

EXECUTIVE SUMMARY



SELF-EVALUATION AND TRANSITION PLAN

Americans with Disabilities Act Section 504 of the Rehabilitation Act

City of Suisun City

701 Civic Center Boulevard
Suisun City, CA 94585

2021



Prepared by

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The City of Suisun City ADA/504 Self-Evaluation and Transition Plan was prepared by Disability Access Consultants, LLC with the collaboration and assistance of City of Suisun City staff and input from other interested individuals and community members.

Matthew Medill, Public Works Director and Amanda Dum, Public Works Management Analyst, served as the primary project contacts and provided the overall project direction and oversight.

A copy of the ADA/504 Self-Evaluation and Transition Plan is available from the ADA Coordinator. Accessible alternate formats are available.

Disability Access Consultants, LLC (DAC)

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ADA/504 Self-Evaluation and Transition Plan Purpose and Summary

As the City of Suisun City has made an ongoing commitment to provide programs, services, and activities in a nondiscriminatory manner for individuals with disabilities, the City of Suisun City (City) conducted an updated Americans with Disabilities Act (ADA) and Section 504 Self-Evaluation and Transition Plan (Plan). The City of Suisun City Americans with Disabilities Act (ADA) Title II and Section 504 (504) Self-Evaluation Plan documents the results of the City's review of access to programs, services, activities, events, facilities, parks, and selected public rights-of-way by individuals with disabilities to determine if any discriminatory or potentially discriminatory practices, policies or procedures exist that may deny access for individuals with disabilities. The 2021 updated ADA/504 Self-Evaluation and Transition Plan (Compliance Plan) provides a current benchmark of accessibility activities by the City and provides an updated framework for remediation and implementation and updates prior accessibility ADA Self-Evaluations and Transition Plans.

One reason for the City's update of the prior ADA Self-Evaluation and Transition Plan (Compliance Plan) is due to additional accessibility requirements that were added with the 2010 ADA for areas such as recreational sites, golf facilities, play areas, recreational boating sites, fishing piers, swimming pools, wading pools, and judicial facilities. Accessibility requirements were also changed for items such as reach range, water closets, assembly areas, and other items. The City current Plan updates standards and provides safe harbor for those areas and items that were compliant under prior accessibility codes. As such, it was prudent for the City to update their ADA/504 Self-Evaluation and Transition Plan. In addition, the current ADA/504 Self-Evaluation and Transition Plan incorporates recent updates in the California Building Code, the Manual on Uniform Traffic Control Devices (MUTCD), and the Public Right-of-Way Accessibility Guidelines (PROWAG). As major remodeling and remediation of physical barriers would, in most cases, require scoping and compliance with newer accessibility regulations and requirements such as the 2010 ADA Standards and the 2019 California Building Code, the ADA Plan needed to be updated to maintain compliance. The City understands that the ADA/504 Self-Evaluation and Transition Plan is not a static document but requires periodic updates and ongoing implementation.

The City of Suisun City ADA/504 Self-Evaluation and Transition Plan Executive Summary details accessibility findings and provides recommendations for the City. The Compliance Plan includes a review of potential "programmatic" and "physical" barriers that may deny access for persons with disabilities. Noncompliant findings regarding "physical" barriers that may deny access for persons with disabilities are contained in the online DACTrak Accessibility Management Software (DACTrak) used by the City. DACTrak contains detailed findings of potential physical barriers that may deny access and includes actual findings, recommendations, photographs, references to accessibility code requirements, and GIS measurements. DACTrak is a tool for the City to use to manage and update the City's Compliance Plan for the removal of physical barriers. Access to information contained in the DACTrak program is available from the City's ADA/504 Coordinator.

As public input is important to develop and prioritize the Compliance Plan, the City conducted extensive public outreach as described in the public outreach portion of this document. In addition to being required, it is recognized that input from stakeholders is a valuable component of an updated, usable, and realistic Compliance Plan. In addition to input from the public, input was solicited from City staff.

The City of Suisun City has demonstrated a commitment to comply with the ADA by coordination of compliance activities and involvement of persons with disabilities. As evidenced in the 2021 ADA/504 Self-Evaluation and Transition Plan Executive Summary, the City of Suisun City understands that the ADA/504 Compliance Plan is not a static document but requires periodic updates and ongoing

implementation. The ADA/504 Compliance Plan provides a current benchmark for accessibility efforts by the City and provides an updated framework for implementation. The current study also incorporates recent code changes, updates in accessibility standards and regulations in addition to accessibility trends. The ADA/504 Self-Evaluation and Transition activities work together to address the requirements of the ADA. The City of Suisun City ADA/504 Self-Evaluation and Transition Plan serves as a roadmap to assist the City with ongoing compliance.

The City of Suisun City is classified as a "public entity" pursuant to Title II of the Americans with Disabilities Act which applies to state and local governments. A public entity covered by Title II is defined as a state or local government. As defined, the term "public entity" does not include the federal government. Title II, therefore, does not apply to the federal government, which is covered by Sections 501 and 504 of the Rehabilitation Act of 1973. Title II is intended to apply to all programs, activities, and services provided or operated by state and local governments. It also applies to contractors and vendors of the public entity. As Section 504 of the Rehabilitation Act applies to programs or activities receiving Federal financial assistance, the City understands that compliance with Section 504 is required. The Department of Justice's Title II regulation adopts the general prohibitions of discrimination established under Section 504 and incorporates specific prohibitions of discrimination from the ADA. Section 508 standards for website accessibility are also incorporated into the study.

Methodology for the Development of the Self-Evaluation and Transition Plan

Disability Access Consultants, LLC (DAC) was contracted with by the City to conduct a comprehensive accessibility review of all City programs, services, activities, policies, buildings, parks and public rights-of-way in order to develop and produce an updated City of Suisun City ADA/504 Compliance Plan.

Matthew Medill, Public Works Director, and Amanda Dum, Public Works Management Analyst, served as the primary project contacts and provided the overall project direction and oversight. Matthew Medill left employment with the City prior to the end of this project. Nouae Vue was hired as the City's new Public Works Director and worked with Amanda Dum to complete this project. Through the course of finalizing the City's ADA Executive Summary, the City Manager determined that the Human Resources Administrator will act at the City's ADA Coordinator/504 Coordinator for the City. This information was added to the Final Executive Summary in March 2022.

Methodology for developing the Compliance Plan included, but was not limited to the following:

- A kick-off meeting was held on December 8, 2020 with DAC and City staff
- A project start date of January 5, 2021 was confirmed to begin the on-site survey of City facilities and rights-of-ways
- Accessibility surveys of City buildings, facilities, parks, public rights-of-ways, and recreational areas were conducted
- A website accessibility review was conducted for compliance with Web Content Accessibility Guidelines (WCAG 2.0) Level AA.
- Public outreach was conducted using multiple methods and opportunities
- Surveys were distributed and made available to the public, community members, organizations representing persons with disabilities and City staff.
- Surveys and links were posted on the City's website

- Information requesting input from the public and organizations regarding the City's ADA self-evaluation and transition plan
- Notices requesting input were posted displayed prominently on the City's website, in City facilities and on the City's social media accounts
- A review was conducted of the previous accessibility activities and ADA efforts by the City
- A review was conducted of accessibility related City policies and other documents
- A review was conducted regarding the accessibility of City programs, services, activities, and events
- Training was provided for City staff on the use of the DACTrak Accessibility Management and Software Program to manage, update, and implement the City's Transition Plan

The City is using DACTrak Accessibility Management Software to manage and implement the Transition Plan. Using DACTrak, the City can generate compliance assessment reports that provide, at a minimum, the following information:

- A description of the noncompliant physical element
- Identification of the reason(s) a physical element is considered non-compliant
- Applicable federal and state accessibility code references that apply to the element
- Digital photographs of the non-compliant physical element
- Recommended method to bring the item into compliance
- A construction cost estimate when applicable

The City of Suisun City ADA/504 Self-Evaluation and Transition Plan Executive Summary documents compliance findings and recommendations by categories and/or areas reviewed for compliance but not necessarily by individual City departments. Recommendations may include corrective action or activities that may not be a minimum requirement in accordance with Title II of the ADA to enhance accessibility or are recommended to be continued as ongoing compliance activities. Some findings and recommendations are Citywide and others to specific to individual City departments. Findings or recommendations that are specific to a department are reported as such. For example, if accommodation statements or procedures for requesting a reasonable accommodation by a person with a disability is not available, then access to programs, services, and activities may not be available. Certain departments may have developed specific reasonable accommodation statements related to their department.

In addition to programmatic and policy barriers, physical barriers may exist and are reported in the Transition Plan using DACTrak. Noncompliant findings and recommendations for the removal of physical barriers that may deny access for persons with disabilities are contained in the secure, online DACTrak accessibility management software used by the City. DACTrak contains photographs of physical barriers, GIS information, findings, recommendations, estimated costs, and other information. Custom reports and Transition Plan information can be generated from DACTrak to assist with monitoring and tracking the implementation of the Plan. Access to information contained in the DACTrak program is available from the City of Suisun City ADA Coordinator.

Requirements to Conduct an ADA Self-Evaluation and Transition Plan

Part 35.105 of Title II of the ADA establishes a requirement, based on Section 504 regulations for federally assisted and federally conducted programs, that a public entity (city and county

governments) evaluate its current policies and practices to identify and correct any policies and practices that are not consistent with the requirements of this part of the ADA. All public entities are required to do a self-evaluation and those that employ 50 or more persons are required to develop a Transition Plan that describes the physical barriers that were identified in review of facilities in the self-evaluation process.

The Transition Plan is meant to identify each physical barrier in detail, the proposed method to remove the barrier, the designated responsible person to oversee the Compliance Plan, and the projected (estimated) dates of barrier removal. Public entities must ensure that their facilities, public rights-of-ways, policies, procedures, and practices are accessible and do not discriminate against persons with disabilities.

The ADA has five (5) separate titles:

- Title I: Employment
- Title II: Public Services: State and Local Government
- Title III: Public Accommodations and Services Operated by Private Entities
- Title IV: Telecommunications
- Title V: Miscellaneous Provisions

The focus of the ADA Self-Evaluation and Transition Plan is Title II (owned by the public and open to the public) of the ADA to provide access to public areas of facilities and access to all City programs, services and activities. Title III requirements (privately owned sites that are open to the public) are reviewed in selected cases due to the City's use of outside vendors and private groups and agencies during the provision of City programs, services, and activities. Thus, requirements of Title III do overlap and integrate into the current study in cases where the City contracts with outside vendors. Title I of the ADA provides requirements for employees and is not the focus of this study. Individual employee access accommodations are handled on a case-by-case basis.

Section 504 requires public entities that receive federal or state funding to ensure that they do not have any discriminatory practices. As such the requirements of Section 504 are very similar to those of the ADA that was passed by congress in 1990. Section 504 of the Rehabilitation Act of 1973 (Public Law 93-112) prohibits discrimination based on disability in federally assisted programs and the flow through sub-recipients, including contractors. The Americans with Disabilities Act passed in 1990 (Public Law 101-336) is a broader civil rights statute that prohibits discrimination against people with disabilities. In addition to the Department of Justice (DOJ), the Federal Highway Administration's (FHWA) and the United States Department of Transportation (USDOT) have requirements for accessibility in accordance with the Americans with Disabilities Act (ADA) and Section 504. Pedestrians with disabilities should have an equal opportunity to use the pedestrian access routes in an accessible and safe manner.

As part of FHWA's regulatory responsibility under Title II of the ADA and Section 504 of the Rehabilitation Act of 1973 (504), the FHWA is required to ensure that recipients of federal aid as well as state and local entities that are responsible for roadways and pedestrian facilities do not discriminate on the basis of disability in any highway transportation program, activity, service, or benefit they provide to the general public; and to ensure that persons with disabilities have equitable opportunities to use the public rights-of-way system. Furthermore, laws and regulations require accessible planning, design, and construction to integrate persons with disabilities to ensure that the public entity does not discriminate.

As the California Department of Transportation (Caltrans) is a recipient of federal funds and cities, counties and other public entities that are subrecipients of the flow through funding, public entities are required to demonstrate their compliance with the ADA and Section 504 of the Rehabilitation Act. A component of the DOT requests is the development of a comprehensive ADA/504 Self-Evaluation and Transition Plan. As such, completion of a comprehensive ADA Self-Evaluation and Transition Plan is an accepted practice to take the place of an updated Section 504 Plan. As such, the City's ADA/504 Self-Evaluation and Transition Plan meets the requirements of not only the ADA Plan, but the Section 504 Plan as well. By completing this comprehensive Compliance Plan, the City will not only meet its ADA and Section 504 compliance requirements but will have a sustainable Plan that can be updated, monitored, managed and will document progress for ongoing accessibility compliance.

Several regulatory agencies require the development and implementation of an Americans with Disabilities Act (ADA) Plan and a Section 504 Rehabilitation Act Plan. The United States Department of Housing and Urban Development requires an ADA and Section 504 Self-Evaluation and Transition Plan that includes oversight of the use of Community Development Block Grant (CDBG) Program funds to ensure these funds are used in a nondiscriminatory manner. The CDBG Program provides annual grants on a formula basis to states, cities, and counties to develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for low and moderate-income persons. The CDBG Program requires public agencies to develop, maintain, and implement an Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act ADA/504 Self-Evaluation and Transition Plan to ensure that programs, services, activities, and facilities are accessible for persons with disabilities.

The Department of Justice (DOJ) has rulemaking authority and enforcement responsibility for Title II, while USDOT is legally obligated to implement compliance procedures relating to transportation, including those for highways, streets, and traffic management. The Federal Highway Administration (FHWA) Office of Civil Rights oversees the DOT requirements in these areas. To ensure compliance, the California Department of Transportation conducts reviews of ADA compliance with Title II of the ADA, California Building Code, Caltrans standards and Federal Highway requirements to ensure that:

- FHWA recipients and subrecipients are informed of their responsibilities to provide accessibility in their programs, activities, facilities and public rights-of-way;
- Recipients and subrecipients comply with the ADA and Section 504;
- Recipients and subrecipients are applying appropriate accessibility standards to all public rights-of-way and transportation facilities; and
- All complaints filed under Section 504 or the ADA are processed in accordance with established complaint procedures.

California law provides similar protections to Title II and Section 504. Government Code Section 11135 prohibits discrimination by state and local governments. The Unruh Civil Rights Act (Civil Code Section 51) and the Disabled Persons Act (Civil Code Sections 54-55.32) prohibit disability-based discrimination by business establishments and, in some circumstances, applies to government entities. State laws or other federal laws may provide a higher level of protection than Title II of the ADA. The higher standard should be applied, whether state or federal.

Differences Between a Self-Evaluation and a Transition Plan

The self-evaluation component of the ADA/504 Plan identifies any barriers or potential barriers for persons with disabilities and includes a review of policies, programs, activities, services, and facilities. Barriers identified may include policies or procedures that could inadvertently discriminate against

persons with disabilities. An example of a self-evaluation exercise was the review of the City's website to ensure compliance with all requirements. The accessibility review of the website was conducted to determine if changes were needed for a compliant website. Many persons with disabilities use the information on the website to view activities, enroll in courses, or to provide input. Another example of a self-evaluation exercise was the review for use of inappropriate terminology such as the word "handicapped" instead of the term person with a disability. A key and required component of the self-evaluation is the opportunity for input by the public, organizations that represent persons with disabilities, staff, and other interested persons. The City conducted activities to solicit comments and input by the public using a variety of methodologies and incorporated these comments into the overall content and prioritization of the Plan. Public outreach activities are discussed in the public outreach portion of this report.

The Transition Plan, on the other hand, assigns estimated/projected dates for the removal of physical barriers identified in the Plan as required by the ADA for public entities with more than fifty (50) employees. The City, using DAC's recommended priority worksheets as one method for prioritization, is assigning dates for barrier removal in the City's Transition Plan and is developing an implementation plan over time that will incorporate priorities identified by the public and staff as areas of concern, as well as additional concerns or complaints, prevalence of use by persons with disabilities, current remodeling and construction projects, funding sources, resources and other variables related to the removal of physical barriers.

