

Self- Evaluation



Transition Plan

AUGUST 2015, CITY OF LAS VEGAS
AMERICANS WITH DISABILITIES ACT
TITLE II UPDATE *DRAFT*

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1.0 INTRODUCTION & BACKGROUND

The Americans with Disabilities Act of 1990 (ADA) has been hailed as one of the most significant civil rights laws since the Civil Rights Act of 1964. It's intent is to ensure that people with disabilities are able to participate in and enjoy the benefits of the services and activities of state and local governments, as well as most private entities, without experiencing discrimination. It also requires newly designed and constructed or altered local government facilities are readily accessible to and usable by people with disabilities.

In 2010, the U.S. Census Bureau announced that approximately one in five adults living in the United States – over 56 million people – have one or more disabilities, including those affecting sight, hearing, and mobility, as well as mental disabilities and learning disabilities, many of which are not readily visible.

The impact of the ADA has an even broader application than the statistics provided by the census data. The ADA's comprehensive civil rights protections extend to people who have disabilities, or *are regarded* as having a physical or mental impairment that substantially limits a major life activity. The ADA Amendments Act of 2008 (ADAAA) clarified that the definition of "disability" is intended to be broadly inclusive.

The key principles of Title II of the ADA promise full access to state and local government services and activities. It consists of four principles:

- 1. Policy and Operations**

Make reasonable modifications and accommodations to policies and practices.

- 2. Communication**

Ensure effective communication with people with disabilities affecting hearing, vision, or speech through the provision of auxiliary aids and services.

- 3. Integration**

Offer services in the most integrated setting appropriate to the needs of individuals with disabilities.

- 4. Physical Access**

Meet accessibility standards for new and altered buildings and ensure that programs are accessible as a whole.

Equal Opportunity underlies all the principles and requirements of the ADA. The law does not require equal treatment, but does require modifying policies or the way they are implemented, providing auxiliary aids, and ensuring programmatic accessibility in order to ensure that people with disabilities are offered the same opportunity as others to benefit from the city's services.

This ADA Title II Self-Evaluation & Transition Plan Update has been prepared to fulfill the requirements set forth in Title II of the ADA. The ADA states that a public entity must reasonably modify its policies, practices, or facilities to avoid discrimination against people with disabilities. To develop this plan, the city of Las Vegas completed a comprehensive re-evaluation of its facilities and programs to determine the extent to which individuals with disabilities may be restricted in their access to city of Las Vegas services and activities.

The city has a long history of providing accessible services to the community through accessible pedestrian improvements, accessible building renovations and the inclusive delivery of services. July 2015 marked the twenty-fifth anniversary of the ADA. Prompted in part by the law's anniversary, and amendments which have occurred since the original evaluation was completed, the city determined the need to update the assessment. The ADA Title II Self-Evaluation & Transition Plan Update is significant in that it establishes the city's ongoing commitment to the development and maintenance of policies, programs and facilities with consideration of the needs of people with disabilities.

This update describes the process developed to complete the re-evaluation of the city's accessibility, provides program and procedures recommendations, and presents a transition plan update for the modification to facilities to ensure programmatic accessibility. This document will guide the planning and implementation of necessary program and facility modifications over the next several years.

1.1 FEDERAL REQUIREMENT

The ADA is a comprehensive civil rights law for persons with disabilities in both employment and the provision of goods and services. The ADA states that its purpose is to provide a "clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities." Congress emphasized that the ADA seeks to dispel stereotypes and assumptions about disabilities and to promote equality of opportunity, full participation, independent living, and economic self-sufficiency for people with disabilities.

The development of a transition plan is a requirement of the federal regulations implemented in the Rehabilitation Act of 1973, which requires that all organizations receiving federal funds make their programs available without discrimination toward people with disabilities. The Rehabilitation Act, which is often referred to as the civil rights act of persons with disabilities, states that:

No otherwise qualified [disabled] individual in the United States shall, solely by reason of [disability], be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. (Section 504)

Subsequent to the enactment of the Rehabilitation Act, Congress passed the Americans with Disabilities Act on July 26, 1990. Title II of the ADA emphasizes the accessibility of programs, activities and services of public entities. The Department of Justice's Title II regulation adopts the general prohibitions of discrimination established under Section 504 of the Rehabilitation Act and incorporates specific prohibitions of disabilities that are at least equal to those provided by the nondiscrimination provisions of Title V.

Specifically, the city may not, either directly or through contractual arrangements, do any of the following:

- Deny persons with disabilities the opportunity to participate as members of advisory boards and commissions.
- Deny persons with disabilities the opportunity to participate in services, programs, or activities that are not separate or different from those offered others, even if the city offers permissibly separate or different activities.

- In determining the location of programs or services, make selections that have the effect of excluding or discriminating against persons with disabilities.

Included in Title II are administrative requirements for State and local governments. These administrative requirements are:

- Completion of a self-evaluation of programs, services, and activities that may not be accessible to persons with disabilities;
- Development of an ADA grievance procedure to respond to complaints regarding accessibility;
- Designation of a person who is responsible for overseeing Title II compliance;
- Development of a transition plan if the self-evaluation identifies any programmatic or structural modifications necessary for compliance, which must be retained for three years; and
- Provide an opportunity for interested persons, including individuals with disabilities, or organizations representing individuals with disabilities, to participate in the development of the Transition Plan by submitting comments and making specific recommendations.

The complete text of the Act's Title II language and requirements can be located in Appendix A.

1.2 DISCRIMINATION AND ACCESSIBILITY

There are two kinds of accessibility:

- Program accessibility; and
- Physical accessibility

Absence of discrimination requires that both types of accessibility be provided. Physical accessibility requires that a facility be barrier-free. Barriers include any obstacles that prevent or restrict the entrance to or use of a facility. Program accessibility includes physical accessibility, but also entails all of the policies, practices, and procedures that permit people with disabilities to participate in programs and to access important information. Program accessibility requires that individuals with disabilities be provided an equally effective opportunity to participate in or benefit from a public entity's programs and services. Program accessibility may be achieved by either structural or non-structural modification methods.

