



city of

edgewater



MHAC

MILE HIGH ACCESSIBILITY
CONSULTANTS

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Executive Summary

The City of Edgewater is a home rule municipality located in Jefferson County, Colorado, United States. The city population was 5,005 at the 2020 United States Census. Edgewater is surrounded by Denver to the east, Lakewood to the south and west, and Wheat Ridge to the north. The 2022 Census update identified approximately 14.1 % of Edgewater's population as with a disability, slightly higher than the national average of 13%.

Introduction to the Americans With Disabilities Act

More than 61 million Americans have disabilities. This represents 26% of the U.S. population or 1 in 4 Americans. People with disabilities in Edgewater, like all Americans, participate in a variety of programs, services, and activities provided by the City. This includes many people who became disabled while serving in the military. Additionally, by the year 2030, approximately 71.5 million baby boomers will be over age 65 and will need services and surroundings that meet their age-related physical needs.

The Americans with Disabilities Act (ADA) is a Federal civil rights law that prohibits discrimination against people with disabilities. Under the ADA, people with disabilities are entitled to all the rights, privileges, advantages, and opportunities that others have when participating in civic activities.

The Americans with Disabilities Act became effective on July 26, 1990, and it extended legislation intended to eliminate discrimination against individuals with disabilities in federally funded facilities under the Rehabilitation Act to all activities of State and local governments regardless of whether these entities receive Federal financial assistance. It provides for equal access and equal opportunities for individuals with disabilities to participate in programs, services, and activities such as those offered by the City of Edgewater.

The ADA is divided into five sections, which are referred to as titles.

Employment (Title I)

Title I requires covered employers to provide reasonable accommodations for applicants and employees with disabilities and prohibits discrimination based on disability in all aspects of employment. Reasonable accommodation includes, for example, restructuring jobs, making worksites and workstations accessible, modifying schedules, providing services such as interpreters, and modifying equipment and policies.

Public Services (Title II)

Under Title II, State and local government agencies, such as Edgewater, cannot deny services to people with disabilities or deny participation in programs or activities that are available to people without disabilities. This includes making public transportation systems, recreation, social services, courts, voting, and City meetings accessible to individuals with disabilities.

Public Accommodations (Title III)

Public accommodations include facilities such as restaurants, hotels, grocery stores, retail stores, etc., as well as privately owned transportation systems. Title III requires that all new construction and modifications must be accessible to individuals with disabilities. For existing facilities, barriers to services must be removed if readily achievable.

Telecommunications (Title IV)

Telecommunications companies offering telephone service to the public must have telephone relay service to individuals who use telecommunication devices for the deaf (TTYs) or similar devices.



Miscellaneous (Title V)

This title includes a provision prohibiting either (a) coercing or threatening or (b) retaliating against individuals with disabilities or those attempting to aid people with disabilities in asserting their rights under the ADA. The US Department of Justice (DOJ) revised its regulations implementing the ADA in September 2010. The new rules clarify issues that arose over the previous 20 years and contain new requirements, including the 2010 ADA Standards for Accessible Design (2010 Standards). This document provides general guidance to assist State and local governments in understanding and complying with the ADA's requirements.

For more comprehensive information about specific requirements, Edgewater officials and residents can consult the [ADA title II regulations](#), the [2010 ADA Standards for Accessible Design](#), and the [Department of Justice ADA technical assistance publications](#).

ADA and its Relationship to Other Laws

Title II of the ADA is companion legislation to two previous federal statutes and regulations, the [Architectural Barriers Act](#) (ABA) of 1968 and [Section 504 of the Rehabilitation Act of 1973](#).

The Architectural Barriers Act of 1968 is a Federal law that requires facilities designed, built, altered, or leased with Federal funds to be accessible. The Architectural Barriers Act marks one of the first efforts to ensure access to the built environment.

Section 504 of the Rehabilitation Act of 1973 is a Federal law that protects qualified individuals from discrimination based on their disability. The nondiscrimination requirements of the law apply to employers and organizations that receive financial assistance from any Federal department or agency. Title II of ADA extended this coverage to all State and local government entities, regardless of whether they receive federal funding or not.

Federal Accessibility Requirements

The US Access Board was established by section 502 of the Rehabilitation Act of 1973 (Rehab Act). The Board consists of 25 total members, 13 of which are appointed by the President from the public and which must be individuals with disabilities. The remaining 12 members are the heads of 12 Federal departments and agencies specified by statute, including the heads of the DOJ and the Department of Transportation (DOT). Originally, the Access Board was established to develop and maintain accessibility guidelines for facilities designed, constructed, altered, or leased using Federal funds under the Architectural Barriers Act of 1968 (ABA). The passage of the ADA in 1990 expanded the Access Board's responsibilities to "issue minimum guidelines that shall supplement the existing Minimum Guidelines and Requirements for Accessible Design to ensure that buildings, facilities, rail passenger cars, and vehicles are accessible, in terms of architecture and design, transportation, and communication, to individuals with disabilities".

The DOJ issues and enforces accessibility standards applicable to facilities subject to ADA title II that are consistent with the "minimum guidelines" issued by the Access Board.

The Access Board began revising their 1990 standards in 1994 by establishing an advisory committee composed of members of the design and construction industry, the building code community, and State and local government entities, as well as individuals with disabilities. In 1998, the Access Board added specific guidelines on State and local government facilities and building elements designed for use by children. Other updates to the 1990 ADA Standards have been made with the final version being compiled in the 2004 ADA/ABA Guidelines. The 2004 ADA/ABA Guidelines were the culmination of a long-term effort to facilitate ADA compliance by eliminating inconsistencies among Federal accessibility requirements (ADA & ABA Standards) and between Federal accessibility requirements and State and local building codes. In support of this effort, the US DOJ amended its regulation implementing title II



and adopted standards consistent with 2004 ADA/ABA Guidelines, naming them the 2010 ADA Standards for Accessible Design.

On March 15, 2011, the final rule on the 2010 ADA Standards for Accessible Design became effective to revise the 1990 regulations that implement title II of the ADA that prohibit discrimination based on disability in State and local government services. The final rule was issued to adopt enforceable accessibility standards under the ADA that are more consistent with the minimum guidelines and requirements issued by the Access Board, and to update or amend certain provisions of the title II regulation so that they better reflect the Department's legal and practical experiences in enforcing the ADA since 1991. These new regulations provide a higher degree of clarity to State and local agencies who put forth the effort to comply with the spirit and intent of the ADA.

ADA Self-Evaluation and Transition Plan Requirements

Title II of the ADA applies to all State and local governments and all departments, agencies, special purpose districts, and other instrumentalities of State or local government ("public entities"). It applies to all programs, services, or activities of public entities, from adoption services to zoning regulation. Title II entities that contract with other entities to provide public services, such as non-profit organizations that operate drug treatment programs, also have an obligation to ensure that their contractors do not discriminate against people with disabilities.

Access to civic life by people with disabilities is a fundamental goal of the Americans with Disabilities Act. To ensure that this goal is met, Title II of the ADA requires Edgewater to make its programs and services accessible to persons with disabilities. This requirement extends not only to physical access at Edgewater government facilities, programs, and events -- but also to policy changes that Edgewater must make to ensure that all people with disabilities can take part in, and benefit from, Edgewater programs and services. In addition, Edgewater must ensure effective communication -- including the provision of necessary auxiliary aids and services -- so that individuals with disabilities can participate in Edgewater civic activities.

ADA Title II Exceptions

Title II requires State and local governments to ensure that all their programs, services, and activities, when viewed in their entirety, are accessible to people with disabilities. Program access is intended to remove physical barriers to government services, programs, and activities, but it generally does not require that a State and local government make each facility, or each part of a facility, accessible. For example, each restroom in a facility need not be made accessible. However, signage directing people with disabilities to the accessible features and spaces in a facility should be provided. Program accessibility may be achieved in a variety of ways. State and local governments may choose to make structural changes to existing facilities to achieve access. State and local governments can also pursue alternatives to structural changes to achieve program accessibility. For example, governments can move public meetings to accessible buildings and can relocate services for individuals with disabilities to accessible levels or parts of buildings. When choosing between possible methods of program accessibility, however, governments must give priority to the choices that offer services, programs, and activities in the most integrated setting appropriate. In addition, all newly constructed State and local government facilities must be fully accessible to people with disabilities.

When programs, services, or activities are in City facilities, Edgewater must make sure that they are also available to persons with disabilities, unless to do so would fundamentally alter a program, service, or activity or result in undue financial or administrative burdens. When a service, program, or activity is in a building that is not accessible, Edgewater can achieve program accessibility in several ways. It can:



- Relocate the program or activity to an accessible facility.
- Provide the activity, service, or benefit in another manner that meets ADA requirements.
- Make modifications to the building or facility itself to provide accessibility.

Historic Significance

The ADA does not require anything that impacts the historic significance of historic property.

Historically significant facilities are those facilities or properties that are listed or eligible for listing in the National Register of Historic Places or properties designated as historic under State or local law. Structural changes to these facilities that would threaten or destroy the historical significance of the property or would fundamentally change the program being offered at the historic facility need not be undertaken. Nevertheless, a State or local government must consider alternatives to structural changes in these instances, including using audio-visual materials to depict the inaccessible portions of the facility and other innovative solutions.

Technically Infeasible

The ADA defines technically infeasible as “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 modifications or additions that comply fully with the Standards.”

Programs and Services Viewed in Their Entirety

Title II of the ADA does not require all facilities to be accessible. Programs must be accessible when “viewed in their entirety.” A key concept is that public programs and services, when viewed in their entirety, must be accessible to people with disabilities, but not all facilities must necessarily be made accessible. For example, if a city or town has multiple public swimming pools and limited resources, it can decide which pools to make accessible based on factors such as the geographic distribution of the sites, the availability of public transportation, the hours of operation, and the programs offered at each site so that the swimming program is accessible to and usable by people with disabilities.

Fundamental Alteration of a Service or Program

A fundamental alteration is 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.

Example: If a city or town requires a 12-foot set-back from the curb in the central business district, it may be reasonable to grant a 3-foot variance for a store wishing to install a ramp at its entrance to meet its ADA obligations. If the setback is smaller and the ramp would obstruct pedestrian traffic, granting the variance may “fundamentally alter” the purpose of the public sidewalk.

Undue Financial and Administrative Burden

An undue burden is described as requiring significant difficulty or expense to make a service or program accessible to people with disabilities. While it is rare that the City may not be able to provide program access, there are some instances where it is permissible under the ADA. Program access does not require each facility to be made physically accessible, in all instances. However, physical accessibility is a requirement for new facilities intended to provide City programs. The City is not required to incur an undue financial or administrative burden. If a public entity believes that a modification to a service or program to achieve accessibility would fundamentally alter the service or program or would result in an undue burden, the public entity has the burden of proving that it would



result in a fundamental alteration of the service or an undue burden. That decision must be made by the head of the public entity or his or her designee after considering all the resources available for use in the funding and operation of the service program or activity and must be accompanied by a written statement of the reasons for reaching that decision. Even if there is a conclusion of undue burden, the City will still need to perform all other remediations that would not result in an undue burden but would improve accessibility to the maximum extent possible.

ADA Requirements for the City of Edgewater

Under Title II, Edgewater must meet these general requirements:

- Must operate their programs so that, when viewed in their entirety, the programs are accessible to and useable by individuals with disabilities.
- May not refuse to allow a person with a disability to participate in a service, program, or activity simply because the person has a disability.
- Must make reasonable modifications in policies, practices and procedures that deny equal access to individuals with disabilities unless a fundamental alteration in the program would result.
- May not provide services or benefits to individuals with disabilities through programs that are separate or different unless the separate or different measures are necessary to ensure that benefits and services are equally effective.
- Must take appropriate steps to ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others.
- Must designate at least one responsible employee to coordinate ADA compliance. This person is typically referred to as the ADA Coordinator. The public entity must provide the ADA Coordinator's name, office address, and telephone number to all interested individuals.
- Must provide notice of ADA requirements. All public entities, regardless of size, must provide information about the rights and protections of Title II to applicants, participants, beneficiaries, employees, and other interested persons. The notice must include the identification of the employee serving as the ADA Coordinator and must provide this information on an ongoing basis.
- Must establish a grievance procedure. Public entities must adopt and publish grievance procedures providing for prompt and equitable resolution of complaints. This requirement provides for a timely resolution of all problems or conflicts related to ADA compliance before they escalate to litigation and/or the federal complaint process.

Title II of the ADA and its related federal Equal Employment Opportunity Commission (EEOC), DOJ, and DOT regulations link the concepts of discrimination and access which include physical access and program access.

Physical Access

Physical access requires a facility to be free of barriers preventing participation. Barriers are any obstacles that prevent or restrict access or use of a facility, right-of-way, or park amenity as identified in ADA Title II, Section 35.1492.



Program Access

Program access is defined by ADA Title II, Section 35.150(a)3. It may include physical accessibility, but also covers policies, practices, communications, and procedures. Program access requires that individuals with disabilities be provided an equally effective opportunity to participate in, or benefit from, programs and services. Program access may be achieved by either structural or non-structural methods. Non-structural methods include acquisition or redesign of equipment, assignment of auxiliary aids and assistance, or provision of services at alternate sites. In general, both may be utilized to ensure program access. Program access includes advertisement, orientation, eligibility, participation, testing or evaluation, physical access, provision of auxiliary aids, transportation, policies, and communication.

Designation of Responsibility

In accordance with 28 CFR 35.107(a), Edgewater has designated the following person to serve as ADA Title II Coordinator, to oversee the City's policies and procedures:

Name: Teresa Nunez Curtis
Title: Human Resources Director
Phone: (720) 763-3034
Email: Tcurtis@edgewaterco.com
Address: 1800 Harlan St, Edgewater, CO 80214

For Teresa Curtis' ADA credentials see Attachment 1.

Additional Contact for Public Works Overseeing Right-of-way

Name: Kit Lammers
Title: Community Services Director
Phone: (720) 763-3008
Email: Klammers@edgewaterco.com
Address: 1800 Harlan St, Edgewater, CO 80214

ADA Self-evaluation and Transition Plan Overview

Under Title II of the ADA, public entities are required to perform a self-evaluation of their current services, policies, and practices regarding accessibility. The goal of the self-evaluation is to verify that, in managing its programs and facilities, Edgewater is providing accessibility and not adversely affecting the full participation of individuals with disabilities.

The intent of the ADA self-evaluation is to review Edgewater's entire public program, including all facilities on public property and within public rights-of-way and to identify any obstacles or barriers to accessibility that need to be addressed. The general categories of items to be evaluated include:

- Communications, Information, and Facility Signage.
- Building Facilities – these include offices, parks, garages, and other types of buildings.
- Pedestrian Facilities (Pedestrian Circulation Routes / Pedestrian Access Routes) – these include sidewalks, curb ramps, bicycle/pedestrian trails, and traffic control signals that are located within Edgewater's rights-of-way.



Public entities are required to provide an opportunity for interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the self-evaluation process by submitting comments.

Furthermore, a public entity that employs fifty or more persons is required, for at least three years following the completion of the self-evaluation, to maintain on file and make available for public inspection:

- A list of the interested people consulted.
- A description of areas evaluated, and any problems identified.
- A description of any modifications made.

Edgewater ADA Self-evaluation and Transition Plan Scope

With the help of Mile High Accessibility Consultants (MHAC), the City of Edgewater has undertaken a comprehensive evaluation of the Civic Center and the City's public right-of-way to determine the extent to which individuals with disabilities are restricted in their access to City services and activities.

This document describes the process developed to complete the evaluation of the City's Civic Center and public right-of-way and presents a Transition Plan for the modification of the Civic Center and the public right-of way to ensure accessibility. This will help guide the planning and implementation of necessary program and facility modifications over the next 10 years. The ADA Self-evaluation and Transition Plan is significant in that it establishes the City's ongoing requirement to develop and maintain policies, programs, and facilities that include all the Edgewater community.

Purpose of This Plan

The purpose of this plan is to document, through a public process, the work done to inventory and create a list of physical barriers in the ROW that limit accessibility, provide a description of the methods to remove these barriers, estimate the costs, and create a timeframe for modifications. This transition plan provides general direction and is not intended to detail every step the city must take to make modifications.

Provide Guidance and Templates for ADA Policies

Grievance Procedure

The City of Edgewater does display the required ADA Public Notice or Grievance Procedure on its website. The City has improved the grievance procedure by adopting a grievance policy and displaying it prominently under quick links on every webpage. This increased visibility and formalized the procedure from the previous request topic for Disability/Equal Opportunity/Accessibility requests as part of the Ask Edgewater system.

Other Essential ADA Documents

Mile High Accessibility provided the City with the following essential ADA policy templates that can easily be adapted for the Town:

- Americans with Disabilities Act Public Notice
- Americans with Disabilities Act Designation of ADA Coordinator Notice
- Americans with Disabilities Act Nondiscriminatory Eligibility Criteria Policy

MHAC also provided additional applicable ADA policy templates (see Appendix D for policy templates) listed below that should be modified and implemented by the City to reduce the City's ADA compliance



liability. Mile High assisted in customizing these templates to reflect the programs, activities, and services offered by Edgewater. City staff should be trained in all ADA policies adopted through this process. MHAC can help develop and facilitate policy training if requested.