The term "transition plan" comes from the terminology in the 1990 Americans with Disabilities Act (ADA) that describes how public entities would be "transitioning" into compliance during the timelines of 1992 to 1995. The term "barrier removal" plan is used in addition to the term transition plan, as public entities are technically no longer transitioning into compliance after 1995. The transition/barrier removal plan identifies the non-compliant barrier that may deny access to goods and services, the proposed method to remove the barrier, the identity of the responsible person to oversee the implementation of the plan, and the projected schedule for barrier removal of "physical" barriers. While the Transition Plan provides a schedule for the removal of barriers with estimated projected timelines, the Self-Evaluation focuses on the identification of physical and programmatic barriers that may deny access to programs, services, and activities. The two plans work congruently to remove the structural and programmatic barriers.

To effectuate Title II of the ADA, Department of Justice regulation 28 CFR 35.150(d) Transition Plan, public entities are required to review and identify physical barriers and steps needed to provide overall accessible programs when viewed in their entirety when the entity's programs are taken as a whole. Public entities must ensure that people with disabilities are not excluded from programs, activities, and services because of inaccessible facilities. Each facility is not necessarily required to be accessible. A public entity's services, programs, or activities, when "viewed in their entirety," must be accessible. This standard is known as "program accessibility" and is a key requirement under Title II of the ADA.

A comprehensive Transition Plan should contain the following:

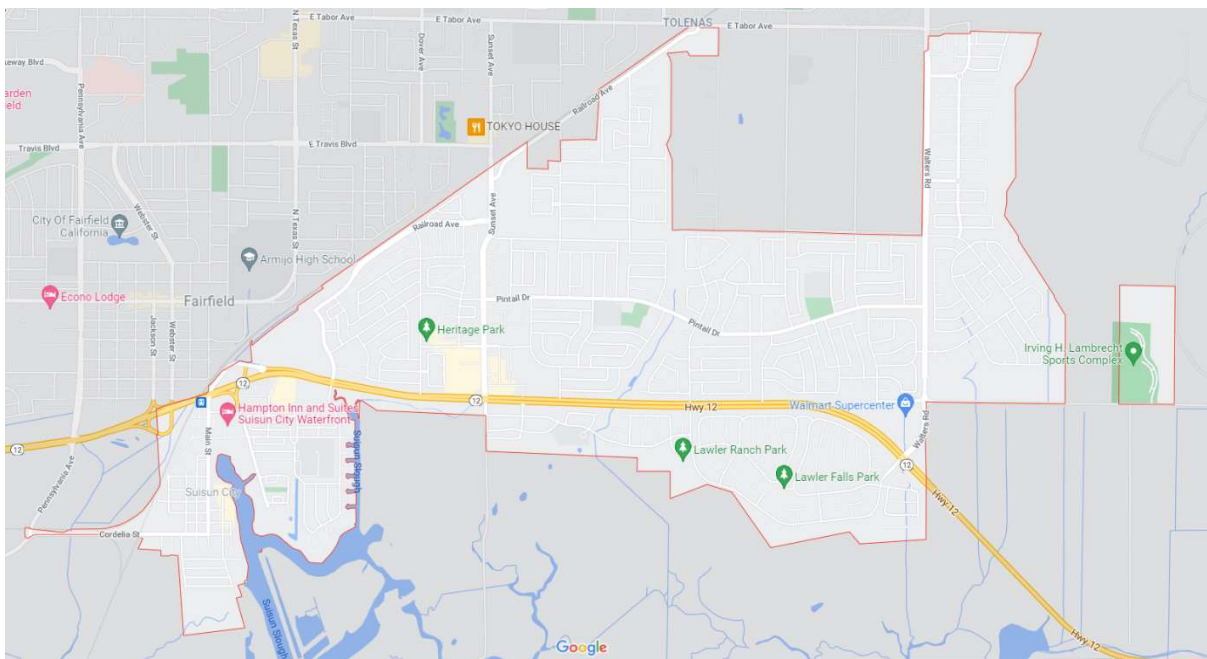
1. A list of the physical barriers in a public entity's facilities that limit the accessibility of its programs, activities, or services to persons with disabilities
2. A detailed outline of the methods to be utilized to remove these barriers and make the facilities accessible

3. The schedule for taking the necessary steps to achieve compliance with Title II of the ADA and the Plan should identify the interim steps that will be taken during each year of the transition period
4. The name of the designated person responsible for the plan's implementation (usually referred to as the ADA Coordinator or ADA/504 Coordinator)

Structural changes are not always required where there are other feasible solutions such as moving a service from a non-accessible location to an accessible location. However, structural changes leading to increased integration should be considered where feasible. Where structural modifications are required to achieve program accessibility, a public entity with fifty (50) or more employees must complete a Transition Plan that provides for the removal of these barriers. Any structural modifications must be completed as expeditiously as possible and are required to be in the City's Transition Plan. Part 35.164 of the ADA does not require a public entity to take any action that it can demonstrate would result in a fundamental alteration in the nature of a service, program, or activity or in undue financial and administrative burdens. If the public entity believes that the proposed action would fundamentally alter the service, program, or activity or would result in undue financial and administrative burdens, a public entity has the burden of proving that compliance would result in such alteration or burdens. The decision that compliance would result in such alteration or burdens must be made by the head of the public entity or his or her designee after considering all 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 the conclusion that the action would result in a fundamental alteration.

General Information About the City of Suisun City

The following is a City boundary overlay map from Google Maps:



According to information on the City's Wikipedia entry page:

“Suisun City was established in the 1850s. Its location made it ideal for commerce and transportation during the California Gold Rush. Suisun City was incorporated on October 9, 1868.

In 1868—1869, it was connected to the First Transcontinental Railroad at Sacramento via the California Pacific Railroad (Cal-P) main line, expanding the region's reach across the United States. By 1879 Central Pacific Railroad owned the Cal-P mainline and rerouted the transcontinental overland route through the new branch from Port Costa, via the railroad ferry Solano to Benicia, across the Suisun Marsh to Suisun City, putting the region directly on the overland route from San Francisco to Ogden and beyond.

In the 1960s and 1970s, Suisun City experienced rapid growth as the San Francisco Bay Area's suburban ring expanded to the formerly rural Solano County. Also in the 1960s, Interstate 80 was constructed two miles outside the city, effectively moving commercial traffic away from railways and water conveyance.

The city takes its name from the adjacent Suisun Bay, which in turn is named for the Suisun people, an indigenous Native American tribe of the area.

The population was 28,111 at the 2010 census.”

City Government

The City of Suisun City operates under the Council/City Manager form of governance in which the electorate chooses members of the City Council and the City Council hires the City Manager to implement City Council policy and run day-to-day affairs. The City Clerk and City Treasurer also are independently elected. The City Council sits as the governing board for the Housing Authority and as the Successor Agency to the Redevelopment Agency. The Oversight Board is an independent review board reviewing Successor Agency actions.

City Departments

- City Manager
- Administrative Services
- Public Works
- Development Services
- Fire Department
- Police Department
- Recreation, Parks, and Marina
- Finance
- Building
- Housing

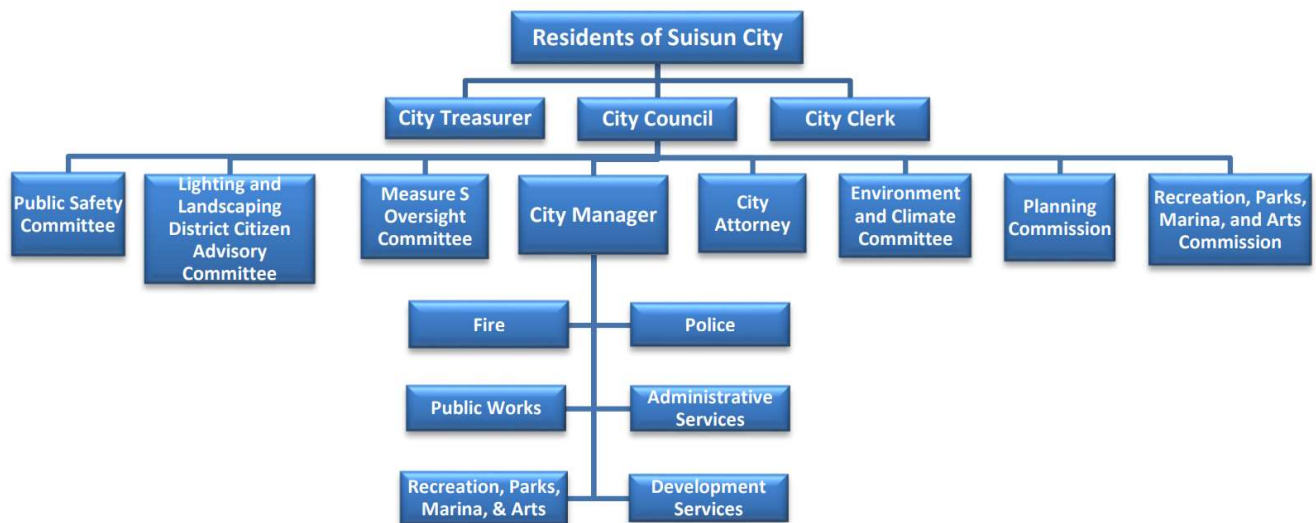
Boards, Commissions & Committees

- City Council
- Planning Commission
- Parks, Recreation, Marina & Arts Commission

- Oversight Board
- Environment & Climate Committee
- Lighting & Landscaping Districts Committee
- Measure S Oversight Committee
- Public Safety Committee
- Business Improvement District
- Suisun City/FSUSD Joint Committee

City Organizational Chart

The following organizational chart is from the City’s Business and Financial Plan for Fiscal Year 2020-2021.



Prior ADA Self-Evaluation and Transition Plan

The 2021 City of Suisun City ADA/504 Self-Evaluation and Transition Plan was conducted by DAC and updates accessibility surveys and studies that were conducted previously.

Regular Self-Evaluation and Transition Plan Updates

The ADA/504 Plan (Plan) is a living, ongoing document and requires regular updates to keep it current. As barriers are removed it is important to update the Plan to reflect the current barrier removal progress. If for some reason existing sites are acquired by the City, new facilities are built or acquired or no longer used by the City, the City will need to update the ADA/504 Plan. In its continuing efforts to maintain compliance, the City has several mechanisms in place to provide for an ongoing update of the Self-Evaluation and Transition Plan to provide a realistic and manageable Plan to remove barriers. The City has the use of a secure online accessibility management software called DACTrak, to update, document, and track the findings and the implementation of the Plan, including progress reports. The City understands that the ADA/504 Self-Evaluation and Transition Plan is a living, ongoing document and requires regular updates to keep it current.

In accordance with Part 35.150 of Title II of the ADA, the City's designated ADA Coordinator is empowered with oversight responsibility for implementation of the requirements of the ADA, Section 504, and related accessibility standards and regulation. The City Manager has determined that the Human Resources Administrator will act as the City's ADA/504 Coordinator for the City.

Accessibility standards and regulations may change and will be incorporated into the Plan as appropriate. Updates may also be necessitated by changes in the ADA, the California Building Code, Proposed Right-of-Way Accessibility Guidelines (PROWAG), Caltrans Standards, the Manual of Uniform Traffic Control Devices (MUTCD), and related accessibility standards. An example of an area requiring update due to litigation is on-street parking. Another example is the FHWA and DOT memorandum clarifying what is maintenance and what is an alteration and when alterations trigger curb ramp installations. Due to the intake methodology for the site inspections that captured actual and detailed field measurements, DACTrak can be updated as codes change, which allows the ADA/504 Plan to stay current without the need to do any re-inspections.

As public input is important to develop and prioritize the Plan, the City solicited input from the public and staff as described in the public input portion of this document. Although the City actively solicited comments and surveys of programs, services, and activities from City staff, community organizations, and members of the public from June 15, 2021 to July 30, 2021, it is anticipated that additional comments and input may be received and incorporated into the Plan as appropriate. It is recognized that input from stakeholders is a valuable component of an updated, usable, and realistic plan.

Location of Self-Evaluation and Transition Plan

The City of Suisun City ADA/504 Self-Evaluation and Transition Plan will be maintained and made available for public review by the City's ADA Coordinator. The ADA/504 Self-Evaluation and Transition Plan is available in alternate formats, as requested.

Designated ADA and 504 Coordinator

The regulations implementing the ADA and Section 504 (504) require any public entity with fifty (50) or more employees to designate at least one (1) employee to coordinate ADA compliance (28 CFR § 35.107(a)). In addition, federal regulations require public entities to make available to interested persons the name, office address, and telephone number of the ADA Coordinator. Furthermore, in providing for notice, a public entity must comply with the requirements for effective communication in Section 35.160. Although the law does not refer to this person as an "ADA Coordinator," this term is commonly used in state and local governments across the country and will be used in this chapter. Part 35.107 states that "a responsible person should be designated" to oversee and implement the plan. The requirement for designation of a particular employee and dissemination of information about how to locate that employee, helps to ensure that members of the public, organizations and staff can easily access the ADA Coordinator who is familiar with the requirements of the ADA.

The ADA Coordinator is responsible for coordinating the efforts of the government entity to comply with Title II and the investigation of complaints. A government entity may elect to have more than one (1) ADA Coordinator; however, this may be confusing for the public. Another option is to designate "ADA Liaisons" for departments or key areas of government in addition to the City's ADA Coordinator.

The information below in the indented paragraph is extracted from the Department of Justice (DOJ) publication entitled "ADA Best Practices Tool Kit for State and Local Governments" regarding the

requirements to designate a responsible person to oversee the ADA plan and initiatives, known as the ADA Coordinator.

"If a public entity has 50 or more employees, it is required to designate at least one responsible employee to coordinate ADA compliance in accordance with 28 C.F.R. part 35.107. A government entity may elect to have more than one ADA Coordinator. Although the law does not refer to this person as an "ADA Coordinator," this term is commonly used in state and local governments across the country and will be used in this chapter. The ADA Coordinator is responsible for coordinating the efforts of the government entity to comply with Title II and investigating any complaints that the entity has violated Title II. The name, office address, and telephone number of the ADA Coordinator must be provided to interested persons."

According to the DOJ Publication, an effective ADA Coordinator has, but is not limited to, the following skills:

- Familiarity with the state or local government's structure, activities, services
- Knowledge of the ADA and other laws addressing the rights of people with disabilities, such as Section 504 of the Rehabilitation Act 29 U.S.C. § 794
- Experience and understanding of a broad range of disabilities and acceptable terminology regarding disabilities
- Knowledge of effective communication for persons with disabilities, accessible alternative formats, technologies that enable people with disabilities to communicate, participate, and perform tasks
- Ability to work cooperatively with the local government and people with disabilities
- Familiarity with any local disability advocacy groups or other disability groups
- Skills and training in negotiation and mediation
- Organizational and analytical skills

FINDINGS

Although required, no public postings or notices of the identity of an ADA Coordinator or similar position information for an ADA Coordinator were found.

RECOMMENDATIONS

- The City should designate, notice, and post the identity and contact information of an ADA Coordinator.
- If the City does not designate a separate 504 Coordinator, the ADA Coordinator (when designated) might be considered for the role of 504 Coordinator as the responsibilities are similar.
- The identity of the ADA or ADA/504 Coordinator should be maintained and updated to correctly identify the current identity of the ADA/504 Coordinator if the City staff member holding that position changes. Publications should be updated if the identity of the ADA/504 Coordinator changes or if more than one ADA/504 Coordinator is designated.
- Information regarding the identity of the City's ADA/504 Coordinator should be provided to staff, posted at all City locations, incorporated into new employee orientation and volunteer

packets, and placed in frequently used publications, on the website, and in staff and public directories.

- It is recommended that the City publish the name, address, email address and phone number of the City's ADA/504 Coordinator in appropriate public notices, brochures, pamphlets, press releases, the website, and other documents frequently distributed to the general public. Publications should also include a TDD/TYY and/or the California relay phone number.
- City staff should receive information and/or training regarding the requirements and role of the ADA Coordinator and the 504 Coordinator when designated.