1.3 ADA COORDINATOR

The city's ADA Coordinator has been designated by the city's Human Resources Department. The ADA Coordinator, or designee, is responsible for ensuring that all programs, services, and activities of the city of Las Vegas are accessible to and usable by individuals with disabilities and coordinates the implementation of plans, policies or accommodations to comply with the Title II. Department employees notify the ADA Coordinator regarding the needs of their department and the programs that department is responsible to manage. The city's ADA Coordinator is:

Holly Jensen
Phone: (702) 229-5048
Fax: (702) 464-5752
Relay Nevada 7-1-1

Human Resources Department
495 S. Main St., First Floor
Las Vegas, NV 89101
Email: HJensen@lasvegasnevada.gov

The city of Las Vegas will implement an ADA Warden “system” to better address the needs of employees and citizens with disabilities. This system will identify an ADA Warden, or designee, within each department who will collaborate with the city’s ADA Coordinator regarding the needs of their department and the programs their department is responsible to manage. The benefits of having an ADA Warden from each department makes it easier for citizens and customers to identify someone to help them with questions and concerns about disability discrimination, provides a subject matter expert so department specific questions can be answered quickly and consistently, and creates a team effort instrumental in moving compliance plans forward. The city’s ADA Coordinator, or designee, will follow-up with each department ADA Warden to coordinate the implementation of plans, programs, policies and procedures.

In those situations where a policy, program, or procedure creates a barrier to accessibility that is unique to a department or a certain program, the ADA Coordinator, or designee, will coordinate with the department’s ADA Warden or program manager to address the removal of the barrier in the most reasonable and accommodating manner in accordance with applicable law.

The city may achieve program accessibility by a number of methods:

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

When choosing a method of providing program access, the city will endeavor to give priority to the one which results in the most integrated setting appropriate to encourage interaction among all users, including people with disabilities. In compliance with the requirements of the ADA, the city will strive to provide equality of opportunity but does not guarantee equality of results.

1.4 UNDUE BURDEN

The city does not have to take any action that it can demonstrate would result in a fundamental alteration in the nature of its program or activity, would create a hazardous condition resulting in a direct threat to the participant or others, or would represent an undue financial burden or administrative burden on the operation of the city’s business. This determination can only be made by the ADA Coordinator or designee and should be accompanied by a written statement from the department head, ADA Warden, or designee of the reasons for reaching that conclusion.

The determination that an undue burden would result will be based on a case-by-case evaluation of all resources available for use in the city. For example, if a barrier removal action is judged unduly burdensome, the city will consider other options for providing access to the benefits and services of the program or activity by individuals with disabilities.

Upon receipt of a request for modification to enhance accessibility and/or participation by persons with a disability in city programs or services, the city will undertake an evaluation of the following:

- The potential benefit that can be accomplished by the requested modification;
- The immediate and future costs of the requested modification;

- Alternative modifications which provide reasonable access;
- Whether the proposed modification would impose an undue financial or administrative burden;
- Whether the requested modification would require a fundamental alteration in the nature of the program or service at issue;
- The impact of the requested modification on other city programs or services.

1.5 REQUESTING ACCOMMODATIONS OR ALTERNATE FORMATS

Direction regarding how the public can request a modification or accommodation (i.e. translator, barrier removal, etc.) or requests for materials in alternate formats is provided on the city's website www.lasvegasnevada.gov, and may be included in correspondence or advertisements used to announce, invite or promote the city program or service. Requests can be submitted to the responsible department or to the city's ADA Coordinator (see contact information on page 4), and most accommodation requests can be addressed with at least 48 hours' notice before the scheduled event.

Requests for **accommodations** for a city meeting or public gathering should include:

- The requestor's name, address, email and telephone number (if available);
- The location of the program, service or meeting; and
- A brief description of the requested accommodation and why it is needed.

Requests for materials in **alternate formats** should include:

- The requestor's name, address, email and telephone number (if any);
- The name or description of the city document or materials to be reformatted;
- What type of format is desired (i.e. Braille, audio recording, digital file, etc.); and
- A brief description why the alternate format is needed.

The city's ADA Coordinator or the responsible department's ADA Warden will respond to the request within 2 business days or in advance of a scheduled meeting or event. If the response does not satisfactorily resolve the issue, the requestor may file a grievance with the city.

1.6 FILING A GRIEVANCE

The city of Las Vegas has a formal grievance procedure in place to provide citizens with a means to file complaints regarding:

- City of Las Vegas policies, or its provision of services, activities, programs or benefits to persons with disabilities;
- Alleged violations of Title II of the ADA or Section 504 or the Rehabilitation Act of 1973 by the city, its departments or employees; and
- Structural and/or parking accessibility issues on city-owned property.

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

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

1. To file a grievance, a Discrimination Complaint Form should be completed and submitted as soon as possible but no later than 60 calendar days after the alleged violation to the city's ADA Coordinator (see contact information on page 4).

The Discrimination Complaint Form can be found on the city's accessibility website.

A complaint may also be submitted in writing and should include the following information:

- The complainant's name, address, email and telephone number (if any);
- The name and address of the program, service, activity or facility where the incident occurred;
- A description of the incident, the date(s) it occurred and the name(s) of any city employees involved (if known); and
- Other information that supports the complaint, including copies of any relevant documents.

Alternate means of filing complaints, such as a personal interview or a digital recording of the complaint will be made available for persons with disabilities upon request.

