



City of Arvada City Council Agenda

APRIL 12, 2021
WORKSHOPS

Councilmembers:

Marc Williams, Mayor
Dot Miller, Mayor Pro-Tem
Bob Fifer, At large
Nancy Ford, District 1
David Jones, District 4
John Marriott, District 3
Lauren Simpson, District 2

Staff Members Usually Present:

Mark Deven, City Manager
Lorie Gillis, Deputy City Manager
Rachel Morris, City Attorney
Don Wick, Director of Public Works
Sharon Israel, Director of Utilities
Ryan Stachelski, Dir. of Community & Economic Development
Bryan Archer, Director of Finance
Rob Smetana, Manager of City Planning & Development
Ben Irwin, Chief Communications Manager
Kristen Rush, City Clerk

Info: 720-898-7550

CITY COUNCIL CHAMBERS 6:00 PM

1. CALL TO ORDER/ROLL CALL OF COUNCILMEMBERS
2. WORKSHOPS
 - A. Presentation of the City of Arvada's ADA Self Assessment and Transition Plan
 - B. Waste Hauling Update
 - C. Staff Updates
3. ADJOURNMENT



REPORT TO CITY COUNCIL WORKSHOP

AGENDA ITEM
2.A.

TO: THE HONORABLE CITY COUNCIL

DATE: April 12, 2021

SUBJECT: Presentation of the City of Arvada's ADA Self Assessment and Transition Plan

Report in Brief

In 2018, the City contracted with Meeting the Challenge (MTC) for consulting services to assist the City with a self-evaluation and the development of an ADA Transition Plan. During the self-evaluation process MTC reviewed and made recommendations regarding City policies and procedures to ensure compliance with Title II requirements. Meeting the Challenge also assessed 25 City facilities, 113 outdoor parks, golf courses and park facilities, and 769 miles of public right of way including sidewalks and 10,874 curb ramps. City team members held two public meetings to obtain feedback from the community; the community had the opportunity to complete a survey via Speak-up Arvada, and at this workshop, the team will gather comments from the Council for incorporation into the final ADA Transition Plan.

Background

The Americans with Disabilities Act (ADA) guarantees equal opportunity for individuals with disabilities in public accommodations, employment, transportation, state and local government services, and telecommunications. The ADA is divided into five titles (or sections) that relate to different areas of public life.

- Title I - Employment
- Title II - Public Service
- Title III - Public Accommodations
- Title IV - Telecommunications
- Title V - Miscellaneous

Title II is the main focus of this workshop. The ADA prohibits discrimination against qualified individuals with disabilities in all programs, activities, and services of public entities. It applies to all state and local governments, including their departments and agencies. Title II outlines the administrative processes to be followed, including requirements for self-evaluation and planning; requirements for making reasonable modifications to policies, practices, and procedures where necessary to avoid discrimination; identify architectural barriers to accommodation, and the need for effective communication with people with hearing, vision, and speech disabilities. This title is regulated and enforced by the U.S. Department of Justice.

In 2018, the City contracted with Meeting the Challenge (MTC) for consulting services to assist the City with a self-evaluation and the development of an ADA Transition Plan. During the self-evaluation process MTC reviewed and made recommendations around City policies and procedures to ensure compliance with Title II requirements. Meeting the Challenge also assessed 25 City facilities, 113 outdoor parks, golf courses and park facilities, and 769 miles of public right of way including sidewalks and 10,874 curb ramps.

Meeting the Challenge collected many data points related to ADA applicable infrastructure. For example, 7,800 data points were collected within City facilities; 8,110 data points were collected at City golf courses and outdoor parks all of which were analyzed for compliance with the 2010 ADA Standards for Accessible Design. Of those data points, more than 1,700 were found to be out of compliance within City facilities. In the City's Right-of-Way (ROW) MTC collected more than 248,600 data points in the field. Of those data points, 32,000 items are considered out of compliance.

After data were collected and analyzed, MTC assisted the City with prioritizing those items out of compliance so that the City can work toward compliance with the 2010 ADA Standards within an estimated time frame of 20 years. This information was used to create the ADA Transition Plan.

One of the requirements for the City is to make this information publicly available. Information about the ADA self assessment and the Transition Plan was posted on the Speak-Up Arvada page. The Speak-Up Arvada page also has a survey that community members can use to make comment and provide feedback. The City team then set up public meetings to review the self assessment and the Transition Plan. The first meeting was held virtually on March 9, 2021, and the second meeting was held in-person at City Hall on March 11, 2021. The team gathered the comments from the public meetings and, at this workshop, the team will gather comments from the Council, all of which will be incorporated into the final ADA Transition Plan.