Grievance and Complaint Procedures

A public entity that employs fifty (50) or more people must adopt and publish grievance procedures and forms which provide for the prompt and equitable resolution of complaints alleging any action that would be prohibited by the ADA (28 CFR § 35.107(b)). Seasonal, part-time, and contracted employees are included in the total count. If the City is a recipient of federal or state funds, grievance procedures are required if the City employs fifteen (15) or more people. As such and in accordance with the ADA and Section 504, the City is required to have grievance procedures available to the public. The term "grievance procedure" is used by the Department of Justice. City governments may use the term "complaint" or "uniform complaint procedures" which may be identical or very similar.

A public entity that employs fifty (50) or more people shall designate at least one (1) employee to coordinate its efforts to comply with and fulfill its responsibilities under Title II of the ADA, including the investigation of complaints. This person is frequently named the ADA Coordinator. A public entity shall make available the name, office address, and telephone number of any designated employee. In addition, the public entity must adopt and publish grievance procedures providing for prompt and equitable resolution of complaints alleging any action that would be prohibited by Title II of the ADA.

FINDINGS

A grievance policy and procedure for the public was not found. While not a grievance policy or procedure directly for accessibility, however, City Municipal code 2.08.190 "Complaint Investigation" states "It is the duty of the city manager to investigate all complaints in relation to matters concerning the administration of the city government and in regard to services maintained by public utilities in the city." No procedure for resolution of complaints was found. No publicly posted grievance or complaint procedures for members of the public were found. The City Municipal Code 2.40.060 "Personnel rules-Scope" notes that the City will establish appeal and grievance procedures related to employment, however there is no mention of grievance procedures for the public.

RECOMMENDATIONS

- When the City designates an ADA Coordinator and develops grievance or complaint procedures, the City should make efforts to inform staff and the public of the existence of the City's ADA or ADA/504 Coordinator, grievance procedures, the steps for handling grievances, and the City policies for remediation of grievances.
- Information regarding complaint procedures should be readily available to members of the public, as well as to employees, and applicants. Procedures should outline the steps needed to resolve a complaint.

- The City should provide the grievance procedure and form in accessible alternate formats.
- A method to collect data and collect a profile of complaints and grievances should be developed. The status of the complaint and the time from complaint to resolution should be documented to assist with interventions and staff development to reduce or eliminate repeated complaints.
- Complaint procedures and forms should be available at all City buildings and in all departments in addition to the website.
- Training should be provided to staff regarding the requirement and purpose of the grievance procedure.
- The City might consider the centralization of complaint handling to assist with the tracking of complaint resolution. A centralized database and analysis of types and locations of complaints may also assist with developing profiles to assist with targeting quality control and training measures. Centralized record keeping of such information will help the City to regularly update its compliance efforts, and plan for additional compliance implementation for training and budget considerations.
- The ADA or ADA/504 Coordinator or designated staff can develop updated reports based on a profile of concerns or complaints to determine the needs for proposed training materials, agenda items, and proposed budget expenditures.
- Procedures should continue to be developed, implemented, and institutionalized to provide consistency for complaint resolution and record keeping.
- Grievance procedures should provide an alternate point of contact other than the ADA Coordinator.

ADA Notice of Rights and Nondiscrimination Statements

The ADA requires that the City provide a notice of the rights afforded to persons with disabilities. Public entities are required to provide information to applicants, participants, beneficiaries, employees, and other interested persons of the rights and protections afforded by Title II of the ADA (26 CFR §35.106). In providing for notice, a public entity must comply with the requirements for effective communication in Section 35.160. The notice of rights afforded to persons with disabilities includes a nondiscrimination statement and the method to request a reasonable accommodation.

The notice is required to include relevant information regarding Title II of the ADA and how it applies to the programs, services, and activities of the public entity in a nondiscriminatory manner. The notice should include the contact information for the ADA Coordinator.

As recommended in the ADA Tool Kit published by the Department of Justice (DOJ):

Public notice about the ADA is required in accordance with 28 C.F.R § 35.106. The notice is required to include relevant information regarding Title II of the ADA, and how it applies to the programs, services, and activities of the public entity. The notice should not be overwhelming. An effective notice states the basics of what the ADA requires of the state or local government without being too lengthy, legalistic, or complicated. It should include the name and contact information of the ADA Coordinator.

FINDINGS

The required "Notice of Rights Afforded to Persons with Disabilities" was not found.

City Municipal Code 2.40.150 Unlawful Discrimination states: "It is the policy of the city to provide equal opportunity to all applicants and employees and to encourage diversity at all levels within the city. The city will not discriminate against any category protected by federal, state or local laws. All such discrimination is unlawful and all persons involved in the operations of the city are prohibited from engaging in this type of conduct," the City Municipal Code is restrictive in that it applies to applicants and employees and not the general public.

RECOMMENDATIONS

- The City should post a "Notice of Rights Afforded to Persons with Disabilities" that includes rights afforded to persons with disabilities, a statement of nondiscrimination, the process for requesting an accommodation and the contact information for the City's ADA or ADA/504 Coordinator.
- The "Notice of Rights Afforded to Persons with Disabilities" should be provided to staff, posted at all City locations, posted in conspicuous, high use locations on a regular basis in addition to the City's website, incorporated into new employee orientation and volunteer packets, and placed in frequently used publications, on the website, and in staff and public directories.
- Policies, practices, and procedures for nondiscrimination should refer to members of the public, in addition to employees, and address nondiscrimination regarding access to all programs, services and activities for persons with disabilities and not be limited to employment. The City should consider adopting a general nondiscrimination policy for access to programs, services, activities, applicants, and employees.
- Nondiscrimination statements should be posted on frequently used publications for the public.
- The City should consider adding a "How do I" section to the website to assist with finding items such as the identity of the ADA or ADA/504 Coordinator, how to request a reasonable accommodation and other items such as providing accessibility input regarding a concern or compliment.
- Training should be provided to not only the ADA or ADA/504 Coordinator, but to ADA Departmental Liaisons.
- City staff should receive information or training regarding the requirements and role of the ADA Coordinator and the 504 Coordinator when designated.
- The new employee orientation packet and volunteer information should include a statement of nondiscrimination by the City regarding the public's access to programs, services, activities, recruitment, and employment.

Opportunities for Input

The regulations which implement the ADA require public entities to provide an opportunity to interested persons and organizations to participate in the development of the ADA Self-Evaluation and Transition Plan. During the initial development of ADA Self-Evaluations and Transition Plans

from 1992 to 1995, it was a requirement that Title II public entities keep records of any problems identified (28 CFR §35.105 (a)(b)) for three (3) years after completion of the Self-Evaluation. It is recommended, however, that public entities update and maintain their Plans on an ongoing basis.

Surveys were used to solicit input from the public, organizations, and City staff. Select responses, as appropriate, are included throughout this report. Survey comments are the actual comments submitted and have not been redacted for spelling or grammar.

The summary of the number of responses that the City received to each survey is as follows:

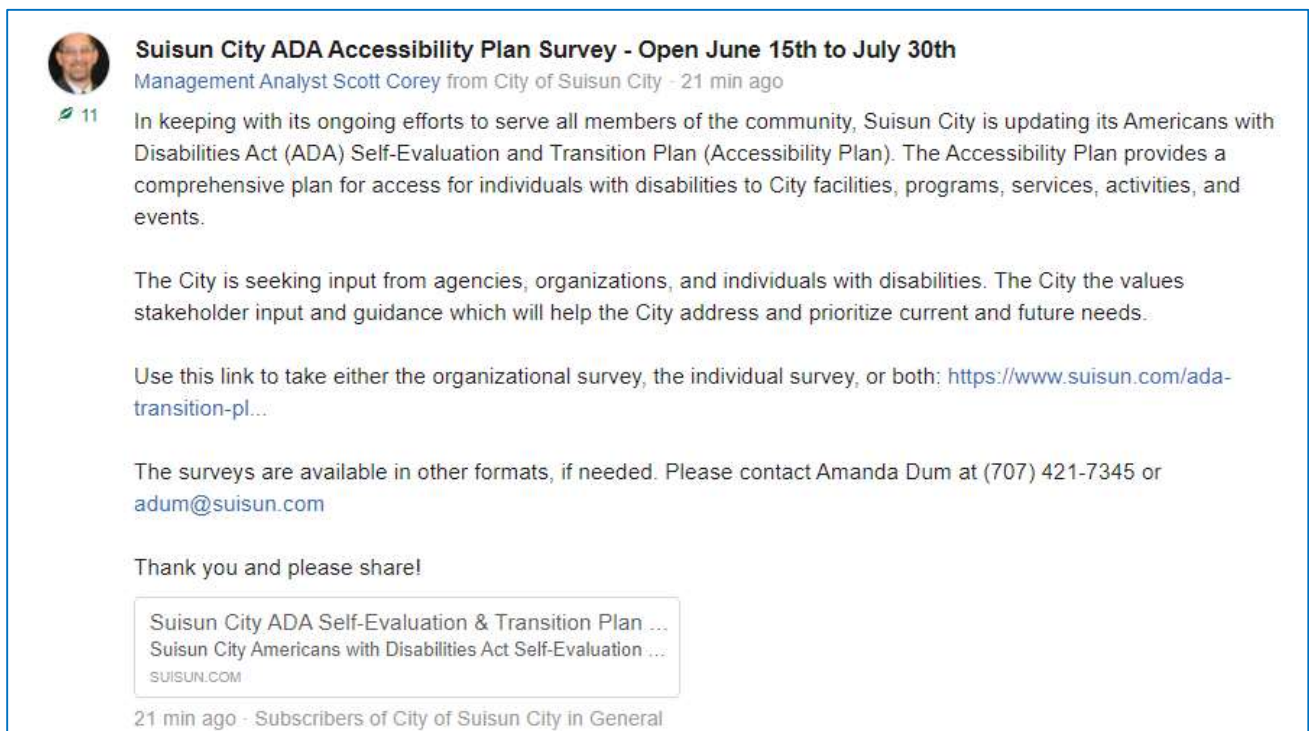
- Survey for Staff and Administrators: 4 survey responses
- Survey for Public Input: 16 online survey responses, 2 hard copy responses
- Survey for Input by Area Organizations: 2 online survey responses

Public notices regarding the City of Suisun City ADA/504 Self-Evaluation and Transition Plan were developed and disseminated for public and staff input to solicit comments regarding the development of the City's ADA/504 Self-Evaluation and Transition Plan towards the purpose of developing an updated ADA/504 Plan. The City's public input timeframe took place from June 15, 2021 to July 30, 2021. Selected comments are summarized throughout this document and the entire survey with comments are contained in a supplementary document file.

The City provided public notice through a variety of methods that included public input information placed on the City's website, on social media accounts, online surveys, hard copy surveys, and emails to City employees. Hard copies of notices were placed in high traffic areas throughout the City. The following is a screenshot of the announcement on the City's website.

The City posted notices of the surveys for public input on the City's NextDoor.com and Facebook social media accounts. A press release was also published by the Daily Republic newspaper, the local newspaper for the area.

Notice of opportunity for public input from the City's Nextdoor.com account.



The screenshot shows a Nextdoor post from Suisun City. The post is titled "Suisun City ADA Accessibility Plan Survey - Open June 15th to July 30th" and is from Management Analyst Scott Corey, posted 21 minutes ago. The post contains the following text:

In keeping with its ongoing efforts to serve all members of the community, Suisun City is updating its Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan (Accessibility Plan). The Accessibility Plan provides a comprehensive plan for access for individuals with disabilities to City facilities, programs, services, activities, and events.

The City is seeking input from agencies, organizations, and individuals with disabilities. The City values stakeholder input and guidance which will help the City address and prioritize current and future needs.

Use this link to take either the organizational survey, the individual survey, or both: <https://www.suisun.com/ada-transition-pl...>

The surveys are available in other formats, if needed. Please contact Amanda Dum at (707) 421-7345 or adum@suisun.com

Thank you and please share!

Below the text is a link preview for "Suisun City ADA Self-Evaluation & Transition Plan ... Suisun City Americans with Disabilities Act Self-Evaluation ... SUISUN.COM".

At the bottom of the post, it says "21 min ago · Subscribers of City of Suisun City in General".

Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan (Accessibility Plan)

Survey open from June 15, 2021 to July 30, 2021 – Survey is open to all, whether a Suisun resident or not!

In keeping with its ongoing efforts to serve all members of the community, Suisun City is updating its Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan (Accessibility Plan). The Accessibility Plan provides a comprehensive plan for access for individuals with disabilities to City facilities, programs, services, activities, and events.

The City is seeking input from agencies, organizations, and individuals with disabilities. The City values stakeholder input and guidance which will help the City address and prioritize current and future needs.

Links to two (2) online surveys are included below for your input. One survey is for organizations and agencies. The second survey is for the public and users of City programs and facilities. One or both surveys can be completed as appropriate. We realize your time is valuable, so the surveys were designed to be completed within a few minutes.

The survey for organizational input can be completed online at: [Survey for Organizational Input](#)

The survey for public input can be completed online at: [Survey for Public Input](#)

Questions and comments can be addressed to the City of Suisun City's Management Analyst, Amanda Dum at adum@suisun.com, made by phone to (707) 421-7345 or TTY through California Relay at 7-1-1. Please complete one or both surveys by July 30, 2021. Surveys can also be provided in alternate formats, if requested.

Thank you for your valuable time, assistance, and input!



Photographs of hard copy surveys available at public counters in City facilities.



FINDINGS

- ✓ The City provided a comprehensive process for input by the public, organizations, and staff using multiple methodologies to reach a large group of diverse stakeholders.
- ✓ Multiple types of surveys were developed and disseminated to solicit input into the City of Suisun City ADA/504 Self-Evaluation and Transition Plan. Surveys were developed to encourage input from the public, organizations, and City staff.
- ✓ The City offered a timeframe of the opportunity for input from the public, staff and organizations that assist persons with disabilities from June 15, 2021 to July 30, 2021.
- ✓ The City provided opportunities using different methodologies to solicit input into the City's plan:
 - Links to online surveys for the public and organizations were made available on the City's website.
 - The City advertised the opportunity for input on the City's Facebook and NextDoor.com social media accounts.
 - A notice that the City was seeking input was published in the Daily Republic newspaper.
 - Surveys were available in hard copy format at City facilities and upon request.
 - An email was sent to City employees that included a link to the online staff survey.
 - Letters and emails were sent out to targeted area organizations that serve persons with disabilities.

RECOMMENDATIONS

- As the City met and exceeded the requirements for soliciting input from the public into the development of the Plan, no additional activities are required. The City should consider additional staff input regarding accessibility policies and activities.
- The City may wish to conduct periodic customer satisfaction surveys targeted towards persons with disabilities or gather input from recipients of services as an ongoing activity. An additional emphasis may include outreach activities to collect and integrate input from persons with disabilities and organizations representing persons with disabilities on an ongoing basis.

Accommodations for Persons with Disabilities

Statements of accommodations should be available on public notices, agendas, and other documents. A statement regarding reasonable accommodations or modifications that can be provided by the City affords persons with disabilities an opportunity to participate in meetings, events, and programs of the City. For example, a sign language interpreter or assistive listening device may be needed in order to participate in in-person meetings.

A public entity must administer services, programs, and activities in the most integrated setting appropriate to the needs of qualified persons with disabilities in a setting that enables persons with

disabilities to interact with nondisabled persons to the fullest extent possible, and that persons with disabilities must be provided the option of declining to accept a particular accommodation (§ 35.130(d)(e)).