2. The ADA Coordinator will contact the complainant to acknowledge receipt of the complaint within 7 calendar days of receipt, and will provide a copy to the appropriate department ADA Warden.
 - a. The ADA Coordinator will notify the complainant in writing if any additional information is needed to process the Access Improvement Complaint. If the requested information is not provided, the ADA Coordinator shall close the complaint.
3. Within 30 calendar days of receipt of the complaint, the department will conduct an investigation and encourage a voluntary resolution which may involve meeting the complainant or designee and any witnesses to discuss the complaint and possible resolutions.
4. If an informal resolution is not reached with the complainant, the ADA Coordinator or designee will respond in writing or in a format accessible to the complainant within 30 days, explaining the position of the city of Las Vegas and offering options for resolution of the complaint.

If the response does not satisfactorily resolve the issue, the complainant may appeal the decision within 15 calendar days of response date to:

Christina Rost, Administrative Officer
Email: CRost@lasvegasnevada.gov
Phone: (702) 229-5042
Fax: (702) 598-0877
Relay Nevada 7-1-1

City of Las Vegas
Human Resources Department
495 S. Main St., Second Floor
Las Vegas, NV 89101

The complainant should provide an explanation as to why the city's initial response was not satisfactory. Within 30 calendar days after receipt of the appeal, Christina Rost or her designee will meet the

complainant to discuss the complaint and possible resolutions. Within 15 calendar days after that meeting, Christina Rost or her designee will respond in writing, or in a format accessible to the complainant, with a final resolution of the complaint.

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

1.7 TRANSITION PLAN UPDATE REQUIREMENTS

The ADA sets forth specific requirements for preparation of an acceptable transition plan:

- A list of the physical barriers in the city's facilities that limit the accessibility of its programs, activities, or services to persons with disabilities;
- A detailed description of methods to be used to remove these barriers and make the facilities accessible;
- Project cost estimates for their removal;
- A schedule for taking the steps necessary to achieve compliance with the ADA, Title II; and
- The name of the individuals responsible for the plan's implementation.
 - The Department of Operations and Maintenance Director is the city of Las Vegas official responsible for the implementation of any required physical alterations to existing roads, curbs and sidewalks under the city's jurisdiction, and/or their designee.
 - The Department of Public Works Director is the city of Las Vegas official responsible for the implementation of any required physical alterations to new and existing city facilities, and/or their designee.
 - The Department of Human Resources Director is the city of Las Vegas official responsible for implementing required policy or program modifications and equivalent facilitation for all programs and services offered by the city, and/or their designee.
- A record of the opportunity given to the Disability Community and other interested parties to provide feedback on the process and development of the plan.

A copy of the Act's Title II language and requirements can be located in Appendix A.

1.8 CITY OF LAS VEGAS' APPROACH

The city's first self-evaluation was completed in 1993. As part of the compliance effort, the existing barrier assessment was completed, a grievance procedure was implemented, an ADA Coordinator was designated, elements of the plan were put in place, and the self-evaluation records were retained. While the assessment was thorough and extensive, many changes to the city's infrastructure have occurred since the original plan was developed. This report and certain documents incorporated by reference establish the city's 2015 ADA Title II Self-Evaluation & Transition Plan Update to the original assessment.

In accordance with Title II of the American's with Disabilities Act, this update includes an assessment of city programs, practices and policies and evaluation of city facilities including buildings, parking lots, and open spaces. Identified architectural or programmatic barriers were cataloged and prioritized for remediation.

This update was led by city staff, city department heads and field staff assigned to assist with the project. Staff was responsible for assessing, documenting, collecting and organizing the self-evaluation data from the facility accessibility assessments, identifying existing deficiencies, creating a comprehensive barrier database, and planning corrective measures.

The project goals included:

- Development of a comprehensive inventory of identified barriers;
- Provide a detailed outline of the methods to remove barriers;
- Provide a prioritized implementation schedule for removal of barriers;
- Improve accessibility for all citizens;
- Encourage participation from the public and disabled community; and
- Educate city staff and the public on the requirements of the ADA.

1.9 PROGRAMMATIC SURVEY

In March of 2015, the city conducted a re-evaluation of its policies, programs, and procedures to determine current levels of services and the extent to which its policies and programs created barriers to accessibility for persons with disabilities. A survey of all public services and programming provided information on the nature of the program, forms, and methods used to advertise each program's services and activities, the types of equipment and material used, testing and eligibility requirements, the level of staff training, and any special modifications provided.

The following departments participated in this survey:

- Administrative Services
- Communications
- Detention & Enforcement
- Economic & Urban Development
- Finance
- Fire & Rescue
- Human Resources
- Community Services
- Cultural Affairs
- Municipal Court
- Operations & Maintenance
- Parks & Recreation
- Planning
- Public Works

Most city departments felt that they currently provide full and equal access to all services, programs and activities for people with disabilities. However, the responses to specific questions indicated a need for some improvements. It is the intent of the city to address citywide programmatic accessibility barriers by providing improvements to the identified areas and recommendations.

Findings from the programmatic accessibility surveys can be found in section 3.0 below, and the recommended corrective actions can be found in section 4.0. A copy of the programmatic accessibility questionnaire is provided in Appendix B.

1.10 FACILITY SURVEY

In March of 2015, the city also conducted a physical audit of city owned buildings and open spaces for the public to identify structural barriers and make recommended alterations in order to meet State and federal accessibility standards. The survey process was accomplished using field staff equipped with measurement devices and survey forms. The surveys identified physical barriers in city facilities based on the 2010 ADA Standards for Accessible Design guidelines for buildings and facilities, “2010 Standards” (effective March 15, 2012). Each physical barrier identified as part of the facility surveys was given a removal priority based on the immediate necessity of programmatic access, uniqueness of program or facility, geographic distribution, quantity and frequency of public use, degree of complexity, and overall construction cost estimates. The list of facilities surveyed included:

- City-owned buildings
- City-owned parks
- City-owned parking lots and structures

Surveyed sites were identified as a building or other facility owned by the city that is open to the public or houses city departments that meets with or conducts business with the public from the location. The list of city-owned buildings and facilities surveyed for structural barriers is provided in Appendix C. The identified barriers and structural modifications required to make these facilities accessible is provided in Appendix D.

