



# **Americans with Disabilities Act (ADA) Transition Plan**

PRESENTED TO THE CITY OF MARYSVILLE  
CITY COUNCIL  
ON  
July 21, 2020

City of Marysville  
526 C Street  
Marysville, CA 95901

# Table of Contents

I.	BACKGROUND .....	1
11.	ADA COORDINATOR.....	1
III.	DEFINITIONS .....	1..
IV.	ADA ADVISORY COMMITTEE .....	3
	1. Selection and Prioritization of Barrier Removal Projects .....	4
	a. Barriers to be Addressed.....	4
	b. General Prioritization Standards .....	4
	c. Annual Selection Process .....	4
	d. Limitations on Barrier Removal.....	5
	e. Barriers Under Control of Third Party Entities .....	5
	2. Community Outreach Program .....	5
V.	FUNDING .....	5
	1. Advisory Committee Fund .....	5
	2. Leveraging Additional Funding Sources and City Programs .....	6
	3. Additional Funding .....	6
	4. Annual Exhaustion of Advisory Committee Fund .....	6
VI.	RIGHT OF WAY ACCESSIBILITY .....	6
	1. Street Overlays and Reconstruction .....	6
	2. Dedicated Funding .....	7
	3. City Monitoring of New Permitted Development and Alterations .....	7
	4. City Monitoring of Permitted Work to Existing Driveways.....	7
	5. Sidewalk Maintenance Program .....	7
	6. Preventative Efforts to Deter Movable Barriers .....	7
	7. Slurry Seal Requirement .....	8
VII.	REPORTS AND MONITORING .....	8
	1. Annual Report.....	8
	2. Monitoring Report .....	9
VIII.	ACCOMMODATION AND GRIEVANCE.....	9
	1. Requesting an ADA Accommodation .....	9
	2. Filing an ADA Grievance .....	10
	3. Accommodation and Grievance Response .....	11

Appendix A - Accessibility Definitions

Appendix B - Programs/Services/Activities Self-Evaluation Questionnaire

Appendix C - Public Notice of City's Draft ADA Self-Evaluation and Transition Plan  
Feedback Form

Appendix D - ADA Service Accommodation Request

Form Appendix E - ADA Public Notice

Appendix F - ADA Grievance Form

Appendix G - Facility Summary

## **I. BACKGROUND**

The Americans with Disabilities Act (ADA) was signed into law on July 26, 1990, providing comprehensive civil rights protections to individuals with disabilities in the areas of employment, public accommodations and State and local government services.

Title II of the ADA protects qualified individuals with disabilities from discrimination on the basis of disability in program, activities and services provided or operated by all State and local governments.

Title II mandates that a public entity evaluate its current services, policies and practices to determine whether they are in compliance with the non-discrimination regulations of the ADA. A self-evaluation is required and intended to examine programs, activities and services, identify problems or physical barriers that may limit accessibility by the disabled and describe potential compliance solutions.

## **II. ADA COORDINATOR**

The Public Works Director has designated the Deputy Building Official as the ADA Coordinator. This position is responsible for ensuring that all programs, services, and activities of the City of Marysville are accessible to and usable by individuals with disabilities. The City's ADA Coordinator is:

Craig C Platt, Public Works Director  
City of Marysville  
526 C Street  
Marysville, CA 95901  
(530) 749-3902 (phone)  
(530) 749-3991 (fax)

To request an ADA accommodation or file an ADA grievance, contact the ADA Coordinator and follow the established procedures outlined in Section VIII.

## **III. DEFINITIONS**

As used in this Transition Plan (Plan), the following terms shall have the meaning ascribed to them in this Section, which are consistent with the provisions of existing federal and state law, including the regulations promulgated thereunder. Except to the extent expressly stated to the contrary, any term not expressly defined in this Section or elsewhere in this Transition Plan that has an expressly defined meaning in either the ADA or the regulations promulgated thereunder ("Regulations") shall have the meaning ascribed to it by the ADA or the Regulations, in that order of preference. All other terms shall be interpreted according to their plain and ordinary meaning.

**ADA/ADAAG:** "ADA" means and refers to the Americans with Disabilities Act as contained at 42 U.S.C. § 12101 et seq. "ADAAG" means and refers to the Americans with Disabilities Act Access Guidelines, codified at Appendix A to 28 Code of Federal Regulations part 36 and at Appendix A to 49 Code of Federal Regulations part 37. "ADAAG Standards" means and refers to physical conditions that meet the new construction and/or alterations standards set forth in ADAAG.

**Compliance Period:** "Compliance Period" means and refers to the period of time for which this Transition Plan will be in effect. The Transition Plan shall become effective upon Final

Approval, and remain in effect for up to 30 years. The City may dissolve the Transition Plan at any time upon a showing that it provides Program Access to Pedestrian Rights of Way or upon a showing that it has met or exceeded the monetary obligations specified in this Transition Plan. Alternatively, the Transition Plan will remain in effect until it dissolves automatically 30 years after Final Approval.

**Compliant Curb Ramp:** "Compliant Curb Ramp" means and refers to a curb ramp that is constructed to comply with state and/or federal law (whichever provides the higher access standard) in place at the time of construction. In the case of a location where it is Structurally Impracticable or Technically Infeasible to build a fully compliant curb ramp, or where construction of a fully compliant curb ramp would constitute a Fundamental Alteration of a service, program, or activity of the City of Marysville or an Undue Burden on the City of Marysville, a curb ramp that complies with access standards, or was constructed to the standards existing at the time of construction, or to the maximum extent feasible, will constitute a Compliant Curb Ramp as long as the requirements set forth in this Transition Plan for justifying the reasons for the City to avoid full compliance are met.

**Curb Ramp:** "Curb Ramp" is used interchangeably with "curb cut."

**Detectable Warnings:** "Detectable Warnings" means and refers to truncated domes which provide a tactile surface at the transition between the curb and the street, assisting pedestrians with Vision Disabilities in determining when they enter the street.

**Final Approval:** "Final Approval" means and refers to the date when the City Council approves the "Americans with Disabilities Act (ADA) Transition Plan" for the City of Marysville.

**Fundamental Alteration:** "Fundamental Alteration" means and refers to an action that, if taken by the City of Marysville, would result in a fundamental alteration in the nature of the service, program or activity of Pedestrian Rights of Way in the City of Marysville. If the City claims that any action otherwise required by this Transition Plan would constitute a Fundamental Alteration, the City shall have to demonstrate that such alteration would result, and the decision that an action would constitute a Fundamental Alteration must be made by the City Engineer, or his or her designee, after considering all funds available for such work, and must be accompanied by a written statement of the reasons for reaching that conclusion.