ADA Policy Templates

- ADA Self-evaluation and Transition Plan Policy
- ADA Service Animal Policy
- Law Enforcement Effective Communications Policy
- ADA Effective Communications Policy
- ADA Emergency Management Policy
- ADA General Program Access Policy
- ADA Equal Employment Policy
- ADA Reasonable Accommodation Policy
- ADA Contracting Policy
- ADA Mobility Device Policy

Public Outreach

Public input is crucial for the self-evaluation and transition plan process. The ADA regulation requires that State and local governments provide an opportunity for people with disabilities, and other interested individuals or organizations, to review and comment on the self-evaluation and transition plan. This allows for people with disabilities and organizations to contribute to the process of generating accessibility solutions that are more effective and creative. Also, involving the public enhances the accountability of the self-evaluation and transition plan process and helps ensure the prudent use of public resources that are limited. One of the most important benefits of public input is that it can help the City prioritize the removal of barriers to accessibility that are highly significant to the public.

Mile High Accessibility encourages the representation of a diverse range of people with disabilities when possible. This includes people that have physical, visual, hearing, speech, intellectual, learning, behavioral health, and other disabilities, and the organizations that represent people with these disabilities.

To facilitate public input, the City of Edgewater broadly publicized a Public Outreach Meeting that was held on January 11, 2024. The public comments from this meeting and comments submitted from the public surveys can be found in Attachments 2 and 3.

Transition Plan Management

This Transition Plan is a living document that will continue to be updated as conditions within the City evolve. The initial schedule is to formally review the complete document (main body and appendices) at least once per year, to identify any need for updates. Updates to the appendices or attachments may be made more frequently as needed. Any substantive updates to the main body of this document will include a public comment period to continue the City's public outreach efforts.



The City of Edgewater recognizes that ADA compliance is an ongoing responsibility which will require monitoring to discover future accessibility issues that may be encountered. For example, facilities that currently meet ADA requirements could fall out of compliance in the future due to factors such as damage, disrepair, or changes within public rights-of-way that could create new accessibility obstacles. Therefore, the ADA Title II Coordinator has established an on-going monitoring/inspection program to ensure that facilities continue to comply with ADA requirements. City employees will also be encouraged to report any accessibility concerns or deficiencies that they may come across.

ADA Surveys of Edgewater Civic Center

Mile High Accessibility Facilities Survey Methodology

MHAC used tablet-based technology for facilities, parks, and public right-of-way, data analysis, and reporting. MHAC has provided a Site Accessibility Evaluation Reports for the Civic Center survey along with an Excel ADA Transition Plan Database which is fully searchable and filterable.

MHAC surveys the following for compliance with the ADA:

Accessible Routes

- Entrance
- Parking Facility
- Walkways
- Doors
- Doorways
- Curb Ramps

Site Elements

- Parking Spaces
- Access Aisles
- Passenger Loading Zones
- Stairways
- Handrails
- Ramps

Built-In Elements

- Signage
- Fire Alarm Systems
- Assistive Listening Devices
- Work Surfaces
- Service Counters
- Elevators

Plumbing Elements

- Drinking Fountains
- Restrooms
- Water Closets
- Toilet Compartments
- Urinals
- Lavatories and Sinks
- Grab Bars

Special Rooms and Spaces

- Exhibit Areas
- Break Rooms
- Reception Areas
- Conference Rooms
- Auditoriums
- Meeting Rooms

Accessibility Elements

- Turning Space
- Clear Floor Space
- Changes in Level
- Reach Ranges
- Operable Parts
- Protruding Objects
- Knee and Toe Clearance

Civic Center Prioritization

MHAC assigns a priority of 1 – 4 for each accessibility barrier discovered. These priorities are displayed for each accessibility barrier in the Edgewater ADA Transition Plan Database. The prioritization process



is essential so Edgewater can determine what needs to be remediated immediately and what can be delayed until a future date. MHAC priorities are based on the following:

Priority 1 – High:

Should be completed within 12 months. Includes findings that have little or no cost, were in violation of the codes at the time of construction, pose an imminent safety threat, or would remove barriers to the greatest number of people to the City’s programs and services.

Priority 2 – Important:

Should be completed within 24 months. Includes barriers that have a lower budgetary impact on the entity in relationship to the degree of access provided and that impede access to higher numbers of people with disabilities.

Priority 3 – Moderate:

Should be completed within 36 months due to a technical violation that is difficult and costly to remediate and may not result in providing greater access to people with disabilities. Includes findings that create a moderate to minimal impact on accessibility compared to the cost of the remediation.

Priority 4 – Low:

Includes accessibility barriers in employee only spaces. These barriers should be addressed when any employee with a disability requests reasonable accommodations within the employee only space.

Probable Construction Costs (Cost Estimates)

A probable construction cost estimate range to remediate each barrier was included in MHAC reports and databases.

Civic Center Transition Plan Database

The City’s Civic Center ADA Transition Plan Databases documents facility findings in several formats that allow City staff a straightforward plan that prioritizes a path to compliance. The databases are ArcGIS compatible and are entirely customizable.

Each facility and park finding is addressed with a prioritized recommendation that will rectify the barrier. The Transition Plan Databases contains:

- Finding Number
- Area Description
- Latitude and Longitude Coordinates
- Finding Description
- As-built Condition
- Recommendation / Specifications for Barrier Removal
- 2010 ADA Standards Citations
- Barrier Priority
- Cost Estimate Range
- Status of Finding (Open/Noncompliant, or Compliant)
- Photograph of Finding
- Notes



Edgewater Civic Center ADA Findings Summary Report

Priority:	# of Findings	Cost Estimate Range	
		Low	High
High	26	\$3,685	\$6,225
Important	20	\$29,260	\$39,260
Moderate	7	\$14,000	\$18,800
Low	15	\$11,710	\$15,835
TOTAL FINDINGS	68	\$58,655	\$80,120

Survey of Edgewater Owned Public Rights-of-way

Since the adoption of the ADA, Edgewater has endeavored to provide accessible pedestrian features as part of the City's capital improvement projects. As additional information was made available regarding the methods of providing accessible pedestrian features, the City updated its procedures to accommodate these methods.

Edgewater utilizes two methods for upgrading pedestrian facilities to current ADA standards. The first and most comprehensive method is through scheduled street and utility improvement projects. The second is by using funds allocated by the City Council toward items prioritized in this transition plan. All pedestrian facilities impacted by these projects are upgraded to current ADA and Public Right-of-way Accessibility Guidelines (PROWAG) accessibility standards. The City is in the process of working with the engineering firm Martin/Martin on public right-of-way guidance and design standards.

The Edgewater goal is to continue to provide accessible pedestrian design features as part of its capital improvement projects. The City is adopting accessibility design standards. These standards will be kept current with nationwide and local best management practices.

The City will consider and respond to all accessibility improvement requests. All accessibility improvements that are deemed reasonable will be scheduled consistent with transportation priorities.

The City will coordinate with external agencies to ensure that all new or altered pedestrian facilities within the City jurisdiction are PROWAG compliant to the maximum extent feasible.

Maintenance of pedestrian facilities within the public rights-of-way will continue to follow the policies set forth by the City. Examples of typical maintenance items relating to accessibility include a sidewalk repair policy, renewal of crosswalk markings, and signal hardware.

Requests for accessibility improvements can be submitted to the ADA Title II Coordinator.

Other agencies are responsible for pedestrian facilities within the jurisdiction of Edgewater. The City will coordinate with those agencies to assist with identifying and facilitating the elimination of accessibility barriers along their routes.

Residential Sidewalk Repair and Maintenance

Similar to other cities, residential sidewalk repair and maintenance is the responsibility of Edgewater's homeowners. The City has completed capital projects in areas to increase walkability, reduce barriers



and will continue to do so in the future based on budget allocations. Several of the current City Codes are referenced below for convenience (current codes are always posted on the City website).

Vegetation

City Code (Sec. 11-2-40) requires sidewalks to be free and clear of snow, ice, mud and all other obstructions. Previously the City's Code Enforcement was only complaint driven, this process is being reevaluated to include more proactive enforcement. In addition, the City will work on a process to speed up the progress towards compliance in this area.

Sec. 11-2-40. - Sidewalk cleaning, generally.

(a) It shall be the duty of every owner or occupant of any lot, property or parcel of land within the City, or his or her agent, to keep the sidewalks in the public right-of-way adjacent to such lot or parcel of land free and clear of snow, ice, mud and all other obstructions. It is unlawful to fail to keep the sidewalks free and clear of snow, ice, mud and all other obstructions. Snow, ice, mud and other obstructions cleared from sidewalks shall not be deposited on public streets or alleys.

(b) Whenever there is an accumulation of snow, ice, mud or any other obstruction upon the sidewalk adjacent to any lot or parcel of land within the City sufficient to constitute a hazard thereon to persons or property as determined by the Chief of Police or his or her designee, the Chief of Police or his or her designee shall cause notice in writing to be served personally upon the owner or occupant of the property or his or her agent, or posted in a conspicuous place on the property, ordering such person to remove such snow, ice, mud or any other obstruction within twenty-four (24) hours from the time of serving or posting the notice. Verification of such notice shall be provided to the City Clerk. It is unlawful to fail to comply with the notice to clear sidewalks.

Sidewalks

City Code (Sec. 11-12-140) requires property owners to improve, repair or reconstruct and maintain in good order all sidewalks, curbs or gutters in the public right-of-way abutting or adjacent to their property. This includes complying with a notice to repair or reconstruct sidewalks in accordance with standards established by the City Engineer.

Sec. 11-2-140. - Duty to construct, repair or reconstruct.

(a) It is the duty of every owner or occupant to construct, improve, repair or reconstruct and maintain in good order all sidewalks, curbs or gutters in the public right-of-way abutting or adjacent to his or her property. It is unlawful for any owner or occupant to fail, neglect or refuse to comply with the requirements of any notice served upon such person in accordance with the provisions of this Article regarding the aforesaid duty, within the time specified therein, and each day's neglect and refusal to comply with the terms of the notice shall constitute a separate offense. (b) The City Manager or his or her designee is hereby authorized to enforce this Chapter, except as specifically provided otherwise.

Public Right-of-way Data Collection

Mile High Accessibility surveyed the following public right-of-way elements for compliance with the Public Right-of-way Accessibility Guidelines:

- Pedestrian Access Routes
- Curb Ramps and Blended Transitions
- Accessible Pedestrian Signals
- Pedestrian Push Buttons
- Alternate Pedestrian Access Routes
- Detectable Warning Surfaces
- Pedestrian Street Crossings
- Passenger Loading Zones



Public Right-of-way Prioritization

The prioritization of public right-of-way barriers to accessibility is based on location and access to Edgewater programs and services. With the PROWAG and the ADA, there are two categories of barrier removal that are identified in a self-evaluation and transition plan to help prioritize the removal of barriers in the public right-of-way:

1. Public right-of-way barriers which prevent access to local governments' services, programs, and activities, when viewed in their entirety.
2. Public right-of-way barriers which were created by new construction or alterations (i.e., new construction of sidewalks and intersections in the public right-of-way built after January 26, 1992), which do not comply with enforceable ADA standards or PROWAG at the time of construction.

To help determine when public right-of-way barriers to accessibility should be remediated, the barriers in sidewalks, curb ramps, and shared use paths are prioritized in the following order:

- A. Arterial roads with access to many programs.
- B. Collector roads with access to many programs.
- C. Local roads with access to fewer programs.
- D. Residential Roads and Shared use paths with minor access to few programs
- E. Little to no access to available programs.

Mile High Accessibility assigns the barriers within the above categories a priority level of High, Important, Moderate, and Low, depending on the type of road or public right-of-way, and the type of barrier.

In addition to the prioritization based on the type of road and the access to available programs, sidewalk and curb ramp barriers are prioritized by the type of barrier existing in a sidewalk or curb ramp as demonstrated in the tables below.



Sidewalk Barrier Prioritization

	PRIORITY KEY	HIGH	IMPORTANT	MODERATE	LOW
Description	Arterial roads with access to various programs	Collector roads with access to various programs	Local roads with access to fewer programs	Residential roads and shared use paths with minor access to few programs	Little to no access to available programs
No sidewalk provided	A1 - S (1/1/2030-1/1/2033)	B1 - S (1/1/2033-1/1/2035)	C1 - S (1/1/2033-1/1/2036)	D1 - S (1/1/2033-1/1/2038)	E1 - S - TBD
Sidewalk in <36"	A2 - S (1/1/2030-1/1/2033)	B2 - S (1/1/2033-1/1/2035)	C2 - S (1/1/2033-1/1/2036)	D2 - S (1/1/2033-1/1/2038)	E2 - S - TBD
Width is between 36" and 48", Cross slope and/or running slope is excessive	A3 - S (1/1/2030-1/1/2033)	B3 - S (1/1/2033-1/1/2035)	C3 - S (1/1/2033-1/1/2036)	D3 - S (1/1/2033-1/1/2038)	E3 - S - TBD
Built protrusions are present	A4 - S (1/1/2030-1/1/2033)	B4 - S (1/1/2033-1/1/2035)	C4 - S (1/1/2033-1/1/2036)	D4 - S (1/1/2033-1/1/2038)	E4 - S - TBD
Vertical Discontinuities, Horizontal openings, or other damages to sidewalk are present	A5 - S (1/1/2024-1/1/2027)	B5 - S (1/1/2024-1/1/2027)	C5 - S (1/1/2024-1/1/2027)	D5 - S (1/1/2024-1/1/2027)	E5 - S - TBD
Organic protrusions that interfere with headroom, or width are present	A6 - S Ongoing	B6 - S Ongoing	C6 - S Ongoing	D6 - S Ongoing	E6 - S - Ongoing
No deficiencies reported	A7 - S	B7 - S	C7 - S	D7 - S	E7 - S



Curb Ramp Barrier Prioritization

	PRIORITY KEY	HIGH	IMPORTANT	MODERATE	LOW
Description	Arterial roads with access to various programs	Collector roads with access to various programs	Local roads with access to fewer programs	Residential roads with minor access to few programs	Little to no access to available programs
No curb ramp provided public access route	A1 - CR (1/1/2030-1/1/2033)	B1 - CR (1/1/2033-1/1/2035)	C1 - CR (1/1/2033-1/1/2036)	D1 - CR (1/1/2033-1/1/2038)	E1 - CR - TBD
Running slope, Cross slope, or Counter slope deficiencies	A2 - CR (1/1/2030-1/1/2033)	B2 - CR (1/1/2033-1/1/2035)	C2 - CR (1/1/2033-1/1/2036)	D2 - CR (1/1/2033-1/1/2038)	E2 - CR - TBD
Damaged	A3 - CR (1/1/2030-1/1/2033)	B3 - CR (1/1/2033-1/1/2035)	C3 - CR (1/1/2033-1/1/2036)	D3 - CR (1/1/2033-1/1/2038)	E3 - CR - TBD
Side flares, width, and turning space	A4 - CR (1/1/2030-1/1/2033)	B4 - CR (1/1/2033-1/1/2035)	C4 - CR (1/1/2033-1/1/2036)	D4 - CR (1/1/2033-1/1/2038)	E4 - CR - TBD
Detectable warning deficiencies	A5 - CR (1/1/2030-1/1/2033)	B5 - CR (1/1/2033-1/1/2035)	C5 - CR (1/1/2033-1/1/2036)	D5 - CR (1/1/2033-1/1/2038)	E5 - CR - TBD
Vertical discontinuity or various minor deficiencies	A6 - CR (1/1/2024-1/1/2027)	B6 - CR (1/1/2024-1/1/2027)	C6 - CR (1/1/2024-1/1/2027)	D6 - CR (1/1/2024-1/1/2027)	E6 - CR - TBD
No deficiencies reported	A7 - CR	B7 - CR	C7 - CR	D7 - CR	E7 - CR



EDGEWATER STREETS SURVEYED

17th Ave from Sheridan to Depew – Residential	Ames St – Residential
Benton St – Residential	Chase St – Residential
Depew St – Residential	Eaton St – Residential
Fenton St – Residential	Gray St – Residential
Harlan St – Arterial	Ingall St – Residential
Jay St – Residential	Kendall St – Residential
Lamar St – Residential	Marshall St – Residential
Newland St – Residential	Otis Ct – Residential
Otis St – Residential	Pierce St – Arterial
Sheridan St – Arterial	W 20th Ave – Arterial
W 22nd Ave – Residential	W 24th Ave – Arterial
W 25th Ave – Residential	W 25th Ln – Residential
W 26th Ave – Arterial	W 28th Ave – Residential
Depew St and 27th Ave – Residential	



Public Right-of-way Transition Plan Database

The Mile High Accessibility Public Right-of-way Transition Plan Database contains these fields:

- Finding Number
- Area Description
- Latitude and Longitude Coordinates
- Finding Description
- As-built Condition
- Recommendations to Remove Barrier
- Milestone Dates for Barrier Removal
- PROWAG Guidelines Citations
- Barrier Priority
- Cost Estimate Range
- Status of Finding
- Photograph of Finding
- Notes

PROWAG Summary Reports

Pedestrian Push Buttons			
# of Findings	Cost Estimate Range		
	Low	High	
30	\$28,500	\$44,750	

Continuous Width of Sidewalks			
# of Findings	Cost Estimate Range		
	Low	High	
71	\$7,546,060	\$7,903,890	

Curb Ramps

# of Findings	Cost Estimate Range	
	Low	High
379	\$2,484,525	\$2,654,050

Pedestrian Street Crossings

# of Findings	Cost Estimate Range	
	Low	High
3	\$19,600	\$20,900

Sidewalk Slopes

# of Findings	Cost Estimate Range	
	Low	High
381	\$5,014,180	\$5,333,090



Sidewalk Surfaces

Horizontal Openings, Vertical Alignment, Vertical Surface Discontinuities

# of Findings	Cost Estimate Range	
	Low	High
612	\$505,750	\$578,550

Public Right-of-way Totals

# of Findings	Cost Estimate Range	
	Low	High
1,476	\$15,598,615	\$16,535,230

Arterial Right-of-way Totals

# of Findings	Cost Estimate Range	
	Low	High
332	\$3,592,490	\$3,803,710



Edgewater Budget for Public Right-of-way Improvements

The City of Edgewater follows a budget process which includes reviewing past expenditures, future forecasts for revenue, and accounts for obligations and needs across all departments and areas. While the transition plan focuses on a timeline, the budget for improvements is set through the budget process with the City Council. When the budget is allocated for specific projects, the City Manager directs staff to carry out the processes needed.