2.0 PUBLIC OUTREACH

2.1 PUBLIC MEETINGS AND PRESENTATIONS

After the plan was reviewed internally, the city presented the methodology and process used to create the transition plan to the Parks and Recreation Advisory Board, the Senior Advisory Commission and the city of Las Vegas Planning Commission meetings in September 2015 so members of the public were afforded the opportunity to review the project and prioritized barrier remediation efforts, and provide feedback.

2.2 DIGITAL PUBLIC FORUM

In conjunction with the public presentations in September 2015, the transition plan and associated documents were released for general public inspection via a digital platform. The online public comment forum provided the general public an opportunity to review the project, prioritized barrier remediation efforts, and implementation timeline. The public comment forum was available for sixty days from September 1 through October 31, 2015.

A record of the agendas and minutes from the community meetings, invitations to local advocacy groups, and digital public forum for public inspection have been incorporated into this document, and can be found in in Appendix J.

3.0 SELF-EVALUATION FINDINGS: CITY PROGRAMS, ACTIVITIES AND SERVICES

The self-evaluation of the city's programs, activities and services involved the participation of every city department that provides public services or activities. Project staff distributed an accessibility questionnaire to the respective city departments to complete and met with department heads and field staff during the evaluation period to discuss the effects, impact and objectives of the ADA and the Title II update. The questionnaire included a review of the following topics:

- Description of any public program or service offered by the department.
- A description of any participation requirements, and any accommodations made to assist persons with disabilities.
- Information regarding training provided or available to those staff administering the programs.
- Information regarding communication procedures for audiovisual presentations, telephone communication, participant notifications, website content and documents/publications, including any modifications or equipment used to accommodate people with disabilities.
- Information regarding current methods and practices that enable or encourage the participation of people with disabilities in programs and activities.
- Information regarding availability of auxiliary aids and adaptive equipment for use in a program or service.
- Information regarding methods used to ensure that all public meetings and gatherings are designed to accommodate persons with disabilities.

A copy of the programmatic accessibility questionnaire is provided in Appendix B. Recommendations based on the survey findings contained in this section will serve as a planning tool for the implementation of specific improvements to policies, procedures and practices for providing programmatic access to city programs as required by law.

3.1 CUSTOMER SERVICE

In-person interaction with the public is one of the primary functions of most city departments. In addition, the city has fully embraced the use of electronic communication tools, like the internet and email, to interact with and provide information to citizens. Some departments do not have widely-understood processes for determining reasonable modifications to achieve program accessibility. The Human Resources Department has established such procedures, and is moving forward to establish effective communication citywide.

Some departments reported that employees who have contact with customers get little training on the proper methods and appropriate etiquette when interacting with or assisting persons with disabilities, and are unaware of alternate communication methods and format options that are available, or how to accommodate requests for such accommodations.

3.2 NOTICES, OUTREACH AND PRINTED INFORMATION

Title II regulations require the city to inform the public of rights and protections provided by the ADA. The city's Notice under the Americans with Disabilities Act and ADA Statement is published online and expresses the city's commitment to providing accessible services to individuals with disabilities. It also provides the contact information for the city's ADA Coordinator as well as other regional accessibility resources.

Public notification regarding city programs, events and registrations generally do not include information about available program modifications, nor do they commonly identify a contact person for individuals with disabilities who need to request modifications. Some departments include this information in their meeting agendas or notifications, by not all.

In order to meet the ADA's communication standards, city departments must be able to provide printed information, when requested, in alternative formats such as using easy-to-understand language, Braille, large-print format, audiotape/CD/digital media file, computer disc, or other formats as requested.

Many departments produce informational and promotional materials for public use, including maps, brochures, forms, newsletters, fact sheets, reports, and plans. Some departments reported that they provide printed materials in alternative formats upon request, while others reported a willingness to provide alternate documents, but a lack of knowledge of how to execute such a request.

3.3 TELEVISED AND DIGITAL INFORMATION

Televised and digital information is a means for disseminating public information. All televised and digital information must be accessible to people with disabilities under the ADA. As more and more communication is being done remotely via the rapidly changing internet, it will be increasingly important that all communication tools maintain accessibility as technology changes.

The city provides a government access television station, KCLV-TV Channel 2, with twenty-four hours per day, seven days per week televised programming year round. Content includes City Council and Planning Commission meetings, as well as specials and shows about the city of Las Vegas and other national agencies. Closed captioning is provided live for the bi-monthly City Council meetings, and is imbedded into the televised replays. Closed captioning is not provided for any of the other programs produced annually by KCLV.

Much of the televised content on KCLV is also viewable on the internet at www.klcv.tv and on the KCLV Channel 2 YouTube channel www.youtube.com/user/KCLVChannel2. The videos posted on YouTube by the city can be auto-captioned by using the captioning features offered by YouTube. Considering the limited televised programming that is provided with closed captioning, and the absence of identified resources to address this limitation, continuing to utilize this and other computer-based real-time captioning software programs that may be developed in the future will aid the city in providing accessible produced programming to people with disabilities.

As people turn to the internet as their primary source of information regarding services, products, programs and facilities, the city's website www.lasvegasnevada.gov has taken on increased importance as a communications tool as well. New accessibility standards for electronic and information technology

covered by the ADA have set forth the technical and functional performance guidelines critical for such technology to be accessible.