FINDINGS

Accommodations for persons with disabilities were noted. A few examples include:

- ✓ The City Municipal Code 18.46 "Reasonable Accommodation" states that the City "provides a procedure to request reasonable accommodation for persons with disabilities seeking equal access to housing under the American with Disabilities Act, Federal Fair Housing Act, and the California Fair Employment and Housing Act (hereafter "Acts") in the application of zoning laws and other land use regulations, policies, procedures, or conditions of approval."
- ✓ The Human Resources page of the City's website includes notices of available job openings with the City. There is a statement of accommodations on the webpage that reads: "Requests for reasonable accommodations to facilitate your application should be directed to the Human Resources Department."
- ✓ The City Municipal Code 2.040.150 "Unlawful Discrimination" states "The city will attempt to reasonably accommodate individuals with known disabilities in accordance with applicable federal and state laws unless doing so would create an undue hardship on the city. Any qualified applicant or employee with a disability who needs accommodation in order to apply for or perform the essential functions of the job should contact the personnel officer and request accommodation."
- ✓ Sample agendas reviewed for City Council meetings include a statement that "Suisun City is committed to providing full access to these proceedings; individuals with special needs may call 421-7300." Sampled agendas also included the statement that "Assistive listening devices may be obtained at the meeting." It is recommended that the City include a requested timeframe for notice of a request for accommodation to ensure the City has enough time to obtain the requested accommodation, such as an American Sign Language interpreter or documents in Braille, as examples.
- ✓ Select sample agendas reviewed for City commission and committee meetings include a statement that "Suisun City is committed to providing full access to these proceedings; individuals with special needs may call 421-7300." This statement was not found on all agendas reviewed. The statement also does not include a timeframe for the request to be made to allow the City to provide the requested accommodation. Modifications are suggested as noted in the recommendations section.

RECOMMENDATIONS

- The City should consider a standardized accommodation statement with language that includes a minimum timeframe to request an accommodation prior to the City and includes the contact person, address or location, phone number, and email address. A timeframe of 48 -72 hours is recommended to allow the City ample time to provide an accommodation. It is recommended that a standardized "statement of accommodation" be included on postings (hard copy and on the website) of agendas, meetings, events, programs, and activities for public facing documents. A sample of wording may include "Persons with disabilities that need an accommodation to participate should contact (name, address, email and phone number) 48 hours in advance.

- Information regarding the purpose and requirement for an accommodations statement and training should be developed and disseminated to all City departments.
- Accommodation statements and procedures should be added for public records requests.
- Alternate methods for requesting an accommodation should be added to all statements of accommodation and should include phoning in the request, postal mail, email, or dropping off the request for accommodation at City sites.
- Contact information including a TDD/TTY or California Relay number for requesting an accommodation should be included on all statements of accommodations.

Access to Programs, Services, Activities and Events

A public entity may not adopt official policies that are discriminatory or engage in practices that are discriminatory. This prohibition applies to policies that are explicitly exclusionary and to those which appear to be neutral but have a discriminatory effect (28 CFR §35.130(b)(3)). Title II of the ADA requires public entities to ensure that all public meetings and events sponsored are readily accessible to persons with disabilities and provide opportunities for participation. Policies and procedures need to ensure that persons with disabilities are provided equal opportunity to access programs, services, and activities of the City. Part 35.149 specifically requires nondiscriminatory practices in order to have program accessibility. The ADA/504 does not specifically state how a public entity must provide for accessibility to programs, services, and activities.

Under the ADA, the City is required to “make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability.” The City is required to do so unless it can demonstrate “that making the modifications would fundamentally alter the nature of the service, program, or activity” [28 CFR § 35.130 (7)]. Public entities are subject to all applicable state and federal laws that govern accessibility for persons with disabilities. These laws include the Americans with Disabilities Act, the federal Section 504 of the Rehabilitation Act of 1973, and state constitutional provisions. Except as otherwise provided in § 35.150, no qualified individual with a disability shall, because a public entity's facilities are inaccessible to or unusable by persons with disabilities, be excluded from participation in, or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any public entity.

A few general examples to increase access to programs, services and activities include, but are not limited to:

- Public entities that adopt website postings as an alternative method of notice must ensure that the website is readily accessible to people with disabilities, including persons who use screen readers.
- Applications should be available in other methods and not only online.
- All open meetings of public entities must be accessible to persons with disabilities. Meeting locations must be accessible without the need for special assistance.
- Sign language interpreters for deaf or hearing-impaired persons must be provided, subject to reasonable advance notice.

FINDINGS

- ✓ No intentional discriminatory practices were found regarding access to programs, services, and activities.
- ✓ Examples and evidence were found regarding the City providing access to programs, services and activities for compliance with the ADA, Section 504, housing, facilities, and public rights-of-way.
- ✓ City Municipal Code 18.36.070 "Prohibited activities in front, rear, and side yards of residential properties" states that if a recreational vehicle is parked or stored on residential property, that "In no case shall power cords or other connection(s) to the property cross a sidewalk or public right of way to prevent any tripping hazards, as to comply with the Americans with Disabilities Act."
- ✓ City Municipal Code 18.44.050 "Exempt signs" states the following requirement for commercial signs: "A-frame signs shall not be placed where they may obstruct vision or create other public safety hazards. A-frame signs shall comply with clearance rules under the Americans with Disabilities Act."
- ✓ The City's 2015-2023 Housing Element report provides information on and the results of the study of the City's special needs populations to ensure that opportunities for affordable housing that meet the needs of families that include persons with disabilities are provided.
- ✓ City Municipal Code 5.12.320 "Rights of individuals" in relation to consumer protection of cable system franchises (grantee) states that "Grantee shall not deny service, deny access, or otherwise unlawfully discriminate against subscribers, channel users, or general citizens on the basis of race, color, religion, national origin, age or sex. Grantee shall comply at all times with all other applicable federal, state and local laws and regulations, and all executive and administrative orders, relating to nondiscrimination, including without limitation Section 51 of the California Civil Code which is incorporated in this section by reference."
- ✓ The City's Special Event Permit Application includes a requirement for event organizers at City facilities to provide an accessible event:

ACCESSIBILITY / ADA COMPLIANCE

Event organizers are required to comply with all Federal, State, County and City ADA laws applicable to your event per the Americans with Disabilities Act (ADA). All event venues, structures, and activities shall be accessible to persons with disabilities. If a portion of your event cannot be made accessible, an alternate area must be provided with the same activities that are in an accessible area. This area must include signage indicating that it is an ADA accessible area.

- ✓ The City's website offers an online form that allows the public to submit questions or comments for City Council, Town Hall, Planning Commission, and other Committee and Commission meetings without having to attend the meeting in-person. The quick link to participate in a meeting by completing the online form was found on the majority of the City's website pages that were reviewed. A screen shot of the quick link follows:

Participate in a Meeting

[Submit Meeting Comments to the
City Clerk](#)

- ✓ The Joseph Nelson Community Center located at Heritage Park notes that the backstage area of the venue is accessible, as evidenced in the following photograph with the international symbol of accessible and Braille included on the room identification signage.



- ✓ The City of Suisun City's Public Works Department offers an online form for reporting potholes and other street and sidewalk concerns on the City's website. Information on the page states that the City will contact the reporting citizen with feedback regarding their inquiry. The page also includes a phone number that can be used to report a concern as an alternative to the online form.
- ✓ The City's Mission as noted in the 2020-2025 Strategic Plan is "To provide a safe, healthy, inclusive community resulting in an exceptional quality of life where our residents and businesses prosper, and visitors feel welcome."
- ✓ Select sample agendas reviewed for City Council, Commission and Committee meetings include a statement that "Suisun City is committed to providing full access to these proceedings; individuals with special needs may call 421-7300." This statement was not found on all agendas reviewed. The statement also does not include a timeframe for the request to be made to allow the City to provide the requested accommodation.
- ✓ Information and examples of the availability of Braille documents and American Sign Language (ASL) interpreters was limited.
- ✓ The majority of applications and registration forms that are available on the City's website are provided as online forms that allow applicants to type information into pre-formatted fields and return to the City. Information on alternate formats available for submitting applications was limited.
- ✓ City Council, Committee and Commission meetings are able to be live streamed or viewed from an archive of recorded meetings on the City's website. Recent archived videos reviewed as a sample did not offer closed captioning of the audio. A comment received by a member of the public as their highest priority to improve accessibility in the City is to offer closed captioning of City meetings available online.

Comments

Public survey respondents indicated priorities for improving accessibility included improved accessible parking for waterfront events, more information on how to request an accommodation in advance of a meeting or event, leveling uneven sidewalks, and increasing auditory indicators at signalized intersections.

RECOMMENDATIONS

- The City should continue to disseminate information in a variety of locations and methodologies with accessible formats to enhance the access to programs, services, and activities.
- Following the designation of an ADA or ADA/504 Coordinator the City should monitor and receive information regarding concerns or issues about access to programs, services, and activities and take the appropriate action regarding any potential discriminatory practices for persons with disabilities. The ADA or ADA/504 Coordinator should continue to monitor programmatic access and the removal of structural barriers in the Transition Plan.
- Social media platforms should be reviewed on a regular basis to make sure that they are accessible for persons with disabilities.
- Additional and ongoing training should be provided regarding the requirements of the Americans with Disabilities Act and accommodations that provide equal access to programs, services, and activities.
- Meetings and events open to the public should be held in buildings that meet accessibility requirements, or in the accessible portion of the building with accessible elements that serve the area where the meeting or event is held. For example, parking, restrooms, and drinking fountains that serve the area where the meeting and event is held should also be accessible.
- Information regarding a facility should include information regarding accessible features and elements of the site. For example, accessible parking, accessible restrooms, and other items and elements should be indicated on documents and on the website. Indicating accessible paths of travel and accessible entrances also provides valuable information for persons with disabilities.
- Information about how to request accommodations should appear on public-facing notices, announcements, flyers, publications, and agendas. Information should be disseminated to all departments and divisions regarding the statement for accommodations requirement. For example, the City Recreation, Parks, and Marina Department promotes inclusionary practices and programs for persons with disabilities. However, it is recommended that an accommodations statement should appear at the beginning of the Recreation, Parks, and Marina Activity Guide in addition to the other inclusion statements in the activity guide.
- The City should provide training for staff and volunteers regarding accommodations for persons with disabilities. All staff, and in particular frontline staff and staff with high public contact, should receive training on interacting and accommodating persons with disabilities.
- Additional training materials should be purchased or developed to assist with training efforts and to allow for access by City staff as schedules permit.

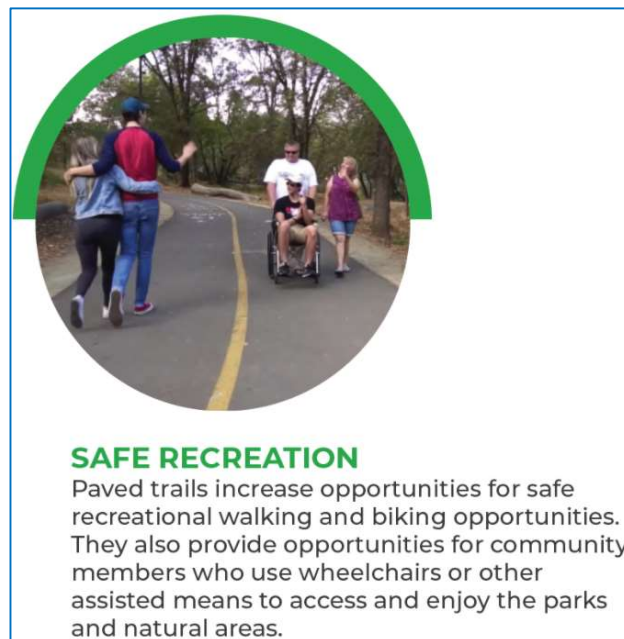
- The City’s ADA or ADA/504 Coordinator, when appointed, should assist departments with planning and budgeting for selected accommodations, such as large print, Braille materials, and other accessible formats.
- A centralized method for producing alternate formats, such as Braille, may provide a cost savings and reduce the timelines to produce alternate formats.

Outreach Materials and Activities

The ADA/504 does not specifically state how a public entity should provide for accessibility to the City’s programs, services, and activities. One method is to disseminate information in a variety of locations and formats to enhance the access to programs, services, and activities of the City.

FINDINGS

- ✓ The City previously offered a no-cost service to seniors to assist with use of technology such as cell phones, tablet, e-readers, and laptops. The program at the Senior Center is held monthly.
- ✓ The City recently provided an opportunity for public input for installation of a Class I concrete multi-use path connecting McCoy Creek Trail. This project will extend and connect to the existing Class I section of the McCoy Creek Trail. The description of the project notes that a benefit of the paved trail will allow community members of all ages and abilities to participate in active recreation. A portion of a project flyer noting the safe recreation benefits of the trail follows.



- ✓ Multiple methods of communicating with the public that take advantage of the City’s programs, services, and activities were found during the assessment. Examples include:
 - The City’s 2020-2025 Strategic Plan Report notes that the effort to build the Plan included a community outreach component, public workshop, online survey, and Council Study Session.

- The City’s 2015-2023 Housing Element document states that “As part of the Housing Element update process, the Suisun City Community Development Department conducted a public outreach process that consisted of public notices posted in accessible locations, published notices in the local press, information distributed to individuals and organizations community-wide, a public workshop, and public hearings. The City made efforts to include all segments of the community in the public outreach process by contacting known organizations with an interest in housing issues, notifying individuals in the community who have expressed an interest in housing issues, and distributing notices and documents to public institutions that are accessible throughout the city. All public proceedings were conducted at City Hall, which is accessible to individuals with disabilities.”
- ✓ The City’s 2020-2025 Strategic Plan includes a goal to create diversity in staffing that is representative of the community.
- ✓ The City offers important notices and information in multiple languages to engage with community members who speak languages other than English. The following example screen shot is for a resolution clarifying when the City has the right to suspend water service to a residential home that is delinquent on payment. The resolution also has a clause that deferred payment plan arrangements can be made prior to service interruption if the customer is a primary care provider of a resident whose health and safety would be threatened by discontinuation of water service.
- ✓ The City’s Administrative Services Department has a Budget and Human Resources division which is responsible for communications and public outreach.

Budget & Human Resources

This division is responsible for

- Budget preparation, oversight & administration
- Personnel
- Recruitment
- Risk Management
- Worker’s Compensation
- Communications & Public Outreach

RECOMMENDATIONS

- The City should consider including additional pictures and references to persons with disabilities in publications, brochures, and materials.
- Organizations representing persons with disabilities and areas with an increased population of persons with disabilities could be targeted for input regarding additional methods to disseminate information regarding programs, services, and activities of the City.
- In City publications or on the City website, or services that are accessible should be indicated with descriptive text and the International Symbol of Accessibility (ISA). For example, accessible restrooms and routes can be designated on the website, on maps, and in publications.

Service Animals

Persons with disabilities shall be permitted to be accompanied by their service animals in all areas of a public entity's facilities where members of the public, participants in services, programs or activities, or invitees, as relevant, are allowed to go (28 CFR § 35.136(g)).

The Department of Justice (DOJ) published revised final regulations implementing the Americans with Disabilities Act (ADA) for Title II (State and local government services) and Title III (public accommodations and commercial facilities) on September 15, 2010, in the Federal Register. These requirements, or rules, clarify and refine issues that have arisen over the past 20 years and contain new, and updated, requirements, including the 2010 Standards for Accessible Design (2010 Standards).

Beginning on March 15, 2011, the Department of Justice (DOJ) clarified that only dogs and miniature horses are recognized as service animals under Titles II and III of the ADA. A service animal is a dog (in some cases a miniature horse) that is individually trained to do work or perform tasks for a person with a disability. Public entities, such as the City, must permit service animals to accompany people with disabilities in all areas where members of the public are allowed to go.

FINDINGS

- ✓ Although the City has service animal policies for specific programs, such as at the library and marina, an overall Citywide service animal policy was not found. City Municipal Code 6.10.032 states that "No license tax shall be required with respect to licenses and tags issued for dogs which have been specially trained and are principally used for the purpose of leading persons with defective eyesight." Note: this regulation should be rewritten to include all service dogs, not just for dogs specifically trained to assist persons with low or no vision. The phrase "persons with defective eyesight" should be revised to state "persons with low or no vision."
- ✓ The City of Suisun City Police Department Policy Manual includes a section on service animals (Policy 346) to provide "guidelines necessary to ensure the rights of individuals who use service animals to assist with disabilities are protected in accordance with Title II of the Americans with Disabilities Act of 1990 (ADA)". The policy text includes, but is not limited to:
 - 346.2 Policy: It is the policy of the Suisun City Police Department to provide services and access to persons with service animals in the same manner as those without service animals. Department members shall protect the rights of persons assisted by service animals in accordance with state and federal law.
 - 346.4 Member Responsibilities: Service animals that are assisting individuals with disabilities are permitted in all public facilities and areas where the general public is allowed. Department members are expected to treat individuals with service animals with the same courtesy and respect that the Suisun City Police Department affords to all members of the public (28 CFR 35.136).
 - 346.4.2 Contact: Service animals are not pets. Department members should not interfere with the important work performed by a service animal by talking to, petting or otherwise initiating contact with a service animal.