In 2023, as the plan was being developed, funds were allocated for capital improvement projects that also addressed some ADA issues. Funding specifically toward this transition plan would be allocated by the City Council during the 2024 budget process. The plan was developed while considering existing revenue with a 15-year outlook, the City may be able to reduce that timeframe through policy decisions such as by making cuts in areas, reducing reserves, exploring alternate funding mechanisms. These would ultimately be determined by the City Council during the budget process.

It is common for cities to seek grant funding for pedestrian facility construction and maintenance. Such funding may be used to supplement other available financial resources, and typically is used for targeted projects such as replacing large segments of sidewalks, installing ADA-compliant curb ramps, and installing and upgrading pedestrian signals. Grant funding sources used for pedestrian facilities by communities include Safe Routes to School Grants, Community Development Block Grants, American Recovery and Reinvestment Act Grants, and Transportation Enhancement Grants.

Residential Right-of-way Totals – 10 Year Plan		
# of Findings	Cost Estimate Range	
	Low	High
1,144	\$12,006,125	\$12,731,520

Anticipated Annual Cost over 10 Years: Low – \$1,200,612.00

High – \$1,273,152.00



Residential Right-of-way Totals – 15 Year Plan		
# of Findings	Cost Estimate Range	
	Low	High
1,144	\$12,006,125	\$12,731,520

Anticipated Annual Cost over 15 Years: Low - \$800,408.00
High - \$848,768.00

Conclusion

The ADA self-evaluation and transition planning process are vital steps towards creating an inclusive environment for individuals with disabilities. It demonstrates a commitment to equal access and provides a roadmap for necessary improvements and accommodations. By identifying and addressing barriers, the City of Edgewater can enhance accessibility, promote diversity and inclusion, and ensure compliance with ADA guidelines.

Continuously reviewing and updating the self-evaluation and transition plan will help maintain an inclusive environment over time. In 2029, the City of Edgewater will complete another evaluation of the City’s public right-of way.

Appendix A: ADA Definitions

Alterations

When a public entity chooses to alter any of its facilities, the elements and spaces being altered must comply with the 2010 Standards. An alteration is defined as remodeling, renovating, rehabilitating, reconstructing, changing, or rearranging structural parts or elements, changing or rearranging plan configuration of walls and full-height or other fixed partitions, or making other changes that affect (or could affect) the usability of the facility. Examples include restriping a parking lot, moving walls, moving a fixed ATM to another location, installing a new service counter or display shelves, changing a doorway entrance, or replacing fixtures, flooring, or carpeting. Normal maintenance, reroofing, painting, wallpapering, or other changes that do not affect the usability of a facility are not considered alterations. The 2010 Standards set minimum accessibility requirements for alterations. In situations where strict compliance with the Standards is technically infeasible, the entity must comply to the maximum extent feasible (see Technically Infeasible below).

Auxiliary Aids and Services

- 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.

Complaint

A complaint is a claimed violation of the ADA.

Disability

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

Discrimination Based on Disability

- 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 based on disability.
- Deny equal benefits because of a disability.
- Fail to provide reasonable accommodations to known physical or mental limitations of an otherwise qualified individual unless it can be shown that the accommodation would impose an undue burden on the organization's operations.
- Use selection criteria that exclude otherwise qualified people with disabilities from participating in the programs or activities offered to the public.



- 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.

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.

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.

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 addiction if the addict 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; 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 if not symptoms of a mental or physiological disorder.

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 Program Modifications

If the individual's disabilities prevent them from performing the essential functions of the program or activity, it is necessary to determine whether reasonable program modifications would enable an individual to perform the essential functions of the program or activity.

Reasonable program 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. Accommodation means modifications or adjustments:

- To a registration or application process to enable an individual with a disability to be considered for the program or activity.
- To the program or activity environment in which the duties of a position are performed so that a person with a disability can perform the essential functions of the program or activity.
- That enables 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.
- Known disabilities only.

Modification is not required if:

- It changes the essential nature of a program or activity of the person with a disability.
- It creates a hazardous situation.
- Adjustments or modifications requested are primarily for the personal benefit of the individual with a disability.
- It poses an undue burden.

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.

Reasonable Modification of Policies and Procedures

Many routine policies, practices, and procedures are adopted by public entities without thinking about how they might affect people with disabilities. Sometimes a practice that seems neutral makes it difficult or impossible for a person with a disability to participate. In these cases, the ADA requires public entities to make "reasonable modifications" in their usual ways of doing things when necessary to accommodate people who have disabilities. For example:

- A person who uses crutches may have difficulty waiting in a long line to vote or register for college classes. The ADA does not require that the person be moved to the front of the line (although this would be permissible), but staff must provide a chair for him and note where he is in line, so he does not lose his place.
- A person who has an intellectual or cognitive disability may need assistance in completing an application for public benefits.
- A public agency that does not allow people to bring food into its facility may need to make an exception for a person who has diabetes and needs to eat frequently to control his glucose level.
- A city, town, or county ordinance that prohibits animals in public places must be modified to allow people with disabilities who use service animals to access public places. (This topic is discussed more fully later.)
- A city, town, or county ordinance that prohibits motorized devices on public sidewalks must be modified for people with disabilities who use motorized mobility devices that can be used safely on sidewalks.

Only "reasonable" modifications are required. Any modification that would result in a "fundamental alteration" -- a change in the essential nature of the entity's programs or services -- is not required.

Safe Harbor

The requirements in the 2010 ADA Standards are, for many building elements, identical to the 1991 Standards and the earlier Uniform Federal Accessibility Standards (UFAS). For some elements, however, the requirements in the 2010 Standards have changed. For example:

- The 1991 Standards allowed light switches, thermostats, and other controls to be installed at a maximum height of 54 inches. Under the 2010 Standards, the maximum height is 48 inches.



- The 1991 Standards required one van-accessible space for every eight accessible spaces. The 2010 Standards require one van-accessible space for every six accessible spaces.
- The 2010 Standards for assembly areas contain revised requirements for dispersion of accessible seating, sightlines over standing spectators, and companion seating.

If a facility was in compliance with the 1991 Standards or UFAS as of March 15, 2012, a public entity is not required to make changes to meet the 2010 Standards. This provision is referred to as the “safe harbor.” It applies on an element-by-element basis and remains in effect until a public entity decides to alter a facility for reasons other than the ADA. For example, if a public entity decides to restripe its parking lot (which is considered an alteration), it must then meet the ratio of van accessible spaces in the 2010 Standards. The ADA’s definition of the term “alteration” is discussed below.

Recreational Facilities

The 2010 Standards also contain requirements for recreational facilities that were not addressed in the 1991 Standards or UFAS. These include swimming pools, play areas, exercise machines, court sport facilities, amusement rides, golf facilities, miniature golf facilities, saunas and steam rooms, shooting facilities, and boating and fishing piers. Because there were no previous accessibility standards for these types of facilities, safe harbor does not apply. The program access rules apply, and the 2010 Standards must be followed when structural change is needed to achieve program access.

Service Animals

Under the ADA, a service animal is defined as a dog that has been individually trained to do work or perform tasks for an individual with a disability. The task(s) performed by the dog must be related to the person’s disability. For example, many people who are blind or have low vision use dogs to guide and assist them with orientation. Many individuals who are deaf use dogs to alert them to sounds. People with mobility disabilities often use dogs to pull their wheelchairs or retrieve items. People with epilepsy may use a dog to warn them of an imminent seizure, and individuals with psychiatric disabilities may use a dog to remind them to take medication. Dogs can also be trained to detect the onset of a seizure or panic attack and to help the person avoid the attack or be safe during the attack. Under the ADA, “comfort,” “therapy,” or “emotional support” animals do not meet the definition of a service animal because they have not been trained to do work or perform a specific task related to a person’s disability.

Allowing service animals into a “no pet” facility is a common type of reasonable modification necessary to accommodate people who have disabilities. Service animals must be allowed in all areas of a facility where the public is allowed except where the dog’s presence would create a legitimate safety risk (e.g., compromise a sterile environment such as a burn treatment unit) or would fundamentally alter the nature of a public entity’s services (e.g., allowing a service animal into areas of a zoo where animals that are natural predators or prey of dogs are displayed and the dog’s presence would be disruptive). The ADA does not override public health rules that prohibit dogs in swimming pools, but they must be permitted everywhere else.

The ADA requires that service animals be always under the control of the handler and be harnessed, leashed, or tethered, unless these devices interfere with the service animal’s work or the individual’s disability prevents him from using these devices. Individuals who cannot use such devices must maintain control of the animal through voice, signal, or other effective controls.

Public entities may exclude service animals only if 1) the dog is out of control and the handler cannot or does not regain control; or 2) the dog is not housebroken. If a service animal is excluded, the individual must be allowed to enter the facility without the service animal.

Public entities may not require documentation, such as proof that the animal has been certified, trained, or licensed as a service animal, as a condition for entry. In situations where it is not apparent that the dog is a service animal, a public entity may ask only two questions: 1) is the animal required because of a disability?



and 2) what work or task has the dog been trained to perform? Public entities may not ask about the nature or extent of an individual's disability.

The ADA does not restrict the breeds of dogs that may be used as service animals. Therefore, a town ordinance that prohibits certain breeds must be modified to allow a person with a disability to use a service animal of a prohibited breed, unless the dog's presence poses a direct threat to the health or safety of others. Public entities have the right to determine, on a case-by-case basis, whether use of a particular service animal poses a direct threat, based on that animal's actual behavior or history; they may not, however, exclude a service animal based solely on fears or generalizations about how an animal or breed might behave.

The ADA does not require service animals to be certified, licensed, or registered as a service animal. Nor are they required to wear service animal vests or patches, or to use a specific type of harness. There are individuals and organizations that sell service animal certification or registration documents to the public. The Department of Justice does not recognize these as proof that the dog is a service animal under the ADA.

Substantial Limitations of Major Life Activities

Individuals are disabled if they have a physical or mental impairment that (a) renders them unable to perform a major life activity, or (b) substantially limits the condition, manner, or duration under which they 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.
- The permanent or long-term impact (or expected impact) of or resulting from the impairment.

Technically Infeasible

Is defined as an alteration 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 modifications or additions that comply fully with the Standards. The 2010 Standards also contain an exemption for certain alterations that would threaten or destroy the historic significance of an historic property.

Undue Burden

The City of Edgewater shall not provide an accommodation that imposes an undue burden on the operation of the City's business. An undue burden means significant difficulty or expense incurred in the provision of accommodation. Undue burden includes, but is not limited to, financial difficulty. Undue burden refers to any modification that would be unduly costly, extensive, substantial, or disruptive, or that would fundamentally alter the nature of operation of the business of the City.

Whether a particular accommodation will impose an undue hardship is determined on an individual basis. If a particular modification is determined to cause an undue burden to the City of Edgewater, the City shall attempt to identify another modification that would not pose such a burden. If cost causes an undue burden, the City must consider whether funding for modification is available from an outside source. If no such funding is available, the City must give the person with a disability the opportunity to provide the modification or to pay for that portion of the modification that constitutes an undue burden.



Appendix B: Glossary of Terms

ABA: See Architectural Barriers Act.

ADA: See Americans with Disabilities Act.

ADA Transition Plan: Transportation system plan that identifies accessibility needs, the process to fully integrate accessibility improvements, and aims to ensure that all transportation facilities, services, programs, and activities are accessible to all individuals.

ADAAG: See Americans with Disabilities Act Accessibility Guidelines.

Accessible: A facility that provides access to people with disabilities using the design requirements of the ADA.

Accessible Pedestrian Signal (APS): A device that communicates information about the WALK phase in audible and vibrotactile formats.

Alteration: A change to a facility in the public right-of-way that affects or could affect access, circulation, or use. An alteration must not decrease or have the effect of decreasing the accessibility of a facility or an accessible connection to an adjacent building or site.

Americans with Disabilities Act (ADA): Civil rights legislation passed in 1990 and effective July 1992. The ADA sets design guidelines for accessibility to public facilities, including sidewalks and trails, by individuals with disabilities.

Americans with Disabilities Act Accessibility Guidelines (ADAAG): Contains scoping and technical requirements for accessibility to buildings and public facilities by individuals with disabilities under the Americans with Disabilities Act (ADA) of 1990.

APS: See Accessible Pedestrian Signal.

Architectural Barriers Act (ABA): Federal law that requires facilities designed, built, altered, or leased with Federal funds to be accessible. The Architectural Barriers Act marks one of the first efforts to ensure access to the built environment.

Capital Improvement Program (CIP): The CIP for a public agency typically includes an annual capital budget and a five-year plan for funding the new construction and reconstruction projects on the agency's transportation system.

Detectable Warning: A surface feature of truncated domes, built in or applied to the walking surface to indicate an upcoming change from pedestrian to vehicular way.

DOJ: See United States Department of Justice.

Federal Highway Administration (FHWA): A branch of the U.S. Department of Transportation that administers the federal-aid Highway Program, providing financial assistance to states to construct and improve highways, urban and rural roads, and bridges.

FHWA: See Federal Highway Administration.

Pedestrian Access Route (PAR): A continuous and unobstructed walkway within a pedestrian circulation path that provides accessibility.

Pedestrian Circulation Route (PCR): A prepared exterior or interior way of passage provided for pedestrian travel.

PROWAG: An acronym for the *Proposed Guidelines for Pedestrian Facilities in the Public Right-of-Way* issued in 2005 by the U.S. Access Board. This guidance addresses roadway design practices, slope and terrain related to pedestrian access to walkways and streets, including crosswalks, curb ramps, street furnishings, pedestrian signals, parking, and other components of public rights-of-way.



Right-of-Way: A general term denoting land, property, or interest therein, usually in a strip, acquired for the network of streets, sidewalks and trails creating public pedestrian access within a public entity's jurisdictional limits.

Section 504: The section of the Rehabilitation Act that prohibits discrimination by any program or activity conducted by the federal government.

Uniform Federal Accessibility Standards (UFAS): Accessibility standards that all federal agencies are required to meet; includes scoping and technical specifications.

United States Access Board: An independent federal agency that develops and maintains design criteria for buildings and other improvements, transit vehicles, telecommunications equipment, and electronic and information technology. It also enforces accessibility standards that cover federally funded facilities.

United States Department of Justice: Federal executive department responsible for enforcement of the law and administration of justice (also referred to as the Justice Department or DOJ).



Appendix C – Additional Reports

Due to the size of the extensive data collected, the files noted in these documents are not directly attached to the ADA Transition Plan but are available from the City upon request.

1. Civic Center ADA Transition Plan Database
2. Civic Center Site Accessibility Evaluation Reports
3. Public Right-of-way Transition Plan Database



Appendix D – ADA Policies



THE AMERICANS WITH DISABILITIES ACT (ADA) SELF-EVALUATION POLICY

It is the policy of the City of Edgewater, Colorado to continually evaluate its current services, programs, activities, policies, practices, and the effects thereof, to identify any that do not or may not meet the requirements of the Americans with Disabilities Act Part 35 regulations. To the extent modification of any such services, programs, activities, policies, and practices is required, the City of Edgewater will proceed to make the necessary modifications.

The City of Edgewater will provide an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the self-evaluation process by submitting comments.

Among the City of Edgewater ADA Coordinator's duties is the responsibility for ensuring that the self-evaluation process is maintained. The ADA Coordinator will keep a log of interested people who have been consulted, or who have made comments, or filed complaints. When complaints are filed, the ADA Coordinator will follow the City of Edgewater Grievance Procedure.

The ADA Coordinator will maintain a log describing areas of facilities or programs that have been examined and any problems identified; and description of modifications made to mitigate problems.

The City of Edgewater will ensure that accessible features of its facilities are maintained in operating order. While temporary interruptions in service or access due to maintenance or repairs are permitted, the City of Edgewater will make efforts to ensure a prompt return to service of accessible features.

When new services, programs, or activities are introduced, the City of Edgewater will ensure that such services, programs, and activities, when viewed in their entirety, will be accessible to and usable by individuals with disabilities. When programs are relocated to different facilities, the City Edgewater will remove or mitigate any architectural barriers in such facilities, prior to re-location of services, programs, or activities.



THE AMERICANS WITH DISABILITIES ACT (ADA) Grievance Procedure

This grievance procedure is established to meet the requirements of the ADA. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the city of Edgewater.

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

The complaint should be submitted as soon as possible, preferably within 60 calendar days of the alleged violation to:

ADA Coordinator Teresa Curtis at TCurtis@EdgewaterCO.com, (720) 763-3034

[Edgewater ADA Grievance Form](#)

Within 15 calendar days after receipt of the complaint, the ADA Coordinator will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting the ADA Coordinator will respond in writing, and where appropriate, in a format that is accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the City of Edgewater and offer options for substantive resolution of the complaint.

If the response by Teresa Curtis does not satisfactorily resolve the issue, the complainant may appeal the decision within 15 calendar days after receipt of the response of the Edgewater 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 that is accessible to the complainant, with a final resolution of the complaint.



THE AMERICANS WITH DISABILITIES ACT (ADA) SERVICE ANIMAL POLICY

It is the policy of the City of Edgewater, Colorado to ensure that individuals with disabilities may be accompanied by their service animals wherever members of the public may go.

