



City of Coachella ADA Self-Evaluation and Transition Plan

Providing Accessible Programs and Facilities under Title II of the Americans with Disabilities Act

September 2025



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1. Introduction

This Title II ADA Self-Evaluation and Transition Plan (SETP or the Plan) for Public Parks and Facilities will support the City of Coachella to fulfill the requirements set forth in Title II of the Americans with Disabilities Act (ADA). The ADA states that a public entity must reasonably modify its policies, practices, or procedures to avoid discrimination against people with disabilities. This Plan will assist the City to remove policy and programmatic barriers to accessibility and will guide the City to develop physical barrier removal solutions.

The public engagement approach and feedback that was received is described in *Section 2 — Public Outreach*.

The evaluation of and recommendations for policies, programs, and services is summarized in *Section 3 — Self-Evaluation: Policies and Procedures* of this document. Section 3 details the review of City policies, services, programs, and activities and is based on responses to a program accessibility questionnaire, which was completed by City Staff.

A description of the evaluation of physical barriers in public parks and other public city facilities and the strategy for the removal of barriers is included in *Section 4 — Transition Plan: Parks and Facilities*.

An overview of the considerations that the City should evaluate and address when implementing barrier removal efforts is provided in *Section 5 — Plan Implementation*.

Section 6: Responsible Employee, Notice Policy, and Grievance Procedure identifies the City's designated Disability Access Coordinator, provides formal notice of nondiscrimination under the ADA, and describes the City's ADA grievance procedure.

Commonly used terms within this document and in the ADA are included in *Section 7 — Definitions*, and *Section 8 — Program Accessibility Guidelines, Standards, and Resources* lists guidelines and resources for addressing the recommendations included in this Plan.

1.1 Legislative Mandate

The ADA is a comprehensive civil rights law for people with disabilities in both employment and the provision of goods and services. The ADA states that its purpose is to provide a "clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities." Congress passed the ADA on July 26, 1990, emphasizing that the intent of the ADA was to dispel stereotypes and assumptions about disabilities and to assure equality of opportunity, full participation, independent living, and economic self-sufficiency for people with disabilities. Title II of the ADA covers programs, activities, and services of public entities. Under the requirements of the ADA:

No qualified individual with a disability shall, on the basis of disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any public entity.¹

Furthermore, Title II of the ADA provides that public entities must identify and evaluate all programs, activities, and services and review all policies, practices, and procedures that govern administration of the entity's programs, activities, and services.² This Plan, and certain documents incorporated by reference establish the City of Coachella's ADA Self-Evaluation and Transition Plan.

Application of Regulations

As a public entity, the City of Coachella is subject to the ADA's Title II Requirements for State and Local Government Programs and Services and is responsible for the provision of accessible programs and facilities that are available without discrimination toward people with disabilities. A fundamental tenet of Title II of the ADA is *"the principle that individuals with disabilities must be provided an equally effective opportunity to participate in or benefit from a public entity's aids, benefits, and services."*³ This principle is referred to as program accessibility.

*A public entity may not deny the benefits of its programs, activities, and services to individuals with disabilities because its facilities are inaccessible. A public entity's services, programs, or activities, when viewed in their entirety, must be readily accessible to and useable by individuals with disabilities. This standard, known as "program accessibility," applies to all existing facilities of a public entity. Public entities, however, are not necessarily required to make each of their existing facilities accessible.*⁴

As a public entity, the City is required to ensure program accessibility for the programs it provides to the public.

Maintaining Accessible Facilities

In addition to providing programmatic access, the City is obligated to maintain all accessible facilities in working order. Exceptions are provided for temporary disruptions. The ADA contains the following language regarding the maintenance of accessible features:

Maintenance of Accessible Features. *Public entities must maintain in working order equipment and features of facilities that are required to provide ready access to individuals with disabilities. Isolated or temporary interruptions in access due to maintenance and repair of accessible features are not prohibited.*

Where a public entity must provide an accessible route, the route must remain accessible and not blocked by obstacles such as furniture, filing cabinets, or potted plants. An isolated instance of placement of an object on an accessible route,

¹ DOJ, Title II Regulations Subpart B § 35.130 General prohibitions against discrimination; and Subpart D, § 35.149 Discrimination prohibited.

² DOJ, Title II Regulations Subpart A § 35.105 Self-evaluation.

³ DOJ, Title II Technical Assistance Manual II-3.3000 Equality in participation/benefits.

⁴ DOJ, Title II Technical Assistance Manual II-5.1000 General.

however, would not be a violation if the object is promptly removed. Similarly, accessible doors must be unlocked when the public entity is open for business.

Mechanical failures in equipment such as elevators or automatic doors will occur from time to time. The obligation to ensure that facilities are readily accessible to and usable by individuals with disabilities would be violated, if repairs are not made promptly or if improper or inadequate maintenance causes repeated and persistent failures.⁵

The City of Coachella has designated a Disability Access Coordinator. The Disability Access Coordinator is responsible for tracking the efforts of the City to comply with Title II and for the coordination and investigation of accessibility-related complaints. The Disability Access Coordinator is also considered a resource for City Departments to achieve ADA compliance and assist with policy and program development to ensure program accessibility.⁶

1.2 Discrimination and Accessibility

This section provides an overview of physical and programmatic accessibility and the basic methods of providing access. Absence of discrimination requires that both types of accessibility be provided.

- Physical accessibility requires that a facility be barrier-free. Barriers include any obstacles that prevent or restrict the entrance to or use of a facility.
- Programs offered by the City to the public must be accessible. Program accessibility requires that individuals with disabilities are provided an equally effective opportunity to participate in or benefit from a public entity's programs and services. Accessibility includes advertisement, orientation, eligibility, participation, testing or evaluation, physical access, provision of auxiliary aids and services, transportation, policies, and communication.

The City may achieve program accessibility by several methods:

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

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

⁵ DOJ, Title II Requirements Subpart B § 36.211 Maintenance of accessible features.

⁶ DOJ, Title II Regulations Subpart B § 35.130 General prohibitions against discrimination, and Subpart D, § 35.149 Discrimination prohibited.

1.3 ADA Self-Evaluation and Transition Plan Requirements and Process

The ADA Self-Evaluation and Transition Plan is intended to provide a framework for the continuous improvement of City programs and facilities for people with disabilities. The Plan is intended to be a living document that is regularly updated as programs and services change, as barriers are removed. This document includes both the programs and activities provided by the City, as well as physical elements in the parks and recreation facilities, and other city-owned or leased facilities provided for use by the public. The public right-of-way is not included in this iteration of the Plan and is intended to be added at a later date.

Self-Evaluation

The ADA Self-Evaluation identifies and makes recommendations to correct policies and practices in programs and services provided by the City that are inconsistent with Title II regulations and result in limited access for people with disabilities. As part of the Self-Evaluation, the City:

- Evaluates services, policies, and practices
- Identifies modifications needed to services, policies, and practices and
- Involves people with disabilities in the self-evaluation process⁷

Programs, activities, and services offered by the City to the public must be accessible for people with and without disabilities. Accessibility applies to all aspects of the programs or services provided by the City, including:

- | | |
|---|---|
| • Notice | • Tours and Trips |
| • Responsible Employee and Grievance Procedure | • Accessible and Adaptive Equipment |
| • Customer Service | • Printed and Online Materials |
| • Staff Training | • Website |
| • Contracting, Licensing, or Other Arrangements | • Televised and Audiovisual Information |
| • Public Meetings | • Telecommunications |
| • Program Participation | • Emergency Planning |
| • Transportation Services | • Facilities |
| | • Accessibility Practices in the Right-of-Way |

The City of Coachella evaluated its internal practices and procedures to determine current levels of service and the extent to which its policies and programs created barriers to accessibility for people with disabilities. Recommended actions for removing barriers to City programs, activities, and services are incorporated as part of this Plan.

⁷ DOJ, Title II Regulations Subpart A § 35.105 Self-evaluation.