**Mobility Disability:** "Mobility Disability" means and refers, with respect to an individual, to any physical or mental impairment or condition that substantially limits an individual's ability to move his or her body or a portion of his or her body and includes, but is not limited to, orthopedic and neuromotor disabilities and any other impairment or condition that limits an individual's ability to walk, maneuver around objects, ascend or descend steps or slopes, and operate controls. An individual with a Mobility Disability may use a wheelchair or motorized scooter for mobility, or may be Semi-Ambulatory.

**Pedestrian Rights of Way:** "Pedestrian Rights of Way" means and refers to all sidewalks over which the City of Marysville has responsibility or authority as well as all Curb Ramps and crosswalks serving such sidewalks and any other pathways used by pedestrians along public rights of way, including pedestrian pathways through public parking lots.

**Statutory Defenses:** "Statutory Defenses" means and refers to the City's right to assert under this Transition Plan that removal of any barrier or installation of a Compliant Curb Ramp is not required because such barrier removal or curb ramp installation would be Technically Infeasible, or Structurally Impracticable, or that it would constitute an Undue Burden or Fundamental Alteration.

**Structurally Impracticable:** Structurally Impracticable means and refers to circumstances in which the unique characteristics of terrain prevent the incorporation of accessibility features. If it is structurally impracticable to provide full access at any location along pedestrian rights of way, the City shall comply with access requirements to the extent that it is not structurally impracticable to do so. (See ADAAG § 4.1.1(5)(a)).

**Technically Infeasible:** "Technically Infeasible" means, with respect to an alteration of a building, facility or Pedestrian Right of Way, that it has little likelihood of being accomplished because existing physical or site constraints or a lack of public right of way prohibit modification or addition of elements, spaces, or features which are in full and strict compliance with the minimum requirements for new construction and which are necessary to provide accessibility (See ADAAG § 4.1.6(1)(0)).

**Third Party Entity:** "Third-Party Entity" means an entity other than the City of Marysville that controls certain barriers or elements of barriers in a Pedestrian Rights of Way. Transit agencies and local utilities are examples of Third Party Entities.

**Title 24:** "Title 24" means and refers to the regulations set forth at Title 24 of the California Code of Regulations.

**Undue Burden:** "Undue Burden" means and refers to an action that, if taken by the City of Marysville, would result in an undue financial and administrative burden. In order to demonstrate that removal of a barrier would constitute an Undue Burden, the decision must be made by the City Engineer, or his or her designee, after considering all resources available from the Advisory Committee Fund, and any other source of funding identified in this Agreement available for removal of sidewalk barriers, and must be accompanied by a written statement of the reasons for reaching that conclusion. In preparing such a statement, the City Engineer or designee may consider the usability of the existing facilities.

#### **IV. ADA ADVISORY COMMITTEE**

The City of Marysville will establish an ADA Advisory Committee ("Advisory Committee") comprised of representatives from City government and Marysville residents. The Committee will meet periodically to discuss issues related to disability and access. If the ADA Advisory Committee is disbanded or becomes inactive at any time during the life of this Transition Plan, the responsibilities of the ADA Advisory Committee under this Transition Plan, as set forth below, will be assigned to its successor, if any, or to the Public Works Director.

The ADA Advisory Committee is charged with specific responsibilities under this Transition Plan related to barrier removal and access along the City's Pedestrian Rights of Way. For the life of this Transition Plan, the ADA Advisory Committee, or its successor, shall have ongoing responsibility for the following:

## **1. Selection and Prioritization of Barrier Removal Projects**

The Advisory Committee shall make recommendations regarding barrier removal projects to be prioritized and funded from the Advisory Committee Fund annually. The recommendations of the Advisory Committee shall be submitted to the Public Works Director for review and approval. The Public Works Director shall have final authority over the approval and authorization of projects; however the Public Works Director will not unreasonably disregard the recommendations of the Advisory Committee.

### **a. Barriers to be addressed**

The Advisory Committee Fund may be used for the following projects: (1) Installing Compliant Curb Ramps, including Detectable Warnings (at intersections where there are no curb ramps or where existing curb ramps do not meet current access standards); (2) Removing abrupt changes of level, whether caused by tree roots or any other deterioration or displacement of the surface of the Pedestrian Rights of Way; (3) Providing accessible crosswalks (by providing appropriate contrasting striping, developing or maintaining a policy concerning audible pedestrian signals, providing accessible pedestrian crossing controls, and removing any abrupt changes in level affecting the path of travel across the street; crosswalk access does not require any effort to remove slopes or cross slopes consistent with the slope of the street for vehicle traffic and/or drainage); (4) Removing obstacles in the Pedestrian Rights of Way that narrow the pedestrian pathway to less than 32 inches; (5) Removing or providing Detectable Warnings for overhanging obstacles below 80 inches above the pedestrian rights of way that are not detectable to a blind pedestrian using a cane; and (6) Removing excessive cross slopes perpendicular to the primary direction of travel along the pedestrian rights of way, whether caused by driveways crossing the Pedestrian Right of Way or by any other reason.

### **b. General Prioritization Standards**

The following general principles shall be used by the ADA Advisory Committee and the Public Works Director to prioritize projects to be funded through the Advisory Committee Fund. Requests for installation of a Compliant Curb Ramp or removal of a specific barrier or barriers shall have the highest priority. After requests, priority will be given to Pedestrian Rights of Way serving (1) state and local government offices and facilities; (2) important transportation corridors; (3) places of public accommodation such as commercial and business zones; (4) facilities containing employers; and (5) other areas such as residential neighborhoods and undeveloped regions of the City. In all planned projects, consideration will also be given to the severity of existing barriers and overall efficiency of project work. The Advisory Committee and the Public Works Director have discretion to authorize the removal of barriers in lower priority categories before removing barriers in higher priority categories if they deem such prioritization to be a more effective or efficient use of barrier removal resources.

### **c. Annual Selection Process**

Every year, the Advisory Committee shall select and prioritize a list of barrier removal projects no later than 60 days after the beginning of the new fiscal year. This list will be

provided to the Public Works Director, who will approve a final list no later than 90 days after the beginning of the new fiscal year. The list of barrier removal projects approved by the Public Works Director will be included in the Annual Report. The list of barrier removal projects may be revised by the Public Works Director, in consultation with the ADA Advisory Committee, during the course of the fiscal year.

**d. Limitations on Barrier Removal**

Under no circumstances will the City be obligated to remove any barrier if removal of such barrier would create an Undue Burden or a Fundamental Alteration, or if removal of such barrier would be Technically Infeasible or Structurally Impracticable. To the extent that the City determines that it would be an Undue Burden or Fundamental Alteration to remove a particular barrier, or that removal of a particular barrier would be Technically Infeasible or Structurally Impracticable, it must include such a determination in its regular reports as set forth below. Further, under no circumstances will the City be obligated to initiate eminent domain proceedings against a property owner in order to address any barrier.