The U.S. Department of Justice enforces Title II of the ADA and the associated regulations and standards that apply to state and local governments. Under the ADA, service animals are dogs that are individually trained to do work or perform tasks for people with disabilities. The City of Edgewater welcomes people with disabilities who are accompanied by service animals in all Edgewater buildings, programs and activities. No identification or special tags are required. Service animals must be harnessed or leashed unless those devices would interfere with the work the service animal performs. In cases where the service animal is not leashed or harnessed, the handler must have the service animal under voice or signal control. If a service animal becomes disruptive, a City staff person may ask that the service animal be removed.

Service animals are defined as dogs that are individually trained to do work or 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.

Where Service Animals Are Allowed

Under the ADA, the City of Edgewater generally must allow service animals to accompany people with disabilities in all areas of the facility where the public is normally allowed to go.

For example, in a hospital it would be inappropriate to exclude a service animal from areas such as patient rooms, clinics, cafeterias, or examination rooms. However, it may be appropriate to exclude a service animal from operating rooms or burn units where the animal's presence may compromise a sterile environment.

Service Animals Must Be Under Control

Under the ADA, service animals must be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work or the individual's disability prevents using these devices. In that case, the individual must maintain control of the animal through voice, signal, or other effective controls.

Inquiries, Exclusions, Charges, and Other Specific Rules Related to Service Animals

- When it is not obvious what service an animal provides, only limited inquiries are allowed. Staff may ask two questions: (1) is the dog a service animal required because of a disability, and (2) what work or task the dog has been trained to perform. Staff cannot ask about the person's disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task.
- Allergies and fear of dogs are not valid reasons for denying access or refusing service to people using service animals. When a person who is allergic to dog dander and a person who uses a service animal must spend time in the same room or facility, for example, in a school classroom or at a homeless shelter, they both should be accommodated by assigning them, if possible, to different locations within the room or different rooms in the facility.
- A person with a disability cannot be asked to remove her service animal from the premises unless: (1) the dog is out of control and the handler does not take effective action to control it or (2) the dog is not housebroken. When there is a legitimate reason to ask that a service animal be removed, staff must offer the person with the disability the opportunity to obtain goods or services without the animal's presence.
- Establishments that sell or prepare food must allow service animals in public areas even if state or local health codes prohibit animals on the premises.
- People with disabilities who use service animals cannot be isolated from other patrons, treated less favorably than other patrons, or charged fees that are not charged to other patrons without animals. In addition, if a program or agency requires a deposit or fee to be paid by patrons with pets, it must waive the charge for service animals.
- If a program or agency normally charges patrons for damage that they cause, a customer with a disability may also be charged for damage caused by himself or his service animal.
- Staff are not required to provide care or food for a service animal.



THE AMERICANS WITH DISABILITIES ACT (ADA) LAW ENFORCEMENT EFFECTIVE COMMUNICATIONS POLICY

OVERVIEW

It is the policy of this law enforcement agency (Agency) to ensure that a consistently high level of service is provided to all community members, including those who are deaf or hard of hearing. This Agency has specific legal obligations under the Americans with Disabilities Act [insert the following text if your agency receives financial assistance from the Federal government: and the Rehabilitation Act] to communicate effectively with people who are deaf or hard of hearing. To carry out these policies and legal obligations, the Agency instructs its officers and employees as follows:

People who are deaf or hard of hearing are entitled to a level of service equivalent to that provided to other people.

The Agency will make every effort to ensure that its officers and employees communicate effectively with people who are deaf or hard of hearing.

Effective communication with a person who is deaf or hard of hearing involved in an incident -- whether as a victim, witness, suspect, or arrestee -- is essential in ascertaining what occurred, the urgency of the matter, and type of situation.

Various types of communication aids – known as “auxiliary aids and services” – are used to communicate with people who are deaf or hard of hearing. These include use of gestures or visual aids to supplement oral communication; use of a notepad and pen or pencil to exchange written notes; use of an assistive listening system or device to amplify sound for persons who are hard of hearing; or use of a qualified oral or sign language interpreter.

The type of aid that will be required for effective communication will depend on the individual’s usual method of communication, and the nature, importance, and duration of the communication at issue.

In many circumstances, oral communication supplemented by gestures and visual aids, or an exchange of written notes will be an effective means of communicating with people who are deaf or hard of hearing. In other circumstances, a qualified sign language or oral interpreter may be needed to communicate effectively with people who are deaf or hard of hearing. The more lengthy, complex, and important the communication, the more likely it is that a qualified interpreter will be required for effective communication. For example:

- If there has been an incident and the officer is conducting witness interviews, a qualified sign language interpreter may be required to communicate effectively with someone whose primary means of communication is sign language. A qualified oral interpreter may be required to communicate effectively with someone who has been trained to speech read (read lips).
- If a person is asking an officer for directions to a location, gestures or an exchange of written notes will likely be sufficient to communicate effectively.

To serve everyone effectively, primary consideration should be given to providing the type of communication aid or service requested by the individual. Officers should find out from the person who is deaf or hard of



hearing what type of auxiliary aid or service he or she needs. Officers should defer to those expressed choices, unless:

- there is another equally effective way of communicating, given the circumstances, length, complexity, and importance of the communication, as well as the communication skills of the person who is deaf or hard of hearing; or
- doing so would fundamentally alter the nature of the law enforcement activity in question or would cause an undue administrative or financial burden; only the Agency head or his or her designee may make this determination.

The input of people who are deaf or hard of hearing who are involved in incidents is just as important to the law enforcement process as the input of others. Officers must not draw conclusions about incidents unless they fully understand -- and are understood by -- all those involved, including people who are deaf or hard of hearing.

People who are deaf or hard of hearing must not be charged for the cost of an auxiliary aid or service needed for effective communication.

ON-CALL INTERPRETIVE SERVICES

The Agency will maintain a list of sign language and oral interpreting services that are available (on-call 24 hours per day) and willing to provide qualified interpreters as needed. Each of these services will be chosen after having been screened for the quality and skill of its interpreters, its reliability, and other factors such as cost. The Agency will update this list annually.

A qualified sign language or oral interpreter is one who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. Accordingly, an interpreter must be able to sign to the deaf individual (or interpret orally to the person who speech reads) what is being said by the officer and be able to voice to the officer what is being signed or said by the deaf individual. The interpreter must be able to interpret in the language the deaf person uses (e.g., American Sign Language or Signed English) and must be familiar with law enforcement terms and phrases. Because a qualified interpreter must be able to interpret impartially, a family member, child, or friend of the individual who is deaf may not be qualified to render the necessary interpretation because of factors such as professional, emotional, or personal involvement, or considerations of confidentiality. Additionally, although a “qualified” interpreter may be certified, a certified interpreter is not necessarily “qualified,” if he or she is not a good communications match for the deaf person (e.g., where the deaf person uses Signed English and the interpreter uses American Sign Language) or for the situation (e.g., where the interpreter is unfamiliar with law enforcement vocabulary).

TTY AND RELAY SERVICES

In situations when a nondisabled person would have access to a telephone, officers must provide persons who are deaf or hard of hearing the opportunity to place calls using a teletypewriter (TTY, also known as a telecommunications device for deaf people, or TDD). Officers must also accept telephone calls placed by people who are deaf or hard of hearing through the Telecommunications Relay Service.

TECHNIQUES FOR OFFICERS TO COMMUNICATE EFFECTIVELY

Officers may utilize the following auxiliary aids, when available, to communicate effectively:

- Use of gestures
- Use of visual aids
- Use of a notepad and pen or pencil
- Use of a computer or typewriter
- Use of an assistive listening system or device



- Use of a teletypewriter (TTY)
- Use of a qualified oral or sign language interpreter.

Officers must review and have a working knowledge of the publication *Communicating with People Who Are Deaf or Hard of Hearing: ADA Guide for Law Enforcement Officers*. This document reviews how officers should communicate effectively in the types of situations officers will encounter.

THE AMERICANS WITH DISABILITIES ACT (ADA) EFFECTIVE COMMUNICATION POLICY

It is the policy of the City of Edgewater, Colorado to ensure that communications with applicants, participants, members of the public, and companions with disabilities are as effective as communications are with others.

The City of Edgewater, through its agencies, will furnish appropriate auxiliary aids and services where necessary to afford qualified individuals with disabilities, including applicants, participants, members of the public, and companions an equal opportunity to participate in, and enjoy the benefits of, a service, program, or activity conducted by the City.

The type of auxiliary aid or service necessary to ensure effective communication will vary in accordance with the method of communication involved; and the context in which the communication is taking place. To be effective, auxiliary aids and services will be provided in accessible formats, in a timely manner, and in such a way as to protect the privacy and independence of the individual with a disability.

Auxiliary aids and services include:

- Qualified interpreters on-site or through video remote interpreting (VRI) services
- Notetakers
- Real-time computer-aided transcription services
- Written materials
- Exchanges of written notes
- Telephone handset amplifiers
- Assistive listening devices
- Assistive listening systems
- Telephones compatible with hearing aids
- Closed caption decoders
- Open and closed captioning, including real time captioning
- Voice, text, and video-based telecommunications products and systems, including text telephones (TTY's), video telephones, and captioned telephones, or equally effective telecommunications devices
- Video text displays
- Accessible electronic and information technology, or other effective methods of making aurally delivered information available to individuals who are deaf or hard of hearing
- Qualified readers
- Taped texts
- Audio recordings
- Braille materials and displays
- Screen reader software
- Magnification software
- Optical readers
- Second auditory programs (SAP)



- Large print materials
- Electronic and information technology
- Other effective methods of making visually delivered materials available to individuals who are blind or have low vision.

When an auxiliary aid or service is requested, the City of Edgewater will give primary consideration to the choice expressed by the individual with disabilities. The City will honor the choice unless:

- (1) it can show that another effective means of communication is available
- (2) it can show that the use of the means chosen would result in a fundamental alteration in the service, program, or activity
- (3) it can show that the use of the means chosen would result in undue financial burden to the City

A City of Edgewater agency will consult with the individual with a disability to identify an effective manner of communication that can be achieved with the individual in the context of the agency's program, service or activity. The City will not require an individual with a disability to bring another individual to interpret for him or her.

The City of Edgewater will not require an adult accompanying an individual with a disability to interpret or facilitate communication except:

- (1) In an emergency involving imminent threat to the safety or welfare of an individual or the public where there is no interpreter available; or
- (2) Where the individual with a disability specifically requests that the accompanying adult interpret or facilitate communication, the accompanying adult agrees to provide such assistance, and reliance on the adult for assistance is appropriate under the circumstances

The City of Edgewater will not rely on a minor child to interpret or facilitate communications, except in an emergency involving an imminent threat to the safety or welfare of an individual or the public where there is no interpreter available.

When the City of Edgewater uses an automated-attendant system, including, but not limited to, voice mail and messaging, or an interactive voice response system, for receiving and directing incoming telephone calls, that system must provide effective real-time communication with individuals using auxiliary aids and services, including TTY's and all forms of FCC-approved telecommunications relay systems, including Internet-based relay systems.

The City of Edgewater will respond to telephone calls from a telecommunications relay service established under title IV of the ADA in the same manner that it responds to other telephone calls.

THE AMERICANS WITH DISABILITIES ACT (ADA) EMERGENCY MANAGEMENT PLAN DEVELOPMENT POLICY

The City of Edgewater, Colorado will not discriminate against an individual with a disability in connection with participation in services and activities provided in the development, implementation, and execution of the City of Edgewater emergency management plan. The City of Edgewater will ensure that in every aspect, facet, and feature in its emergency management plan will consider any potential barriers that might exclude or limit the opportunity for people with disabilities to participate in and benefit from the City of Edgewater emergency management plan. This policy extends to all public or private entities and organizations in conjunction with the City of Edgewater managed response to emergent situations.

The City of Edgewater recognizes that emergency management is wide-ranging. It includes all programs, services, and activities related to emergencies and disasters, including, but not limited to the following:

- Preparation – advance planning for emergencies and disasters
- Testing of Preparedness – staging emergency simulations and other approaches to evaluating the effectiveness of emergency preparedness
- Notification – alerting the public to emergencies and disasters and to available programs, services, and activities
- Ensuring the functional operation of reverse 9-1-1, including texting capacity, and captioned warning announcements on television and websites
- Provision for auxiliary aids and services necessary for effective communication at all planned emergency shelters
- Community Evacuation and Transportation
- Emergency Shelter Programs
- Temporary Lodging and Housing
- Social Services and Emergency and Disaster-Related Benefit Programs
- Emergency Medical Care and Services
- Emergency food, water, and medical supplies
- Relocation Programs, Activities, and Services
- Transition and Transportation Back to the Community Following an Emergency or Disaster
- Emergency and Disaster Recovery Programs, Services, and Activities
- Remediation of Damage Caused by Emergencies and Disasters such as repairing and rebuilding damaged facilities, removing debris, and relocation and reintroduction of state and local government programs, services, and activities following an emergency or disaster

The City of Edgewater will create a voluntary registry for citizens requiring special assistance because of age or disability, during an emergency. The City of Edgewater will include in its plans the necessary capacity to transport, shelter, and provide any other necessary services for this population.

THE AMERICANS WITH DISABILITIES ACT (ADA) GENERAL PROGRAM ACCESS POLICY

It is the policy of the City of Edgewater, Colorado to ensure that no qualified individual with a disability will, based on disability, be excluded from participation in or be denied the benefits of its services, programs, or activities, or be subjected to discrimination by the City of Edgewater.

The City of Edgewater in providing any aid, benefit, or service, will not, directly or through contractual, licensing, or other arrangements, based on disability:

- (i) Deny a qualified individual with a disability the opportunity to participate in or benefit from the aid, benefit, or service.
- (ii) Afford a qualified individual with a disability an opportunity to participate in or benefit from the aid, benefit, or service that is not equal to that afforded others.
- (iii) Provide a qualified individual with a disability with an aid, benefit, or service that is not as effective in affording equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement as that provided to others.
- (iv) Provide different or separate aids, benefits, or services to individuals with disabilities or to any class of individuals with disabilities than is provided to others unless such action is necessary to provide qualified individuals with disabilities with aids, benefits, or services that are as effective as those provided to others.
- (v) Aid or perpetuate discrimination against a qualified individual with a disability by providing significant assistance to an agency, organization, or person that discriminates based on disability in providing any aid, benefit, or service to beneficiaries of the public entity's program.
- (vi) Deny a qualified individual with a disability the opportunity to participate as a member of planning or advisory boards.
- (vii) Otherwise limit a qualified individual with a disability in the enjoyment of any right, privilege, advantage, or opportunity enjoyed by others receiving the aid, benefit, or service.

The City of Edgewater will not deny a qualified individual with a disability the opportunity to participate in services, programs, or activities that are not separate or different, despite the existence of permissibly separate or different programs or activities.



THE AMERICANS WITH DISABILITIES ACT (ADA) EQUAL EMPLOYMENT POLICY

The City of Edgewater, Colorado will provide equal employment opportunities for individuals with disabilities.

The City of Edgewater will not discriminate based on a disability against a qualified individual regarding:

- (i) Recruitment, advertising, and job application procedures
- (ii) Hiring, upgrading, promotion, award of tenure, demotion, transfer, layoff, termination, right of return from layoff, and rehiring
- (iii) Rates of pay or any other form of compensation and changes in compensation
- (iv) Job assignments, job classifications, organizational structures, position descriptions, lines of progression, and seniority lists
- (v) Leaves of absence, sick leave, or any other leave
- (vi) Fringe benefits available by virtue of employment, whether administered by the City of Edgewater
- (vii) Selection and financial support for training, including apprenticeships, professional meetings, conferences and other related activities, and selection for leaves of absence to pursue training
- (viii) Activities sponsored by the City of Edgewater, including social and recreational programs
- (ix) Any other term, condition, or privilege of employment

Prohibited Discrimination

For purposes of this policy, the term discrimination includes, but is not limited to, the following actions:

- i. Segregation, or classification of a job applicant or employee in a way that adversely affects his or her employment opportunities or status based on disability.
- ii. Participation in a contractual or other arrangement or relationship that has the effect of subjecting the City of Edgewater's own qualified applicant or employee with a disability to the discrimination prohibited by this Americans with Disabilities title I regulations. The phrase contractual or other arrangement or relationship includes, but is not limited to, a relationship with an employment or referral agency; labor union, including collective bargaining agreements; an organization providing fringe benefits to an employee of the City of Edgewater; or an organization providing training and apprenticeship programs. This section applies to the City of Edgewater, with respect to its own applicants or employees, whether the City offered the contract or initiated the relationship, or whether the City accepted the contract or acceded to the relationship. The City of Edgewater is not liable for the actions of the other party or parties to the contract which only affect that other party's employees or applicants.
- iii. The City of Edgewater will not use standards, criteria, or methods of administration, which are not job-related and consistent with business necessity, and:
 - (a) That have the effect of discriminating based on disability; or
 - (b) That perpetuates the discrimination of others who are subject to common administrative control.