- ✓ The City's Municipal Code 21.06.010 which outlines general rules and regulations at marinas states the following:

"Animals Prohibited During Special Events. Except as authorized by city permit or license, no person shall have in their possession, charge or control, whether tethered or not, any animal within the event boundaries in the city marina during a special event. This subsection is not intended to prohibit guide dogs or law enforcement animals during the course of their duties."

- ✓ The website www.suisunwaterfront.com that advertises events and activities at the waterfront in Suisun City included a statement that per Suisun City ordinance, service animals are permitted at an October 2021 event, while pets are prohibited.

The 7th Sons pay tribute to the greatest classic rock songs of the 60's, 70's, and 80's by breathing new life into amazingly accurate reproductions, effortlessly weaving guitar and vocal melodies and harmonies throughout their music.

We love pets, BUT a Suisun City ordinance prohibits them at outdoor events (exception: service animals). A City of Suisun ordinance also prohibits smoking at events.

RECOMMENDATIONS

- Staff should be provided information regarding service animals to understand the definition of a service animal and that service animals must be permitted to go to all public areas with a few exceptions such as spas. Information should be provided to staff to assist them to recognize a service animal and to understand the questions that staff can ask. It should be clarified that it is never acceptable to ask about the person's disability.
- The wording of policies regarding service animals should be reworded to be more inclusionary and not only limited to dogs who assist the blind, as service animals provide assistance to a variety of disabilities.
- The City should develop policies regarding service animals for all applicable programs, services, and activities of the City.
- The City should not exclude certain breeds of dogs as restrictions for a particular breed may be discriminatory and may exclude a qualified, trained service animal.
- Information about service animals should be provided to City staff in addition to training regarding service animals and provided in publications.
- Language in any pet ordinance should be modified or updated to ensure it is inclusive and not limited to only dogs or guide dogs or limits service animals to a specific type of disability.

Other Power-Driven and Shared Mobility Devices

According to the Department of Justice: "Other power-driven mobility device means any mobility device powered by batteries, fuel, or other engines whether or not designed primarily for use by persons with mobility disabilities that is used by persons with disabilities for the purpose of locomotion, including golf cars, electronic personal assistance mobility devices (EPAMDs), or any

mobility device designed to operate in areas without defined pedestrian routes, but that is not a wheelchair within the meaning of this section.”

A public entity is required to make reasonable modifications to their policies, practices, and procedures when necessary to enable an individual with a disability to use a power-driven mobility device to participate in its services, programs, or activities unless doing so would result in a fundamental alteration of their services, programs, or activities (28 CFR § 35.137(b)).

A public entity shall permit persons 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 persons with mobility disabilities in any areas open to pedestrian use, unless the public entity can demonstrate that the class of other power-driven mobility devices cannot be operated in accordance with legitimate safety requirements that the public entity has adopted pursuant to 35.130.

In determining whether a particular other power-driven mobility device can be allowed in a specific facility as a reasonable modification, a public entity may consider:

- The type, size, weight, dimensions, and speed of the device
- The facility's volume of pedestrian traffic
- The facility's design and operational characteristics such as whether its service, program, or activity is conducted indoors, its square footage, the density and placement of stationary equipment, furniture or devices
- If legitimate safety requirements can be determined to permit the safe operation of the other power-driven mobility device
- If the use of the other power-driven mobility device creates a substantial risk of serious harm to the environment

Operators and providers of shared mobility devices are required to provide the services in an accessible manner for access by persons with disabilities.

FINDINGS

- ✓ An overall Citywide policy for use of other power-driven mobility devices was not found. While not a policy regarding other power-driven mobility devices, City Municipal Code 21.06.050 includes an exception that permits motor driven wheelchairs in the marina area:

“The use of all bicycles, skateboards, in-line or roller skates, or similar devices and motor driven or sail-propelled vehicles, *except wheelchairs for the disabled*, city maintenance and police vehicles, is prohibited on any, ramp, pier, dock, finger float or walkway as previously defined, in the city marina, other than in areas so designated for their specific use.”

RECOMMENDATIONS

- It is recommended that the City develop a policy for other power-driver mobility devices (OPDMD) that are owned and operated by persons with disabilities and disseminate the information Citywide.

- Contracts and agreements for shared mobility device programs should be monitored for accessibility. Vendors and operators should be notified that the programs are required to be accessible for persons with disabilities.

Ticketing and Seating

The Department of Justice published revised final regulations implementing the Americans with Disabilities Act (ADA) for Title II (State and local government services) and Title III (public accommodations and commercial facilities) on September 15, 2010, in the Federal Register. These requirements, or rules, clarify and refine issues that have arisen over the past 20 years and contain new, and updated, requirements, including the 2010 Standards for Accessible Design (2010 Standards).

Providing equal opportunity to people with disabilities is the fundamental principle of the Americans with Disabilities Act (ADA). This publication provides guidance on the Department's new nondiscrimination requirements that apply to selling tickets for assigned seats at events such as concerts, plays, and sporting events. The requirements, which are identical for Title II and Title III entities, apply to tickets sold for single events and those sold for a series of events (e.g., subscriptions or season tickets).

A public entity that sells tickets for a single event or series of events shall modify its policies, practices, or procedures to ensure that persons with disabilities have an equal opportunity to purchase tickets for accessible seating (28 CFR § 35.138).

FINDINGS

Although The City's Special Event Permit Application includes a section on Accessibility/ADA Compliance to which event organizers must comply, information regarding accessible seating and companion seating was limited. No citywide policies found for ticketing or accessible seating.

RECOMMENDATIONS

- The City should develop policies regarding ticketing sales and seating for persons with disabilities.
- The City should continue to provide ADA notices and other documents stating that will make all reasonable accommodations and modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities.
- The City should describe the features of available accessible seating to permit a person with a disability to assess independently whether or not a given accessible seating location meets their accessibility needs.
- The City should provide materials, such as seating maps, plans, brochures, pricing charts, or other information to identify the location and type of accessible seating.

Eligibility Criteria

Public entities cannot use eligibility criteria that tend to exclude or screen out persons with disabilities (28 CFR §35.130(b)(8)).

FINDINGS

There was no evidence of discriminatory practices regarding eligibility criteria for access to programs and services.

RECOMMENDATIONS

- Program eligibility criteria should be reviewed on an ongoing basis as they are drafted or modified to ensure that eligibility criteria do not put additional burdens or requirements on persons with disabilities.
- The City should continue to ensure that all eligibility criteria allow for accommodations for persons with disabilities.

Fees and Surcharges

Public entities may not charge a fee or add a surcharge to a fee to cover the cost of making its facilities, programs, services, or activities accessible to persons with disabilities (28 CFR § 35.130(f)).

FINDINGS

- ✓ There was no evidence of additional surcharges or fees charged to persons with disabilities that were not charged to individuals without disabilities to access programs, services, and activities.
- ✓ While not a policy specifically for persons with disabilities, the City has a policy to waive application fees for qualified non-profit organizations that would like to reserve a City park or facility to hold an event that is open to the public.
- ✓ The City's Master Fee Schedule lists fines that will be imposed when vehicles that are not displaying authorized placards are parked in an accessible parking spot, or when a vehicle blocks access to the accessible parking spot, access aisle, or ramp.

RECOMMENDATIONS

- The City's ADA or ADA/504 Coordinator should continually review fee policies and practices for consistency and to ensure that fees and surcharges are not charged to persons with disabilities that are not charged to persons without disabilities.


Emergency Procedures


Under Title II of the ADA, emergency programs, services, activities, and facilities must be accessible to people with disabilities and generally may not use eligibility criteria that screen out or tend to screen out people with disabilities. The ADA also requires making reasonable modifications to policies, practices, and procedures when necessary to avoid discrimination against a person with a disability and taking the steps necessary to ensure effective communication with people with disabilities. The ADA generally does not require state or local emergency management programs to take actions that would fundamentally alter the nature of a program, service, or activity or impose undue financial and administrative burdens (28 CFR § 35.130(b)(1)) (28 CFR § 35.149). The City is required to have a plan to meet the needs of persons with disabilities in an emergency and provide access to emergency shelter services.





FINDINGS

- ✓ A draft Emergency Operations Plan was available on the City's website at the time of the evaluation. The Plan included information for providing assistance to persons with disabilities, such as:
 - Designation of a unit leader to assist persons with access and functional needs
 - Identify accessible locations for local assistance centers and disaster assistance centers
 - Ensure that emergency evacuation shelters meet the requirements of the Americans with Disabilities Act
- ✓ The City recently affiliated with the community notification service Nixle to offer complementary subscriptions to residents of emergency notifications and advisories. Registration for the service is free, and users can choose to be notified by email, mobile phone, and landline phones.

Profile Information



 **Suisun City**

Address/Location
701 Civic Center Blvd
Suisun City, CA 94585

Contact:
Emergency: 9-1-1
<https://www.suisun.com/>

TEXT-A-TIP - Text **TIP SUISUN** followed by your message, to **888777** [Submit an anonymous web tip](#)

- ✓ The City's website includes a page that provides information on disaster preparedness. The information includes tips on preparing emergency kits for households, stating to be certain to prepare and include special needs items for persons with disabilities.
- ✓ The public can register to be trained to participate in the Community Emergency Response Team (CERT), which is a program designed to train citizens to assist their own community members in the event of an emergency.
- ✓ Policy 339 "Communications with Persons with Disabilities" was adopted by the Suisun City Police Department. Policy 339 is comprehensive and provides valuable information regarding communicating with persons with disabilities in emergency and non-emergency situations, background regarding the ADA, the ADA Coordinator, types of assistance, effective communication, and other related assistance for persons with disabilities.
- ✓ Emergency evacuation maps were found in the majority of surveyed City facilities. The following is an example of an evacuation route map found in the Police Department area of City Hall.



RECOMMENDATIONS

- The City should provide additional training and information regarding emergency evacuation procedures, particularly regarding the evacuation of persons with disabilities.
- The City should post evacuation routes and procedures at all City sites and on the website.
- The City should develop procedures and a mechanism to monitor the posting of emergency evacuation routes and procedures.
- The City should consider the development of a voluntary registry for individuals that may need additional assistance that may not have access to technology.
- Shelters should be surveyed to determine that they are accessible for persons with disabilities prior to be designated as an evacuation shelter. A provision should be noted to allow service animals and training should be provided to shelter staff to understand the difference between pets and service animals.
- Designated evacuation shelter sites should also be inspected on a regular basis to determine that the shelter continues to be accessible for persons with disabilities. Noncompliant findings for designated shelters can be found in the City Transition Plan.

Policies for the Use of City Facilities

The use of City facilities cannot discriminate against persons with disabilities and applications for the use of City facilities should include nondiscrimination statements. City facilities that are leased should be accessible for persons with disabilities.

FINDINGS

- ✓ The City's Special Event Permit Application document includes a requirement that event organizers are required to comply with all Federal, State County and City ADA laws applicable to the event. The application also notes that event organizers must plan for adequate accessible parking and portable restrooms when the event will impact parking and require portable restrooms.

- ✓ While not a policy specifically for persons with disabilities, the City has a policy to waive application fees for qualified non-profit organizations that would like to reserve a City park or facility to hold an event that is open to the public.
- ✓ The Rules and Regulations for use of the Joseph Nelson Community Center state that Suisun City Recreation, Parks & Marina Department staff may terminate an event in progress or cancel a scheduled event upon finding a violation of any laws, rules, or ordinance, or upon good cause.
- ✓ No discriminatory policies were found for the use of City facilities.
- ✓ The Rules and Regulations for use of the Joseph Nelson Community Center include a statement of nondiscrimination for several protected classes, however it does not specifically mention nondiscrimination on the basis of a disability. The rules and regulations state that "Community groups and individuals shall be permitted to make use of, or rent in accordance with the Rules and Regulations, the community center facilities for recreational, educational, cultural, and other worthwhile purposes. Regardless of race, color, creed religion, gender, national origin..."

RECOMMENDATIONS

- The City should consider the inclusion of a nondiscrimination clause in their facility rental policy. The inclusion of nondiscrimination language in policy and on forms would help ensure that outside groups and organizations would agree to abide by all applicable local, state, and federal laws and City policy regarding nondiscriminatory practices during the utilization of City facilities.
- It would be beneficial to persons with disabilities if information on accessible routes and maps, accessible parking locations, restrooms, and wayfinding was available for all facilities on the City's website.
- The City should provide the application form and facility use agreement in multiple formats, ensuring at least one is accessible, and offer multiple methods to submit the application. Formats by which to submit an application form may include hard copy, online or a fillable PDF format.

Lease and Joint Use Agreements

Under Title II of the ADA, the City is responsible for providing access to its programs, services, and activities in both owned and leased facilities. Leased sites should be accessible and have provisions in the lease to ensure accessibility.

FINDINGS

- ✓ A sample of lease agreements were reviewed. For example, a sample lease agreement that was included as an attachment to a request for proposal for a food and beverage vendor at the Suisun City Train Depot states that the Lessee (vendor) is responsible for maintaining the premises in good order, repair, and tenable condition. The sample agreement also states that the "premises shall not be used or permitted by Lessee to be used in violation of any law or ordinance. Lessee shall maintain said designated premises in a clean and sanitary manner and in compliance with all laws, ordinances rules and regulations applicable to said

premises enacted or promulgated by any public or governmental authority or agency having jurisdiction over said premises.”

- ✓ The City has a “Partnership Policy” governing the way partnerships between the City of Suisun City and external entities are evaluated and the way a partnership is entered into and managed. The partnership may be for a single event partnership or long-term partnership. Requirements of the partnership policy include:
 - The Partnership must comply with all applicable laws, rules, and policies.
 - The partner must agree to submit proposed activities to the City for review and approval.
 - The partner must agree to meet all applicable maintenance standards and construction requirements (if applicable).
- ✓ The City’s website advertises an After School Education and Safety Program at Suisun Elementary School. There is a statement at the bottom of the flyer that confirms that the Fairfield-Suisun Unified School District is not responsible and has no liability for the program. The same statement of responsibility is also found on a flyer advertising after school programs at Crescent Elementary and Dan O Root Elementary schools.

RECOMMENDATIONS

- The City should review the accessibility of sites that are and may be leased in the future prior to engaging in a lease or renewal and establish a procedure for a pre-lease inspection.
- When considering a leased space, the ADA or ADA/504 Coordinator, or designated staff member, should be trained to conduct or have a designee or consultant conduct a field inspection of the prospective building to assess the building for a general, functional level of accessibility. The ADA or ADA/504 Coordinator could utilize an abbreviated checklist to determine general accessibility of facilities that the City is considering a lease. A more comprehensive inspection could be conducted if the initial review appears to be favorable.
- Language in lease agreements should be reviewed to clearly delineate the responsibility for accessibility and if it lies with the lessee or lessor or both.
- A pre-lease inspection process should be implemented for buildings that are not City owned but may be leased by the City.
- Language in lease agreements should be reviewed for ongoing compliance standards.

Special Events and Activities

Special events sponsored by the City are considered a program, service, or activity of the City and are required to be accessible in accordance with ADA requirements.

FINDINGS

- ✓ The City’s Special Event Permit Application document includes a requirement that event organizers are required to comply with all Federal, State County and City ADA laws applicable to the event. The application also notes that event organizers must plan for adequate

accessible parking and portable restrooms when the event will impact parking and require portable restrooms.