Transition Plan

The Transition Plan outlines a strategy for the City's physical facilities to progress toward compliance with the ADA. The Transition Plan identifies physical barriers for people with disabilities and a schedule to remove those barriers over time and must:

- List barriers
- Identify feasible solutions to each barrier
- Establish a timeline for removing barriers
- Identify the person responsible for Title II compliance; and
- Involve people with disabilities in the preparation of the Plan⁸

The City of Coachella completed a physical audit of public parks and city facilities to identify potential facility barriers and identify recommendations and alterations to meet state and federal accessibility standards. The types of facilities evaluated include:

- Community and neighborhood parks
- Buildings where City programs, activities, and services are provided
- Publicly accessible portions of service facilities such as the corporate yard and wastewater treatment center
- City-owned parking lots

At the time of the facility evaluations, the following resources were used to identify barriers in physical facilities:

- 2010 ADA Standards for Accessible Design
- 2022 California Building Code, Chapter 11B (CBC) with July 2024 Supplement
- 2015 Architectural Barriers Act Accessibility Guidelines (ABA) Chapter 10 for Outdoor Developed Areas

Codes and standards are revised every few years. The barrier evaluations conducted provide an assessment of current conditions as viewed by current code and provide a baseline for future barrier removal.

⁸ DOJ, Title II Regulations Subpart D § 35.150 Existing facilities.

2. Public Outreach

Public entities are required to accept comments from interested people, including individuals with disabilities or organizations representing individuals with disabilities, on their ADA Self-Evaluation and Transition Plan. During development of this Plan, people with disabilities, those that provide caretaking, support, or services to people with disabilities, and other interested Coachella residents participated in community stakeholder meetings to offer feedback on the self-evaluation and transition plan development. Feedback was collected during two meetings and one public comment period hosted online. To reach as many parties as possible, stakeholder meetings and public comment periods were advertised to the public through methods that included posting to social media platforms, visiting in-person to non-profits serving the community, and advertising on local radio shows. Each stakeholder feedback opportunity introduced the project and provided an open forum for residents of Coachella to ask questions, make comments, and give input on the prioritization of barriers and the draft plan. Participants shared their opinions and experiences related to City facilities, programs, and services as they relate to the ADA.

2.1 Community Stakeholder Meeting One Summary

On October 24, 2024, the City of Coachella held a hybrid community stakeholder meeting with some participants present at an in-person gathering at the Coachella Civic Center, and others participating virtually through an online meeting platform. The meeting was attended by City staff, consultants, and five Coachella residents representing a diverse array of disabilities and concerns.

Throughout the meeting, some common concerns expressed by the stakeholders included:

- **Routes and public right-of-way** – The need for improvements to pedestrian infrastructure and routes, such as repairing potholes, slippery surfaces on sidewalks, and unsafe curb ramps.
- **More accessible options** – A desire for access to more inclusive playgrounds and public facilities.
- **Transit and mobility** – A desire for expansion of accessibility projects beyond major thoroughfares and streets. For example, stakeholders requested a more extensive transit system, as well as improvements in the public right-of-way on tributary routes that are needed to access the busier main streets from residential areas.

When asked about barrier prioritization, participants preferred the following criteria:

- **Level of use** – more frequently-used facilities to be prioritized over less frequently-used facilities.
- **Program uniqueness** – facilities that host programs and services not available elsewhere to be prioritized over redundant facilities.

- **Complaints and requests** – facilities that are the subject of user complaints and/or requests related to accessibility to be prioritized over facilities that have not received complaints.
- **Access to sites and features** – routes that provide access to the main entrances or features of a site deserve high priority.

Other feedback from the meeting participants included the following:

- Participants want the City to proactively work with K-12 schools and youths with disabilities, since they will become adult members of the community.
- Participants appreciate the fully accessible bus line in the heart of the city.
- Participants emphasize the importance of having other meetings that inform individuals with disabilities about what services and facilities will be accessible and available to them.
- Participants asked questions regarding accessible parking spots that are not located on the closest route to facility entrances.

This feedback has been considered by the City of Coachella and is incorporated into the prioritization framework of this Self-Evaluation and Transition Plan.

2.2 Community Stakeholder Meeting Two Summary

The City of Coachella held a hybrid community stakeholder meeting on April 19, 2025. The meeting was attended in-person by city staff and online by consultants, a Spanish language translator, and one member of the public. The consultants summarized the contents of the Plan, but no comments were received about the Plan or the priorities described.

2.2 Further Comments

The City of Coachella values your opinion regarding this Plan. To share feedback on this Self-Evaluation and Transition Plan, you can contact the City's ADA Coordinator:

Lizzandro Diaz, Building Official and Disability Access Coordinator
 442-400-5751, ldiaz@coachella.org
 53990 Enterprise Way, Coachella, CA 92236

3. Self-Evaluation: Policies and Procedures

Under Title II of the Americans with Disabilities Act (ADA), all programs, activities, and services offered to the public by the City of Coachella must be accessible for people with and without disabilities. Accessibility applies to all aspects of a program or service. Public entities are required to evaluate their programs, activities, and services, make modifications to potentially discriminatory practices, and provide the opportunity for individuals with disabilities or organizations representing people with disabilities to participate in the process. When a public entity has 50 or more employees, it is required to maintain a record of the evaluation, describe the issues identified, describe the modifications made, and list the interested individuals consulted as part of the process.⁹

The self-evaluation process identifies policies and practices that result in limitations to access for people with disabilities and makes recommendations to correct policies and practices that are inconsistent with Title II regulations. As programs and facilities' uses change, intermittent review of accessibility should be conducted. If a public entity is the recipient of Federal Department of Transportation funds, a system for tracking program and service deficiencies and periodically reviewing and updating the self-evaluation is required.¹⁰

The City of Coachella does not currently have written policies or procedures for review as part of the self-evaluation. An Accessible Policies and Procedures Matrix (Appendix B), with guidance for the implementation of new accessible policies, has been provided by MIG. Meanwhile, a staff questionnaire was issued to representatives from 10 City of Coachella departments:

- City Manager's Office
- City Clerk
- Code Enforcement
- Development Services
- Economic Development
- Engineering
- Finance
- Human Resources
- IT Division
- Public Works

The questionnaire asked staff to answer questions regarding current practices and de facto policies within their own department that could impact the accessibility of programs, services, and communications to people with disabilities. The resulting Self-Evaluation Report (Appendix A) provides a point in time assessment of the City's efforts to make its programs, services, and activities accessible to the public, identifies areas for improvement, and makes specific recommendations to align the City's practices with ADA Title II requirements.

A broad overview of the Self-Evaluation Results is provided in Section 3.1 below.

⁹ DOJ, Title II Regulations Subpart A § 35.105 Self-evaluation.

¹⁰ Department of Transportation Title 49, Subpart A § 27.11(c) Compliance Planning.

3.1 Self-Evaluation Results Overview

The self-evaluation questionnaire was organized into the following topic areas based on the requirements of Title II of the ADA:

- Notice
- Responsible Employee and Grievance Procedure
- Customer Service
- Staff Training
- Contracting, Licensing, or Other Arrangements
- Public Meetings
- Program Participation
- Transportation Services
- Tours and Trips
- Accessible and Adaptive Equipment
- Printed and Online Materials
- Website
- Televised and Audiovisual Information
- Telecommunications
- Emergency Planning
- Facilities

Based on the results of the survey, each of these topic areas have been categorized based on the recommended method of improvement. Three primary methods of improvement and the associated topic areas are listed below.

A. Revise Current Policy

Topic areas in this category show signs that an erroneous or ineffective policy may be in place and needs to be revised. Policy revisions are recommended for:

- Customer Service
- Website

B. Create Policy Documentation

Topic areas in this category show signs that staff may not have clear policies in place to ensure accessible programs and services are provided. A lack of documented approaches and resources can result in inconsistent application of Title II provisions. New policies and/or documentation are recommended for:

- Notice
- Responsible Employee and Grievance Procedure
- Contracting, Licensing, or Other Arrangements
- Public Meetings
- Tours and Trips
- Telecommunications
- Emergency Planning
- Facilities

C. Provide Training

Topic areas in this category received responses that indicate that staff may not have a clear understanding of how Title II requirements impact their work, what procedures are in place, and what resources are available to them. Updated training is recommended for:

- Notice
- Responsible Employee and Grievance Procedures
- Staff Training
- Public Meetings
- Printed and Online Materials
- Telecommunications
- Emergency Planning

The City's approach to the remaining topic areas (program participation, transportation services, televised and audiovisual information, and accessibility practices in the public right-of-way) were determined to be in compliance with applicable ADA requirements to the extent that those services are provided by the City.