**e. Barriers Under Control of Third Party Entities**

Certain barriers in the Pedestrian Right of Way involve elements under the control of entities other than the City of Marysville. The City has no right or obligation to remove such barriers unilaterally. The City may, but has no obligation to, seek funding or participation in barrier removal work from such third party entities, which may include transit agencies, local utilities, or other entities that maintain equipment in the Pedestrian Rights of Way. Any contribution of money for barrier removal work by third party entities or any work done by such third party entities to remove barriers will be in addition to the work done based on the other obligations set forth in this Transition Plan. Money from the Advisory Committee Fund may be appropriated to supplement work performed under this section at the discretion of the Advisory Committee and the City Engineer.

**2. Community Outreach Program**

The Advisory Committee shall develop and oversee the City's Community Outreach Program. The Community Outreach Program shall be designed to seek input from the public regarding the City's ongoing barrier removal efforts. As part of its Community Outreach Program, the ADA Advisory Committee will hold annual community meetings for the first two years of the Compliance Period to discuss the City's Transition Plan and to help further identify new and existing physical barriers to access along the City's Pedestrian Rights of Way. After the first two years of the Compliance Period, the ADA Advisory Committee may hold additional community meetings at its discretion, but in no instance shall it go more than five years without holding such a community meeting.

**V. FUNDING**

**1. Advisory Committee Fund**

The City will dedicate the equivalent of 5% of its annual gas tax revenue (Sections 2105 and 2106) or a minimum of \$5,000 (whichever is greater), to a fund used exclusively to install Compliant Curb Ramps or remove barriers in the Pedestrian Rights of Way (including

sidewalks and pedestrian pathways in public parking lots). This fund will be known as the "Advisory Committee Fund." All work described in this Transition Plan shall be paid for through this fund with the exception of work done in conjunction with street overlays and reconstruction, work done using dedicated funding, and work affecting barriers under the control of third party entities. Projects using the money from this fund will be selected by the City's ADA Advisory Committee with reference to the general guidelines set forth in this Transition Plan and with approval of the Public Works Director. Upon joint determination by the ADA Advisory Committee and the Public Works Director that all necessary Compliant Curb ramps have been installed and barriers have been removed at all required locations, the funding under this Paragraph shall no longer be required.

## **2. Leveraging Additional Funding Sources and City Programs**

The Advisory Committee shall confer with the City's ADA Coordinator a minimum of one time per year to assess how to best leverage additional City funds, if any, and/or additional City Programs, if any, that can be used to install Compliant Curb Cuts or remove barriers along the City's Pedestrian Rights of Way.

## **3. Additional Funding**

If any new, permanent, transportation funding source for street maintenance is created during the life of this Transition Plan (through a ballot measure or otherwise), 5% of this additional revenue source or the equivalent will also be dedicated to the Advisory Committee Fund.

## **4. Annual Exhaustion of Advisory Committee Fund**

The City contemplates that the amount of the Advisory Committee Fund will be allowed to accrue until a minimum of \$25,000 is available for expenditure on a project at one time in order to maximize the amount of work that can be accomplished. Any funds not used in any given fiscal year(s) will be carried over into the succeeding year(s). Any expenditure(s) that exceed the amount of money in the Fund in a given fiscal year(s) will be credited in the succeeding fiscal year(s). In the event that the City allocates funds in excess of the annual obligation to the Advisory Committee Fund in any given year, such excess funds will be credited toward its future obligations in each succeeding fiscal year. However, in no year shall the City allocate less than \$3,000 to the Advisory Committee Fund. If the Transition Plan is terminated early based on a petition by the City that it has otherwise met its financial obligations, this annual minimum allocation requirement shall also cease.

# **VI. RIGHT OF WAY ACCESSIBILITY**

## **1. Street Overlays and Reconstruction**

Each time the City overlays or reconstructs a street, it will, subject to the availability of funding, ensure that Compliant Curb Ramps are installed at each intersection as part of the overlay project. This requirement does not pertain to slurry seals, cape seals, or base failure repairs. The Advisory Committee Fund shall contribute up to 50% of this Compliant Curb Ramp work.

## **2. Dedicated Funding**

If the City obtains dedicated funding for any additional street overlays or reconstruction, it will ensure that Compliant Curb Ramps are installed at each intersection as part of the overlay or reconstruction project. If the City obtains dedicated funding for redevelopment work that includes complete removal and reconstruction of a section of Pedestrian Right of Way, the City will ensure that the reconstructed sidewalk is accessible, subject to all available defenses. This work will be in addition to the work supported by the Advisory Committee Fund.

## **3. City Monitoring of New Permitted Development and Alterations**

The City will monitor all permitted construction work approved after the Effective Date of this Transition Plan affecting the Pedestrian Rights of Way to ensure that it conforms to the requirements set forth in this Transition Plan. In any location where an access feature required under the terms of this Transition Plan does not fully conform to access standards, and where the City claims that full compliance is not required due to any Statutory Defense, the City's explanation of its determination that full access is not required will be included and explained in the next Annual Report.

## **4. City Monitoring of Permitted Work to Existing Driveways**

The City will monitor all permitted work for existing driveways. The City will not approve any permit to modify an existing driveway that would create an unreasonable cross-slope or worsen an existing cross-slope within the path of travel along Pedestrian Rights of Way.

## **5. Sidewalk Maintenance Program**

Under Marysville Municipal Code Title 8-1.08, property owners are currently required to maintain their sidewalks in such a way that they do not impede public access, pose a safety hazard, endanger persons or property, or interfere with public convenience. If repairs are required, the property owner can either do the work or hire a licensed contractor. When private property owners fail to fix problem sidewalks after being notified by the City, the City may make required repairs and place a lien on the property owner's lot or lots to recoup costs, if necessary.

## **6. Preventative Efforts to Deter Movable Barriers**

Subject to its discretionary authority under the provisions of California Government Code § 818.2, the City will take reasonable steps to prevent or deter the placement of movable barriers on sidewalks, which may, but need not include conducting public information campaigns through mailers, providing community information, and utilizing other avenues of communication recommended by the Advisory Committee. The Advisory Committee may consult with the City's Code Enforcement personnel to increase public awareness of issues related to access along the City's Pedestrian Rights of Way. The Advisory Committee may, at its discretion, recommend use of Advisory Committee Funds to promote increased awareness of disability access issues within the community.

## **7. Slurry Seal Requirement**

The City will include in any slurry sealing work or cape sealing work it performs, a requirement to look for excessive build up which can create an inaccessible "lip" in the curb ramp area and will grind down any such lips subject to the City's claim that such work is subject to any Statutory Defenses.