- iv. The City of Edgewater will not exclude or deny equal jobs or benefits to, or otherwise discriminate against, a qualified individual because of the known disability of an individual with whom the qualified individual is known to have a family, business, social or other relationship or association.
- v. The City of Edgewater will make reasonable accommodation to the known physical or mental limitations of an otherwise qualified applicant or employee with a disability, consistent with the City of Edgewater ADA Reasonable Accommodation Policy.
- vi. The City of Edgewater will not use qualification standards, employment tests or other selection criteria that screen out or tend to screen out an individual with a disability or a class of individuals with disabilities, on the basis of disability, unless the standard, test, or other selection criteria, as used by the City of Edgewater is shown to be job related for the position in question and is consistent with business necessity.
- vii. The City of Edgewater will not use qualification standards, employment tests, or other selection criteria based on an individual's uncorrected vision, unless the standard, test, or other selection criterion, as used by the City of Edgewater, is shown to be job related for the position in question and is consistent with business necessity. An individual challenging the City of Edgewater's application of a qualification standard, test, or other criterion based on uncorrected vision need not be a person with a disability but must be adversely affected by the application of the standard, test, or other criterion.
- viii. The City of Edgewater will select and administer tests concerning employment in the most effective manner to ensure that, when a test is administered to a job applicant or employee who has a disability that impairs sensory, manual or speaking skills, the test results accurately reflect the skills, aptitude, or whatever other factor of the applicant or employee that the test purports to measure, rather than reflecting the impaired sensory, manual, or speaking skills of such employee or applicant (except where such skills are the factors that the test purports to measure).
- ix. The City of Edgewater will not discriminate against any individual because that individual has opposed any act or practice made unlawful by the Americans with Disabilities Act title I regulations or because that individual made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing to enforce any provision contained in the Americans with Disabilities Act title I regulations.
- x. The City of Edgewater will not coerce, intimidate, threaten, harass or interfere with any individual in the exercise or enjoyment of, or because that individual aided or encouraged any other individual in the exercise of, any right granted or protected by the Americans with Disabilities Act title I regulations.
- xi. The City of Edgewater will not allow its employees to coerce, intimidate, threaten, or harass any employee or applicant with a disability.
- xii. The City of Edgewater will not, except as permitted by EEOC regulation [§1630.14](#), conduct a medical examination of an applicant or make inquiries as to whether an applicant is an individual with a disability or as to the nature or severity of such disability.
- xiii. The City of Edgewater will not, except as permitted by EEOC regulation [§1630.14](#), require a medical examination of an employee or make inquiries as to whether an employee is an individual with a disability or as to the nature or severity of such disability.

Effective Communication

The City of Edgewater will ensure that communication with applicants and employees who are deaf, hard of hearing, blind, low-vision, or have impaired speaking skills is as effective as communication with other applicants and employees. To achieve effective communication, the City of Edgewater will provide auxiliary aids and services consistent with the City of Edgewater ADA Effective Communication Policy.



Applicants

The City of Edgewater may make pre-employment inquiries into the ability of an applicant to perform job-related functions, and/or may ask an applicant to describe or to demonstrate how, with or without reasonable accommodation, the applicant will be able to perform job-related functions.

The City of Edgewater may require a medical examination (and/or inquiry) after making an offer of employment to a job applicant and before the applicant begins his or her employment duties, and may condition an offer of employment on the results of such examination (and/or inquiry), if all entering employees in the same job category are subjected to such an examination (and/or inquiry) regardless of disability. The City of Edgewater will collect and maintain on separate forms and in separate medical files and treat as a confidential medical record any information obtained resulting from such medical examination (and/or inquiry), regarding the medical condition or history of the applicant, except that:

- (i) Supervisors and managers may be informed regarding necessary restrictions on the work or duties of the employee and necessary accommodations
- (ii) First aid and safety personnel may be informed, when appropriate, if the disability might require emergency treatment
- (iii) Government officials investigating compliance with this part will be provided relevant information on request

The City of Edgewater will not use the results of such examination for any purpose inconsistent with the Americans with Disabilities Act title I regulations.

Employees

The City of Edgewater may conduct medical examinations in accordance with the above section (*Prohibited Discrimination, xiii.*) that are not job-related and consistent with business necessity. However, if the City of Edgewater uses certain criteria to screen out an employee or employees with disabilities because of such an examination or inquiry, the exclusionary criteria must be job-related and consistent with business necessity, and performance of the essential job functions cannot be accomplished with reasonable accommodation as required by the Americans with Disabilities Act title I regulations.

The City of Edgewater may require a medical examination (and/or inquiry) of an employee that is job-related and consistent with business necessity. The City of Edgewater may make inquiries into the ability of an employee to perform job-related functions.

City of Edgewater will collect and maintain on separate forms and in separate medical files and treat as a confidential medical record any information obtained under the previous sections, regarding the medical condition or history of any employee, except that:

- (i) Supervisors and managers may be informed regarding necessary restrictions on the work or duties of the employee and necessary accommodations
- (ii) First aid and safety personnel may be informed, when appropriate, if the disability might require emergency treatment
- (iii) Government officials investigating compliance with this part shall be provided relevant information on request

The City of Edgewater will not use information regarding the medical condition or history of any employee for any purpose inconsistent with the Americans with Disabilities Act title I regulations.

The City of Edgewater may conduct voluntary medical examinations and activities, including voluntary medical histories, which are part of an employee health program available to employees at the work site.



THE AMERICANS WITH DISABILITIES ACT (ADA) REASONABLE ACCOMMODATION POLICY

The City of Edgewater, Colorado will make reasonable accommodation to the known physical or mental limitations of an otherwise qualified applicant or employee with a disability, unless the City of Edgewater can demonstrate that the accommodation would impose an undue hardship on the operation of the City of Edgewater's business.

The City of Edgewater will not deny employment opportunities to an otherwise qualified job applicant or employee with a disability based on the need of the City to provide a reasonable accommodation for such an individual's physical or mental impairments.

Americans with Disabilities Act title I regulations do not require an individual with a disability to accept an accommodation, aid, service, opportunity or benefit which such qualified individual chooses not to accept. However, Americans with Disabilities Act title I regulations do not require the City of Edgewater to consider to be qualified, an individual who rejects a reasonable accommodation, aid, service, opportunity or benefit that is necessary to enable the individual to perform the essential functions of the position held or desired, and who cannot, because of that rejection, perform the essential functions of the position.

The City of Edgewater, absent undue hardship, will provide a reasonable accommodation to an otherwise qualified individual who meets the definition of disability under the Americans with Disabilities Act title I regulations' "actual disability" prong, or "record of" prong. The City of Edgewater will not provide a reasonable accommodation to an individual who meets the definition of disability solely under the Americans with Disabilities Act title I regulations' "regarded as" prong.

The City of Edgewater will, upon the request of a qualified individual who is known to have, or who discloses, a disability (as defined by the Americans with Disabilities Act title I regulations, [§1630.2 Definitions](#)), enter into an interactive process to identify an appropriate reasonable accommodation for that individual. An appropriate reasonable accommodation will overcome a qualified individual's limitations, making it possible for the individual to perform the essential job functions of their position. An appropriate reasonable accommodation will not impose an undue hardship on the operation of the City of Edgewater's business, cause a direct threat to members of the public or other City of Edgewater employees, or violate legitimate safety requirements.

THE AMERICANS WITH DISABILITIES ACT (ADA) CONTRACTORS, LICENSING, and CERTIFICATION POLICY

The City of Edgewater, Colorado will not directly or through contractual or other arrangements, utilize criteria or methods of administration:

- i. That has the effect of subjecting qualified individuals with disabilities to discrimination based on a disability.
- ii. That have the purpose or effect of defeating or substantially impairing accomplishment of the objectives of the City of Edgewater's program with respect to individuals with disabilities; or
- iii. That perpetuates the discrimination of another public entity if both the City of Edgewater and the other entity are subject to common administrative control, or both are agents of the State of Colorado.

The City of Edgewater, in the selection of procurement contractors, may not use criteria that subject qualified individuals with disabilities to discrimination based on disability.

The City of Edgewater will not administer a licensing or certification program in a manner that subjects qualified individuals with disabilities to discrimination based on disability, nor will the City of Edgewater establish requirements for the programs or activities of licensees or certified entities that subject qualified individuals with disabilities to discrimination based on disability. The programs or activities of entities that are licensed or certified by the City of Edgewater are not, themselves, covered by title II.



THE AMERICANS WITH DISABILITIES ACT (ADA) MOBILITY DEVICE POLICY

It is the policy of City of Edgewater, Colorado to permit individuals with mobility disabilities to use wheelchairs and manually powered mobility aids, such as walkers, crutches, canes, braces, or other similar devices designed for use by individuals with mobility disabilities in any areas open to pedestrian use.

City of Edgewater will make reasonable modifications in its policies, practices, or procedures to permit the use of other power-driven mobility devices by individuals with mobility disabilities, unless City of Edgewater can demonstrate that the class of other power-driven mobility devices cannot be operated in accordance with legitimate safety requirements adopted by City of Edgewater. The City of Edgewater will ensure that its safety requirements are based on actual risks, not on mere speculation, stereotypes, or generalizations about individuals with disabilities. The operation of other power-driven mobility devices in a manner or in a facility where such an operation violates City of Edgewater's legitimate safety requirements would fundamentally alter the nature of the program.

In determining whether a particular other power-driven mobility device can be allowed in a specific facility, as a reasonable modification, the City of Edgewater will apply the following assessment factors:

- i. The type, size, weight, dimensions, and speed of the device
- ii. The facility's volume of pedestrian traffic (which may vary at various times of the day, week, month, or year)
- iii. The facility's design and operational characteristics (e.g., whether its service, program, or activity is conducted indoors, its square footage, the density and placement of stationary devices, and the availability of storage for the device, if requested by the user)
- iv. Whether legitimate safety requirements can be established to permit the safe operation of the other power-driven mobility device in the specific facility; and
- v. Whether the use of the other power-driven mobility device creates a substantial risk of serious harm to the immediate environment or natural or cultural resources or poses a conflict with Federal land management laws and regulations.

City of Edgewater employees will not ask an individual using a wheelchair or other power-driven mobility device questions about the nature and extent of the individual's disability.

However, the City of Edgewater employees may make inquiries into the use of other power-driven mobility devices. City of Edgewater employees may ask a person using another power-driven mobility device to provide a credible assurance that the mobility device is required because of the person's disability. City of Edgewater, when permitting the use of another power-driven mobility device by an individual with a mobility disability, will accept the presentation of a valid, State-issued, disability parking placard or card, or other State-issued proof of disability as a credible assurance that the use of the other power-driven mobility device is for the individual's mobility disability. In lieu of a valid, State-issued disability parking placard or card, or State-issued proof of disability, City of Edgewater will accept as a credible assurance a verbal representation, not contradicted by observable fact, that the other power-driven mobility device is being used for a mobility disability. A "valid" disability placard or card is one that is presented by the individual to whom it was issued and is otherwise in compliance with the State of issuance's requirements for disability placards or cards.



Attachment 1 – Edgewater ADA Coordinator Credentials

Credentials for the City of Edgewater's ADA Coordinator, Teresa Nunez Curtis, follow this page.

Teresa Curtis Records

Prerequisite course providing a basic outline of the ADA. The National ADA Symposium pre-conference "Basic ADA Overview" session will meet this requirement. The requirement may also be met by completing an on-line web course "[ADA Basics](#)". Rocky Mtn ADA

Completion of 40 credits approved for the ACT Certification Program as outlined below:

Foundation Level—18 credits total ([Description of Required Content for Training Topics](#))

Required Training Topics-12 credits

- Role of the ADA Coordinator (3 credits) (Great Plains ADA)
- Self Evaluation & Transition Plans (3 credits) (Great Plains ADA)
- 2010 Standards for Accessible Design (3 credits) (Great Plains ADA)
- Title I Guidelines (3 credits) (Great Plains ADA)

In addition, complete training on 2 of the topics listed below.--6 credits

- Effective Communications (3 credits) (Great Plains ADA)
- Emergency Preparedness (3 credits)
- Public Rights of Way (3 credits)
- Reasonable Accommodation (3 credits) (Great Lakes ADA)

Electives-22 credits

Training applied toward elective credits must cover a specific ADA related topic. Examples include "ADA and Higher Education" or "Recreation Accessibility Guidelines". **Applicants are not required to complete foundation credits before elective credits.**

Electives must be completed from at least five of the categories listed below:

- Accessible Information Technology/Assistive Technology (Rocky Mtn ADA) – Web Content Accessibility Guidelines (WCAG) (3)
- Accessibility Guidelines & Regulations (Rocky Mtn ADA) Service Animals & ADA (3); Service Animals in the Workplace (3)
- Disability Community Issues (Rocky Mtn ADA) – Emergency Preparedness & the ADA(3)
- Higher Education
- K-12 Education
- Recreation (Rocky Mtn ADA) – Accessible Recreation Facilities (3)
- Title I: Employment (Rocky Mtn ADA) (3)
- Title II: Equal Access to Programs and Services of Public Entities (Rocky Mtn ADA) (3)
- Title III: Equal Access to Goods and Services (Rocky Mtn ADA) (3)
- Transportation
- Other Issues (Eg. Needs of Rural Communities, Travel & Hospitality) (Rocky Mtn ADA) - Minimizing Implicit Bias (3); Minimizing Implicit Bias for Law Enforcement (3)
- Judicial Access

OPTIONS	STATUS	ENTRY DATE	DETAILS	CREDITS	EXPIRES	SCORE (%)
	Approved	2/1/2023	ACTCP Final Certificate Final exam	1	Never	N/A
	Approved	1/10/2023	 ACTCP Coursework Introduction to Assistive Technology	2	Never	100
	Approved	1/10/2023	ACTCP Coursework Minimizing Implicit Bias for Law Enforcement	2	Never	N/A
	Approved	1/10/2023	ACTCP Coursework Minimizing Implicit Bias	2	Never	N/A
	Approved	1/10/2023	ACTCP Coursework Service Animals in the Workplace	2	Never	N/A
	Approved	1/10/2023	ACTCP Coursework Service Animals and the ADA	2	Never	N/A
	Approved	1/10/2023	ACTCP Coursework Emergency Preparedness	2	Never	N/A
	Approved	1/10/2023	ACTCP Coursework WCAG	2	Never	N/A
	Approved	1/10/2023	ACTCP Coursework Accessible Recreation Facilities	2	Never	N/A
	Approved	1/10/2023	ACTCP Coursework Title III	2	Never	N/A
	Approved	1/10/2023	ACTCP Coursework Title II	2	Never	N/A
	Approved	1/10/2023	ACTCP Coursework Title I Overview	2	Never	N/A
	Approved	1/10/2023	ACTCP Coursework Public Right-of-Way	3	Never	N/A
	Approved	1/10/2023	ACTCP Coursework Effective Communication	3	Never	N/A
	Approved	1/10/2023	ACTCP Coursework Title I: Employment Requirements	3	Never	N/A
	Approved	1/10/2023	ACTCP Coursework Self-Evaluation & Transition Plans Part 1 & 2	3	Never	N/A
	Approved	1/10/2023	ACTCP Coursework 2010 Standards for Accessible Design Parts 1 & 2	3	Never	N/A



Approved 1/10/2023

ACTCP Coursework
Role of the ADA Coordinator

3

Never

N/A



Approved 1/10/2023



ACTCP Coursework
ADA Basics

1

Never

N/A

University of Missouri



This certificate verifies that

Teresa Curtis

has met the requirements for completion of the

ADA Coordinator Training Certification Program

effective Wednesday, February 1, 2023

This Certificate is valid for three (3) years from the effective date.



Certificate ID: 71361415-4617 Issued by: Great Plains ADA Center



Attachment 2 – Public Outreach Meeting Comments

The City of Edgewater conducted a public outreach meeting on January 11, 2024, to introduce the City's draft ADA Transition Plan.

Comments received during this meeting follow this page.

Municipal Building

1. Electric charging stations are not accessible
2. Was the path to the park evaluated? It goes over a steep valley gutter?
3. Does the elevator need any work?
4. Front desk is too high
5. Spread sheet says into the 70's, plan says 68
6. With toilets being moves, water fountain, all doors, parking lot, this will be well over 50k. is this an accurate estimate? Is there more that's not being reported?
7. Is any work on the elevator needed?

	ROW
General	<ol style="list-style-type: none"><li data-bbox="407 233 1349 300">1. Based on the description of this meeting online and within this document, I anticipate all my comments being included in the final ADA transition plan<li data-bbox="407 342 1406 619">2. This plan is lacking in many areas. The City of Edgewater appears to be limiting liability and accountability. This study does not say they City will replace anything, budget or set aside money, provide a schedule when this will be complete (i.e. 2 million a year for 8 years), does not include what standards, who and what mechanism will be permitting and enforcing these standards, who and what mechanism will be inspecting and accepting work, who and what mechanism will be budgeting the work, its also lacking that the City will be trained.<li data-bbox="407 661 951 688">3. Who will be holding the City accountable.<li data-bbox="407 730 1393 758">4. The study is also not transparent on why the ADA transition plan is being done.<li data-bbox="407 800 1377 867">5. last approved budget does not set aside money to fix ADA items and call for a dog park? Don't you think we should be prioritizing these items?