Many of the omissions in City policies discovered through the staff questionnaire can be resolved with improved communication. City staff need clear communication about accessibility requirements, processes, and resources available to them in order to effectively and consistently deliver accessible programs, activities, and services to the public. Publishing information in an easy-to-find location and providing recurring staff training is recommended to ensure that City staff remain up to date on accessibility policies and can reference written information or reach out for assistance when needed.

Likewise, residents of the City of Coachella need clear communication of the City's intent to uphold Title II of the ADA, its plans to provide improvements where needed, as well as access to information about the policies, facilities, program modifications, adaptive equipment, communication methods, and individualized services available to them upon request. Publishing and updating this information in an easy-to-find location helps residents with disabilities plan their participation in City programs and services with confidence and conveys the City of Coachella's bona-fide commitment to equitable and inclusive practices.

3.2 Next Steps

As the City grows, the need for formal documentation of policies will increase. The City will use the Accessible Policies and Procedures Matrix to guide the creation of new policies that comply with the requirements of the ADA.

The City's ADA Coordinator or designee will follow up with City Department managers to review the Self-Evaluation Report information and Accessible Policies and Procedures Matrix policies relevant to their department and coordinate with the department head or program manager to address the removal of any barriers identified. The City intends to make any necessary changes to policies and procedures within 6 months of the completion of this Plan.

4. Transition Plan: Parks and Facilities

The process of developing an ADA transition plan includes identifying access barriers within the built environment. This Plan is organized into two parts: Parks, and other City facilities.

Detailed evaluation of the City of Coachella’s pedestrian facilities in the public right-of-way (PROW) is not included in this iteration of the ADA Transition Plan. The City anticipates completing right-of-way evaluations within the next 3 years.

4.1 Sites Evaluated

The City of Coachella evaluated City-maintained parks and building facilities between April and May of 2024. The evaluation covered all portions of the exterior and interior features of the sites used by the public. The assessed facilities include public parks and other facilities such as community centers, civic buildings, and leased tenant spaces. Figure 1 on the following page illustrates the location of the parks and facilities listed below.

Parks

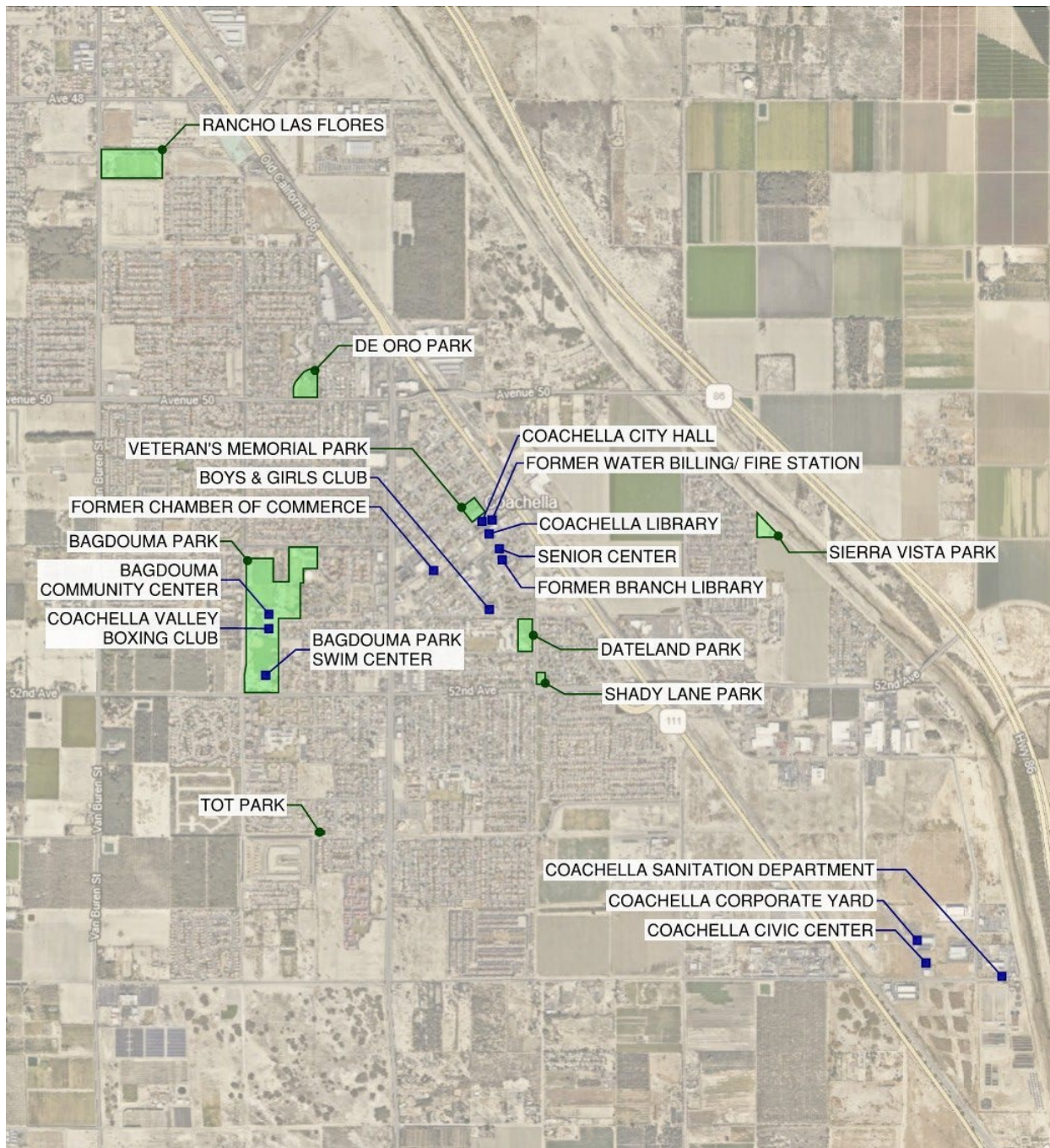
- Bagdouma Park
- Dateland Park
- De Oro Park
- Rancho Las Flores Park
- Tot Lot Park
- Veteran’s Memorial Park
- Shady Lane Park
- Sierra Vista Park

Facilities

- Bagdouma Park Community Center
- Bagdouma Park Swim Center
- Boys & Girls Club
- City Sanitation Department
- Coachella City Hall
- Coachella Civic Center
- Coachella Corporate Yard
- Coachella Library
- Coachella Valley Boxing Club
- Former Branch Library
 1. Main Building
 2. Annex I (Raices Cultura)
 3. Annex II (Latino Commission)
- Former Chamber of Commerce
 1. Area I (El Tranvia)
 2. Area II (The Roaster)
- Former Water Billing/Fire Station (Firehouse Bar & Grill)
- Senior Center

One additional facility, the Community Resiliency Center, was undergoing significant renovations as of the publication of this Plan; compliance with the applicable accessibility standards will be confirmed upon project completion.

FIGURE 1: PARKS AND CITY FACILITIES MAP



The site evaluations were accomplished using a consultant team equipped with measuring devices, City facility information, and evaluation checklists. Details of the assessment results are included in the ADA Facility Barrier Reports under separate cover. The comprehensive site evaluation ADA Facility Assessment Reports are a snapshot of the facility at the time of evaluation. The reports do not necessarily reflect actions that the City must undertake but rather constitute a list of elements that were not consistent with accessibility standards current at the time of the evaluation. The information contained in the ADA Facility Barrier Reports has been incorporated into an ADA Barrier Analysis Excel workbook with companion facility GIS data, which serves as the City's ongoing record of the occurrence and remediation of barriers, to be updated over time as the City removes barriers or finds programmatic solutions to barriers. The record is maintained by the City's ADA Coordinator or designee. In compliance with the requirements of the ADA, the City will maintain in working order features that are required to provide access to individuals with disabilities.