## **VII. REPORTS AND MONITORING**

### **1. Annual Report**

At the conclusion of each fiscal year until the end of the Compliance Period, the City shall provide a report ("Annual Report") to the City Council describing the actual work done to implement this Transition Plan during the previous twelve months and a prospective plan of projects the City plans on undertaking to improve access to Pedestrian Rights of Way in the upcoming year. The Annual Report will be completed within one hundred and twenty (120) days from the end of the fiscal year and will include:

1. A summary or listing of all written complaints or requests for removal of particular barriers received since the prior report, including information specifying whether the City has taken action to remove the barrier.
2. Summaries of work done to ensure access and/or remove access barriers in conjunction with asphalt overlay projects, projects completed with Dedicated Funds and projects completed with the Advisory Committee Fund.
3. A list of all barriers, if any, for which the City asserts that it has a Statutory Defense excusing installation of a Compliant Curb Ramp or removal of an access barrier. If the City asserts that it has a Statutory Defense that limits its ability to remove a barrier or to install a Curb Ramp that meets all current standards, the City will include in the report a written statement by the City Engineer (or his or her designee) providing the reasons for reaching that conclusion. To the extent that the City claims that installation of a fully compliant Curb Ramp or removal of an existing barrier would be an Undue Burden, the written statement will include his or her consideration of all resources available from the Advisory Committee Fund and any other source of funding set forth in this Agreement as available for the removal of access barriers.
4. Information regarding the removal of barriers along the Pedestrian Rights of Way from the City Engineer.
5. Information describing efforts made by the City or Advisory Committee to leverage additional programs or funding sources to install Compliant Curb Ramps or remove access barriers in the Pedestrian Rights of Way.
6. Information regarding efforts at Community Outreach, and any action being taken as a result of such community outreach.

7. Information documenting all barrier removal efforts accomplished in conjunction with Third Parties (such as utility companies).
8. A prospective plan of projects for the upcoming year based on the priority recommendations of the City's ADA Advisory Committee; and approved by the Public Works Director his/her designee.
9. A Monitoring Report, as described below, for the first three years of the Compliance Period.

## **2. Monitoring Report**

The City of Marysville will utilize a Registered Professional Civil Engineer who is either employed by the Public Works Department or designated by the Public Works Director ("The Engineer") to monitor the City's compliance with this Transition Plan for a period of three years from the date of execution. The Engineer will annually inspect 8-10% of the locations within the Pedestrian Rights of Way at which barriers have been removed to ensure that such barrier removal is completed properly within acceptable tolerances. Such inspections will determine whether there are remaining barriers at sites that were identified as having all barriers removed, or whether barrier removal work was completed properly. The Engineer will annually produce a report ("Monitoring Report") containing his or her findings to the City. The Monitoring Report may be prepared in conjunction with or as part of the Annual Report at the discretion of the Public Works Director.

## **VIII. ACCOMMODATION AND GRIEVANCE**

### **1. Requesting an ADA Accommodation**

The request for accommodation should be made and include the name, address and telephone number of the individual requesting the accommodation (see Attachment 2 for Request for Accommodation Form). The request should contain the location of the program, service, activity or facility where the accommodation is required and a description of why the accommodation is needed.

Complete the form and submit it to:

Craig C Platt, ADA Coordinator  
City of Marysville  
526 C Street  
Marysville, CA 95901  
(530) 749-3902 (phone)  
(530) 749-3991 (fax)

Within fifteen (15) calendar days of the written request, the ADA Coordinator will respond to the individual requesting the accommodation. If the response by the ADA Coordinator does not satisfactorily resolve the issue, the individual making the request may file a formal grievance with the responsible department(s). All requests for accommodation received by the ADA Coordinator will be kept by the City of Marysville for at least three (3) years.

## **2. Filing an ADA Grievance**

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act (ADA). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of the disability in the provision of services, activities and programs by the City of Marysville.

### **Step 1-The Written Complaint**

The complaint should be in writing and contain information about the alleged discrimination such as name, address and phone number of the complainant and location, date and description of the problem (see Attachment 3 for Filing an ADA Grievance Form). Alternative means of filing complaints will be made available for persons with disabilities upon request.

Contact the ADA Coordinator to request this information in an alternate format or the "Request for Accommodation" or "ADA Grievance" form. The complaint should be submitted by the complainant as soon as possible, but no later than ninety (90) calendar days after the alleged violation (or discovery thereof) to:

Craig C Platt, ADA Coordinator  
City of Marysville  
526 C Street  
Marysville, CA 95901  
(530) 749-3902 (phone)  
(530) 749-3991 (fax)

### **Q). Step 2 - Meeting with the ADA Coordinator**

Within fifteen (15) calendar days of the written complaint, the ADA Coordinator will meet with the complainant to discuss the complaint and possible resolutions. Within fifteen (15) calendar days after the meeting, the ADA Coordinator will respond in writing or in a format accessible to the complainant. The response will explain the position of the City of Marysville and offer options for resolution of the complaint.

### **c) Step 3 -Appeal to the City Manager**

If the response by the ADA Coordinator does not satisfactorily resolve the issue, the complainant may appeal the decision, within fifteen (15) calendar days after receipt of the response, to the City Manager or an appointed representative.

Within fifteen (15) calendar days after receipt of the appeal, the City Manager, or an appointed representative, will meet the complainant to discuss the complaint and possible resolutions. Within fifteen (15) calendar days after the meeting, the City Manager, or an appointed representative, will respond in writing or in a format accessible to the complainant of final resolutions to the complaint.

All written complaints received by the ADA Coordinator, appeals to the City Manager, and responses from the ADA Coordinator and the City Manager, will be kept by the City of Marysville for at least three (3) years.

### **3. Accommodation and Grievance Response**

In responding to request(s) for structural improvement brought through the ADA Accommodation and Grievance process, the ADA Coordinator is limited to the funds in the Advisory Committee Fund. In the event that these allocated funds are insufficient or already spent, subsequent improvements will be prioritized and scheduled in subsequent fiscal years.

**Appendix A**  
**Accessibility Definitions**

The following is a summary of many definitions found in the ADA and ADAAG. Please refer to the Americans with Disabilities Act of 1990, the Title II Technical Assistance Manual, and the ADA Accessibility Guidelines for Buildings and Facilities (ADAAG) as amended through September 2002 for the full text of definitions and explanations.

## **Accessible Route**

An *accessible route* is a continuous unobstructed path that connects all accessible elements and spaces of a building or facility and that complies with Chapter 4 of ADAAG. Interior accessible routes may include corridors, floors, ramps, elevators, lifts, and clear floor space at fixtures. Exterior accessible routes may include parking access aisles, curb ramps, crosswalks at vehicular ways, walks, ramps, and lifts.

## **ADA**

Acronym for the Americans with Disabilities Act.

## **Adaptive/Auxiliary Aids and Services**

The terms *auxiliary aids and services* includes:

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

## **ASL**

American Sign Language. Manual (hand) language with its own syntax and grammar used primarily by people who are deaf.

## **Complaint**

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

## **Curb Ramp**

A *curb ramp* is a short ramp cutting through a curb or built up to it.

## **Detectable Warning**

*Detectable warnings* are standardized surface features built in or applied to walking surfaces or other elements to warn individuals with visual impairments of hazards on a circulation path.