Page 5	1. Grievance procedure – What is a “timely” manner
Page 6	<ol style="list-style-type: none"> 1. Why was Theresa picked as the ADA consultant and not Kit? 2. If it is Teresa, Kit should be added to the plan if he is the head of the ADA transition plan and will be doing the actual work recommended 3. Outline what Kits roll is? Its unclear what he will be doing. Budgeting, inspecting, coordinating, approving plans, etc. 4. Why is Teresa not on the ADA page? 5. As a disabled person and do not agree that Kit should have a roll in the transition plan. He has shown time and time again to not build things to ADA, allow private developers to build non ADA items, not followed CDOT standards adopted by the City (at the recommendation my myself) and lied about how thing occurred. He has rebuilt multiple items that do not meet ADA or CDOT standards since MHAC have been hired by the City.
Page 7/8	<ol style="list-style-type: none"> 1. “...individuals with disabilities may be restricted...” this needs to be changed to “...individuals with disabilities ARE be restricted...”. I live in the City and am discriminated against by the City every time I leave my house in my wheelchair 2. Plan says 10 years, other paragraphs and spread sheets say 15 years. Either time frame is unacceptable. 3. 3. “...city’s ongoing commitment...” Should say requirement. A commitment means nothing. Its their requirement per LAW and need to be held accountable 4. When was the grievance procedure put in place? “The City of Edgewater does display the required ADA Public Notice or Grievance Procedure on its website” This sentence indicates this has been in place before you guys have worked with the City which is not accurate. This was put in place after MHAC was hired and part of this plan. Reword this sentence 5. The grievance procedure on the website says that Dan Maples has the ultimate say, not a third party? Why is this? Should this be MHAC? Dan also has no background in this. If what Dan says in unacceptable, is this then elevated to the DOJ? 6. This plan should cover if staff will be trained. They should be. Teresa, nor Kit, have any sort of appropriate background to be running this plan. 7. Plan says the ADA coordinator will establish an on-going monitoring and inspection program...Will this be Kit or Teresa? Why is this not in the transition plan? As a disable person living in Edgewater I do not have trust the City will do what’s right.
Page 9	<ol style="list-style-type: none"> 1. Plan should give an idea of what items are in the plan. High, doors, parking et. Important... 2. I understand you have to put a ranking system, but its hard to see items have a low priority when it does not meet ADA. This should have met ADA since it was built

<p>Page 11</p>	<p>Municipal Budling Section</p> <ol style="list-style-type: none"> 1. Spread sheet says into the 70's, plan says 68 2. With toilets being moves, water fountain, all doors, parking lot, this will be well over 50k. is this an accurate estimate? Is there more that's not being reported? 3. Is any work on the elevator needed? <p>ROW section</p> <ol style="list-style-type: none"> 1. Paragraph 1. It should be noted that the City is only doing the ADA transition plan because this was brought up during the sidewalk plan meeting because the scope of the sidewalk plan did not include ADA. It was later added to the sidewalk plan because it was a screw up. The ADA transition plan is being done because of the pressure I put on the City 2. Paragraph 2. This is inaccurate, what is the other way, in addition to scheduled street and utility projects <p>Also, The City has never rebuilt non ADA complaint items with these types of project until they have revived pressure from myself. Utility projects have recently happened (last 6 months) where the ramps were re done incorrectly.</p> <ol style="list-style-type: none"> 3. Paragraph 2. What is the second way? It only mentions the first 4. Paragraph 3. Where are the City standards the City is developing, These should be able to be commented on thought the transition plan process. The spread sheets call out CDOT standards. What is the City going off of? Its odd the spread sheets reference CDOT at all. The City standards and lacking and need improvement and Kit does not follow the City adopted standards 5. Paragraph 6. If the City is going to propose a maintenance policy, it needs to be in the plan and be able to have public review . I do not trust the City will do what's right as history has shown over and over. What about vegetation overgrowth? <p>Residential Sidewalk repair and maintenance</p> <ol style="list-style-type: none"> 1. Why is this sentence in the report "Like most Cities, residential sidewalk repair and maintenance is the responsibility of the Edgewater's homeowners" The City has never enforced this and this sentence is misleading. The City uses this when it helps them, but when things are brought up, Kit says we are not enforcing this and all items will be taken care of by the sidewalk plan.
	<ol style="list-style-type: none"> 2. 1 nothing in report says everything needs to be replaced, or that the City bill budget and fix it, its just vague 3. Define what street are... arterial, collector local, residential or little to no access. Hard to follow report without this information 4. Priority of street of high , moderate and low. It all does not meet ADA, is in violation, needs replaces and all high importance
<p>Page 13/14</p>	<ol style="list-style-type: none"> 1. Its unacceptable that areas of no sidewalk and less than 4' will take until 2033 and 2038

	<ol style="list-style-type: none"> 2. 2024-2027 (3) years is absolutely unacceptable to start clearing vegetation from sidewalks. I have lived here over 3 years and there are multiple locations that I cannot cross, this has been brought up before and why is this not being done already?? I have to go over the curb to the street in my wheelchair. 3. 6-9 years to replace non ADA complaint curb ramps is absolutely unacceptable. The City replaced all ramps in 2005-2017 and they were all built incorrectly, now I have to wait and be discriminated for 6-9 years? Absolutely not 4. 3 years to fix deficiencies? 5. 9-15 years to replace some ramps and sidewalk??? what would the DOJ, judge or past litigation say about this?
Page 15	<ol style="list-style-type: none"> 1. Label what classification street are
Page 16	<ol style="list-style-type: none"> 1. Pedestrian push button were put in wrong with the roundabouts, does this include these newer non compliant push buttons?
Page 17	<ol style="list-style-type: none"> 1. 379 ramps shows that the ramps the City put in in 2015-2017 were done incorrectly. When things are rebuilt they need to be in compliance 2. why were only 3 pedestrian crossing identified? a lot of crossings go through valley gutters which are not accessible. Probably 20-30 of these crossings in the City, this number should be higher
Page 18	<ol style="list-style-type: none"> 1. "sidewalk surfaces" what does this mean? 2. Specify what the arterial roads are
Page 19	<ol style="list-style-type: none"> 1. 1. The City id not budgeting or setting aside money? Why is this not in the plan? They are just relying on grants and other sources? Unacceptable 2. 2. 10-15 years is absolutely unacceptable and the report does not give a plan to even budget and get this done in the unacceptable time frame 3. The numbers given, low of 1.2 million, is that what the City will be setting aside a year?
Page 20	<ol style="list-style-type: none"> 1. There is no acceptance of reasonability form the City, no talk that the City will be budgeting to fix the issues, no guarantee when this will all be fixed, City is not agreeing to anything,
Page 21	<ol style="list-style-type: none"> 1. I accept all my comments/questions/concerns to be added to the final transition plan.
Page 29	<ol style="list-style-type: none"> 1. It was brought to my attention that the databases are available on the ADA website and not provided by request. Will this be update din the plan and will these stay on a website to be easily acceptable
Data Base	<ol style="list-style-type: none"> 1. 26th and Benton: The existing ramp configuration at the south leg of this intersection was a diagonal ramp on the SW corner and directional ramp on the SEC. The City rebuilt both ramps. on the SWC, the City put in a direction ramp to cross Benton and eliminated a crossing to cross 26th. On the SEC the put in a diagonal ramp to avoid the inlet. At this time MHAC were hired and the City adopted CDOT plans. Both putting in a directional ramp with an inlet in it and a diagonal ramp to miss the inlet were incorrect. The City went out a thirst time and rebuild the SEC to a directional ramp and relocated the inlet. But they never fixed the SWC ramp.

How is it acceptable for the City to rebuild something, and make it less accessible, and then have this plan say a direction ramp will be added to cross 26th in 2033-2038?? The is also a bus stop here and people cross.

Kit told me that MHAC told them this was an okay solution which is in accurate.

2. Ramps along 20th

The sidewalk and ramps along 20th (phase 1 Harlan to Ames). Put in directional ramps and made the crossings through a valley gutter. Is this acceptable? Why does this plan not call out replacement of these items? Because the City screwed up once again, I have to live with inadequate pedestrian ramp design?

“The curb ramp is a diagonal curb ramp. Per CDOT, diagonal curb ramps are “Not allowable in new construction/full depth reconstruction.” For PROWAG, existing diagonal curb ramps are considered “Not best practice.” Refer to CDOT M-608-1 for directional curb ramp designs.”

3. Brush

estimated remediation date “ongoing”. This is not accurate why is a plan to fix this not in this plan? City has never taken care of this issue

4. Ped ramps (all ped ramps)

All ped ramps were rebuilt full depth replacement between 2015-2017 and built incorrectly. Why is it okay for the City to wait years to fix this or say the following:

“When this road goes through an alteration (New layer, cape seal, hot in-place recycling, micro surfacing/thin lift overlay, mill and fill, new construction, open graded surface course or rehabilitation) the attached sidewalks and curb ramps will need to brought into compliance with the latest standards.”

▼ Est. Remediation Date	▼↑ Notes
	<p>When this road goes through an alteration (New layer, cape seal, hot in-place recycling, micro surfacing/thin lift overlay, mill and fill, new construction, open graded surface course or rehabilitation) the attached sidewalks and curb ramps will need to brought into compliance with the latest standards.</p>
	<p>When this road goes through an alteration (New layer, cape seal, hot in-place recycling, micro surfacing/thin lift overlay, mill and fill, new construction, open graded surface course or rehabilitation) the attached sidewalks and curb ramps will need to brought into compliance with the latest standards.</p>
	<p>When this road goes through an alteration (New layer, cape seal, hot in-place recycling, micro surfacing/thin lift overlay, mill and fill, new construction, open graded surface course or rehabilitation) the attached sidewalks and curb ramps will need to brought into compliance with the latest standards.</p>
	<p>When this road goes through an</p>

The curb ramp is a diagonal curb ramp. Per CDOT, diagonal curb ramps are "Not allowable in new construction/full depth reconstruction." For PROWAG, existing diagonal curb ramps are considered "Not best practice." Refer to CDOT M-608-1 for directional curb ramp designs.



Attachment 3 – Public Survey Reports

- 1. Public Outreach Survey Report**
- 2. Transition Plan Survey Report**

These reports follow this page.

ADA Outreach Survey

SURVEY RESPONSE REPORT

12 December 2023 - 10 January 2024

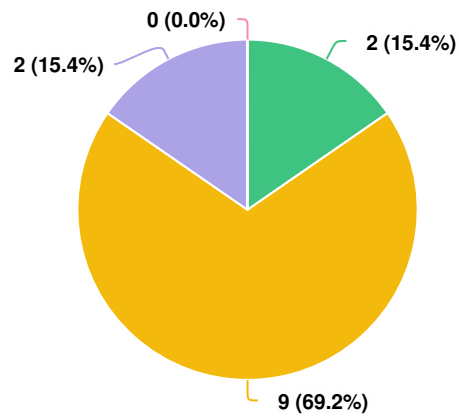
PROJECT NAME:

ADA Transition Plan



SURVEY QUESTIONS

Q1 | How would you rate the City of Edgewater's accessibility? This includes communication, programs, services, events, access t...

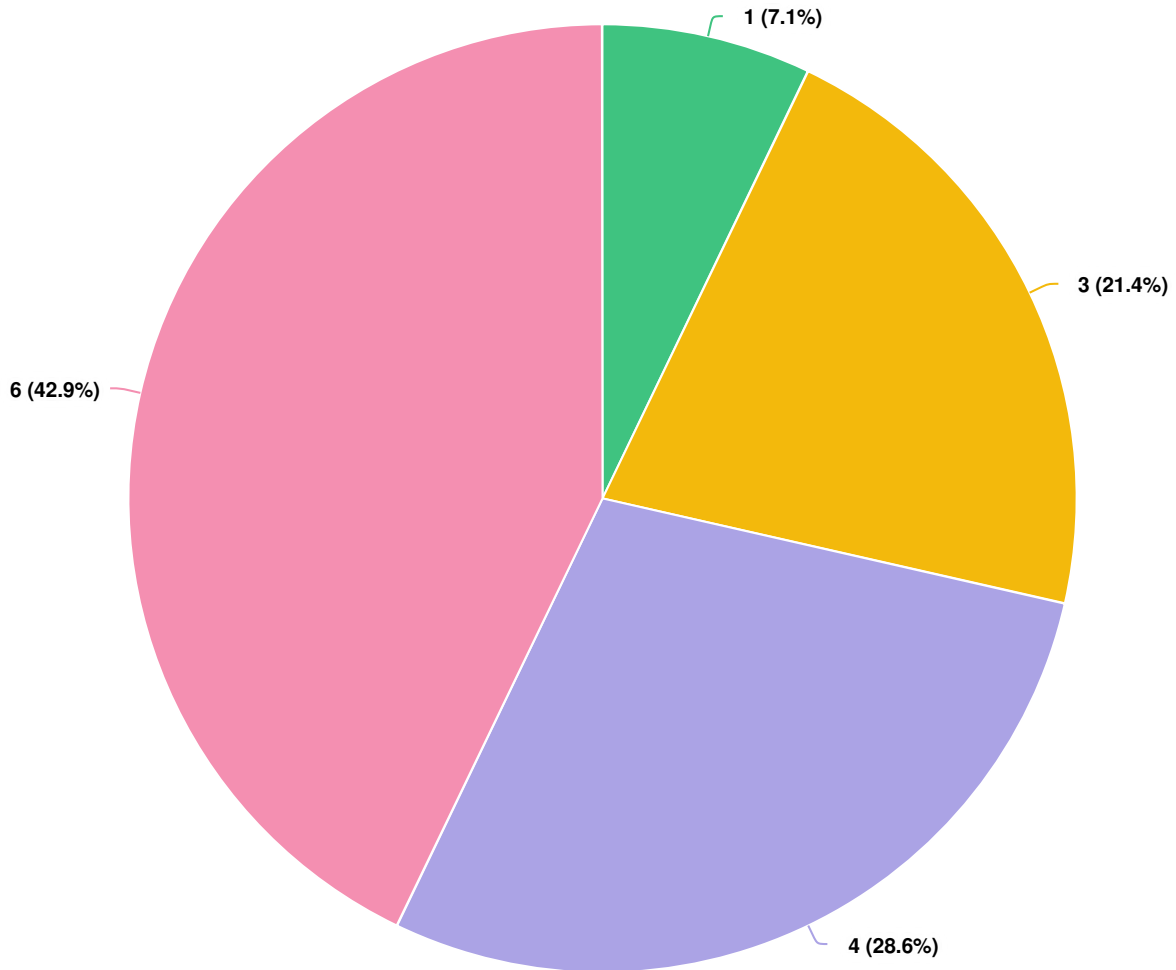


Question options

- Accessible with a few challenges
- Generally accessible, but could be improved
- Not at all accessible
- Highly Accessible

Optional question (13 response(s), 1 skipped)
Question type: Radio Button Question

Q2 | How well do the City of Edgewater’s policies and procedures support people with disabilities?



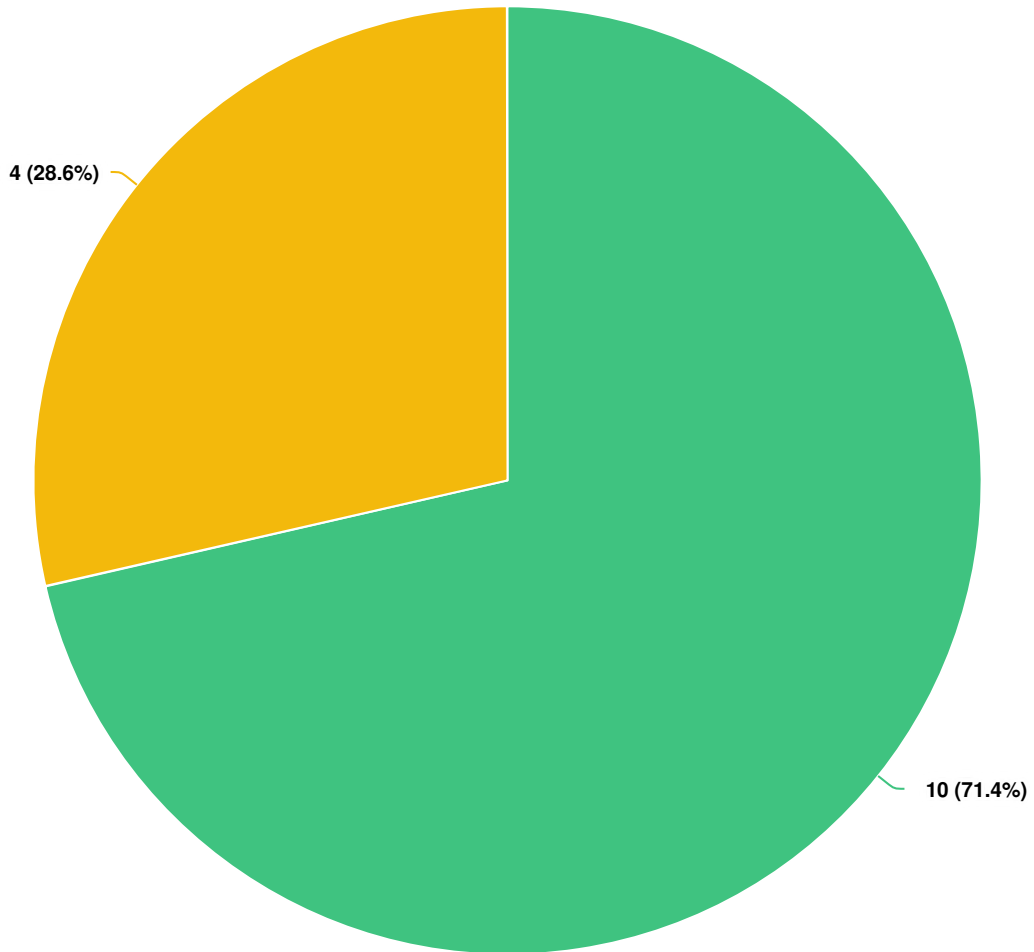
Question options

- Very well
- Somewhat
- Needs improvement
- Not sure

Optional question (14 response(s), 0 skipped)

Question type: Radio Button Question

Q3 Do you know who to contact if you need assistance, have a concern or complaint, or need accommodations to access a facility or service?



Question options

- No, I don't know who to contact
- Yes, I do know who to contact

Optional question (14 response(s), 0 skipped)

Question type: Radio Button Question

Q4 | If Yes, please list who you would contact:

Anonymous

12/12/2023 07:19 PM

Call the city.