4.2 Accessibility Standards

The following standards were used to evaluate and identify barriers at the parks and citywide facilities:

- 2010 Americans with Disabilities Act (ADA) Standards
- 2022 California Building Code, Chapter 11B (CBC) with July 2024 Supplement
- 2015 Architectural Barriers Act Accessibility Guidelines (ABA)

Codes and standards are revised every few years; The barrier evaluations that are the basis of this Plan provide a baseline for future barrier removal. When construction activities are conducted for accessibility barrier removal, those changes must be designed to comply with the applicable standards at the time that the renovation is undertaken. See Section 4.4 Barrier Removal Schedule for details on the projected timeline.

4.3 Priorities for Barrier Removal

Prioritizing the removal of barriers at City of Coachella facilities is an important component of developing and implementing an ADA transition plan. The following criteria were considered in the schedule for removing barriers:

- **Level of Use***: Facilities that have a high level of public use are a higher priority.
- **Complaints or Requests***: Facilities that have received access-related complaints or requests are prioritized over facilities that have not.
- **Program Uniqueness***: Facilities with unique features or program areas are prioritized over more general-use facilities.
- **Planned Projects**: Include ADA upgrades in capital improvement projects that are already planned to avoid redundant efforts.

Criteria marked with an asterisk were selected by the stakeholder feedback group.

The prioritization process applied was as follows:

- **Level of Use:** Park and facilities will be ranked in order of most highly used (1) to least used (8th place for parks, or 13th place for facilities).
- **Complaints or Requests:** Parks and facilities will be scored on a scale of 1-3:
 1. Facility receives frequent complaints and requests related to accessibility.
 2. Facility has been the subject of a few complaints and requests related to accessibility.
 3. Facility has not been the subject of complaints and requests related to accessibility.
- **Program Uniqueness:** Parks and facilities will be scored on a scale of 1-3:
 1. Facility has a unique feature or program area that is not available at any other location.
 2. Facility has an uncommon feature or program area with limited availability at other locations.
 3. Facility has common features or program areas that are also available elsewhere.
- **Planned Projects:** For facilities with planned projects, such as renovations or replacements, ADA-compliant accessibility improvements will be scheduled to be conducted as part of the planned project. An estimated completion year or time range for the planned project is indicated on Tables 1 and 2 in Section 4.4: Barrier Removal Schedule.

After the facilities had been ranked according to criteria above, the City adjusted the schedule to distribute the anticipated financial burden of improvements relatively evenly across plan years. Access to funding, such as grant opportunities that become available for a specific facility in the future, may boost the facility up in the schedule. Additionally, the City may choose to leverage items that could be accomplished at all facilities regardless of rank. For example, if the City can contract parking lot striping for all facilities that need new striping, or if signage can be bulk ordered for all facilities, then the City may move to replace all instances of one element at one time.

4.4 Barrier Removal Schedule

This Transition Plan proposes a 10-year strategy for removing barriers that limit program accessibility at City facilities. The City will accomplish barrier removals in its facilities either through policy and procedure modifications to remove programmatic barriers, or maintenance and construction projects to remove physical barriers. Starting in 2025, the City will initiate maintenance and construction projects for barrier removal in two-year increments based on established priorities developed using the criteria and prioritization process described in Section 4.3. The barrier removal schedule for parks and other City facilities is summarized in Tables 1 and 2 on the following pages.

TABLE 1: PARK BARRIER REMOVAL SCHEDULE

Park Name	2025 - 2026	2027 - 2028	2029 - 2030	2031 - 2032	2033 - 2034	2035 +
Bagdouma Park		X				
Dateland Park			X			
De Oro Park			X			
Rancho Las Flores Park	X*					
Shady Lane Park				X		
Sierra Vista Park	X *					
Tot Park					X	
Veteran's Memorial Park						X

* Items marked with an asterisk are prioritized based on planned projects

TABLE 2: FACILITY BARRIER REMOVAL SCHEDULE

Facility Name	2025 - 2026	2027 - 2028	2029 - 2030	2031 - 2032	2033 - 2034	2035 +
Bagdouma Park Community Center	X*					
Bagdouma Park Swim Center					X	
Boys & Girls Club				X		
City Sanitation Department						X
Coachella City Hall		X				
Coachella Civic Center			X			
Coachella Corporate Yard						X
Coachella Library					X	
Coachella Valley Boxing Club				X		
Former Branch Library (Raices Cultura, Latino Commission)	X*					
Former Chamber of Commerce (El Tranvia, The Roaster)					X	
Former Water Billing / Fire Station (Firehouse Bar & Grill)						X
Senior Center			X			

* Items marked with an asterisk are prioritized based on planned projects

The City reserves the right to modify barrier removal priorities to allow flexibility in accommodating community requests, petitions for reasonable modifications from people with disabilities, changes in City programs, and funding opportunities and constraints. The ADA Title II regulations state that if a transition plan takes more than one year to fully implement, it must contain interim steps to provide program accessibility. Because the City is working with a 10-year timeline, interim measures may be implemented to provide better access for the public pending the completion of major physical barrier removal projects. The City intends to pursue a variety of interim measures for providing interim access to programs, services and activities, including:

- Relocation of a program to an accessible facility
- Installation of directional signs
- Installation of a power door or lift
- Adjustments to operating mechanisms
- Temporary modifications that increase access
- Other actions that enable better access.

It is assumed that as facility barriers are evaluated in greater detail as part of future projects and complaints, some of the barriers may fall within the safe harbor provisions or other exceptions described in Section 5 — Plan Implementation.¹¹ After programmatic modifications and maintenance issues are resolved, and barriers falling within safe harbor provisions are identified, the City will then update the inventory of barriers and, if applicable, revise the schedule for removal of the remaining barriers.

¹¹ Facilities that are subject to safe harbor provisions under the ADA may remain in their current condition until the City plans to alter those facilities. Future accessibility improvements at these sites may be considered on a case-by-case basis. See Section 5.2 of this document for more discussion of safe harbor provisions.

5. Plan Implementation

Title II of the ADA requires a public entity to “operate each service, program or activity so that the service, program or activity, when viewed in its entirety, is readily accessible to and usable by individuals with disabilities.”¹² This requirement does not:

- Necessarily require a public entity to make each of its existing facilities accessible to and usable by individuals with disabilities
- Require a public entity to take any action that would threaten or destroy the historic significance of an historic property; or
- Require a public entity to take any action that it can demonstrate would result in a fundamental alteration in the nature of a service, program, or activity or impose undue financial and administrative burdens.

The City will accomplish barrier removals with two strategies: policy and procedure modifications to remove programmatic barriers to be coordinated by the City’s Disability Access Coordinator, and maintenance and construction projects to remove structural barriers to be coordinated by the Department heads over the operating areas in which the structural barriers exist.

5.1 Triggers for Barrier Removal

The responsibility for ensuring barrier removal will reside with the Disability Access Coordinator, or designee. Two conditions determine when barriers must be removed: to provide access to programs, activities, and services, and when a facility is altered.

Program Accessibility

A public entity must ensure that individuals with disabilities are not excluded from services, programs, and activities because existing buildings are inaccessible. A state or local government’s programs, when viewed in their entirety, must be readily accessible to and usable by individuals with disabilities. Public entities do not necessarily have to make each of their existing facilities accessible. They may provide program accessibility through several methods including alteration of existing facilities, acquisition or construction of additional facilities, relocation of a service or program to an accessible facility, or provision of services at alternate accessible sites.

Facility Alterations

The City is also required to remove physical barriers when it alters a facility. Alterations are defined in the ADA standards §106.5 as “a change in a building or facility that affects or could affect the usability of a building or facility or portion thereof.” Many types of projects are considered alterations, including remodeling, renovation, rehabilitation, reconstruction, restoration, resurfacing of circulation paths or vehicular ways, and changes or rearrangement of structural parts, elements, or walls. Normal maintenance, reroofing, painting or wallpapering, or changes to mechanical and electrical systems are not considered alterations *unless they affect a*

¹² DOJ, Title II Regulations Subpart D § 35.150 Existing facilities.

facility's usability. For example, a project limited to an HVAC system that includes the addition of thermostats would affect a facility's usability because it involves elements (operable parts) covered by the standards.