- ✓ Per the City's Municipal Code, the City adopted Ordinance No. 781 on December 15, 2020 requiring that organizers of special events to have an approved Special Event Permit Application prior to holding the event. The permit application has requirements for event accessibility.
- ✓ An example special event notice for a City sponsored Car Cruise that was planned for October of 2021 permitted interested participants to register online or by completing a hard copy registration form and mailing it to the City.
- ✓ Staff survey respondents stated that their department hosts or sponsors special events open to the public on City property, however respondents stated that their department staff does not notify vendors and third-party entities of their obligations to provide access to persons with disabilities to special events.
- ✓ Accessibility information pertaining to accessible special events was limited.

Additional Information

63% of public input survey respondents stated that they participate in programs, services, activities, or events offered by the City. Special event examples included festivals, musical events, holiday activities, and senior days.

RECOMMENDATIONS

- The City's special events policies, procedures and applications should be maintained to include ADA accessibility information and provisions that the event comply with federal, state, and local accessibility requirements for persons with disabilities. ADA accessibility requirements should be included in event applications and procedures clarified for event organizers. For example, information regarding accessible parking, accessible restrooms, and accessible emergency communications should be included in the special event application.
- ADA accessibility information should be added to the Special Events section of the City's website.
- Accessible features and elements for special events and activities should be indicated in publications, brochures, and on the website. For example, accessible features may include accessible parking and restrooms.
- The City's special events policies, procedures, and applications should be updated to include ADA accessibility information.
- Planning for accessible provisions should include a checklist and training for City staff regarding the ADA requirements for special events.
- A statement of accommodation should be included on the website and on flyers and publications regarding the special event or activity.

Contracted Services

Public entities cannot use contract procurement criteria that discriminate against persons with disabilities (28 CFR § 35.130(b) (5)). Contractors should be held to the same nondiscrimination rules that apply to City employees.

FINDINGS

- ✓ No discriminatory practices were found from the research concluded regarding the selection process of contractors and contracted services for the City.
- ✓ A sampling of contracts for services with the City were reviewed and no discriminatory or exclusionary practices were found.
- ✓ Sample requests for proposals for developers were reviewed and include the following statement of Civil Rights Compliance and Equal Opportunity Assurance:

“Developers will be in compliance with the applicable provisions of the Americans with Disabilities Act of 1990 and will be an equal opportunity employer as defined by Title VII of the Civil Rights Act of 1964, including the California Fair Employment and Housing Act of 1980. As such, Developers will not discriminate against any person on the basis of race, religious creed, color, national origin, ancestry, disability, medical condition, marital status, age or sex with respect to hiring, application for employment, tenure or terms and conditions of employment. Developers agree to abide by all of the foregoing statutes, regulations, ordinances and resolutions.”

- ✓ The City’s Contract Services Agreement includes the following nondiscrimination clause against protected classes, including persons with disabilities:

“Covenant Against Discrimination. Consultant covenants that, by and for itself, its heirs, executors, assigns and all persons claiming under or through them, that there shall be no discrimination against or segregation of, any person or group of persons on account of race, color, creed, religion, sex, gender, sexual orientation, marital status, national origin, ancestry, or other protected class in the performance of this Agreement. Consultant shall take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard to their race, color, creed, religion, sex, gender, sexual orientation, marital status, national origin ancestry, or other protected class.”

RECOMMENDATIONS

- While the phrase “other protected class” includes persons with disabilities, the City should consider specifically mentioning nondiscrimination against persons with disabilities in the Covenant Against Discrimination clause of the contract services agreements.
- The City should continue to monitor use of standard agreements and contracts by all City departments, as well as monitor agreements that are not standardized.

- It is recommended that the City consider one or more of these avenues to maintain compliance when contracting for services or when leasing facilities:
 - Include ADA/504 compliance requirements in new requests for proposals.
 - Review ADA/504 requirements when contracts or leases are negotiated, revised, or renewed.
- The City should consider including requirements for the purchasing or licensing of accessible information technology hardware and software when the program or devices will be available for use by the public.

Building and Construction

Each facility or part of a facility constructed by, on behalf of, or for the use of a public entity shall be designed and constructed in such manner that the facility or part of the facility is readily accessible to and usable by persons with disabilities, if the construction was commenced after January 26, 1992 (35.151). Building and construction policies require that the construction of each new facility or part of a facility, or the alteration of existing facilities after January 26, 1992, conforms to the standards designated under the Title II of the ADA regulation. Buildings constructed after January 26, 1992 are considered new buildings and should be compliant with the current accessibility standards and state accessibility standards and requirements at the time of construction.

Existing buildings are defined as those buildings or sites that were constructed prior to 1992 and that have not had any major remodeling or renovation. If an existing building has had major remodeling or renovation, portions of the building would need to be brought up to the new standards. In addition, the path of travel to the building may be “triggered” and require renovation or remodeling to meet the current accessibility standards. A public entity may comply with the requirements for “existing buildings” by making programmatic changes. Full compliance of existing buildings may not be required where a public entity can demonstrate that it is structurally impracticable to meet the requirements.

FINDINGS

- ✓ City policy is to utilize the applicable federal and state accessibility laws, standards and regulations for construction, remodeling, and major renovations.
- ✓ The City utilizes accessibility standards and regulations that include, but are not limited to, the California Building Code (CBC), the ADA Standards, California Manual on Uniform Traffic Control Devices, Proposed Right-of-way Accessibility Guidelines (PROWAG) and Caltrans standards.
- ✓ The City’s 2020-2021 Annual Budget document states that the Development Services team of the Engineering Division reviews plans for development projects to ensure consistency with applicable rules, regulations and policies. Development Services staff also inspect construction sites to ensure that the development is consistent with approved plans and specifications.
- ✓ City Municipal Code 12.28.090 Operation and Maintenance Standards with regard to wireless telecommunication operators states that facilities must be compliant with all applicable laws and states “All wireless telecommunications facilities must comply at all times with the following operation and maintenance standards:

A. The permittee shall at all times maintain compliance with all applicable federal, state and local laws, regulations and other rules, including, without limitation, those applying to use of the PROW. The permittee shall ensure that all equipment and other improvements to be constructed and/or installed in connection with the approved Wireless Telecommunication Facilities in the Public Right-of-Way (WTFP) are maintained in a manner that is not detrimental or injurious to the public health, safety, and general welfare and that the aesthetic appearance is continuously preserved, and substantially the same as shown in the approved plans at all times relevant to the WTFP.”

- ✓ City’s Municipal Code 18.64.30 regarding encroachment permits for sidewalk cafes states that the permit application must contain plans that include dimensions and descriptions of Americans with Disabilities (ADA) compliance measures.
- ✓ City Municipal Code 10.08.010 explaining the color coding for curb markings, states that the City traffic engineer is authorized to indicate parking or standing regulations and mark curbs in blue that indicate that parking is reserved for vehicles used by persons with disabilities. A recommendation for the actual wording of the regulation is to replace the phrase “physically handicapped persons” to “persons with disabilities.”
- ✓ City Municipal Code 15.04.095 states that the chief building official, any deputy or assistant building official, agent or other employee of the Building department of the city is authorized to enforce the provisions of the City’s adopted Uniform Building codes which must be followed in order to obtain a building permit. The City building department representative has the authorization to arrest or issue citations to violators of the adopted codes.
- ✓ The City’s website offers an Application for Encroachment on City Streets, which includes, but is not limited to, the following general conditions:
 - The Permittee’s work shall comply with all federal, state, and local laws and requirements. Failure to comply with these laws and requirements voids the issued Suisun City Encroachment Permit.
 - Traffic control shall comply with the latest California Manual of Traffic Control Devices (CA MUTCD).
- ✓ The majority of the public input survey respondents stated that they are not aware of any specific concerns, complaints, or problems regarding access for persons with disabilities to any of the programs, services, or activities provided by the City. Some of the respondents stated that they are aware and provided examples of insufficient accessible parking at special events, and lack of available handrails to some offices.
- ✓ A few of the staff survey respondents stated that they are aware of specific concerns regarding access to persons with disabilities to the City’s programs, services, activities, or facilities. Examples included an inaccessible door at a fire station and inaccessible staff locker rooms.

RECOMMENDATIONS

- Due to the number of noncompliant findings of new construction and remodeling, the City should enhance their oversight of projects to ensure that remodeling and new construction meet applicable accessibility standards.

- In selected cases, it is recommended that the City contract for an independent review of plans, remodeling efforts, and new construction for accessibility requirements for the Americans with Disabilities Act Standards (ADA), the California Building Code and other applicable building standards and regulations to provide additional oversight. It is important and required that the accessibility barrier removal efforts for new and remodeled buildings, parks and public rights-of-way meet federal and state accessibility codes.
- City project specifications that are issued by the Development Services Department should include information regarding accessibility requirements.
- As privately developed commercial publications are placed on the City's website the City may want to consider placing disclaimers on their website that the publications were developed by private sources and not governing authorities. In addition, the site should be monitored to remove any outdated publications that do not reflect current standards.
- The City should review policies, practices, and procedures to review remodeling and construction activities to ensure that they meet the applicable accessibility standards.
- The City should ensure that accessibility inspections are conducted as work progresses and is completed.
- Language in contracts with outside vendors should state that work will be performed with all applicable state and federal accessibility standards and regulations.
- The City should ensure that contractors are informed when performing construction activities adjacent to or within the public right-of-way that accessible and safe pedestrian routes must be maintained throughout the project. Information on alternate accessible pedestrian routes and detours should be posted on the City's website, as well as at the site during construction.
- Procedures should be established to ensure alteration projects which affect usability of facilities containing a primary function; that the path of travel to the altered area including restrooms, telephones, and drinking fountains serving the altered area be brought into compliance with ADA standards to the extent of 20% of the cost of the alteration.
- The City should continue to remove barriers identified in the City's ADA/504 Self-Evaluation and Transition Plan.
- As barriers are removed, they should be documented in the City's Transition Plan.
- The City should keep the Transition Plan current and produce progress reports on a regular basis.

Maintenance of Accessible Features

The ADA requires that accessible features be maintained (35.133). Accessible features and elements may include examples such as maintaining door pressures, elevators, trimming vegetation so that it does not encroach on accessible paths of travel, maintaining clear areas to access display areas, access to brochures, access to posted agendas and replacing damaged or missing signage.

The ADA requires that, to the maximum extent feasible, facilities must be accessible to, and usable by, persons with disabilities. This section recognizes that it is not sufficient to provide features such as accessible routes, elevators, or ramps, if those features are not maintained in a manner that

enables persons with disabilities to use them. Inoperable elevators, locked accessible doors, or "accessible" routes that are obstructed by furniture, filing cabinets, plants or displays, for example, are neither "accessible to" nor "usable by" persons with disabilities.

FINDINGS

- ✓ City Municipal Code 8.12.080 requires owners or lessees of any commercial, industrial, or residential property to property maintain it. Excerpts from the Code related to keeping adjacent public rights-of-way cleared of obstructions are as follows:
 - F. Obstruction or encroachment of any public property, including but not limited to any public street, highway, right-of-way, park or building;
 - N. Dead, decayed, diseased or hazardous trees, weeds or tall grass more than eight inches tall, except ornamental grasses used as landscape or overgrown vegetation which is a fire hazard or is likely to harbor rats, vermin or other pests, constitutes an unsightly appearance, is detrimental to neighboring properties or property values, or protrudes over or across a city street or sidewalk so as to substantially obstruct the clear passage of vehicles or pedestrians;
- ✓ The City's website states that they have a Public Works Maintenance Division, which provides the maintenance and repair of the public infrastructure of Suisun City. The Public Facilities Maintenance Division is also responsible for building maintenance and repair at all City facilities.
- ✓ The May 4, 2021 City Council Agenda packet describes projects that are to be included in the FY 2021-22 Road Maintenance and Rehabilitation Account (RMRA) expenditures. The staff report states that the City is committed to improving road conditions and ADA accessibility in the City and is budgeting the funds for maintenance and rehabilitation. ADA Ramp Upgrades are included in the planned projects for several street segments as shown in the following chart excerpt from the agenda packet.

City of Suisun City - FY 2020-2021 Local Streets and Roads Program Projects List					
Pavement Treatment Description	Location	Estimated Useful Life Minimum	Estimated Useful Life Maximum	Project Started or Estimated Project Start	Revised Estimated Project End
Asphalt Rubber Cape Seal with Digouts and ADA Ramp Upgrades	Village Drive (Highway 12 to Pintail Dr)	15	50	6/1/2020	12/1/2021
Asphalt Rubber Cape Seal with Digouts and ADA Ramp Upgrades	Village Drive (Pintail Dr to Leafwood Ct)	15	50	6/1/2020	12/1/2021
Asphalt Rubber Cape Seal with Digouts and ADA Ramp Upgrades	Village Drive (Leafwood Ct to Railroad Ave)	15	50	6/1/2020	12/1/2021
Asphalt Rubber Cape Seal with Digouts and ADA Ramp Upgrades	Whispering Bay Lane (Francisco Dr to 225' N of Francisco Dr)	15	50	6/1/2020	12/1/2021
Asphalt Rubber Cape Seal with Digouts and ADA Ramp Upgrades	Whispering Bay Lane (225' N of Francisco Dr to Josiah Cir)	15	50	6/1/2020	12/1/2021

- ✓ A Street Improvement Projects Program found on the City's website for FY 2017-18 and 2018-19 stated in the staff report that this project would treat 32 streets with preventative

maintenance treatment. The staff report also states that the project would include 42 ADA compliant curb ramp upgrades.

RECOMMENDATIONS

- The City should continue to monitor accessible items and elements that are required to be accessible and therefore need to be maintained in an accessible manner.
- The City should continue to interface with other local jurisdictions to coordinate ADA efforts and staff training.
- The City may consider developing internal procedures or policies to maintain and track accessible features which require general maintenance. A few examples include re-stripping of parking, trimming vegetation, or items that interfere with sidewalks and paths of travel, and adjusting the push/pull force and closing speeds of door closers.

Equally Effective Communication

Public entities, such as the City of Livermore, must ensure that applicants, participants, and members of the public with disabilities have communication that is equally effective as that provided to persons without disabilities in accordance with 35.160. The ADA requires that a public entity shall take appropriate steps to ensure that communications with applicants, participants, members of the public, and companions with disabilities are as effective as communications with others.

A public entity is required to furnish appropriate auxiliary aids and services where necessary to afford qualified persons with disabilities, including applicants, participants, companions, and members of the public, an equal opportunity to participate in, and enjoy the benefits of, a service, program, or activity of a public entity. When determining what types of auxiliary aids and services are necessary, a public entity is required to give primary consideration to the requests of persons with disabilities. Auxiliary aids and services should 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.

Effective communication may include auxiliary aids and services, sign language interpreters, video remote interpreting (VRI), telecommunications devices (TTY/TDDs), information and signage, assistive listening devices, accessible fonts and formats and other communication such as Braille, large print, recordings and videos.

FINDINGS

- ✓ The City provides assistive listening devices in selected public buildings. The following example photograph is of a sign outside of the City Hall Council Chambers stating that assistive listening devices are available.



- ✓ Braille was found on room identification signage at most City facilities, as shown in the following example at the Joe Nelson Community Center.



- ✓ A policy for accessible fonts and documents, although not required, was not found. There is some evidence of a City "practice" following the review of a sample of documents reviewed for accessibility.
- ✓ The City's website offers an accessibility overlay widget from UserWay which allows website visitors to customize their experience by changing the contrast of the pages, resizing text, adjusting spacing and text alignment and changing the appearance of the cursor to make the website easier for the user to navigate and to view what is presented on the page. Accessibility overlay programs can enhance the user experience but cannot correct all noncompliant items such as broken or mislabeled links, missing alternate text for graphics, and missing or misplaced headers that direct screen readers how to accurately present information to users of assistive technology.