Anonymous

12/15/2023 06:25 PM

Meghan Hollenga

Anonymous

12/16/2023 09:31 AM

Kit

Anonymous

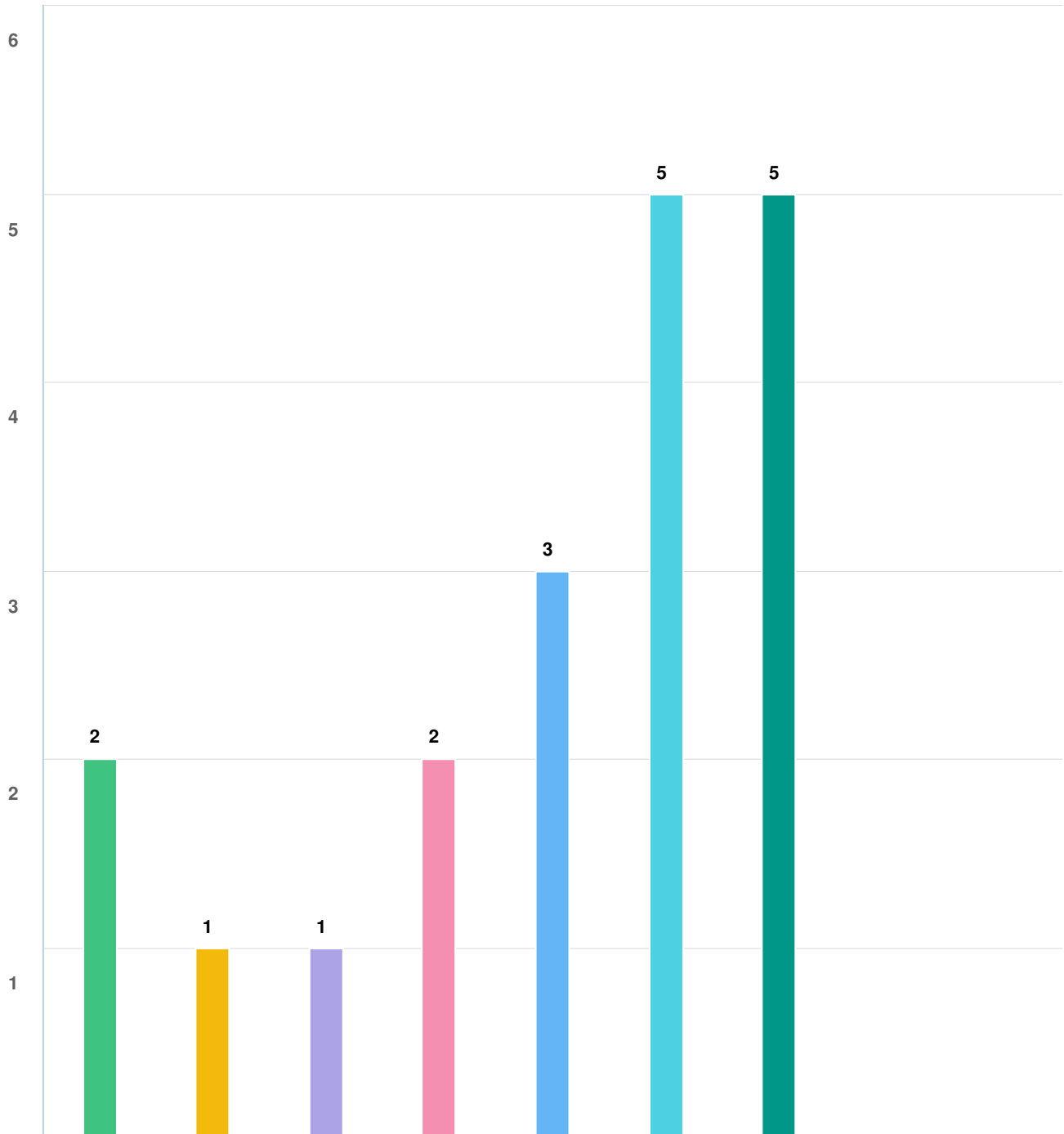
12/18/2023 01:07 PM

Mayor does not allow free speech after swearing an oath to the constitution.

Optional question (4 response(s), 10 skipped)

Question type: Single Line Question

Q5 Have you ever experienced or observed a situation when you or another individual were unable to participate in a program, access information, or obtain services due to any of the following circumstances? (check all that apply)



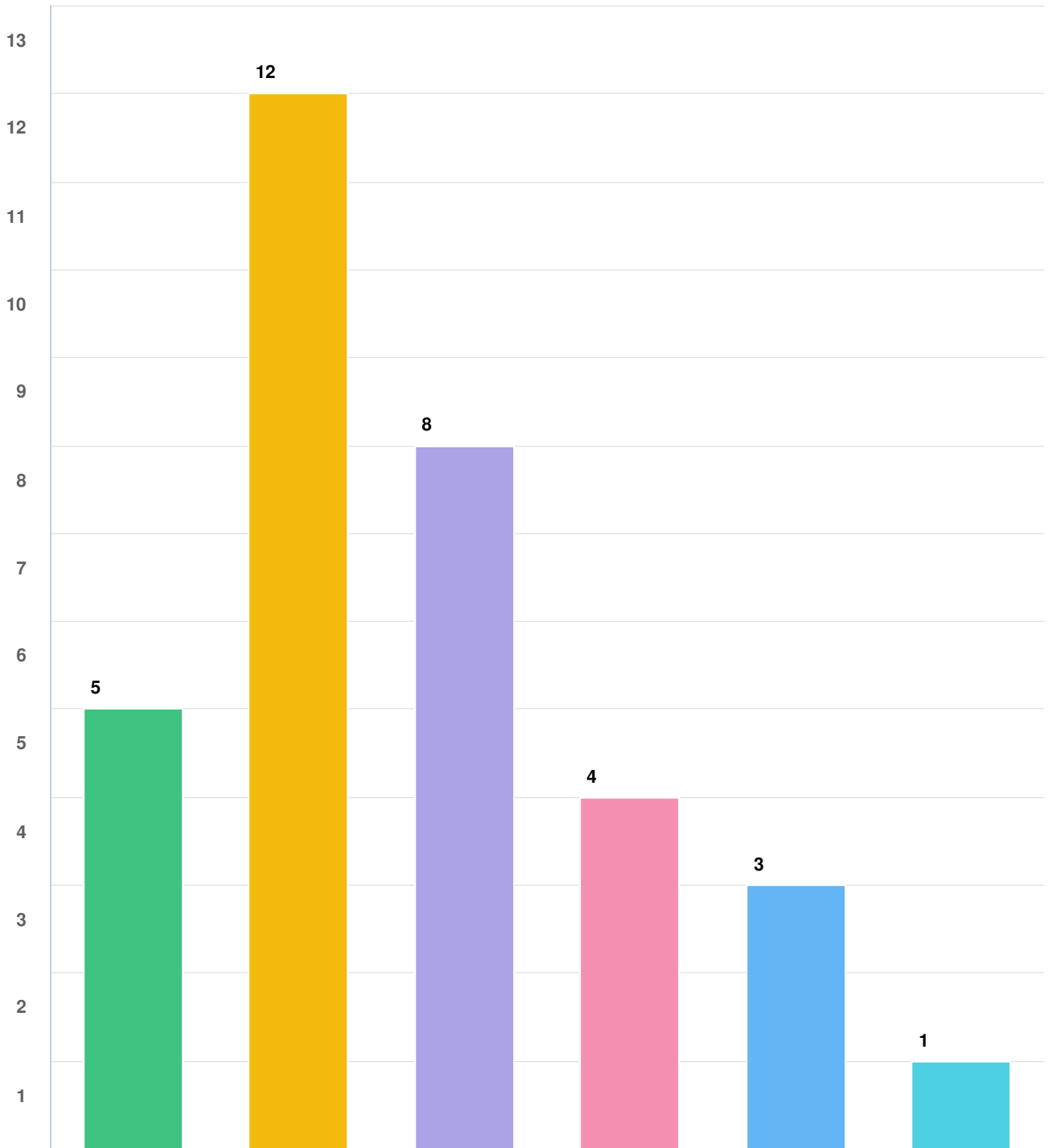
Question options

- Building not accessible
- Material not available in alternate format
- Interpreter not provided
- Activity or event not accessible
- Services not accessible
- Not applicable
- Other (please specify)
- Educational program not accessible
- Website not accessible

Optional question (12 response(s), 2 skipped)

Question type: Checkbox Question

Q6 Check all programs, services or activities in which you participate at a City facility.



Question options

- Classes
- Recreation
- Meetings
- Sporting events
- Volunteer Work (Employee)
- Other (please specify)

Optional question (13 response(s), 1 skipped)
Question type: Checkbox Question

Q7 | What do you feel should be the City's highest priority to improve accessibility for persons with disabilities?

Anonymous

12/12/2023 08:10 PM

Developing a committee with residents with disabilities to provide ongoing feedback and work to make edgewater more accessible

Anonymous

12/15/2023 08:58 AM

The east side of the city building is NOT accessible. There is a great path from Sheridan until you reach the set of stairs and no ramp . You have to go all the way around the icy north side of the building , around to Harlan and go in the West doors. The bathrooms do not accomidate larger children ,teens or adults. To have proper and private facilities to change their undergarments. There are no accommodations for anyone with physical disabilities to participate in activities ALONE and have their needs met. *Caregiver assistance* Not city , but city businesses that are no5 fully accessible need to be made to comply with the ADA. If Europe can retro fit access building that are hundreds of years old , so can businesses today.. The P&#amp;z need to take into account that the elderly and disabled need housing too. 2and 3 story duplexes are not the answer. The city is is not very diverse or recoecrful when it comes to the elderly and disabled. Which everyone will be elderly one day and can become disabled on a heartbeat.

Anonymous

12/15/2023 03:39 PM

fixing sidewalks so people don't have to use a wheelchair in the street

Anonymous

12/15/2023 04:11 PM

Meet the ADA, sidewalks, ped ramps, private development, rec center

Anonymous

12/15/2023 04:20 PM

I generally appreciate the city's efforts, but my concern arises during the winter season. While I acknowledge the difficulty faced by road crews in managing snowfall, the challenge intensifies when major intersections are obstructed. This poses a significant issue for individuals with mobility issues. Last winter, I witnessed a commendable act of kindness when someone stopped their car to assist a gentleman with a walker in crossing Depew at 20th Street. The snow mounds had reached such heights that crossing without assistance would have been impossible. I believe that, just like maintaining roads, prioritizing the treatment of sidewalks by both the city and residents is crucial.

Anonymous

12/15/2023 04:46 PM

I'm not a person with a disability, so I think the city should ensure it is prioritizing what people with disabilities want

Anonymous

12/15/2023 05:33 PM

Help make the sidewalks a safe travel space for all users. Grade breaks and overgrowth limit movements in several locations around the city.

Anonymous

12/15/2023 06:14 PM

1. sidewalks 2. Spanish translations on everything

Anonymous

12/15/2023 06:25 PM

Sidewalks

Anonymous

12/16/2023 09:31 AM

Put the street light signals back on 20th and Harlan. And remove that big welcome sign. It's like playing chicken at that intersection

Anonymous

12/16/2023 11:44 AM

Sidewalks that can be used by a wheelchair, a mailbox within the city that can be accessed (not the driveup one or the lobby one at the post office)

Anonymous

12/19/2023 03:11 PM

As plans are being made, consult with people with actual, various disabilities!

Optional question (12 response(s), 2 skipped)

Question type: Essay Question

ADA TRANSITION PLAN FEEDBACK SURVEY

SURVEY RESPONSE REPORT

22 September 2022 - 25 January 2024

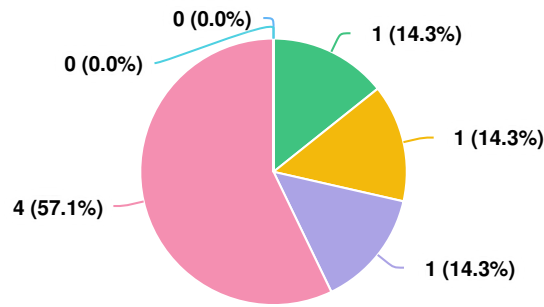
PROJECT NAME:

ADA Transition Plan



SURVEY QUESTIONS

Q1 | What best describes you?

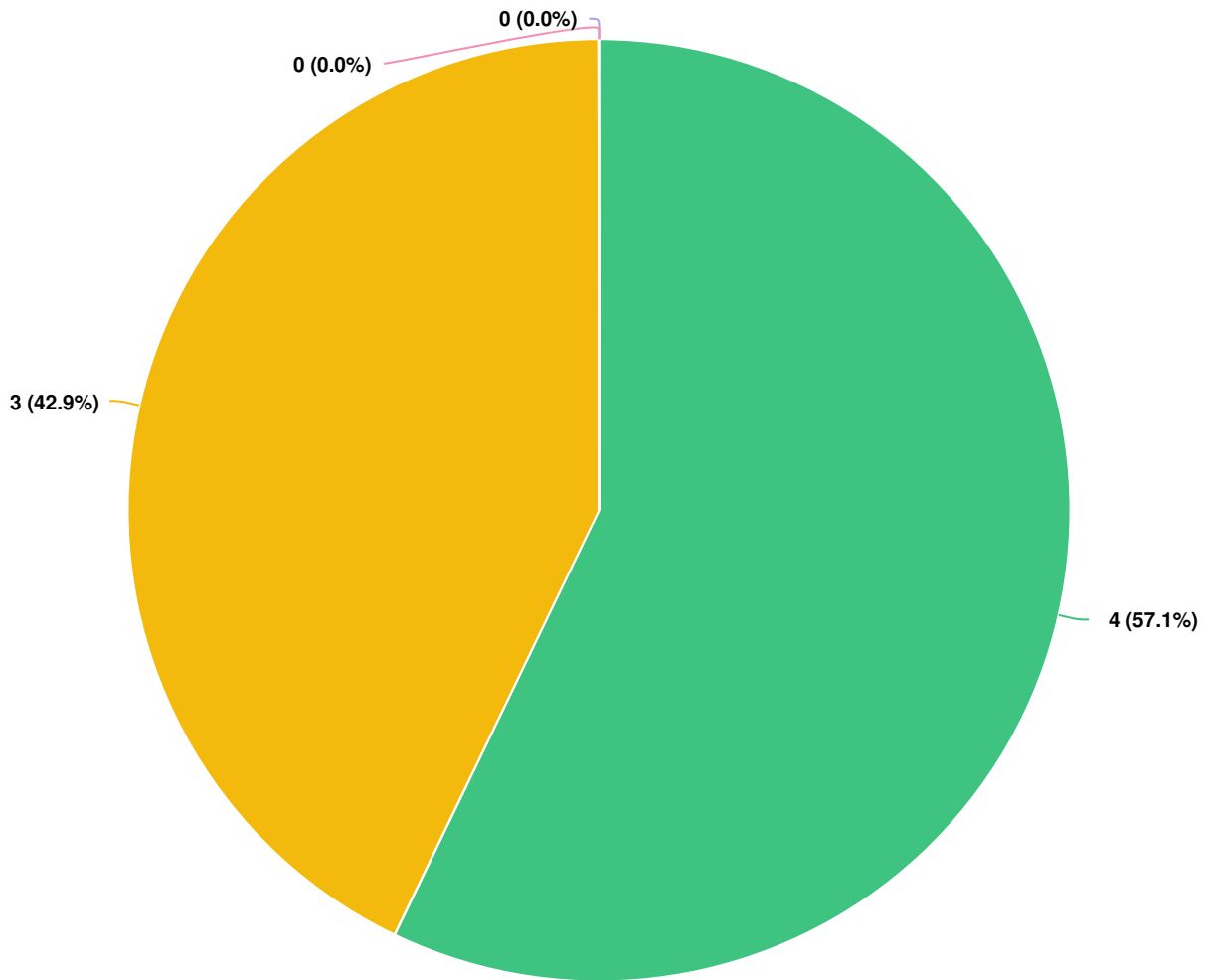


Question options

- I am a person with a disability who lives or works in Edgewater.
- I am a caregiver or support a person with a disability who lives or works in Edgewater.
- I am interested in disability awareness and the ADA.
- I am an interested community member.
- I work in the disability or ADA field.
- Other (please specify)

Mandatory Question (7 response(s))
Question type: Radio Button Question

Q2 Have you reviewed the City of Edgewater's draft ADA Transition Plan?



Question options

- Yes
- Partially
- No
- Prefer not to say

Mandatory Question (7 response(s))
Question type: Radio Button Question

Q3 | Are there any City policies, practices, procedures, or programs that you have encountered that are inaccessible or where accessibility could be improved? Please list them and share details.