The ADA specifies that additional path of travel improvements are not required where alterations are performed solely for the purpose of barrier removal when undertaken pursuant to the requirements of the ADA.¹³

The standards ensure that opportunities for accessibility presented by an alteration are taken. How and to what extent the standards apply is determined by the scope of a project and the elements and spaces altered. Only those elements or spaces altered are required to comply, but alterations made to areas containing a primary function (a major activity for which a facility is intended) also require an accessible path of travel.

When altering a primary function area, the ADA requires that existing barriers in the path of travel to this area must be removed to the maximum extent that is technically feasible, as long as the costs are not disproportionate to the overall project cost. Path of travel elements include, but are not limited to restrooms, doors, telephones, drinking fountains, and the route itself. The expense for making these additional elements accessible is considered disproportionate if it exceeds 20 percent of construction costs; therefore, the additional amount an agency is required to spend on construction costs for path of travel improvements would be a maximum of 20 percent. In the event that a completely accessible path of travel cannot be provided within the 20% limit, the ADA provides a list describing the order in which elements should be prioritized:

1. An accessible entrance
2. An accessible route to the altered area
3. At least one accessible restroom for each gender or a single gender-neutral restroom
4. Accessible telephones
5. Accessible drinking fountains
6. When possible, additional accessible elements such as parking, storage, and alarms

Note that in California, a similar provision requires improvements to the accessible path of travel to the altered area when conducting a renovation over a certain size, known as the valuation threshold. California's valuation threshold is updated annually and can be found on the Division of the State Architect (DSA) website.¹⁴

¹³ See "State and Local Government Facilities: Guidance on the Revisions to 28 CFR 35.151" subsection in *Guidance on the 2010 ADA Standards for Accessible Design*

<https://www.ada.gov/regs2010>

¹⁴ See DSA Procedure [PR 15-01](#) for details on documentation required for path of travel upgrades

Public Right-of-Way Alterations and New Construction

In an alteration or new construction project in the public right-of-way, the City must incorporate ADA accessibility standards to the maximum extent feasible.¹⁵ As part of the Plan's implementation, the City's Public Works Department should document all design exceptions.

The ADA Title II toolkit incorporates the following guidance about sidewalks and curb ramps:

- When pre-ADA streets or sidewalks are altered, space limitations may restrict the ability to install accessible curb ramps. In these cases, the installed curb ramps must comply with the ADA to the maximum extent feasible, but there are still requirements to meet.
- In rare instances when it is technically infeasible to install a fully compliant curb ramp during alterations to pre-ADA roadways and walkways because of physical or site constraints, state and local governments must still provide accessibility to the maximum extent feasible. Before reaching a conclusion about technical infeasibility, public entities should consider the extent to which physical or site constraints can be addressed by alternative curb ramp designs. The burden of proving technical infeasibility lies with the state or local government that constructed it.
- When highways, streets, and roads are built or altered post-ADA, they must have curb ramps at certain locations: wherever there are curbs or other barriers to entry from a pedestrian walkway or sidewalk, wherever there are curbs or other barriers to entry at any designated pedestrian crosswalks that are located mid-block, wherever sidewalks or walkways intersect with highways, streets, or roads and pedestrians may legally cross the vehicular way, and at public transportation stops.
- For pre-ADA highways, streets, roads, and sidewalks that have not been altered, public entities may choose to construct curb ramps at every point where a pedestrian walkway intersects a curb, but they are not necessarily required to do so. Alternative routes to buildings may be acceptable where people with disabilities must travel only a marginally longer route than the general public.

Roadway Alterations and Maintenance

The DOJ, in coordination with the US Department of Transportation, specifies that public agencies are required to provide curb ramps or upgrade curb ramps whenever roadways are altered. An alteration is a change that affects or could affect the usability of all or part of a building or facility. Alterations of streets, roads, or highways include activities such as reconstruction, rehabilitation, resurfacing, widening, and projects of similar scale and effect per the 2010 ADA Standards, § 106.5). In July of 2013, the *"Department of Justice/Department of Transportation Joint Technical Assistance on the Title II of the Americans with Disabilities Act Requirements to Provide Curb Ramps when Streets, Roads, or Highways are Altered through Resurfacing,"* document further articulated maintenance activities on streets, roads, or

¹⁵ DOJ, Title II Regulations Subpart D § 35.151(b) Alterations.

highways, such as filling potholes, are not alterations and do not trigger barrier removal. The list below distinguishes between roadway alterations versus maintenance activities:

Alteration

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

Maintenance

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

5.2 Exceptions to Barrier Removal

The City is not required to remove barriers identified within a City-owned facility as part of the transition plan:

- Where programmatic modifications can be made to provide an equivalent experience
- Where there are nearby and available equivalent accessible features
- Where there are no public programs or activities provided at that portion of the site; or
- When safe harbor conditions are met

The following sections describe some specific exceptions to barrier removal requirements in further detail.

Safe Harbor Provisions

The 2010 Standards introduced the concept of safe harbor, a new exception that allows facilities built prior to March 15, 2012, and that were in compliance with the 1991 ADA Standards to remain as-is until a public entity plans an alteration to the structural feature.¹⁶

This safe harbor is not a blanket exemption for facilities. If a public entity undertakes an alteration to a primary function area, only the required elements of a path of travel to that area that already comply with the 1991 Standards are subject to the safe harbor. If a public entity undertakes an alteration to a primary

¹⁶DOJ, Title II Regulations Subpart D § 35.150(b)(2)(i) Safe harbor.

function area and the required elements of a path of travel to the altered area do not comply with the 1991 Standards, then the public entity must bring those elements into compliance with the 2010 Standards.¹⁷

This exception applies to elements that might otherwise have to be modified under:

- The program access requirement for public entities
- The readily achievable barrier removal requirements for places of public accommodation; or
- The path of travel requirement for any alteration that affects the usability of a primary function area in any covered facility.

If a public entity constructed or altered required elements of a path of travel in accordance with the specifications in either the 1991 ADA Standards or the Uniform Federal Accessibility Standards before March 15, 2012, the public entity is not required to retrofit such elements to reflect incremental changes in the 2010 Standards solely because of an alteration to a primary function area served by that path of travel. The 2010 Standards also identify structural elements that do not fall under the safe harbor provision.¹⁸

Historic Buildings and Facilities

Alterations to a qualified historic building or facility must comply with the 2010 ADA Standards.¹⁹ A qualified historic property is one that is listed in or eligible for listing in the National Register of Historic Places or is designated as historic under state or local law.

Barrier removals at City historic properties should be done in full compliance with the alteration standards for other types of buildings to the maximum extent feasible. However, if following the usual standards would threaten or destroy the historic significance of a building or site feature, as determined by the State Historic Preservation Office, exceptions can apply.²⁰

Technical Infeasibility

It is also possible that an alteration is technically infeasible. Compliance for an alteration is not required where it is “technically infeasible.” The term is defined as “something that has little likelihood of being accomplished because existing structural conditions would require removing or altering a load-bearing member that is an essential part of the structural frame; or because other existing physical or site constraints prohibit modification or addition of elements, spaces, or features that are in full and strict compliance with the minimum requirements.”²¹ Where

¹⁷ DOJ, Title II Regulations Subpart D § 35.151(b)(4)(ii)(C) Safe harbor.

¹⁸ DOJ, Title II Regulations Subpart D § 35.150(b)(2)(ii)

¹⁹ DOJ, Title II Regulations Subpart D § 35.151(b) Alterations; see also ADAAG at 36 CFR part 1191; Section 4.1.7 Accessible Buildings: Historic Preservation.

²⁰ DOJ, 2010 ADA Standards for Accessible Design: §206.2.1, Ex. 1, §206.2.3, Ex. 7, §206.4, Ex. 2, and §213.2, Ex. 2.

