accommodation is required.
- The location of the program, service, or activity.
- A brief description of why the accommodation is needed.

Requests for materials in alternate formats should include the following:

- The requestor's name, address, email, and telephone number.
- The name and description of the City document or materials to be reformatted.
- What type of format is desired (e.g., braille, audio recording, computer disk, etc.)
- A brief description of why the alternate format is needed.

The ADA Coordinator will respond to the request within 15 calendar days or before the meeting or event. If the response does not satisfactorily resolve the issue, the requestor may file a formal grievance with the City. All requests for accommodations and alternate formats will be kept on file for at least three years.

Filing a Grievance

The City of Granite Falls has a formal grievance procedure in place to provide citizens a means to file complaints regarding:

- City of Granite Falls policies or its provisions of services, activities, and programs to persons with disabilities;
- Alleged violations of Title II of the ADA or Section 504 of the Rehabilitation Act by the City of Granite Falls, its departments, or employees; and
- Structural and parking accessibility issues on City-owned or controlled property.

The ADA Coordinator is limited to the funding already available for capital improvement projects when responding to grievances that request barrier removal or structural modifications. If the available funds are insufficient or already expended on other projects, improvements will be prioritized and scheduled in subsequent fiscal years.

The availability and use of this grievance procedure do not preclude filing a complaint of discrimination with any appropriate state or federal agency. The use of this grievance procedure is not a prerequisite in the pursuit of other remedies.

Step 1. To file a grievance, send a letter or an email to the ADA Coordinator that includes all of the following information:

- The full name, address, and telephone number of the person filing the grievance.
- The full name, address, and telephone number of the person who was discriminated against (if someone other than the grievant).

- The name and address of the program, service, activity, or facility where the incident occurred.
- A description of the incident, the date(s) it occurred, and the name(s) of any city employees involved (if known).
- Any other information necessary to support the grievance.

The ADA Coordinator will write to the grievant if additional information is needed. If the requested information is not provided, the ADA Coordinator will close the grievance.

Step 2. The ADA Coordinator will meet with or contact the grievant within 15 days of receipt of the grievance to discuss possible solutions.

Step 3. Within 30 calendar days of that meeting or discussion, the ADA Coordinator will respond in writing or a format accessible to the grievant, explaining the position of the City of Granite Falls and offering options for resolution.

If the response does not satisfactorily resolve the issue, the grievant may appeal the decision to the City Manager within ten calendar days of receiving the response. The appeal should be in writing and explain why the City's initial response was unsatisfactory. Steps 1-3 will begin again with the City Manager as the primary contact.

All formal grievances received by the ADA Coordinator, appeals to the City Manager, and responses from the City will be kept on file for at least three years.

Self-Evaluation and Program Access Plan

The Self-Evaluation is the City's internal assessment of the accessibility of its facilities, programs, services, and activities. It included site assessment surveys of all public facilities, parks, and roads owned by the City of Granite Falls and a written survey of all City departments about the accessibility of their programs, services, and activities.

Public Outreach

The current plan has been posted on the City's website. Key stakeholder groups and the general public are invited to review and provide input. Comments should be directed to the ADA Coordinator.

The City will update the plan and its associated improvement project lists accordingly to reflect completed improvement projects or additions or changes suggested by the public, as appropriate.

State and Local Requirements

The State of Washington officially adopted the International Building Code (IBC) as its building code in 2023 (RCW 19.27 and 70.92). The IBC includes provisions ensuring that public facilities are accessible to and usable by persons with disabilities.

Pursuant to the requirements of RCW 19.27, the City of Granite Falls also adopted the IBC as its building code.

Funding Sources

The primary funding sources for accessibility-related improvement projects on City property are the General Fund, Street Fund, and relevant grants. Due to reduced support for grant programs and competing priorities, the City of Granite Falls is experiencing limited ability to fund accessibility improvement projects.

Accessibility improvements that can be made through general maintenance of City facilities or as part of the regular administrative duties of department staff will typically be completed first, with larger capital improvement projects being completed when necessary funding is available.

Undue Burden

According to the ADA, the City is not required to take any action that may demonstrate a fundamental alteration to a program or activity, create a hazardous condition for other people, or represent an undue financial and administrative burden. This determination can only be made by the ADA Coordinator or designee and must be accompanied by a statement citing the reasons for reaching that conclusion.

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

Programs, Services, and Activities

All City departments strive to provide complete and equal access to all its services, programs, and activities for people with disabilities.

Public Meetings, Hearings, and Events. The City works hard to ensure its public meetings, hearings, and events are open and accessible to all citizens, regardless of disability. In addition, the City works directly with community event organizers to help ensure events using City streets, parks, or other resources are compliant with the ADA. For example:

- All departments hosting public meetings, hearings, or other public events accommodate people with disabilities as requested.
- The City assures that doorways and primary paths of travel at a meeting or event location are clear of obstructions or barriers.
- The City includes a statement on agendas and meeting invitations with information on how to request accommodation.

Printed Materials. The City provides a variety of informational and promotional materials for public use, including maps, brochures, forms, newsletters, fact sheets, reports, and plans. All departments should be able to provide documents and other printed materials in alternate formats, as requested.

Website. The City of Granite Falls completed a comprehensive redesign of its website in 2023. The new design includes a variety of accessibility-related improvements, including text size and color, provides alternate photo text and PDF documents, and complies with Web Content Accessibility Guidelines (WCAG) 2.1 AA and Section 508 of the Rehabilitation Act of 1973.

Contracting/Purchasing. The City uses criteria that do not discriminate based on disability when selecting contractors, consultants, or vendors for City projects or services. The City also includes a statement in all Requests for Proposal and other bid solicitation documents explaining that businesses, organizations, and individuals contracting with the City of Granite Falls must comply with Title II of the ADA and Section 504 of the Rehabilitation Act AND requires all City contractors, consultants and vendors to sign a statement attesting to their intent to comply.

Staff Training. The City's Employment Policies, available to all current employees and provided to all new hires, contain information about the ADA as it relates to employees.

City Facilities, Streets, and Parks. The City has conducted various site visits, surveys, and inventories of its facilities, sidewalks, curb ramps, and parks since the ADA became law in 1992. Since then, it has conducted an aggressive program of repair and renovation to correct many identified barriers and deficiencies. Today, most of the City's public facilities are ADA-compliant, and it continues to progress on installing curb cuts and sidewalks along its roadways.

The City of Granite Falls adopted the 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 and the ADA Standards for Accessible Design to design and construct its facility improvements and construction projects.

Public Streets and Curb Ramps. It has been a priority for the City to improve accessibility for pedestrians and people with disabilities by extending an accessible sidewalk network.

An ADA Curb Ramp Inventory will be completed in 2024. This inventory compiled data to create a database and mapping tool to develop a project needs list and prioritization. For each intersection, data was collected showing whether or not there were any existing curb ramps and whether or not existing curb ramps met ADA standards, including slope, lip, ramp width, and landing area. This data allowed the City to create a list of missing curb ramps and identify what elements of existing curb ramps were out of compliance. The City is in the process of creating and/or fixing curb ramps.

Maintenance. Because the City does not have the staff or resources to monitor the condition of all its facilities, roadways, and parks continually, it relies on reports from citizens to facilitate its maintenance efforts and allows citizens to call City Hall or email City staff. Priority is given to maintenance needs that impact safety and accessibility.