## **Disability**

The term *disability* means, with respect to an individual:

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

### **A. 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.

### **B. 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.

## **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 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;
- Fail to make reasonable modifications to accommodate 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 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.

## **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.

## **Hearing Impairment**

Partial or total deafness.

## **Learning disabilities**

Any form of physical or mental disability that delays development or acquisition of knowledge.

## **Marked Crossing**

A *marked crossing* is a crosswalk or other identified path intended for pedestrian use in crossing a vehicular way.

## **Mobility disabilities/mobility impairment**

A condition limiting physical ability; generally considered to include lack of a limb or loss of limb use due to disease, amputation, paralysis, injury, or developmental condition; or limitation of movement due to cardiovascular or other disease.

## **Physical or Mental Impairments**

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

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

## **Program Accessibility**

A public entity's services, programs, or activities, when viewed in their entirety, must be readily accessible to and usable by individuals with disabilities. This standard, known as *program accessibility*, applies to all existing City facilities.

## **Reasonable Modification**

If individuals' disabilities prevent them from performing the essential functions of the program or activity, it is necessary to determine whether *reasonable modification* would enable these individuals to perform the essential functions of the program or activity.

*Reasonable modification* is any change in program or activity or in the way things are customarily done that enables an individual with a disability to enjoy equal program

opportunities. Modifications may mean adjustments:

- To a registration or application process to enable an individual with a disability to be considered for the program or activity; and
- That enable individuals with disabilities to enjoy equally the benefits of the program or activity as other similarly situated individuals without disabilities enjoy.

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

Modification applies to:

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

Modification is not required if:

- It changes the essential nature of a program or activity;
- It creates a hazardous situation; or
- It poses an undue burden.

## **Service Animal**

The ADA defines a service animal as any guide dog, signal dog, or other animal individually trained to provide assistance to an individual with a disability. If they meet this definition, animals are considered service animals under the ADA regardless of whether they have been licensed or certified by a state or local government. Service animals perform some of the functions and tasks that the individual with a disability cannot perform for him or herself. Some of the typical uses of service animals are:

- Guiding persons with visual impairments;
- Alerting persons with hearing impairments to sounds;
- Pulling wheelchairs or carrying and picking up things for persons with mobility impairments; or
- Assisting persons with mobility impairments to maintain their balance.

Although a number of states have programs to certify service animals, agencies or businesses may not insist on proof of state certification before permitting the service animal to accompany the person with a disability.

## **SETP**

Acronym for Self-Evaluation and Transition Plan.

## **Substantial Limitation of Major Life Activities**

An individual is disabled if she or he has a physical or mental impairment that:

- Renders her or him unable to perform a major life activity, or
- 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 a 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.

## **TDD**

A Telecommunication Device for the Deaf allows a person to transmit typed messages over the phone lines to another person with a TDD. Most TDD's include a keyboard for typing messages to send and a display and/or printer to receive messages.

## **TTY**

TTY stands for Text Telephone and is a registered trademark for a specific kind of TDD.

## **Appendix B**

### **Programs/Services/Activities Self-Evaluation Questionnaire**

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# AMERICANS with DISABILITIES ACT

## PROGRAMS/SERVICES/ACTIVITIES SELF-EVALUATION QUESTIONNAIRE

### BACKGROUND:

The purpose of this questionnaire is to gather data on how your department's programs<sup>1</sup> are, or are not, accessible to people with disabilities. Questions are in the areas of:

*Description of Program Activities*

*Accessible/Adaptive Equipment*

*Customer Service*

*Notice Requirements*

*Printed Information*

*Television and Audiovisual Public Information*

*Website*

*Public Telephones and Communication Devices*

*Training and Staffing*

*Program Eligibility Requirements and Admission*

*Public Meetings*

*Transportation Services*

*Tours and Trips*

*Use of Consultants*

*Emergency Evacuation Procedures*

*Facilities*

*Special Events and Private Events on Public Properties*

Your participation in completing this questionnaire will assist your department in improving its ability to serve the needs of people with disabilities.

---

**INSTRUCTIONS:**

Please fill out a separate questionnaire for each program or service offered by your Department. For example, The Police Department operates programs/services in several Divisions. A separate questionnaire needs to be filled out for each program.

After completing the questionnaire, please submit to **Craig C Platt** via email ([cplatt@marysville.ca.us](mailto:cplatt@marysville.ca.us)) or drop off at City Hall. Supporting materials such as forms, brochures, etc. can be included as well.

**December 10<sup>th</sup> 2019**

**General description of the programs<sup>1</sup>**

Department/Division: \_\_\_\_\_

Date program questionnaire filled out: \_\_\_\_\_

Name/title of person completing this questionnaire: \_\_\_\_\_

Telephone #: \_\_\_\_\_ Email: \_\_\_\_\_

Program name: \_\_\_\_\_

Brief description of program: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**A. Accessible/ Adaptive Equipment**

**A1** Do you allow the public to use electronic equipment (i.e. copying machines, personal computers, microfilm readers, etc.) in your programs?

Yes \_\_\_ No \_\_\_ N/A \_\_\_

Please describe:

**A2** Do you ensure that electronic equipment is accessible to and usable by individuals with

<sup>1</sup>“Programs”, when used in this questionnaire, refers to programs, activities and services offered to the public by the City.



disabilities by providing equipment such as workstations, easily reachable equipment, or staff assistance?

Yes\_\_\_No\_\_\_Don't know\_\_\_

If yes, please describe:

**A3** Are auxiliary aids (such as tools, access to equipment, moveable light sources, adjustable worktable levels, paper and pen, etc.) provided to assist persons with disabilities?

Yes\_\_\_No\_\_\_

If yes, please describe:

## **B. Customer Service**

**B1** If any of the department's programs (activities or services) have eligibility requirements for participation, do they contain any of the following?

Physical or mental fitness or performance requirements? Yes\_\_\_No\_\_\_

If yes, please describe:

Safety Standards? Yes\_\_\_No\_\_\_

If yes, please describe:

**B2** How do you ensure that these policies do not discriminate against people with disabilities?  
Please write your answer here:

**B3** Does your department make changes to standard operating procedures to include a person with disabilities?

Yes\_\_\_No\_\_\_Don't Know\_\_\_

If yes, please briefly describe this process:

**B4** Is there a formal procedure for making changes to standard operating procedure?

Yes\_\_\_No\_\_\_Don't Know\_\_\_

If yes, please briefly describe the process you have established:

**B5** Do you track accessibility requests? Yes\_\_\_No\_\_\_Don't Know\_\_\_

If yes, how many requests have you received and what type:

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**B6** Does your program charge an additional fee for people with disabilities for modifying programs?