²¹ Access Board. “Guide to the ADA Standards – Chapter 2: Alterations and Additions”
<https://www.access-board.gov/guidelines-and-standards/buildings-and-sites/about-the-ada-standards/guide-to-the-ada-standards/chapter-2-alterations-and-additions>

technical infeasibility is encountered, compliance is still required to the maximum extent technically feasible.²²

Undue Burden

The City is not required to take any action that it can demonstrate would result in a fundamental alteration in the nature of its program or activity, would create a hazardous condition resulting in a direct threat to the participant or others, or would represent an undue financial and administrative burden.²³

A determination of undue financial or administrative burden can only be made by the head of a department or his or her designee and must be accompanied by a written statement of the reasons for reaching that conclusion. The determination that undue burdens would result must be based on all resources available for use by the City. If an action would result in such an alteration or such burdens, the City must take any other action that would not result in such an alteration or such burdens but would nevertheless ensure that individuals with disabilities receive the benefits and services of the program or activity.

²² 2010 Americans with Disabilities Act Standards § 202.3 Alterations.

²³ DOJ, Title II Regulations Subpart D § 35.150 Existing facilities and Subpart E § 35.164 Duties.

6. Responsible Employee, Notice Policy, and Grievance Procedure

Title II of the ADA requires a state or local government agency that employs 50 or more people to designate at least one employee to coordinate the City's efforts to implement the plan and provide the name, office address, and telephone number of the staff responsible. Additionally, the City must establish and publish a grievance procedure and provide notice to the public with information on the protections against discrimination under the ADA.²⁴

6.1 Disability Access Coordinator Roles and Responsibilities

The Disability Access Coordinator is responsible for organizing and communicating the City's efforts to comply with and fulfill its responsibilities under Title II of the ADA, as well as all other applicable state and federal laws. The Disabilities Access Coordinator's responsibilities include investigating complaints that the City has engaged in any action prohibited by Title II. The City has designated an employee to fulfill these responsibilities.

6.2 Notice Under the Americans with Disabilities Act

Title II regulations require the City to inform the public of the rights and protections provided by the ADA for access to public programs, services, and activities. It is the obligation of the head of the public entity to determine the most effective way of providing notice to the public about their rights and the public entity's responsibilities under the ADA. Publishing and publicizing the ADA notice, such as the following, is not a one-time requirement. Public agencies should provide the information on an ongoing basis and update the information whenever necessary. The following is the City of Coachella's current notice under the ADA.

Notice Under the Americans with Disabilities Act

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

Employment: The City 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 will generally, upon request with adequate notice, 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 ways of making information and communications accessible to people who have speech, hearing, or vision disabilities.

Modifications to Policies and Procedures: The City will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy

²⁴ DOJ, Title II Regulations Subpart A § 35.107 Designation of responsible employee and adoption of grievance procedures.

all of its programs, services, and activities. For example, individuals with service animals are welcomed in City offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the City should contact the office of the Disability Access Coordinator as soon as possible but no later than 48 hours before the scheduled event.

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.

Complaints that a program, service, or activity of the City is not accessible to persons with disabilities should be directed to:

Lizzandro Diaz, Building Official and Disability Access Coordinator
442-400-5751, ldiaz@coachella.org
53990 Enterprise Way, Coachella, CA 92236

The City 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.

6.3 ADA Complaint and Grievance Procedure

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of non-employment- related services, activities, programs, or benefits by the City of Coachella ("City"). Employees and applicants for employment with the City should follow the City's Personnel Policies and applicable Collective Bargaining Agreements to file employment-related complaints alleging disability discrimination.

ADA Complaints

Complaints that a program, service, or activity of the City of Coachella is not accessible to people with disabilities should be directed to

Lizzandro Diaz, Building Official and Disability Access Coordinator,
442-400-5751, ldiaz@coachella.org
53990 Enterprise Way, Coachella, CA 92236.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint will be made available for people with disabilities upon request.

Grievance Procedure

Within 15 calendar days after receipt of the complaint, the Disability Access Coordinator or designee will meet with the complainant to discuss the complaint and the possible resolutions.

Within 15 calendar days of the meeting, the Disability Access Coordinator or designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the City and offer options for substantive resolution of the complaint.

If the response by the Disability Access Coordinator or designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the City Manager or designee.

Within 15 calendar days after receipt of the appeal, the City Manager or designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the City Manager or designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

Timelines for responding to a complaint may be extended at any step of the process when the Disability Access Coordinator or City Manager determines that such an extension is needed to effectively investigate or resolve the complaint. Complainants will be notified of such extensions,

All written complaints received by the Disability Access Coordinator or designee, appeals to the City Manager or designee, and responses from these two offices will be retained by the City for at least five years.

7. Definitions

The following is a summary of many definitions found in this document and within the ADA. Please refer to the Americans with Disabilities Act for the full text of definitions and explanations.²⁵

Accessible. A site, building, facility, or portion thereof is deemed accessible when it is approachable and usable by persons with disabilities in compliance with technical standards adopted by the relevant Administrative Authority.

Administrative Authority. A governmental agency that adopts or enforces regulations and guidelines for the design, construction, or alteration of buildings and facilities.

Alteration in the Public Right-of-Way. A change to an existing facility that affects or could affect pedestrian access, circulation, or use. Alterations include, but are not limited to, resurfacing, rehabilitation, reconstruction, historic restoration, or changes or rearrangement of structural parts or elements of a facility.

Alternative Text. Refers to the text equivalent for an image appearing in an online document. It is read by screen readers in place of the image so that the content and function of the image is accessible to people with visual or certain cognitive disabilities.

Auxiliary Aids and Services. Refers to ways to communicate with people who have communication disabilities such as blindness, vision loss, deafness, hearing loss, a combination of vision and hearing loss or speech or language disorders. The key to deciding what aid or service is needed to communicate effectively with people with disabilities and their companions is to consider the nature, length, complexity, and context of the communication as well as the person's normal method(s) of communication. Auxiliary aids and services include the use of interpreters, notetakers, readers, assistive listening systems, captioning and TTYs or the provision of alternate formats such as braille, ASCII text, large print, recorded audio and electronic formats like CDs and DVDs.

Blended Transition. A raised pedestrian street crossings, depressed corners, or similar connections between the pedestrian access route at the level of the sidewalk and the level of the pedestrian street crossing that have a grade of 5 percent or less.

Clear Ground Space. The minimum unobstructed ground space required to accommodate a single, stationary wheelchair and occupant. Clear ground space provides a location for a wheelchair user to approach and make use of an element.

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

Cross Slope. The grade that is perpendicular to the direction of pedestrian travel. On a sidewalk, cross slope is measured perpendicular to the curb line or edge of the street or highway.

Curb Line. A line at the face of the curb that marks the transition between the curb and the gutter, street, or highway.

²⁵ DOJ, Title II Regulations Subpart A § 35.104 Definitions.

Curb Ramp. A ramp that cuts through or is built up to the curb. Curb ramps can be perpendicular or parallel, or a combination of parallel and perpendicular ramps.

Disability. The term disability means, with respect to an individual:

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

Disability Access Coordinator. The individual responsible for coordinating the efforts of the government entity to comply with Title II and investigating any complaints that the entity has violated Title II. Also known as Disability Access Manager, ADA Coordinator or Accessibility Manager.

Discrimination on the Basis of Disability. Discrimination on the basis of disability means to:

- Limit, segregate, or classify a citizen in a way that may adversely affect opportunities or status because of the person's disability
- Limit, segregate, or classify a participant in a program or activity offered to the public in a way that may adversely affect opportunities or status because of the participant's disability
- Participate in a contract that could subject a qualified citizen with a disability to discrimination
- Use any standards, criteria, or methods of administration that have the effect of discriminating on the basis of disability
- Deny equal benefits because of a disability
- Fail to make reasonable modifications to known physical or mental limitations of an otherwise qualified individual with a disability unless it can be shown that the modification would impose an undue burden on the City's operations
- Use selection criteria that exclude otherwise qualified people with disabilities from participating in the programs or activities offered to the public; and
- Fail to use tests, including eligibility tests, in a manner that ensures that the test results accurately reflect the qualified applicant's skills or aptitude to participate in a program or activity.²⁶

Effective Communication. Communication with people who have vision, hearing, and/or speech disabilities is equally effective as communication with people without disabilities.