EatonStResident

12/22/2023 07:52 PM

Fix the abysmal sidewalk situation, PLEASE. Hire a code enforcement officer who ACTUALLY does something & looks at things with a critical perspective from what a mobility challenged person's experience/challenges may be....sooo many residents will NOT shovel snow from their sidewalks & oftentimes their landscaping impedes the ability to walk on sidewalks (I am regularly smacked in the face, scratched, stabbed, poked, or otherwise injured by branches, thorns, trees, flowers, etc encroaching on the right of way just walking on the sidewalk!) I shouldn't have to walk in the street just because someone won't be bothered to minimally maintain their property. I end up walking in the alleys because at least they're not the awful trip & other hazards the sidewalks present. But then I'm accosted/yelled at/threatened/forced/harangued by men (and it's ALWAYS a man, never a woman!?) & accused of 'staking out' their property when I'm just a fat, middle-aged woman walking for health reasons (either alone or with my tiny little 7# dog) in the alleys because it's safer (fewer trip hazards, no injuries from others negligent property management, my dog & I aren't attacked/threatened by the 'big dog crowd' people who won't control their oft unleashed, untrained, ill-behaved beasts). Get the police to actually enforce traffic laws. It's like playing a real life version of Frogger out there. - Drivers regularly completely blow off stop signs (Harlan btwn 20th & 26th especially), drive the wrong way on one way streets (25th btwn Sheridan & Benton; 20th & Depew by the Public Market) - Drivers exiting the Edgewater Public Market routinely make illegal U turns on 20th (typically about 70% of drivers turn right on 20th then immediately make a U turn right in front of the driveway to drop off mail at the drive thru drop at the post office) - Drivers utterly ignore crosswalks/yield to pedestrians trying to cross the street IN THE CROSSWALKS on the walk signal (I've had too many near misses to count, while I'm actively IN A CROSSWALK). I've been honked at, threatened, raged at by drivers who lose their minds because I have the audacity to try to cross the street. - Citizen's Park & the property all around Edgewater Elementary is an unholy nightmare with off-leash dogs & their entitled owners (your special little 'Love 'em & leash 'em respect our neighbors' signs DO NOTHING. As a matter of fact, on my walk today 12/22/23, I noticed some delinquent had attempted to set one of them on fire, it's burned/melted in several places.) - Actually have the police PATROL the streets/alleys of the city instead of just picking the low hanging fruit along Sheridan (ever since you built them their new fancy, schmancy Civic Center, I can count on 1 hand the number

of times I've seen an officer slowly drive the neighborhood streets, paying attention to something other than being on their way somewhere else...at least when they were at 25th & Gray they had to drive through the neighborhood streets to get to/from the station) - how about getting them out of their cars? About a week & a half ago, I saw several officers 're-learning' how to ride a bike on those snazzy (definitely more expensive than most long time Edgewater residents can even afford) e-bikes that you got them & thought to myself what a colossal waste of money it was as I've no doubt they really won't use them, but at least they got to go 'play around' in the park for the afternoon! If the police bothered to take a walk/ride a bike now & then, they'd come to learn who the residents actually are (and AREN'T), how many 'new arrival' residents don't bother to get Colorado license plates FOR YEARS while their out of state plates are expired/invalid (why doesn't anyone care that these people aren't contributing to our roads/infrastructure, if they're involved in an incident there's NO WAY to find them, how do we know they're insured to comply w/Colorado liability requirements, etc.?), how many stolen cars are left on our streets/alleys/out of the way parking lots for MONTHS, & other nefarious circumstances that could be proactively addressed. Getting the police to actually mundanely interact with the citizenry is at the heart of their aspirational 'community policing' catch-phrase! Perhaps the police would find that people's animosity would diminish & disappear if we get to see them in our community when they're just being humans, walking the neighborhood, smiling, approachable & just talking to people in a non-emergent manner instead of when most people's only experiences w/the police are during a high-stress/crisis/negative situations when the officers are 'on alert' and amped up, perhaps not as kind, patient & understanding as they would normally be when not 'in the heat of the moment'! Crime has dramatically increased in our little city over the last few years (I've lived here for 25+yrs). Until recently, I've NEVER felt unsafe walking on my property/alley or down the street at any hour of the day (or night as I worked graveyard shift for decades!). Just as universities & isolated highways have 'emergency phones,' (that are direct connect lines that ONLY connect you to the police/fire/sheriff dispatch center), we could have something similar throughout Edgewater. I've been begging the police chief & city council for decades to at least put a direct connect emergency phone on the outside of the police station building (especially since they bizarrely insist on CLOSING & locking the lobby of the police department after 'typical business hours'....seriously, you won't even have the lobby open so if I'm being attacked I can't even hope to have my rape/murder on video!?!). There have been several cases where a direct connect (which is what those phones are called by the phone companies) phone would have been invaluable to the crime victims desperately trying to get help during a traumatic crisis event! Re-

design the city website. Hire an actual professional webmaster. There are broken links & the whole design is cumbersome, illogical and awkward. WHY close the public restrooms in the park? I get that there are costs to maintaining the restrooms, but this is Colorado, it's not like the weather is so inclement from November-April that the restrooms are completely inaccessible & the citizenry aren't able to enjoy our park virtually year round. What, just because it's 60 degrees in mid-December I should have to try to hurry back home or to a business when I feel the need to use the restroom when I'm out for a walk? If you don't want us to use the park outside of your defined 'season,' why even bother plowing the sidewalks through the park then? I realize that a lot of what I've communicated doesn't specifically address ADA accessibility issues, but these are concerns that impact ALL people in Edgewater and have been routinely ignored by those in positions of authority to actually improve things. I will continue to bring these issues up even if it means I'm only tilting at windmills!

Larry the Watchdog

1/08/2024 10:23 AM

None.

edger121

1/09/2024 12:07 PM

No

Anonymous

1/11/2024 12:23 PM

Request to provide information written & online Town Cryer

Anonymous

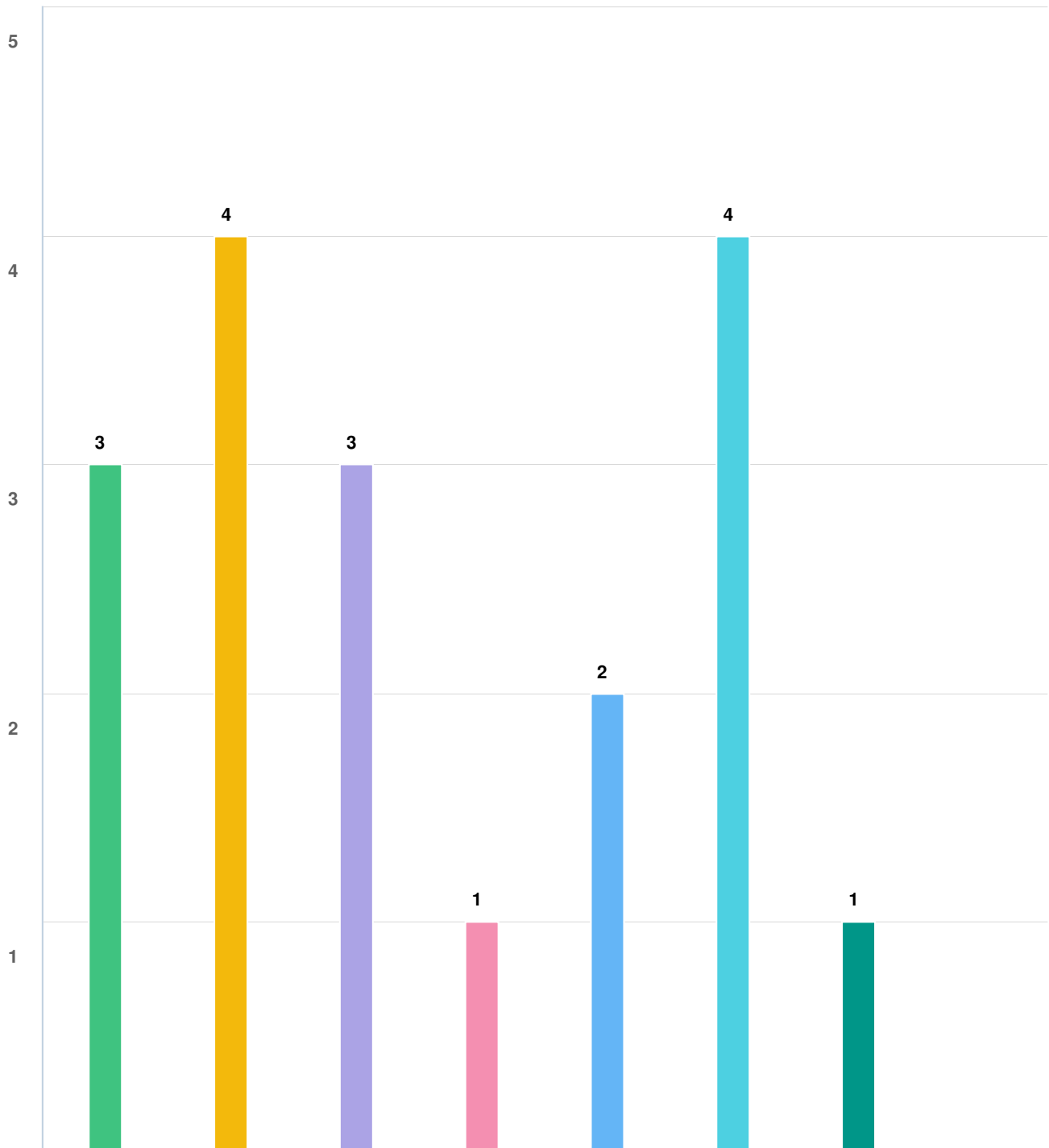
1/15/2024 07:13 PM

None

Optional question (5 response(s), 2 skipped)

Question type: Essay Question

Q4 What do you feel are the highest priorities for the City to fix first? (Please select the top three that are MOST important to you.)



Question options

- ADA Parking
- Pathways
- Facility access
- Park access
- Services not accessible
- Effective communication
- Other (please specify)
- Not applicable

Optional question (7 response(s), 0 skipped)
Question type: Checkbox Question

Q5 | Is there anything that you think the City of Edgewater missed in the draft transition plan?

EatonStResident

12/22/2023 07:52 PM

.

Larry the Watchdog

1/08/2024 10:23 AM

No

Anonymous

1/11/2024 12:23 PM

Don't know

Anonymous

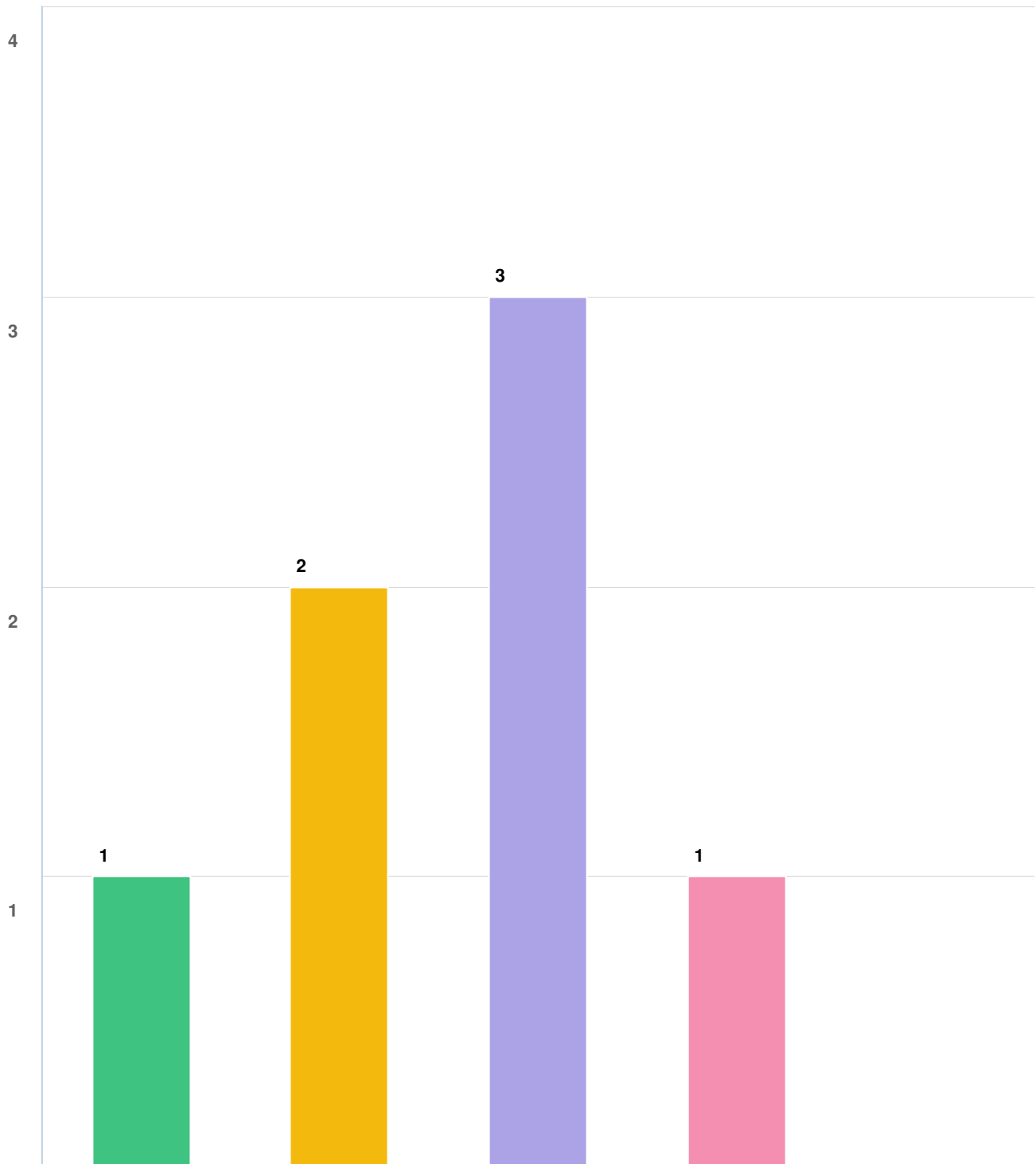
1/15/2024 07:13 PM

None

Optional question (4 response(s), 3 skipped)

Question type: Essay Question

Q6 How did you hear about the City’s ADA Transition Plan and this feedback form? Please check all that apply.

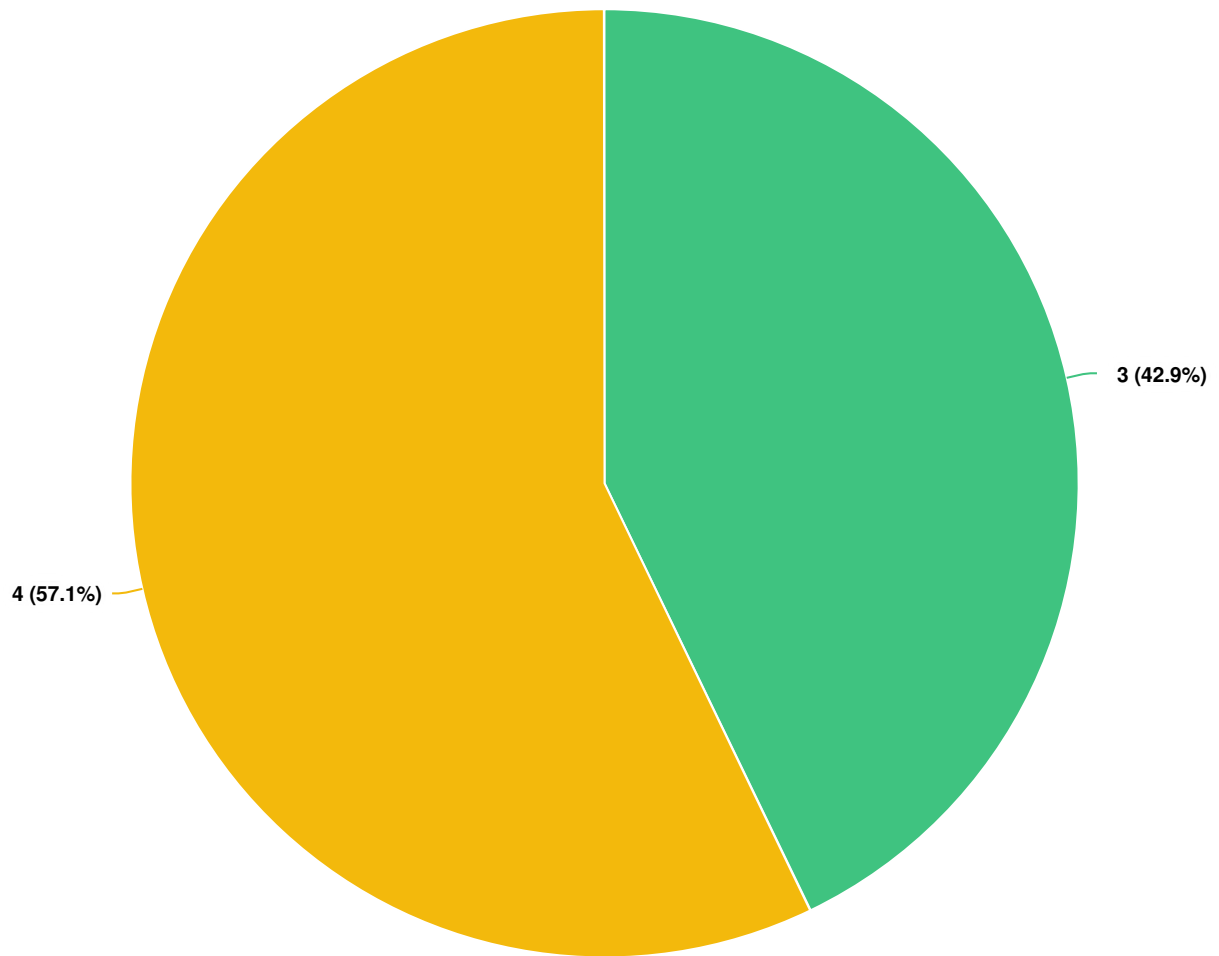


Question options

- Website
- Social Media
- Newsletter
- Other (please specify)
- Friend, family, or colleague

Optional question (7 response(s), 0 skipped)
Question type: Checkbox Question

Q7 | If the City needs clarifications on any of your input, can we contact you?



Question options

- Yes
- No

Optional question (7 response(s), 0 skipped)
Question type: Radio Button Question