Yes \_\_\_ No \_\_\_ Don't Know \_\_\_

If yes, please briefly describe the fees or charges:

**B7** Does your department consult or work with any outside organizations that assist people with disabilities?

Yes \_\_\_ No \_\_\_ Don't Know \_\_\_

If yes, please provide a list of organizations:

## **C. Notice Requirements**

**C1** Do you have a non-discrimination statement that includes persons with disabilities?

Yes \_\_\_ No \_\_\_ Don't Know \_\_\_

Please describe:

**C2** Is a non-discrimination statement that includes information about how to reach the ADA coordinator posted in all departments in a location that maximizes public exposure?

Yes \_\_\_ No \_\_\_ Don't Know \_\_\_

Please describe:

**C3** Do you notify all persons that your meetings, hearings, interviews, and conferences will be held in accessible locations and that adaptive/auxiliary aids (such as assistive listening devices, readers for the blind, pen and paper) will be provided, upon request, to participants with disabilities?

Yes \_\_\_ No \_\_\_ Don't Know \_\_\_

**C4** How do you notify all persons about how and with whom to file a disability discrimination complaint and what procedures are they told to follow? Please describe the process here:

## **D. Printed Information**

**D1** Do you provide printed information to the public?

Yes \_\_\_ No \_\_\_ Don't Know \_\_\_

---

**D2** What type of printed documents do you publish and distribute to the public? (Only answer if you answered "yes" to D1) Please describe:

**D3** Are all the program documents controlled centrally? (Only answer if you answered "yes" to D1)

Yes\_\_\_No\_\_\_Don't Know\_\_\_

**D4** How do you make documents and publications available to individuals with visual disabilities? (check all that apply):

\_\_\_Audiotape

\_\_\_Large print

\_\_\_Braille

\_\_\_Electronic Copy

\_\_\_Do not provide any alternative formats upon request

\_\_\_Other: If so, please list them:

**D5** Do you make the content of documents and publications available in simple, easy-to-understand language for individuals with learning disabilities?

Yes\_\_\_No\_\_\_Don't Know\_\_\_

If yes, provide a sample copy of the document or publication.

**D6** Do you show images of people in your publications? Yes\_\_\_No\_\_\_Don't Know\_\_\_

**D7** Do you also include images of people with disabilities? Yes\_\_\_No\_\_\_Don't Know\_\_\_

If yes, provide a sample copy of the document or publication.

## **E. Television and Audiovisual Public Information**

**E1** Does your department prepare audiovisual or televised presentations or website demonstrations/webinars for the public or make audiovisual presentations to the public?

Yes\_\_\_No\_\_\_Don't Know\_\_\_

**E2** How do you make audiovisual or televised or on-line presentations prepared or presented by your department to the public accessible to individuals with disabilities?

\_\_\_Captioning

\_\_\_Transcription

\_\_\_Do not provide alternative formats upon request

---

\_\_\_ Other: If so, please list them:

**E3** What type of audiovisual presentations (film, videotape, television) does your department provide? (Only answer this question if you answered "yes" to E1). Please describe:

**E4** Do you show images of people in your audiovisual presentations? (Only answer this question if you answered "yes" to E1).

Yes \_\_\_ No \_\_\_ Don't Know \_\_\_

If yes, provide a sample copy of the presentation.

**E5** Do you also portray individuals with disabilities in your audiovisual presentations? (Only answer this question if you answered "yes" to E4).

Yes \_\_\_ No \_\_\_ Don't Know \_\_\_

If yes, provide a sample copy of the presentation.

## **F. Website**

**F1** Does your department have a website? Yes \_\_\_ No \_\_\_ Don't Know \_\_\_

**F2** What is your department's website? What information is provided on this site?  
Please describe briefly what information is provided:

**F3** Does your department's website include information about accessibility of facilities (parking, bathrooms, assistive listening devices, etc.) where programs or services are offered? (Only answer if you answered "yes" to F1).

Yes \_\_\_ No \_\_\_ Don't Know \_\_\_

Please describe briefly what information is provided about accessible features:

**F4** Does your department ensure that its website is usable by individuals with disabilities, including those who use speaking browsers?

Yes \_\_\_ No \_\_\_ Don't Know \_\_\_

**F5** Are the documents provided on your website for downloading accessible to persons with visual disabilities?

Yes \_\_\_ No \_\_\_ Don't Know \_\_\_

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Please describe:

## **G. Public Telephones and Communication Devices**

**G1** How do you communicate by telephone with individuals with hearing or speech difficulties?  
Please describe:

**G2** If you use Text Telephones (TTY's) or Telecommunication Devices for the Deaf (TDD's), list the location, telephone number, and organization of TTY/TDD directories in which the TTY/TDD number is listed:

**G3** Do you use the California relay service (711)? Yes\_\_\_No\_\_\_Don't Know\_\_\_  
Please describe:

**G4** Do you publish your TTY/TDD number or California Relay Service numbers in all materials where a phone number is listed?

Yes\_\_\_No\_\_\_Don't Know\_\_\_

Please describe:

**G5** Do you train your staff in operating TTY/TDD's and in other means of communicating over the telephone with a person with a hearing or speech disability?

Yes\_\_\_No\_\_\_Don't Know\_\_\_

Please describe:

## **H. Training and Staffing**

**H1** Do any staff members have contact with the public?

Yes\_\_\_No\_\_\_Don't Know\_\_\_

**H2** How do you inform staff members who have contact with the public of your department's obligations and policies that enable persons with disabilities to participate in programs or activities? Please describe:



**H3** How have you trained these staff members? (Only answer if you answered “yes” to H2).  
Please describe:

**H4** Are there staff members in your department who provide emergency services to the public?

Yes\_\_\_No\_\_\_Don't Know\_\_\_

If yes, describe:

**H5** If yes, have they had training in American Sign Language (ASL) or other means of communicating in emergency situations with people who have hearing or speech impairments? Please describe:

**H6** Are there other staff members who would be able to provide better customer service if they had training in American Sign Language (ASL) or other means of communicating with people who have hearing impairments?

Yes\_\_\_No\_\_\_Don't Know\_\_\_

Please describe:

## **I. Program Eligibility Requirements and Admission**

**I1** Are there any limitations or ratios for the number of people with disabilities who may participate in or be admitted to any department program?

Yes\_\_\_No\_\_\_Don't Know\_\_\_

If yes, please briefly describe the programs:

**I2** Does your program use any criteria (for example good health, residency, letters of recommendation) or written and/or oral tests (including level of skill or achievement, or other factor being tested) in the admissions process?

Yes\_\_\_No\_\_\_Don't Know\_\_\_

**I3** If yes, please list and describe participation requirements. (Only answer if you answered “yes” to I3).



**I4** Are there any forms required for admission to the program (for example, tests and/or the submission of other admissions criteria such as certificates?).