The city's website will undergo a comprehensive redesign, to be completed in 2016, and will be designed to comply with the WCAG 2.0 Level AA technical and functional success criteria. The new design will include a variety of accessibility-related improvements, including text size and color, providing alternate text on photos and other infographics consistently, and providing accessible PDF documents.

3.4 TRAINING AND STAFFING

In general, most department staff have limited familiarity serving or interacting with people with disabilities and receive little to no regular training to better assist them. Many staff members are not knowledgeable on to how accommodate the different types of reasonable modification requests to make their services accessible.

One of the needs revealed by the programmatic accessibility surveys and program staff who have contact with the public is the desire for increased employee training and education about a variety of subjects related to the requirements and regulations of the ADA.

3.5 PROGRAM ELIGIBILITY AND ADMISSION

The public should be able to access all city programs, services, and activities, regardless of disability. Admission criteria, ability to complete forms and participation in interviews should be available to all members of the public by providing reasonable accommodations.

No departments reported having limitations or ratio requirements that would exclude or discriminate against persons with disabilities.

3.6 PUBLIC MEETINGS AND HEARINGS

The city works hard to ensure its public meetings, hearings and events are open and accessible to all citizens, regardless of disability.

The City Clerk's Office reported that they provide adaptive aids and equipment upon request to allow people with disabilities to fully participate in meetings such as City Council Meetings or Planning Commission Meetings held in City Hall Council Chambers.

3.7 SERVICES PROVIDED BY CONTRACTED SERVICES

The city currently uses criteria that does not discriminate based on disability when selecting contractors, consultants or vendors for city projects or services. Federal regulations also require that any outside contracts receiving city funding, or receiving federal funding through the city, comply with the requirements and regulations of Title II of the ADA and Section 504 of the Rehabilitation Act.

The Purchasing and Contracts Division provides purchasing services to user departments, is responsible for the acquisition of goods and services that are essential to citywide operations, and oversees annual contracts, construction projects and professional service agreements. Standard language appears in all city contracts that prohibit discrimination on the basis of disability in compliance with the ADA, the rules and regulations thereunder, and that the contractor shall comply with any applicable provisions of the ADA.

3.8 JUDICIAL AND CORRECTIONAL SERVICES

The Las Vegas Municipal Court deals with criminal misdemeanors, such as DUI, battery, domestic violence, vagrancy, petty larceny and prostitution, and fine-only offenses, such as violations regarding traffic, alcohol, city ordinance, simple assault, disorderly conduct, and non-aggravated offenses.

The Detention and Enforcement department provides the public with law enforcement and detention services.

Language and sign language interpreter services are provided by the Municipal Courts, when requested in advance. When the need arises in the detention and enforcement facilities, staff contacts the Municipal Courts for assistance.

A need revealed by the programmatic accessibility surveys and detention and enforcement staff is the lack of access to qualified interpreter services outside of Municipal Court hours of business, typically overnight and on the weekends, which creates a barrier for effective communication.

4.0 TRANSITION PLAN: CITY PROGRAMS, ACTIVITIES AND SERVICES RECOMMENDATIONS

- Identify an ADA Warden representative for each department/division and publish a contact list on the city's intranet
Fiscal Impact:
None

- Provide training for city staff on general information about the ADA and its legal requirements as it pertains to the city of Las Vegas. Any changes to the law affecting the city should be monitored and shared as appropriate to department ADA Warden representatives and staff who have contact with citizens in person or over the phone.
Fiscal Impact:
Training Resources

- Educate staff on the city's procedure to receive requests for program or facility modifications, and possible remedies, which may include redesign of equipment, assignment of aides to persons with disabilities, and provisions of services at alternate accessible sites.
Fiscal Impact:
Training Resources

- Ensure departments allow the use of service animals to assist persons in accessing city programs and facilities. Provide education for staff to be made aware of the definition of a service animal and when not to accept them, since service animals are not always dogs.
Fiscal Impact:
Training Resources

- Update the non-discrimination language found on the city's website to include the following or similar notice regarding the non-discrimination policy for general information about city services, programs, or activities.
Fiscal Impact:
None

POLICY ON NON-DISCRIMINATION ON THE BASIS OF DISABILITY

The city of Las Vegas does not discriminate on the basis of disability in the admissions or access to its programs or activities. An ADA Coordinator has been designated to coordinate compliance with the non-discrimination requirements contained in the Department of Justice regulations implementing Subtitle A of Title II of the Americans with Disabilities Act, which prohibits discrimination on the basis on disability by public agencies. The city of Las Vegas ADA Coordinator can be reached at (702) 229-5048 / Relay Nevada 7-1-1 or by email: HJensen@lasvegasnevada.gov.

- Continue to update and distribute the Notice under the ADA to all department heads; post on the city's website; and post in conspicuous location in public buildings.
Fiscal Impact:
Training Resources

- All requests relating to modifying facility or programmatic access should be analyzed periodically to identify trends or areas of increased need.
Fiscal Impact:
None

- All departments must be able to provide documents and other printed materials in alternate formats at no charge to the individual making the request. Instructions on how to provide acceptable alternate formats (including Braille, audio recordings, enlarged print and digital formats) should be posted on the city's website so it is available to both citizens and city staff, with reminders sent out regularly. *Fiscal Impact:*
None

- Update and maintain the digital ADA resources list of assistive technology equipment, qualified sign language and oral interpreters, qualified readers, real-time transcription services, vendors able to put documents into Braille, and community organizations that served people with disabilities so it is available to city staff. *Fiscal Impact:*
None

- Publicize the state's free Relay Nevada service number (7-1-1) used by the city in all email signature blocks, letterhead, business cards, printed marketing material and web pages that include an individual employee or department's regular voice telephone numbers. *Fiscal Impact:*
None

- Identify and provide training for staff who have contact with customers over the phone about the Relay Nevada 7-1-1 System which can be used for telephone communications, on both placing and receiving phone calls. *Fiscal Impact:*
Training Resources

- Publicize the city's commitment to provide printed information in alternative formats through event publications and on the city's website. *Fiscal Impact:*
None

- Include the following statement (or something similar) at the end of any public notices about a city-sponsored meeting or event:

To request reasonable accommodations at this event please contact (name of event contact), phone #, Relay Nevada 7-1-1, Email by (insert desired deadline – usually 1 – 2 weeks before the event, depending on when the notice is sent out).