RECOMMENDATIONS

- The City's website should include a website accessibility statement or information recognizing the level of compliance with Section 508 and Web Content Accessibility Guidelines (WCAG) 2.0 Level AA.
- Closed or open captioning should be available for recorded meetings. Viewers of recorded meetings would be able to click topic links within the meeting minutes to advance directly to that segment without viewing the entire meeting.
- Contracts and vendors that provide printing and publication services should be notified of required statements, required font size and type of font, and required contrast for accessible publications. The City should consider training for staff for users of the assistive technology.
- The City should provide staff with information regarding assistive technology that is available.
- Persons with disabilities may not participate in or participate as frequently in City sponsored programs, services, or activities if they do not understand what is being communicated. Information on the availability of auxiliary aids and services should be included in departmental policies, procedures, and guidelines.
- When equipment is used, as part of a public entity's program, activity, or service, an assessment should be completed to safeguard that the equipment is usable by persons with

disabilities, particularly persons with hearing, visual, and manual impairments. In addition, a public entity should have policies in place to ensure that its equipment is well maintained and in operable working order.

- Training should be provided so that staff are aware of and understand how to arrange for auxiliary aids and services, such as sign language interpreters, material in Braille and assistive listening systems; to support effective communication with persons with disabilities.
- Notices for public input should include information on the availability of interpreter services and other services.
- Sign language interpreters should be provided as determined through the request for accommodation process for qualified persons with disabilities or in circumstances where a sign language interpreter is known to be required.
- Interpreters should be provided as determined through a request for accommodation process or in circumstances where an interpreter is known to be required.
- The City must ensure that those persons utilizing a language other than English and are deaf, are also provided interpreter services that specialize in signing for that language.
- The City may consider the use of a video relay interpreter system to augment contracts and arrangements for interpreters.
- When a public entity uses an automated-attendant system, including, but not limited to, voicemail and messaging, or an interactive voice response system, for receiving and directing incoming telephone calls, that system must provide effective real-time communication with persons using auxiliary aids and services, including TTYs and all forms of FCC-approved telecommunications relay systems, including Internet-based relay systems.
- Employees who communicate with the public should become familiar with the use of TDD/TTY communications or relay communications. Assistive Listening Systems for the Deaf and Hard of Hearing or the relay system.
- Assistive listening systems are required in assembly spaces where audible communication is integral to the use of the space. Signs are to be provided informing patrons of the availability of the assistive listening systems.
- The City should post the number of the California Relay when other methods are not available.
- Information regarding assistive listening systems should be readily available.
- Signs should be posted in prominent places at or near assembly area entrances stating "Assistive-Listening System Available" and include the International Symbol of Access for Hearing Loss.
- The City should provide notice regarding the method and availability for alternate formats.
- The City should provide staff training regarding the requirements for accessible alternate formats, what accessible alternate formats are, and how to provide accessible alternate

formats. Procedures should be put in place for the development of accessible alternate formats for constituents.

- The City should produce accessible alternate formats for high use areas, such as libraries, where the probability for a request for an alternate format is high. Examples include provision of audiocassettes, CDs, large print, information sent via email, screen readers, Braille, and pictograms.
- Online public notices and publications should have a statement of accommodations which includes who to contact for an accommodation.
- The possibility of a central City-wide department or method to provide Braille and other accessible documents should be assessed to assist with providing accessible alternate formats.
- The City should have an existing contract with one or more firms or organizations to provide accessible documents, such as Braille, in a timely manner.

Website Accessibility

Websites are required to meet accessibility standards and comply with Web Content Accessibility Guidelines (WCAG 2.0) standards for compliance. Websites for Title II of the ADA public entities such as the City currently required to comply with WCAG 2.0 Level AA.

Persons with disabilities frequently use the internet to access information about the City. Persons who are blind and persons with low vision may employ screen access software that reads the code of a website and then renders it in whatever format is accessible to that person (speech, refreshable braille, etc.). Deaf users rely on captioning of aural (sound or spoken) content. Users with limited manual dexterity or motion use dictation software to give commands instead of mouse and keyboard control.

The World Wide Web Consortium (W3C) sets the main international standards for the World Wide Web and its accessibility. There are three levels of WCAG 2.0 website accessibility recognized by the World Wide Web Consortium (W3C):

1. Level A is the minimum level of conformance with the fewest requirements. A couple of examples of Level A requirements are that all non-text components such as images include an alternative text component and that captions are provided for all prerecorded audio content.
2. Level AA compliance must satisfy all the Level A requirements and additional criteria such as providing captions for all live broadcasted audio content.
3. Level AAA satisfies all Level A and Level AA criteria as well as additional requirements such as providing sign language interpretation for all prerecorded audio content.

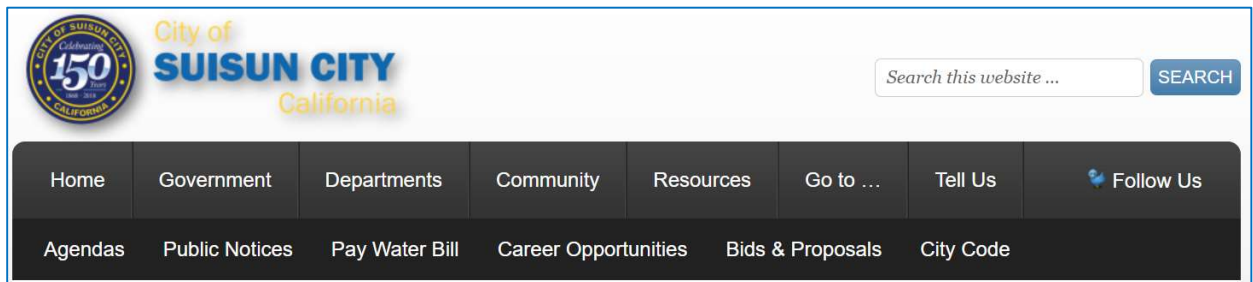
An updated version of the guidelines (WCAG 2.1) was published on June 5th, 2018. The updates are mainly related to mobile devices, disabilities that affect vision and cognitive function, criteria addressing text spacing, and criteria addressing timeouts and animations from interactions. While public entities are encouraged to begin applying compliance with WCAG 2.1 success criteria into their website design, it is not yet the required standard.

While Section 508 *directly* applies to federal organizations, its impact is much farther reaching. Section 508 is extended to any company that conducts business with a federal agency, including private contractors, the financial industry, healthcare, many legal organizations, and others, and may also be extended to universities (including private universities) that receive funding through grants.

FINDINGS

A comprehensive analysis of the City of Suisun City website was completed by DAC in August of 2021.

- ✓ The City's website has a consistent general layout of each page that has menu and link options, as well as the search field, in the same location on each page.



- ✓ The City's website offers an accessibility overlay widget from UserWay which allows website visitors to customize their experience by changing the contrast of the pages, resizing text, adjusting spacing and text alignment and changing the appearance of the cursor to make the website easier for the user to navigate and to view what is presented on the page. Accessibility overlay programs can enhance the user experience but cannot correct all noncompliant items such as broken or mislabeled links, missing alternate text for graphics, and missing or misplaced headers that direct screen readers how to accurately present information to users of assistive technology.
- ✓ The search command found at the top right of each website page does not return results for all documents and pages on the City's website that include the searched term or phrase. Numerous documents were found to be located within the City's website that were found using a Google internet search but were not found using the City's website search tool.
- ✓ The City's website does not have a website accessibility statement or information recognizing the level of compliance with Section 508 and Web Content Accessibility Guidelines (WCAG) 2.0 Level AA.
- ✓ No contact information is provided for website users to report accessibility issues.
- ✓ The most prevalent error found during the review was numerous instances of broken links. Broken links frequently occur when the page, document or file has been removed from the site, or possibly renamed, which prevents the link from taking the user to the correct target. A website user would receive an error message when clicking the link.
- ✓ The accessibility review also returned findings for several pages that do not have a language identified for the page. Screen readers use the language identifier to pronounce words correctly to users of assistive technology.

- ✓ The accessibility review also returned numerous findings for images that do not contain alternative text descriptions or where the alternative text is a placeholder or file name and not actually a description of the image. This would result in meaningless or confusing image descriptions when read aloud by a screen reader.

RECOMMENDATIONS

- Add a website accessibility statement to the City’s website identifying the level of compliance with Web Content Accessibility Guidelines (WCAG) and Section 508, and compatibility with assistive technology.
- Include contact information for website users to report website accessibility issues with the site.
- Correct accessibility errors in the City’s website and regularly review the website for compliance, especially in situations where City staff may be adding information to the City’s website.
- Develop procedures to maintain the accessibility of the City’s website and provide training to staff.
- If the accessibility and maintenance of the City’s website is contracted to an outside vendor, contractual language should be included regarding the website accessibility requirements and that the responsibility for the development of and maintenance of an accessible website.

Social Media

Website accessibility also extends to social media platforms that are used by a Title II entity to deliver information and notices to the public. Content and information created and shared via social media by a Title II entity is required to comply with WCAG 2.0 Level AA requirements. Level AA requirements include all minimum standards of Level A as well. It is the responsibility of the Title II entity to design accessible content that will be shared via a social media platform.

FINDINGS

- ✓ The City uses social media as a form of communication. The accessibility of social media is dependent upon the third-party vendor that provides the service. The City’s social media accounts include Twitter, Facebook, YouTube, Nextdoor.com, and RSS feeds.



RECOMMENDATIONS

- Information should be provided in multiple methods such as on the website, hard copy, publications or on the website in addition to social media.
- The City should consider creating a policy for content and management of official social media sites to ensure that information distributed through the City's social media channels is not considered discriminatory. The policy should include the City's right to address and remove postings that violate the City's standards and governing laws and regulations.
- Avoid using acronyms and abbreviations that would not be understandable if read by a screen reader.
- Post or upload a captioned video instead of relying on automatic captioning tools that may be inaccurate.
- Before linking to content that was created by a third party, test the content for accessibility, such as videos that start automatically, missing alternative text for photos and available captioning. If the content is not fully accessible, but the entity choosing to link the content regardless, a disclaimer should be added that explains the limitations for the linked content to the user.
- Review third-party social media terms, conditions and limitations for accessibility compliance when determining whether to use the platform.

Acceptable Terminology

Terminology should be in "person first language" such as person with a disability or individual with a disability instead of "disabled person" or the term "handicapped." Other negative terms such as retarded, confined to a wheelchair, crippled, and/or handicapped should not be used.

FINDINGS

- ✓ No references using negative terms such as "retarded", "crippled" or "wheelchair bound" were found in City documents or publications. However, multiple references to "handicapped" parking spaces, "handicapped" persons and "physical handicaps" are found in the City's Municipal Code. Note: preferred terms such as "accessible parking" and "persons with disabilities" should be used. For example, the City's 2020-21 Annual Budget states that the Building and Safety Division provides plan reviews for compliance with State and City codes related to "handicap accessibility."
- ✓ The City of Suisun City Master Fee Schedule includes the following penalties that are imposed for parking violations that would prevent access to City services by persons with disabilities:
 - Parking in Blue/handicap zone
 - Parking as to block access to handicap stall/space
 - Parking on handicap stall blue lines
 - Parking withing 3 feet of handicapped access ramp
- ✓ The City's Special Event Application states that the event organizer should submit complete site plans or a route map that includes the location of "disabled parking" at the event. Note: the term "accessible parking" is preferred.

- ✓ Statements of accommodations on job descriptions for available positions in the City state “Disabled individuals requiring accommodation during the application/hiring process should notify the Human Resources Division.”

RECOMMENDATIONS

- City publications should be reviewed to see if the word “handicapped” is used. The words “individuals with disabilities” or “persons with disabilities” should replace “handicapped”. The term “disabled person” should also be avoided. Information regarding acceptable terminology in “people first language” should also be provided to City staff.
- Publications should be updated as they are reprinted. It is understood that the City does not have control over documents that are generated from other jurisdictions.
- It is recommended that the ADA or ADA/504 Coordinator disseminate information or provide training regarding acceptable terminology to be utilized by departments and staff.
- Branding policies or policies regarding document development and publications should include alternate language recommendations that do not use the term “handicapped” or other terms that are considered to be negative. Examples may include terminology such as wheelchair bound, afflicted, retarded.

Staff and Community Training

Ongoing compliance with the ADA/504 can only be achieved if City staff and officials receive ongoing and updated training about the rights of persons with disabilities and the obligations of public employees under the ADA/504. Although training is not required by the ADA/504, training regarding the requirements of the ADA/504 is recommended. Staff that understand the requirements of the ADA and how to assist persons with disabilities are empowered to provide services to all stakeholders in a nondiscriminatory manner.

Ongoing compliance with the ADA/504 is a process that occurs over time using an understanding of the ADA/504, responsibilities of City employees, appropriate terminology, and specific methods to assist persons with disabilities. A simple and easy to achieve compliance method is understanding and using appropriate terminology that provides information in a positive and nondiscriminatory manner. For example, the use of the term “handicapped” is not acceptable and the term “persons with disabilities” should be used instead. Another example of appropriate terminology is using the description of “person using a wheelchair” and not using the term “wheelchair bound.”

FINDINGS

City staff are being trained on updating and maintaining the City’s Transition Plan using the DACTrak accessibility management software.

Comments

Several of the staff survey respondents said they would benefit from training regarding developing policies and procedures, how to assist persons with disabilities, legal requirements, how to provide accommodations, how to provide materials in alternate formats and receiving more information about American Sign Language.

RECOMMENDATIONS

- The City should continue to provide ongoing training regarding the ADA/504 for facilities, public rights-of-way, and outdoor recreation standards. Suggested training topics should include, but are not limited to:
 - Requirements of the ADA/504 for the City of Suisun City
 - Notice and Identity of the ADA/504 Coordinator
 - Notice and Rights Posted for Persons with Disabilities
 - Acceptable Terminology and Expressions
 - Noncompliance Consequences
 - Accessible vs. Compliant
 - Barriers – Programmatic or Physical
 - Providing Services for Persons with Disabilities
 - Inclusions of Persons with Disabilities
 - Service animals
 - Leased Sites
 - Special Events and Voting
 - Accessible Locations for Meetings
 - Effective Communication, Auxiliary Aids and Services
 - Construction & Remodeling
 - Maintenance of Accessible Features
 - Community Donations and Construction Projects
 - Grievance/Complaint Procedures
 - Use of City Facilities by Organizations and Individuals
 - Reasonable Accommodations
 - Statement of Accommodations
 - Alternate and Accessible Formats
 - Accessible Websites
 - Volunteers
 - Accessibility Standards and Regulations (ADA, CBC, PROWAG, CAMUTCD, Caltrans standards and regulations)
- The City should provide staff training in additional formats other than a classroom session, if needed. Training methodologies could include videos (captioned) that could be viewed at the training or checked out by departments and agencies.
- Handouts and training materials should be prepared, if needed, in alternate accessible formats.
- The ADA or ADA/504 Coordinator should continue to provide or coordinate additional ADA/504 training to all management and staff who have regular contact with the public.

New Employee and Volunteer Orientation

New employee and volunteers should receive information regarding compliance with the ADA and nondiscriminatory practices. Although the focus of the current ADA Compliance Plan was not on employment, it is important to review employment practices to ensure that they comply with other applicable nondiscrimination requirements, including 504 and the ADA regulation issued by the Equal Employment Opportunity Commission. It is unlawful to discriminate against a qualified applicant based on disability in any aspect of employment including applications, interviewing, testing, hiring, evaluating, compensation, benefits, promotion, discipline, and termination.