Yes\_\_\_No\_\_\_Don't Know\_\_\_

If yes, please list the forms or email them to the contact person listed on the first page

**I5** Do the forms contain a notice that your organization does not discriminate against people with disabilities?

Yes\_\_\_No\_\_\_Don't Know\_\_\_

Please describe:

**I6** Is an interview required prior to an applicant's entrance into the program?

Yes\_\_\_No\_\_\_Don't Know\_\_\_

Please describe:

## **J. Public Meetings**

**J1** Does your department hold public meetings? Yes\_\_\_No\_\_\_Don't Know\_\_\_

**J2** Do you require that public meetings, hearings, and conferences be held in accessible locations?

Yes\_\_\_No\_\_\_Don't Know\_\_\_

**J3** Are interpreters, readers, or adaptive equipment provided when requested for meetings, interviews, and conferences?

Yes\_\_\_No\_\_\_Don't Know\_\_\_

**J4** How much advance notice do you request? (Only answer if you answered "yes" to J3).

**J5** Do you ensure that all individuals with hearing disabilities who do not read sign language can participate effectively in meetings, conferences, and hearings via assistive listening devices or other means?

Yes\_\_\_No\_\_\_Don't Know\_\_\_

Please describe:

## **K. Transportation Services**

**K1** Do you provide transportation to volunteers, program participants, visitors, and others who

---

participate in your programs?

Yes\_\_\_No\_\_\_Don't Know\_\_\_

**K2** What procedures does your department follow to make transportation accessible to persons who have visual disabilities? Please describe:

**K3** What procedures does your department follow to make transportation accessible to persons who have hearing disabilities? Please describe:

**K4** What procedures does your department follow to make transportation accessible to persons who have mobility disabilities? Please describe:

**K5** What procedures does your department follow to make transportation accessible to persons who have learning disabilities? Please describe:

## **L. Tours and Trips**

**L1** Does your department provide tours of your facilities or organize trips for members of the public?

Yes\_\_\_No\_\_\_Don't Know\_\_\_

**L2** Please list and describe the tours and trips. (Only answer if you answered "yes" to L1).

**L3** How do you provide accessible tours to people with visual impairments? Please describe:

**L4** How do you provide accessible tours to people with hearing impairments? Please describe:

**L5** How do you provide accessible tours to people with mobility impairments? Please describe:

**L6** How do you provide accessible tours to people with learning impairments? Please describe:



## **M. Use of Consultants**

**M1** Do you use consultants to conduct programs on behalf of your department?

Yes \_\_\_ No \_\_\_ Don't Know \_\_\_

**M2** How do you ensure that consultants are aware of their obligations to facilitate participation of individuals with disabilities in programs or activities operated on behalf of your department?  
Please describe:

**M3** How do you monitor this obligation? Please describe:

## **N. Emergency Evacuation Procedures**

**N1** What equipment and/or procedures do you use to notify individuals with visual disabilities of emergencies and evacuation procedures?

Please list equipment and/or procedures specific to individuals with visual disabilities.

**N2** What equipment and/or procedures do you use to notify individuals with hearing disabilities of emergencies and evacuation procedures?

Please list equipment and/or procedures specific to individuals with visual disabilities.

**N3** What equipment and/or procedures do you use to notify individuals with mobility disabilities of emergencies and evacuation procedures?

Please list equipment and/or procedures specific to individuals with visual disabilities.

**N4** What equipment and/or procedures do you use to notify individuals with cognitive disabilities of emergencies and evacuation procedures?

Please list equipment and/or procedures specific to individuals with visual disabilities.



## **O. Facilities**

**O1** List all facilities, or portions of facilities, used for department programs. For each facility, designate the activity for which it is used. (Note: Facilities leased or otherwise used from another person/organization should also be included).

**O2** Have you had requests for improving accessibility to your department's programs or facilities?

Yes \_\_\_ No \_\_\_ Don't Know \_\_\_

Please describe:

**O3** Would the implementation of any measure to improve accessibility for people with disabilities to your programs pose an unfair financial or administrative burden?

Yes \_\_\_ No \_\_\_ Don't Know \_\_\_

If yes, list an alternative means that would not pose a financial or administrative burden.

## **P. Special Events and Private Events on Public Properties**

**P1** Does your department organize special events or do you help facilitate private events on public property?

Yes \_\_\_ No \_\_\_ Don't Know \_\_\_

If yes, please describe briefly the type of event and what types of outside organizations are involved.

**P2** How do you ensure that both private entities and your staff are aware of their obligations to facilitate participation of individuals with disabilities in these special events or private events held on public property? Please describe:

**Thank you for completing this survey!**

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**Appendix C**

**Public Notice of City's Draft ADA Self-Evaluation and Transition Plan**

**Feedback Form**



## The City of Marysville invites you to take part in the ADA Title II Self-Evaluation & Transition Plan Process



**Request For Public Comment**  
**Date: June 03 - July 3, 2020**  
**Location: Online Form**  
**[www.marysville.ca.us](http://www.marysville.ca.us)**  
**City of Marysville**

The City of Marysville is requesting feedback on the City's draft ADA Self-Evaluation and Transition Plan. City staff have conducted an exhaustive self-evaluation of the City's programs, policies, and facilities on accessibility and has created a plan which will identify barriers and establishes the commitment to ensuring accessibility to all individuals. Your opinion is important and will provide valuable information regarding how the City can better accommodate individuals with disabilities.

Please join us to:

- Ask questions
- Discuss the Plan and meet with City staff
- Provide input

The Draft ADA Self-Evaluation and Transition Plan and Feedback Form can be found on the City's website or by contacting the ADA coordinator below. The Plan will be available for review starting on June 3, 2020. Completed survey forms and written comments will be accepted until July 3, 2020.

For any questions, or if you need special assistance to participate in this meeting or require documents in an alternative format, please contact the ADA coordinator at:

Craig C Platt, Public Works Director  
City of Marysville, 526 C Street, Marysville, CA 95901  
Office Phone: (530) 749-3902  
Email: [person@marysville.ca.us](mailto:person@marysville.ca.us)  
Website: <http://marysville.ca.us>





**The City of Marysville**  
*invites you to take part in the*  
**ADA Title II Self-Evaluation & Transition Plan Process**

The City of Marysville is requesting your feedback on the City's draft ADA Self-Evaluation and Transition Plan by submitting this **Feedback Form**. Your opinion is important and will provide valuable information regarding how the City of Marysville can better accommodate individuals with disabilities. The Draft ADA Self-Evaluation and Transition Plan can be found on the City's website noted below. Questions, Comments or Form submittal can be sent to the ADA Coordinator, mailed/faxed or dropped at:

ADA Coordinator: Craig C Platt

Website: <http://marysville.ca.us>

Email: [person@marysville.ca.us](mailto:person@marysville.ca.us)