Element. An architectural or mechanical component of a building, facility, space, site, or public right-of-way.

²⁶ DOJ, Title II Regulations Subpart B § 35.130 General prohibitions against discrimination.

Facility. All or any portion of buildings, structures, improvements, elements, and pedestrian or vehicular routes located in the public right-of-way.

Fundamental Alteration. A modification that is so significant that it alters the essential nature of the goods, services, facilities, privileges, advantages, or accommodations offered. If a public entity can demonstrate that the modification would fundamentally alter the nature of its service, program, or activity, it is not required to make the modification. If a public accommodation (private entity) can demonstrate that a modification would fundamentally alter the nature of the goods, services, facilities, privileges, advantages, or accommodations it provides, it is not required to make the modification.

Grade. The degree of inclination of a surface. Refer to Slope. In public right-of-way, grade is the slope parallel to the direction of pedestrian travel.

Grade Break. The line where two surface planes with different grades meet.

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

International Symbol of Accessibility (ISA). The ISA is recognized worldwide as a symbol identifying accessible elements and spaces. Standards issued under the ADA and ABA Standards reference and reproduce the ISA to ensure consistency in the designation of accessible elements and spaces. Uniform iconography promotes legibility, especially for people with low vision or cognitive disabilities. Guidance on use of the ISA under the ADA is available at <https://www.access-board.gov/files/aba/guides/ISA-guidance.pdf>

Maintenance. Routine or periodic repair of all pedestrian facilities to restore them to the standards to which they were originally designed and built. Maintenance does not change the original purpose, intent, or design of public sidewalks, shared-use paths, curb ramps, crosswalks, pedestrian islands, or other public walkways.

Operable Part. A component of an element used to insert or withdraw objects, or to activate, deactivate, or adjust the element. The technical requirements for operable parts apply to operable parts on accessible pedestrian signals and pedestrian pushbuttons and parking meters and parking pay stations that serve accessible parking spaces.

Other Power-Driven Mobility Device (OPDMD). Any mobility device powered by batteries, fuel, or other engines that is used by individuals with mobility disabilities for locomotion and designed to operate in areas without defined pedestrian routes.

Path of Travel. A path of travel is a continuous, unobstructed way of pedestrian passage by means of which a newly constructed or altered area may be approached, entered, and exited and which connects an area with an exterior approach (including sidewalks, streets, and parking areas), an entrance to the facility and other parts of a facility. An accessible path of travel may consist of walks and sidewalks, curb ramps and other interior or exterior pedestrian ramps; clear floor paths through lobbies, corridors, rooms, and other improved areas; parking access aisles; elevators and lifts; or a combination of these elements. Within the context of alterations, path of travel also includes restrooms, telephones and drinking fountains serving the altered area.

Primary Function. A major activity for which a facility is intended. Areas that contain a primary function include, but are not limited to, the dining area of a cafeteria, the meeting rooms in a conference center, as well as offices and other work areas in which the activities of the public entity using a facility are carried out.

Program Accessibility. A public entity's services, programs, or activities, when viewed in their entirety, must be readily accessible to and useable by individuals with disabilities.

Public Entity. Any state or local government; any department, agency, special-purpose district, or other instrumentality of a state or local government.

Public Right-of-Way. Public land or property, usually in interconnected corridors, that is acquired for or dedicated to transportation purposes.

Qualified Historic Facility. A facility that is listed in or eligible for listing in the National Register of Historic Places or designated as historic under an appropriate state or local law.

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

Reasonable Modification. A public entity must modify its policies, practices, or procedures to avoid discrimination unless the modification would fundamentally alter the nature of its service, program, or activity.²⁷

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

Running Slope. The grade that is parallel to the direction of pedestrian travel.

Scoping. Requirements that specify what features are required to be accessible and, where multiple features of the same type are provided, how many of the features are required to be accessible.

Service Animal. Service animals are dogs (and in certain circumstances, miniature horses) that are individually trained to perform tasks for people with disabilities. Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, alerting, and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, calming a person with Post-Traumatic Stress Disorder (PTSD) during an anxiety attack, or performing other duties. Service animals are working animals, not pets. The work or task a dog has been trained to provide must be directly related to the person's disability. Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA.

²⁷ DOJ, Title II Regulations Subpart B § 35.130 General prohibitions against discrimination.

Title II regulations now include assessment factors to assist public entities in determining whether miniature horses can be accommodated as service animals in their facilities:

- Whether the miniature horse is housebroken
- Whether the miniature horse is under the owner's control
- Whether the facility can accommodate the miniature horse's type, size, and weight; and
- Whether the miniature horse's presence will compromise legitimate safety requirements necessary for safe operation of the facility.

Slope. Ground surface that forms a natural or artificial incline. Slope is typically conveyed as either a percentage or a ratio that represents the change in elevation between two points of an incline divided by the horizontal distance between the two points.

- Cross Slope: The slope that is perpendicular to the direction of travel.
- Running Slope: The slope that is parallel to the direction of travel.

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

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

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

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

Technical Standards. Specify the design criteria for accessible features, including the specific numbers, conditions, and measurements that are required.

Technically Infeasible. With respect to an alteration of a building or a facility, something that has little likelihood of being accomplished because existing structural conditions would require removing or altering a load-bearing member that is an essential part of the structural frame; or because other existing physical or site constraints prohibit modification or addition of elements, spaces or features that are in full and strict compliance with the minimum requirements.

Telecommunications Display Device (TDD). A telecommunications display device for the deaf (TDD) is an electronic device for text communication via a telephone line, used when one or more of the parties has hearing or speech difficulties. Other names for TDD include TTY.

Telecommunications Relay Service (TRS) or 711. The free, nationwide telecommunications relay service, reached by calling 711, uses communications assistants who serve as intermediaries between people who have hearing or speech disabilities who use a text telephone (TTY) or text messaging and people who use standard voice telephones. The communications assistant tells the telephone user what the other party is typing and types to tell the other party what the telephone user is saying. TRS also provides speech-to-speech transliteration for callers who have speech disabilities.

Text Telephone (TTY). Teletypewriters or text telephones have a keyboard and a visual display for exchanging written messages over the telephone. The ADA established a free, nationwide relay network to handle voice-to-TTY and TTY-to-voice calls, which is reached by calling 711. TTY is a more general term for teletypes but is often referred to as TDD.

Vertical Surface Discontinuities. Vertical differences in level between two adjacent surfaces.

Video Relay Service (VRS). Video relay service (VRS) is a free, subscriber-based service for people who use sign language and have videophones, smart phones, or computers with video communication capabilities. For outgoing calls, the subscriber contacts the VRS interpreter, who places the call and serves as an intermediary between the subscriber and a person who uses a standard voice telephone. The interpreter tells the telephone user what the subscriber is signing and signs to the subscriber what the telephone user is saying.

Wheeled Mobility Device. A manually operated or power-driven device designed primarily for use by an individual with a mobility disability for the main purpose of indoor or of both indoor and outdoor locomotion. Also referred to as a manual wheelchair, a power wheelchair, or an electric scooter.

8. Program Accessibility Guidelines, Standards, and Resources

8.1 Federal, State, and Local Laws, Standards, and Ordinances

Americans with Disabilities Act (ADA) Title II Regulations

Nondiscrimination on the Basis of Disability in State and Local Government Services.