- Educate city staff on the creation of accessible PDF and other electronic files for digital publishing or distribution (i.e. a PDF that was created using Adobe Acrobat, NOT a document that was scanned electronically and converted to PDF or TIF). *Fiscal Impact:*
Training Resources

- Educate City Hall lobby support staff on the availability of wheelchair seating, the availability of assistive listening devices for public meetings, and the webpage resources for additional resource information. *Fiscal Impact:*
Training Resources

- Establish and educate staff of the procedures to inform interested people with disabilities of the existence and location of the city's accessible programs, services, and activities. *Fiscal Impact:*
Training Resources

- Designate an employee as the web accessibility coordinator who is knowledgeable in website design, able to evaluate the city's website for compliance with the ADA (WCAG 2.0 Level AA success criteria until further website guidelines are adopted), and who can coordinate and facilitate an annual website accessibility evaluation.

Fiscal Impact:
Training Resources

Website evaluation applications or services (such as <http://wave.webaim.org/>) should be used that help web page authors provide accessible website content by identifying and repairing barriers to access for individuals with disabilities.

- Develop a web accessibility policy statement which includes the following objective (or something similar) and include on the city's home page and various department home pages:

Fiscal Impact:
None

The objective of this policy is to improve the ease with which all citizens, including those with disabilities can access and benefit from web-based government services and information. The city's criteria for web design supports access that is not dependent on a single sense or ability, such as vision or hearing.

- Provide a notice, prominently and directly linked from the internet homepage, soliciting feedback on how to improve website accessibility and instructing visitors to the website on how to request accessible information. The link should provide several methods to provide feedback and to request accessible information, including an accessible form to submit feedback, an email address, and a toll-free number (with Relay Nevada 7-1-1) to contact personnel knowledgeable about the accessibility of the website.

Fiscal Impact:
None

- Identify and provide training for staff responsible for creating and maintaining website content, including training on the WCAG 2.0 AA level success criteria coding guidelines for online information regarding city programs, activities or services. This requirement would apply to any person in a department that has authority to update a city maintained or departmental maintained website.

Fiscal Impact:
Training Resources

- The Detention & Enforcement and Fire Department should develop a policy statement for communicating with people who are deaf or hard of hearing and should distribute guides for public safety employees when in contact with people who are deaf or hard of hearing.

Fiscal Impact:
None

- A system or procedure should be developed for the city's public safety departments addressing different options or services available for communicating with citizens who are deaf or hard of hearing and who communicate using sign language. Services such as video remote interpreting (VRI) services, and options utilizing new technologies are becoming widely utilized for weekend and afterhours public services when traditional, qualified sign language interpretation services may be unavailable.

Fiscal Impact:
To Be Determined

5.0 TRANSITION PLAN: PEDESTRIAN FACILITIES

Title II of the ADA prohibits local governments from discriminating against people with disabilities by excluding participation in or denying benefits of programs, services, or activities to people with disabilities. The public right-of-way (PROW) may be considered a public service in two ways:

- Streets, sidewalks, and curb ramps may be part of a continuous path of travel between programs, at various public and private facilities located on adjacent properties, such as public offices, schools, parks and recreational facilities, public service agencies, hospitals and health clinics, police facilities, and public housing.
- Streets, sidewalks, and curb ramps may be considered public infrastructure that are essential to the usage of the city's built environment.

Respectively, public agencies with authority over roadways and walkways must include in their transition plan the methods and strategies for installing curb ramps or other sloped areas where pedestrian paths cross curbs as well as other improvements necessary to achieve programmatic accessibility for people with disabilities.

The Architectural and Transportation Barriers Compliance Board has proposed guidelines developed specifically for pedestrian facilities in PROW in order to address conditions and constraints that exist for people with disabilities. These draft guidelines are currently under public review and will be enforceable when the guidelines are adopted as standards by the Department of Justice and Department of Transportation. Until the proposed guidelines for accessible rights-of-way (PROWAG) are adopted, they should be referenced as a best practices manual in PROW by addressing the following:

- Pedestrian Access Route
- Alternate Circulation Path
- Curb Ramps and Blended Transitions
- Detectable Warning Surfaces
- Pedestrian Crossings
- Accessible Pedestrian Signals
- Street Furniture
- On-Street Parking
- Call Boxes

5.1 ACCESSIBLE PEDESTRIAN FACILITY COMPLIANCE PROGRAMS

The city has instituted a number of programs to increase pedestrian facility accessibility as budgets allow including a citizen complaint response program, an annual installation, repair and maintenance program, street-related capital improvement projects and street overlay and reconstruction projects which include repair of sidewalk and construction of ADA complaint curb ramps.

The Department of Operations and Maintenance Streets & Sanitation Division oversees the ADA compliance upgrades and rehabilitations projects for existing pedestrian facilities, which include methods such as trip hazards mitigation, damaged sidewalk repair and curb ramp remediation. The division has been proactively and methodically addressing sidewalks and curb ramps found to be in noncompliance with the ADA guidelines through an in-house neighborhood sidewalk repair and compliance program.