Phone: (530) 749-3902

City of Marysville Public Works Department

526 C Street, Marysville, CA 95901

Name:	
Email Address (optional):	Phone Number (optional):
Are you a resident of the City of Marysville?	
Have you reviewed the City's draft ADA Self-Evaluation and Transition Plan?	
Do you feel the Plan meets the City's needs or your needs? Please explain	
Is there a specific section of the Plan you have comments or suggestions on? Please reference page #.	
Overall, please rate your opinion of the Plan from 1 to 10 (1=Great, 10=Needs Work):	
Please use this space for any other comments:	

**\* The Plan & Feedback Form is available until July 3, 2020 – Thank you for your Feedback \***

## APPENDIX D



## CITY OF MARYSVILLE ADA Service Accommodation Request Form

Date:	Phone of Requestor:
Name of Requestor:	Email of Requestor:
Address of Requestor (Optional):	
<b>This is a request for accommodation which is needed because of my disability</b>	
1. I am applying for services provided by the City of Marysville, Department of _____	
2. The accommodation I am requesting will allow me to participate in the following activity and/or service: _____ _____	
3. My specific functional limitation is: _____ _____	
4. Describe the reasonable accommodations that are necessary: _____ _____ _____	
5. Additional Comments: _____ _____	
Requestor Signature:	Date:

Return this form to: Contact, City ADA Coordinator  
526 C Street, Marysville, CA 95901  
Email: [person@marysville.ca.us](mailto:person@marysville.ca.us) Phone:  
(530) 749-3902



**Appendix E**  
**ADA Public Notice**



## CITY OF MARYSVILLE ADA PUBLIC NOTICE



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

**Employment:** City of Marysville 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:** City of Marysville will generally, upon request, and without cost to the requestor, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City of Marysville 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 impairments.

**Modifications to Policies and Procedures:** City of Marysville will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in City of Marysville 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 City of Marysville, should contact the ADA Coordinator as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the City of Marysville 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 City of Marysville is not accessible to persons with disabilities should be directed to:

**Contact, ADA Coordinator**  
526 C Street  
Marysville, CA 95901  
(530) 749-3902

**E-mail:** [person@marysville.ca.us](mailto:person@marysville.ca.us)

The City of Marysville 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.

**Appendix F**  
**ADA Grievance Form**



## CITY OF MARYSVILLE ADA Grievance Procedure



The grievance procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 (ADA). It may be used by anyone wishing to file a complaint alleging discrimination on the basis of disability in the provisions of services, activities, programs or benefits by the City of Marysville.

**Written Complaint:** The complaint should contain as much information as possible about the alleged discrimination. Information should include name, address, phone number of the complainant and location, date and a description of the problem(s). Alternative means of filing a complaint, such as personal interview or a tape recording of the complaint, assistance with filing on the City of Marysville Grievance Form, is available upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged discrimination to:

**Contact, City ADA Coordinator**  
526 C Street  
Marysville, CA 95901  
Email: [Person@cityofmarysville](mailto:Person@cityofmarysville)  
Phone: (530) 749-3902

**Meeting:** Within fifteen (15) calendar days after receipt of the complaint, the ADA Coordinator will schedule a meeting with the complainant to discuss the complaint and possible resolutions. After an investigation and review of the complaint, the ADA Coordinator will respond in writing, and where appropriate, in a format accessible to the complainant. The response will explain his/her position on the issue and offer options for substantive resolution of the complaint.

**Appeal:** If the response by the ADA Coordinator does not satisfactorily resolve the issue, the complainant may appeal the decision within fifteen (15) calendar days after receipt of the response to the City Manager.

After receiving the appeal, the City Manager or her/his designee will review the appeal and the ADA Coordinator finding. Within a reasonable period, after a review, the City Manager or her/his designee will respond in writing, or in a format that is accessible to the complainant, with a final resolution to the complaint.



## **Appendix G**

### **Facilities Summary List of Architectural Barriers**

City of Marysville  
 ADA Self Evaluation and Transition Plan  
 LIST OF FACILITIES

Description	Address	Public Area	Use
<b>CITY BUILDINGS</b>			
1 City Hall	526 C Street	Front Lobby/Conf Room	City Administration, Community Dev & Public Works, Public Meetings, Utilities
2 Police Station	411 6 <sup>th</sup> Street	Front Lobby	Public file reports, obtain copies of documents
3 Fire Station	107 9 <sup>th</sup> Street	Front Lobby/Station	Front Lobby,
4 Annex Building	429 10 <sup>th</sup> Street	Large Rooms, 2nd Flr	Public Meetings, special public meetings, classes/activities, rental property
5 Mary Aaron Museum (Trust)	704 D Street	All areas	Public visits and inquiries
8 Public Parking Lot	4 <sup>th</sup> & C Street	Sidewalks	Public Parking
9 Public Parking Lot	1 <sup>st</sup> & C Street	Sidewalks	Public Parking
<b>CITY PARKS</b>			
10 Ellis Lake Park	939 D Street	Park-City Lake	Restroom, picnic tables, benches, walking path, gazebo
11 Veterans Park	715 5 <sup>th</sup> Street	Park	Restroom, picnic tables, children's play area, gazebo
12 Market Square (Motor) Park	1499 H Street	Park	Picnic area, children's play equipment
13 Yuba Park	Yuba & E 10 <sup>th</sup> Street	Park	Picnic area with barbeque amenities, children's play equipment
14 Miners Square Park	Swezy, Sampson, E 14 <sup>th</sup> & E 15 <sup>th</sup>	Park	Picnic tables, children's play equipment
15 Steven J Field (Circle) Park	Rideout Way - Greely & Boulton	Park	Parking, restroom, picnic tables, children's play area, trail along creek
16 Triplett Park	Rideout Way – Covillaud & Ahern	Park	pathway, picnic tables, children's play equipment
17 Gavin Park	Johnson Ave – Val Dr & Chele Ave	Park	Picnic tables, children's play equipment
18 D Street Park	D and 3 <sup>rd</sup> Street	Park	City Christmas Tree
19 Washington Square	E St & 10 <sup>th</sup>	Park	Grass areas, 3 Park areas
20 River Bottoms MX Park	Bizz Johnson Drive	Park	MX Bike Track
21 Marysville Skate Park	Johnson Ave – Val Dr & Chele Ave	Park	Skate Park (Gavin Park)
<b>Other (Not Included in ADA Assessment)</b>			
22 Corporation Yard	1425 F Street	N/A	Public Works employee work yard, equipment, Fleet Shop
23 River Bottoms Softball Fields	Biz Johnson Drive	Softball Park	Snack bar, restrooms, bleachers, Parking lot
24 River Bottoms Pavilion	Biz Johnson Drive	Open Space	Pavilion, open space-no amenities
25 River Bottoms Soccer Fields	Biz Johnson Drive	Open Space	Grass area fields, restrooms, Parking lot
26 River Bottoms Boat Ramp	Biz Johnson Drive	Open Space	Boat launch, restrooms, parking lot
27 Levee Trails	Levee	Trail/Pathway	Walk/bike pathway