<https://www.ecfr.gov/current/title-28/chapter-I/part-35>

U.S. Department of Justice Civil Rights Division, Disability Rights Section

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

- Title II Technical Assistance Manual (1993) and Yearly Supplements.
<http://www.ada.gov/taman2.html>
- Accessibility of State and Local Government Websites to People with Disabilities. 2003.
<https://www.ada.gov/websites2.htm>
- ADA Best Practices Tool Kit for State and Local Governments. 2008.
<https://www.ada.gov/pcatoolkit/abouttoolkit.htm>
- ADA Guide for Small Towns. 2000. <http://www.ada.gov/smtown.htm>
- The ADA and City Governments: Common Problems. 2000.
<http://www.ada.gov/comprob.htm>
- ADA Requirements: Effective Communication. 2014. <https://www.ada.gov/effective-comm.htm>
- ADA Requirements: Service Animals. 2010.
https://www.ada.gov/service_animals_2010.htm
- ADA Information for Law Enforcement. 2008. <http://www.ada.gov/policeinfo.htm>
- Commonly Asked Questions About the ADA and Law Enforcement. 2006.
http://www.ada.gov/q&a_law.htm
- Communicating with People Who are Deaf or Hard of Hearing: ADA Guide for Law Enforcement Officers. 2006. <http://www.ada.gov/lawenfcomm.htm>
- Model Policy for Law Enforcement on Communicating with People Who are Deaf or Hard of Hearing. 2006. <http://www.ada.gov/lawenfmodpolicy.htm>
- Questions and Answers: The ADA and Hiring Police Officers. 1997.
<http://www.ada.gov/copsq7a.htm>
- ADA Requirements: Wheelchairs, Mobility Aids and Other Power-Driven Mobility Devices. 2014. <https://www.ada.gov/opdmd.htm>

- An ADA Guide for Local Governments: Making Community Emergency Preparedness and Response Programs Accessible to People with Disabilities. 2008.
<https://www.ada.gov/emergencyprepguide.htm>
- Access for 9-1-1 and Telephone Emergency Services. 1998.
<http://www.ada.gov/911ta.htm>
- The Americans with Disabilities Act and Other Federal Laws Protecting the Rights of Voters with Disabilities. 2014.
https://www.ada.gov/ada_voting/ada_voting_ta.htm
- ADA Checklist for Polling Places. 2016.
<https://www.ada.gov/votingchecklist.htm#toc1>

U.S. Access Board

The Access Board is an independent federal agency that promotes equality for people with disabilities through leadership in accessible design and the development of accessibility guidelines and standards. Created in 1973 to ensure access to federally funded facilities, the Board is now a leading source of information on accessible design. The Board develops and maintains design criteria for the built environment, transit vehicles, information and communication technology, and medical diagnostic equipment under the Americans with Disabilities Act of 1990 (ADA) and other laws. It also provides technical assistance and training on these requirements and on accessible design and continues to enforce accessibility standards that apply to federally funded facilities under the Architectural Barriers Act of 1968 (ABA).
<https://www.access-board.gov/>

State of California

The State of California Department of Consumer and Business Services, Building Codes Division establishes the standards for construction through the California Structural Specialty Code adopted pursuant to OAR chapter 918, division 8. As of the writing of this document, California's provisions for accessibility standards for new construction are the 2022 California Specialty Structural Code, Chapter 11, the ICC/ANSI A117.1-2017 Accessible and Usable Buildings and Facilities incorporated by reference, and the California Transportation Commission Standards for Accessible Parking Places dated August 2018. Existing buildings fall under the 2021 California Existing Building Code (OEBC) and California Revised Statute (ORS) 447.241: "Standards for renovating, altering or modifying certain buildings." Because building codes are updated every few years, the City should regularly review changes and update policies and procedures related to accessibility to ensure compliance with current code. <https://www.California.gov/bcd/codes-stand/pages/index.aspx>

8.2 Guidance Documents and Articles – Creating Accessible Documents

Adobe Software

- Creating Accessible Adobe PDF Files. <https://helpx.adobe.com/acrobat/using/creating-accessible-pdfs.html>
- Create and verify PDF accessibility (Acrobat Pro). <https://helpx.adobe.com/acrobat/using/create-verify-pdf-accessibility.html>
- Other Acrobat training. <https://experienceleague.adobe.com/en/docs/document-cloud-learn/acrobat-learning/advanced-tasks/accessibility-series/accessibility-series>

American Council of the Blind (ACB)

Best Practices and Guidelines for Large Print Documents used by the Low Vision Community. 2011. <http://acb.org/large-print-guidelines>

Braille Authority of North America and the Canadian Braille Authority

Guidelines and Standards for Tactile Graphics (Web Version). 2012. <http://www.brailleauthority.org/tg/web-manual/tgmanual.html>

GSA Government-wide Section 508 Accessibility Program

Create Accessible Electronic Documents (a compilation of federal guidance, checklists, and testing information for creating and maintaining accessible documents in various popular electronic formats, including Word, PDF, Excel, and PowerPoint). <https://www.section508.gov/create/>

Social Security Administration, Accessibility Support

Accessibility Resources for Document Authors. 2025. https://www.ssa.gov/accessibility/document_resources.html

University of Washington

Creating Accessible Documents. <https://www.washington.edu/accessibility/documents/>

8.3 Guidance Documents and Articles – Web Design

National Center for Accessible Media (NCAM)

NCAM is a research and development facility dedicated to addressing barriers to media and emerging technologies for people with disabilities in their homes, schools, workplaces, and communities. NCAM is part of the Media Access Group at Boston public broadcaster WGBH, which includes two production units, The Caption Center and Descriptive Video Service (DVS). Tools and guidelines for creating accessible digital media can be found on the NCAM website. <https://www.wgbh.org/foundation/ncam/guidelines/accessible-digital-media-guidelines>

Utah State University, Center for Persons with Disabilities, WebAIM

WebAIM (Web Accessibility in Mind) is a non-profit organization based at the Center for Persons with Disabilities at Utah State University that has provided comprehensive web accessibility solutions since 1999. Documents and training materials, including the following publications, can be downloaded from the WebAIM website. <http://www.webaim.org/>

Web Accessibility Initiative (WAI)

WAI develops guidelines widely regarded as the international standard for Web accessibility, support materials to help understand and implement Web accessibility, and resources, through international collaboration. The Web Content Accessibility Guidelines (WCAG) was developed with a goal of providing a single shared standard for web content accessibility that meets the needs of individuals, organizations, and governments internationally. Documents and training materials, including the following publications, can be downloaded from the WAI website. <https://www.w3.org/WAI/>

8.4 Guidance Documents and Articles – Signage

APH Tactile Graphic Image Library

American Printing House for the Blind, Inc. (APH). The website requires registration for access, and it is free. <http://www.aph.org/tgil/>

Designing for People with Partial Sight and Color Deficiencies

Arditi, Aries. Effective Color Contrast: 2005.

https://pages.mtu.edu/~nilufer/classes/cs3611/interesting-stuff/designing-with-colors-1/color_contrast.htm

Signage and the 2010 ADA Standards

Luminant Design LLC. v2.1. 2011. <http://www.luminantdesign.com/ada.html>

Signage Requirements in the 2010 Standards for Accessible Design

Society for Experiential Graphic Design (SEGD). 2024.

<https://segd.org/resources/segd-2012-ada-white-paper-update/>

U.S. Department of the Interior, National Park Service – Harpers Ferry Center Accessibility Committee

Harpers Ferry Center (HFC) serves as the Interpretive Design Center for the National Park Service. HFC works to ensure that the highest level of accessibility that is reasonable is incorporated into all aspects of interpretive media, planning, design, and construction. This includes ensuring that all new interpretive media are provided in such a way as to be accessible to and usable by all people with a disability. It also means all existing practices and procedures are evaluated to determine the degree to which they are currently accessible to all visitors, and modifications are made to assure conformance with applicable laws and regulations. The HFC website includes accessibility resources, guidelines and updates, Department of the Interior Section 504, photographs of best practices, and more. <http://www.nps.gov/hfc/accessibility/>

8.5 Training Resources

ADA National Network

2020. <https://adata.org/ada-training>

Great Lakes ADA Center

2020. <http://www.adagreatlakes.org/ProgramsAndServices/Trainings/>

Northwest ADA Center

2020. <http://nwadacenter.org/training>

United States Access Board

2020. <https://www.access-board.gov/training>

Southeast ADA Center

2025. <https://adasoutheast.org/training/>

ADA Coordinator Training Certificate Program

2025. <https://www.adacoordinator.org/>