FINDINGS

- ✓ No discriminatory statements. or language was found in the City's Memorandums of Understanding for the City's Employee Association or the available individual agreements for City executives.
- ✓ The Memorandum of Understanding for January 1, 2019 to December 31, 2020 between the City and the Suisun City Employees Association (SCEA) includes the City's Personnel Rules and Regulations which states:
 - 1.2 Personnel Policy. "Employment by the City of Suisun City shall be based on merit and fitness without regard to race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, age, sexual orientation, political affiliation, pregnancy, or military service. Tenure of Employees covered by these Rules shall be subject to satisfactory work performance, necessity for the performance of work and the availability of funds. The City is an equal opportunity employer and shall comply with all laws prohibiting discrimination in employment and employment practices."
 - 14.8 Harassment or Discrimination in the Workplace.
 - 14.8.1 It is the policy of the City to provide equal opportunity to all Applicants and persons in the City Service, and to encourage diversity at all levels within the City. The City will not discriminate against any category protected by federal, state or local laws. All such discrimination is unlawful and all persons involved in the operations of the City are prohibited from engaging in this type of conduct.
 - 14.8.2 The City will attempt to reasonably accommodate individuals with known disabilities in accordance with applicable federal and state laws unless doing so would create an undue hardship on the City. Any qualified Applicant or Employee with a disability who needs accommodation in order to apply for or perform the essential functions of the job should contact the Personnel Officer and request accommodation.
 - 14.8.3 The City Manager shall establish policies and procedures to implement the policy that all Employees shall have a working environment free of unlawful harassment, discrimination or retaliation.
- ✓ A statement on the Human Resources webpage which lists job openings in the City states that the Human Resources Department can be contacted with requests for reasonable accommodations in the application process.
- ✓ A sample selection of posted available positions with the City included a statement that the City of Suisun City is an equal opportunity employer at the beginning of the position description. A statement was also found in the position description that reasonable accommodations may be made to enable individuals with disabilities to perform essential job functions. Reviewed job descriptions also include the following statement:

"COMPLIANCE WITH AMERICANS WITH DISABILITIES ACT (ADA): With prior notice to the Human Resources Division regarding testing or job performance modifications, the City will make reasonable accommodations for qualified applicants and employees

with disabilities. Disabled individuals requiring accommodation during the application/hiring process should notify the Human Resources Division.”

- ✓ City Municipal Code 2.40.150 – Unlawful Discrimination states that the City is an equal opportunity employer and provides reasonable accommodations to applicants and employees:
 - A. It is the policy of the city to provide equal opportunity to all applicants and employees and to encourage diversity at all levels within the city. The city will not discriminate against any category protected by federal, state or local laws. All such discrimination is unlawful and all persons involved in the operations of the city are prohibited from engaging in this type of conduct.
 - B. The city will attempt to reasonably accommodate individuals with known disabilities in accordance with applicable federal and state laws unless doing so would create an undue hardship on the city. Any qualified applicant or employee with a disability who needs accommodation in order to apply for or perform the essential functions of the job should contact the personnel officer and request accommodation.
- ✓ The Employment Agreement with the City Manager that is available on the City website states that the person holding this position may be terminated for violation of the City’s anti-harassment and nondiscrimination policies.
- ✓ The Memorandum of Understanding for January 1, 2019 to December 31, 2020 between the City and the Suisun City Employees Association (SCEA) states “It is agreed that neither SCEA, nor the City shall discriminate against any Employee because of race, national origin, gender, SCEA membership, protected concerted SCEA activity, or refusal to join SCEA.” The statement does not include nondiscrimination on the basis of a disability.
- ✓ While the City’s Human Resources (HR) page states that applicants may contact the Human Resources Department for accommodations, the City only offers an employment application as an electronic form that must be completed on the CalOpps website. Information on the HR page also states that all recruitment communication is conducted via email. This process requires applicants to have access to a computer with an internet connection in order to apply for a position with the City.
- ✓ Information on recruitment and orientation of City volunteers was limited.

RECOMMENDATIONS

- The City should consider adding assurances to applications for volunteers that would include assurances that the applicant will adhere to abide by all applicable state, federal and City policies and procedures.
- The City should consider adding nondiscriminatory practices to the Citywide Conduct Policies in the Citywide Volunteer program manual.
- The City should include information as to the identity, title, address, phone number and email address of the ADA or ADA/504 Coordinator to new employee orientation and volunteer information.
- New employees and volunteers should be provided materials and/or training regarding nondiscriminatory practice and the requirements for access to programs, services, and

activities of the City. Materials could also be offered on providing accommodations for persons with disabilities.

Distribution and Location of Publications

Publications, documents, and brochures are required to be accessible for persons with disabilities.

FINDINGS

- ✓ Most publications, brochures, and documents are displayed in departments and areas that were accessible for persons with disabilities. Displays should also allow for retrieval of the information to be on an accessible route and be within a compliant reach range. As the facility surveys occurred during the COVID-19 pandemic, most City facilities had limited or no public access, therefore information stocked in document displays was minimal.

RECOMMENDATIONS

- The ADA or ADA/504 Coordinator should continue to provide information to departments regarding the placement of brochures, pamphlets, and information in accessible locations and in accessible containers or displays for persons with disabilities. Including requirements for reach ranges and clear floor space to access publications would also be helpful.
- Counters and areas that are lowered for access by persons with disabilities should be maintained and kept clear of display and work items.
- Displays should also allow for retrieval of the information without utilizing a tight pinching or grasping motion and be within a compliant reach range.

Planning, Budgeting, Implementation and Strategies for Ongoing Compliance

There is not a specific requirement in the ADA or Section 504 for planning and budgeting for barrier removal. There is a requirement for public entities to incorporate a projected schedule for barrier removal into the Transition/barrier removal Plan. A City that is budgeting for ADA/504 barrier removal and to improve access to programs, services and activities shows intent to implement the barrier removal/transition plan and to enhance access to programs, services, activities, and facilities by persons with disabilities.

The City is required to provide a projected schedule with estimated dates for barrier removal in the ADA/504 Self-Evaluation and Transition Plan. The projected schedule is an estimate or planned date for barrier removal. Projected dates, however, may change due to a variety of factors. Developing an ADA plan and a schedule for implementation and removal of barriers provides clear documentation of the City's ongoing efforts to remove barriers and to provide access to City programs, services, and activities.

Implementation of the recommendations in the Self-Evaluation and Transition Plan will continue to require planning, resources, staff training, interdepartmental coordination and collaboration throughout the organizational structure and the public. As the City recognizes that compliance with the ADA is not a "one-time" event and requires strategic planning and an ongoing commitment to provide equal access to its programs, services, and activities to maintain and enhance compliance with the requirements of the ADA.

FINDINGS

- ✓ The City has demonstrated an ongoing commitment to provide access to programs, services, and activities of the City. Reviewed budget documents included projects that noted improvements to upgrade or maintain ADA compliance for City facilities, parks, and public rights-of-way.
- ✓ There is evidence that the City is incorporating the removal of barriers to accessibility on an ongoing basis and plans to remove additional barriers to City programs, services, and activities. For example, the City has several public rights-of-way projects that include upgrading or installing ADA compliant curb ramps:
 - 2018 Street Surface Treatment Project: Treat 32 streets with preventative maintenance of either a cape or slurry seal. California mandates all streets receiving more than a slurry seal to be upgraded to current Americans with Disabilities (ADA) accessibility standards, which required improvements to 42 curb ramps.
 - From CIP FY 2021-22 to 2025-26 - New Railroad Avenue Pavement Rehabilitation Project – 115-9830: This Project would repair the roadway, including the base failure, and would upgrade curb ramps to ADA compliance.
 - From CIP FY 2021-22 to 2025-26 - Whispering Bay Lane Traffic Calming Project – 115-9998: The Project scope will also include upgrading the crosswalk to a high visibility crosswalk; modifying and upgrading the curb ramps (on each side of said crosswalk) and two nearby curb ramps to ADA-compliant curb ramps; curb bulb out ramps; and installing advance warning signs.
 - From CIP FY 2020-21 to 2024-25 - Pavement Management Program – 115-9906: Repairs will include pothole repairs, crack seal, dig-outs, slurry sealing, cape sealing, rubberized cape sealing, overlays, and Americans with Disabilities Act curb ramp upgrades.
- ✓ The City Council Agenda for July 21, 2020 stating that the City is intending to execute a professional services agreement with Disability Access Consultants, LLC for an ADA Self-Evaluation and Transition Plan notes the following as a Strategic Plan Impact:

“The Americans with Disabilities Act Self-Evaluation and Transition Plan is aligned with the Suisun City Strategic Plan and Strategic Plan Goals including Revitalize Historic Downtown, Develop Sustainable Economy, Ensure Public Safety, Provide Good Governance, and Enhance the Environment.”
- ✓ The City’s 2020-2025 Strategic Plan notes a strategy to enhance the environment is to improve walkability of the entire City.
- ✓ The City’s Comprehensive Annual Financial Report for Fiscal Year ended June 30, 2020 notes that a major project budgeted for \$46,000 was an “Americans with Disabilities Act (ADA) Access Plan.
- ✓ To enhance planning and compliance for persons with disabilities in an expeditious and cost-effective manner, the City solicited input from the community and staff for the current City of Suisun City ADA/504 Self-Evaluation and Transition Plan. The City has several methods available for ongoing input to continue to develop, maintain and implement the ADA Self-

Evaluation and Transition Plan. The City has provided opportunities for public input to assist with planning and implementation.

- ✓ The City is currently reviewing implementation strategies for the removal of barriers identified in the current City of Suisun City ADA/504 Self-Evaluation and Transition Plan.

RECOMMENDATIONS

- The City should continue to maintain an ongoing barrier removal implementation plan and document the City's progress, initiatives, and funds expended.
- In appropriate cases, it is recommended that the City contract for an independent review of plans, remodeling efforts and new construction for accessibility requirements for the Americans with Disabilities Act Standards (ADA) and Title 24 of the California Building Code. It is important and required that the accessibility barrier removal efforts meet federal and state accessibility codes.
- The ADA or ADA/504 Coordinator, or designated staff, should be empowered with the authority to make recommendations and monitor the current City of Suisun City ADA/504 Self-Evaluation and Transition Plan.
- In addition to the removal of structural barriers, departments should consider budgeting for accessibility items, especially in communication, such as TTY/TDD's and alternate formats.
- Implementation of the recommendations in the ADA Compliance Plan will continue to require planning, resources, staff training, interdepartmental coordination and collaboration throughout the organizational structure and the public.

Conclusion

The City of Suisun City has demonstrated a commitment to provide equal access to its programs, services, and activities to maintain and enhance compliance with the requirements of the Americans with Disabilities Act. The City continues to embrace a concept of equal access for the people it serves. The findings from the 2021 City of Suisun ADA/504 Self-Evaluation and Transition Plan Executive summarizes the City's current and previous compliance efforts.

The City of Suisun City has achieved many of the required ADA compliance activities in accordance with Title II of the ADA. A summary of findings and recommendations is provided in this section, but it not intended to be totally inclusive of all findings and recommendations contained in the City of Suisun City ADA/504 Self-Evaluation and Transition Plan Executive Summary.

The overall noncompliant findings for programmatic areas such as policies, programs, services, activities, and public input were not found to have a significant impact for access by persons with disabilities. Some areas, as noted in the Executive Summary Report should be changed, updated, or enhanced to provide a greater level of access by persons with disabilities. Noncompliant findings for physical barriers were found to have the potential to limit access by persons with disabilities.

An overall summary of recommendations is provided in this section, but it not intended to be totally inclusive of all findings and recommendations contained in the City of Suisun City ADA/504 Self-Evaluation and Transition Plan Executive Summary.

1. ADA COMPLIANCE POLICY STATEMENT

Although not required, it is recommended that the City develop and distribute City-wide an ADA Compliance Policy Statement that clearly describes the commitment and nondiscriminatory policies and practices of the City regarding recruitment, employment, policies, access to programs, services, events, and facilities. The ADA Compliance Policy Statement does not have to be formally adopted but should at least be approved by executive management.

2. POLICY DEVELOPMENT AND UPDATES

Although the City is not required to develop a policy for each and every area of access to the City's programs, services, and activities, it is general practice for public entities to develop policies and procedures in selected areas to ensure compliance with the accessibility requirements and standards. Although Citywide ADA primary compliance policies can be developed, it would be beneficial to have individual policies and procedures to fully understand and implement the accessibility requirements. For example, policies regarding service animals, ticket sales for events, or other power-driven mobility devices may be citywide or specific to departments and divisions.

3. ADA/504 COORDINATOR

It is highly recommended that the City appoint and publicly post the identity and contact information for the City's ADA Coordinator. As of the date of this updated ADA Compliance Plan, the City did not have a designated ADA Coordinator.

The City should consider designating the ADA Coordinator as the 504 Coordinator as the requirements of the duties of the ADA Coordinator and the 504 Coordinator are very similar. The designation of a 504 Coordinator is required for recipients of federal and state funding and related programs. A 504 Coordinator is required to sign the project assurances for projects that receive federal and state funding, such as HUD grants.

The identity and the role of the ADA and 504 Coordinator should be published using multiple methodologies to inform staff and members of the public. In addition, training should be provided to City staff. Due to the required role of the ADA/504 Coordinator, it is important that interdepartmental coordination is enhanced to include project planning, funding, and documentation of the barriers removed. A process should be developed by the City with departmental input to update the DACTrak accessibility management software program not only to implement the plan, but to document the removal of barriers.

Training should be provided to City staff regarding the role of the ADA and 504 Coordinator. Due to the required role of the ADA and 504 Coordinator, it is important that interdepartmental coordination is enhanced to include project planning, funding and documentation of the barriers removed.

4. ESTIMATED DATES FOR BARRIER REMOVAL

Following communication between departments and an analysis of not only currently available funding, but funding that will be needed in the future, the City should continue to update the projected dates of barrier removal in the DACTrak software in order to include "estimated dates" of barrier removal. The ADA/504 Self-Evaluation and Transition Plan is a fluid planning document that is prioritized and phased in order to develop and maintain a plan for the removal of barriers to access programs, services, and activities of the City. Projected and estimated dates may

change due to accessibility needs, planned projects, projected projects, funding, complaints, claims, litigation. and initiatives of the City. A process should be developed by departments to update the DACTrak accessibility management software program.

5. STATEMENT OF RIGHTS AND NONDISCRIMINATION

It is highly recommended that the City develop and post the required "Notice of Rights Afforded to Persons with Disabilities" stating that the City will not discriminate against any qualified individuals in its programs, services, or activities on the basis of disability. The notice should state that the City provides reasonable accommodations for persons with disabilities to participate in the City's programs, services, and activities, and that the City does not place a surcharge to provide reasonable accommodations. The Notice should include the identity and contact information for the ADA or ADA/504 Coordinator who can be contacted to request a reasonable accommodation or to file a grievance.

6. GRIEVANCE PROCEDURES AND FORMS

It is recommended that the City develop and post a compliant grievance procedure. Grievance or uniform compliant procedures should be maintained and made available to members of the public. Staff should be trained regarding the requirements and methods for members of the public to access grievance procedures and forms. In addition, grievances should be tracked to document the date of the grievance, the action taken by the City (if any), and the resolution of the grievance.

7. STATEMENT OF ACCOMMODATIONS

Statements of accommodation or modifications should be provided on selected public facing documents such as agendas, meeting announcements, events and activities. It is recommended that the City develop a statement of accommodation that is consistent and provide procedures and training regarding the inclusion of the "statement of accommodation" on selected public-facing documents so that participants with disabilities that may need an accommodation to participate in the City's programs, services, and activities can request reasonable accommodations.

8. CONSTRUCTION OVERSIGHT

Based upon the findings from the onsite accessibility field assessments, the City should consider a more formalized construction oversight process to include accessibility plan reviews, proposal development for accessibility, construction reviews, post construction reviews and acceptance by the City.

9. STAKEHOLDER AND STAFF INPUT AND OUTREACH

Although not required in Title II of the ADA, the City may consider forming a Disability Access Advisory group or committee that could serve as a liaison between stakeholders and the City to provide input and suggestions regarding access by persons with disabilities. Additional activities to enhance outreach and inclusion may include additional pictures of persons with disabilities in publications, information regarding accessibility provisions for City events and programs, accommodations to increase participation and increased participation of persons with disabilities on committees and advisory boards. Due to the limited input by City staff, the City should consider additional staff input regarding ADA accessibility activities and recommendations.

10. TRAINING

Ongoing and updated training regarding the responsibilities of the City for ADA compliance, providing accommodations and providing programs, services, and activities for persons with disabilities should be provided for City staff and volunteers.

11. PLANNING AND BUDGETING

The City should continue to plan and budget for barrier removal of items that may deny access for persons with disabilities. The 2021 City of Suisun City ADA/504 Transition Plan identifies physical barriers including buildings, parks, recreational facilities and public rights-of-way. A phased Plan for barrier removal, projected barrier removal dates, and allocated funding will provide for an ongoing, sustainable Plan over time.