Although the original ADA Self-Evaluation of 1993 was not specific to sidewalk infrastructure, best practices in sidewalk and curb ramp construction have been observed by the Streets & Sanitation Division and the Public Works Department, with increased emphasis being placed on the accessibility of pedestrian infrastructure by addressing absent pedestrian facilities and upgrading existing facilities through capital improvement projects and arterial street rehabilitation projects.

A draft Transition Plan for Sidewalks and Curb Ramps is being prepared by the Department of Operations and Maintenance Streets & Sanitation Division to address the city's ongoing efforts and methods to reconstruct noncompliant sidewalks and curb ramps to meet the current ADA standards, and to document the city's approach to providing a prioritized plan for pedestrian access within public right-of-ways. This plan will be provided in the future and will be found in Appendix F.

5.2 COMPLETED PEDESTRIAN FACILITIES COMPLIANCE EFFORTS

The Streets & Sanitation Divisions' sidewalk repair and upgrade program was created to address barriers for mobility-impaired pedestrians and otherwise improve neighborhood pedestrian facilities in the city by constructing sidewalk ramps and repairing damaged sidewalks in compliance with the ADA.

Approximately 40% of the city's sidewalk improvements were constructed after the ADA became law. It's estimated that approximately 12,000 ramps must still be constructed, and an additional 2,500 ramps are functional for mobility-impaired pedestrians however lack tactile warning mats.

The Engineering Division of the Public Works Department performs a spectrum of engineering services which play an integral role in achieving accessibility with public right-of-ways including capital improvement project (CIP) planning, design, and management. The CIPs include all types of accessibility improvements including curb ramps, sidewalk, pedestrian signals, pedestrian crossings, and pedestrian bridges.

The list of pedestrian rights-of-way accessibility improvements completed since 1996, provided in Appendix G, shows the trend in the city of Las Vegas for construction and rehabilitation compliance activity efforts from both capital improvement projects and the Streets & Sanitation division's repair and upgrade program.

6.0 SELF-EVALUATION FINDINGS: PUBLIC FACILITIES AND SPACES

The city owns and either operates or leases a number of municipal and technical buildings, historic properties, parking structures, community centers, parks, trails, and sports fields. Some of these properties are not open for public use or do not house public services or programs but many do.

The city conducted a variety of site visits, surveys, meetings and inventories of its buildings, facilities, and parks after the ADA became law in 1992. Since the initial effort, the city has made improvements to several of its buildings, sold non-complaint buildings and relocated many of its important public services to more accessible facilities. Today, most of the city's public services and programs are offered in facilities that are considerably more accessible and progress continues to increase accessibility citywide.

Information collected during the city’s 2015 facilities self-evaluation was organized into an identified barrier database, which reflects not only the access deficits of each site, but also the elements that comply with the 2010 Standards. Copies of the Facility Assessment Checklists utilized in the facility evaluations are provided in Appendix E.

The elements and their related features surveyed in the facility assessments included:

Building or Site Features

Parking Areas
Passenger Loading Zones
Curb Ramps
Accessible Routes
Ramps
Stairways
Hazards
Doors or Gates
Signage
Drinking Fountains
Public Telephones
Elevators or Platform Lifts
Reception Counters

Activity Rooms
Assembly Areas
Single User Restrooms
Restroom Stalls
Shower Facilities
Locker Rooms
Area of Rescue/Assistance
Detention Facilities

Recreation Features

Sports Activity Areas
Team or Player Seating Areas
Exercise Equipment & Machines
Swimming Pools/Wading Pools/Spas
Play Areas
Golf Facilities
Polling Areas

Types of Spaces

Corridors or Aisles

6.1 FACILITY REPORTS

A facility report has been produced for each city-owned building and facility surveyed, detailing the identified barriers found to be in noncompliance with the 2010 Standard guidelines.

The facility report for each site includes:

- *Identified Barrier or Deficiency*
- *Corrective Action or Solution*
- *Corrective Action Project Cost Estimate*

The list of city-owned buildings and facilities surveyed is provided in Appendix C and the Facility Barrier Deficiency Reports are provided in Appendix D.

6.2 ARCHITECTURAL BARRIER MITIGATION - PRIORITIES

Recognizing that the city has limited funds and cannot immediately make all buildings and facilities fully accessible, city staff utilized the following criteria as the basis for prioritizing the high, medium and low removal of architectural barriers:

- *Critical nature of the programs offered at the facility*
 Is there an immediate or advanced need for programmatic access?
- *Uniqueness of the facility or program*
 Are the programs offered at one facility available at alternative, accessible locations?
- *Geographic distribution:*
 Are accessible services distributed throughout the city to create maximum access for all residents?
- *Quantity and frequency of public use*
- *Degree of complexity for the corrective action*
- *Overall construction cost estimates*

Facility Type	High Priority	Medium Priority	Low Priority	Total
Buildings	\$1,876,500	\$1,959,500	\$315,000	\$4,151,000
Parking Lots & Structures	\$70,500	\$141,000	\$15,000	\$226,500
Parks & Open Spaces	\$202,000	\$3,311,000	\$3,032,000	\$6,545,000
Construction Cost Estimates Total	\$2,149,000	\$5,411,500	\$3,362,000	\$10,922,500

6.3 ARCHITECTURAL BARRIER MITIGATION – ACCURACY OF COST ESTIMATES

The estimates for architectural barrier mitigation noted in the facility reports are based on feasibility study level cost estimates. The costs generally assume favorable facility conditions for the upgrade without complications, known conditions, or impacts to adjoining improvements.

The expected accuracy of this level of project definition by industry standards is -30% to +50%. Although accurate enough to determine the magnitude of the work city-wide and at each facility, the cost estimates are not precise enough to insure specific facility upgrades.

Accordingly, it is anticipated that Public Works staff will conduct a more detailed survey and cost estimate each year as part of the city’s annual capital improvement funding process for the facility upgrades applying for funding that year.

6.4 ARCHITECTURAL BARRIER MITIGATION – COST ESTIMATES BREAKDOWN

Facility Type	High Priority	Medium Priority	Low Priority	Total
Buildings	\$1,876,500	\$1,959,500	\$315,000	\$4,151,000
Parking Lots & Structures	\$70,500	\$141,000	\$15,000	\$226,500
Parks & Open Spaces	\$202,000	\$3,311,000	\$3,032,000	\$6,545,000
Construction Cost Estimates Total	\$2,149,000	\$5,411,500	\$3,362,000	\$10,922,500
Change Order Contingency Estimate* – 15% of Construction Cost				\$1,638,375
Softcosts Estimate** – 20% of Construction Cost				\$2,184,500
Total Estimated Cost in 2015 Dollars				\$14,745,375

**The change order contingency estimate is warranted for unknown conditions inherent in this type of remodel work.*

***The softcosts estimate includes design and other consultant fees, land surveys, exploratory investigation work, constructability reviews, material testing, special inspection, and permit fees.*

7.0 TRANSITION PLAN: PUBLIC FACILITIES AND SPACES

7.1 DEFICIENCY REMOVAL IMPLEMENTATION SCHEDULE

Because the city of Las Vegas has a large number of facilities, it is impossible to immediately remove all barriers to program access. The table on below details the citywide barrier removal costs by facility type. It is the city’s intention to address barriers to accessibility in public buildings, parking structures and parks within a timeframe of ten years, depending on the immediate necessity, degree of complexity, and overall construction cost estimates to ensure that the city spends money on the most critical locations first. This ten year plan to address the structural barriers identified as high and medium priorities will serve as the implementation schedule for the Transition Plan update.

Barriers throughout the city will be removed systematically citywide, to ensure maximum access and equality among city programs for all residents. In general, barriers identified as low priority do not inhibit a person’s ability to access or participate in a city program or event. These may be amenities serving program areas or those items that may provide a functional level of access, but are not compliant with current ADA guidelines. Therefore, the city intends to address these low priority items through a building or facility remodel or improvement, or upon request from a program manager or department head where a modification is necessary.

During the city’s annual call for capital improvement projects, the Department of Human Resources will submit a funding request listing the facilities and deficiencies for Public Works to re-survey, cost estimate, and include in the capital improvement funding process. The Prioritized Facility Deficiency Schedule, located in Appendix H, will be regarded as a guideline or planning tool for the selection of the architectural barrier removal projects to be submitted each year during the call for capital improvement project submissions. It is anticipated that each facility listed in the request submissions will include the high and medium priority deficiencies in the transition plan. To the extent allowed by the funding granted each year, the Public Works Department and the Operations and Maintenance Department will then proceed to remove the deficiencies of the facilities in the funding request.

In addition to the annual funding of ADA facility upgrade projects, the Public Works Department and the Operations and Maintenance Department will consider including the remediation of ADA deficiencies when conducting other capital project improvements, repairs, and maintenance, and to report these deficiency removal completions to Human Resources.

Facility Type	Citywide High & Medium Priorities Estimated Costs	Citywide Low Priorities Estimated Costs	Citywide Total Estimated Costs	Implementation Schedule (years)	Annual Construction Cost Estimate
Buildings	\$3,836,000	\$315,000	\$4,151,000	10	\$383,600
Parking Lots & Structures	\$211,500	\$15,000	\$226,500	10	\$21,150
Parks & Open Spaces	\$3,513,000	\$3,032,000	\$6,545,000	10	\$351,300
Total	\$7,560,500	\$3,362,000	\$10,922,500		
Annual Citywide High & Medium Priorities Construction Cost Estimates					\$756,050
Change Order Contingency 15%					\$75,605
Softcosts 20%					\$151,210
Total Annual Budget Request*					\$982,865
<i>*Approximate annual budget request based on citywide high & medium priorities estimated costs.</i>					

The city of Las Vegas reserves the right to change the facility deficiency removal priorities on an ongoing basis in order to allow flexibility in accommodating community requests, petitions for reasonable modifications from persons with disabilities, changes in city programs and funding constraints or opportunities. The Prioritized Facility Deficiency Schedule will be updated annually to account for progress during the year and also for inclusion of new self-evaluations or ADA complaints to reflect the continued efforts by the city to maintain compliance.

7.2 FUNDING SOURCES

The city has identified the annual budgetary goal of approximately \$980,000 dedicated to making necessary accessibility improvements. Accessibility improvements that can be made through general maintenance of city facilities (i.e. relocation of restroom fixtures or signage, adjusting door closings, etc.) or as part of the regular administrative duties of department staff (i.e. providing documents in alternate formats, in-house training, website improvements, etc.) will typically be completed first, with larger capital improvement projects being completed when necessary funding is available.

Appendix A PUBLIC ENTITIES' RESPONSIBILITIES
UNDER TITLE II OF THE ADA

Appendix B PROGRAMMATIC ACCESSIBILITY SELF-
EVALUATION QUESTIONNAIRE

Appendix C **CITY-OWNED FACILITIES EVALUATED
FOR STRUCTURAL BARRIERS**

Appendix D **FACILITY BARRIER DEFICIENCY
REPORTS**

Appendix E FACILITY ASSESSMENT SELF-
EVALUATION CHECKLISTS

Appendix F **STREETS & SANITATION DIVISION: CURB
RAMPS AND SIDEWALKS TRANSITION
PLAN**

Appendix G PEDESTRIAN RIGHTS OF WAY
ACCESSIBILITY IMPROVEMENTS LOG

Appendix H **PRIORITIZED FACILITY DEFICIENCY
SCHEDULE**

Appendix I ADA DEFINITIONS & ACRONYMS

Appendix J PUBLIC MEETINGS & PRESENTATION
MATERIAL