Strategic Alignment

Completion of an updated and comprehensive ADA Transition Plan complies with Federal law and aligns with the Infrastructure Priority Area of the City Council Strategic Plan. The following Principle within the Infrastructure Priority Area specifically aligns with the work described herein:

Provides safe and efficient connections to modes of transportation, including transit, streets, sidewalks, and bikeways with a focus on enhanced technology at high-priority intersections improving safety and minimizing traffic congestion.

Next Steps

The City team will take the feedback and comments from the public meetings and from the City Council and include them in the final transition plan document. The ADA Transition Plan will then need to be officially adopted by the City Council at a future meeting. The City team will develop performance measures to help implement the ADA Transition Plan to move the City toward compliance with ADA requirements. As the City works toward compliance with ADA, the City team recommends that the Council continue to support the approval of projects and funding that move the City toward compliance with the 2010 ADA Standards and Public Right-of-Way Accessibility Guidelines.

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Approved by:

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Bryan Archer, Director of Finance	3/29/2021
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Erika Pierce, Litigation Paralegal	3/31/2021
Rachel Morris, City Attorney	3/31/2021
Lorie Gillis, Deputy City Manager	4/1/2021
Mark Deven, City Manager	4/1/2021

Enclosure, exhibits & attachments required to support the report

City of Arvada, Colorado

Executive Summary – ADA Survey of City Facilities

January 11, 2021

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INTRODUCTION

The City of Arvada (the City) contracted Meeting the Challenge Inc. (MTC) to conduct an on-site review of compliance with the Americans with Disabilities Act (ADA) at The City's facilities. This report includes an analysis of the data collected from the 25 facilities identifying and describing barriers, applicable sections of the 2010 ADA Standards for Accessible Design (ADA Standards), and priorities for barrier removal as recommended by the Department of Justice (DOJ). The City plans to incorporate the subsequent data collection of findings for elements which are not compliant with the scoping and technical provisions of the ADA Standards into its Transition Plan.

Transition Plan Requirements

Regulations require a Transition Plan when physical changes to facilities are necessary to achieve program accessibility. The purpose of title II of the ADA is not to drive an urban renewal plan for the City's infrastructure and buildings. Rather, the ADA is a civil rights law intended to include people with disabilities in the day-to-day life of American communities. To envision the ADA as an architectural code would be short-sighted. It is more than a list of findings to be fixed.

A Transition Plan must provide a path to a future that is accessible and inclusive for everyone. Like any plan, it should set objectives based on priorities that create realistic time-sensitive goals. The document should set "forth the steps necessary to complete such changes" ([§35.150\(d\)\(1\)](#)). Regulations originally required public entities with 50 or more employees to develop a Transition Plan "within six months of January 26, 1992". Structural changes were expected to "be made within three years of January 26, 1992, but in any event as expeditiously as possible" ([§35.150\(c\)](#)).

The transparency of the Transition Plan process is essential to giving ownership of the plan to all stakeholders. Inherent to the motto of many in the disability community, "nothing about us, without us," is the understanding that members of society (other than people with disabilities), are not better informed or situated, than people with disabilities, themselves to make decisions about or for people with disabilities. The participation by people with disabilities or organizations representing them in the formal adoption of a Transition Plan is essential.

The regulation clearly states: A public entity shall provide an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the development of the Transition Plan by submitting comments. A copy of the Transition Plan shall be made available for public inspection ([§35.150\(d\)\(1\)](#)).

A Transition Plan, per title II regulation ([§35.150\(d\)\(3\)](#)) must at minimum:

- Identify physical obstacles in the public entity's facilities that limit the accessibility of its programs or activities to individuals with disabilities;
- Describe in detail the methods that will be used to make the facilities accessible;
- Specify the schedule for taking the steps necessary to achieve compliance with this section and, if the time period of the transition plan is longer than one year, identify steps that will be taken during each year of the transition period; and
- Indicate the official responsible for implementation of the plan.

REPORT

The collection of data and the subsequent findings from the 25 facilities surveyed by MTC have been listed in a Transition Plan database (TPD). The TPD was produced by MTC to identify structural conditions in the City's facilities that present or might present barriers preventing or limiting the opportunity of people with disabilities to access the City's services, programs, and activities.

This report summarizes the process by which the underlying data table was developed. It describes how the data was gathered and analyzed and recommends how the findings should be used. The TPD also includes recommendations for structural mitigation of each finding.

The TPD includes the preliminary information necessary to the development of a Transition Plan. Neither the TPD nor this summary or the combination of the two constitutes a Transition Plan. The intention is to provide an overview of the data and findings in the TPD. It is not intended as a narrative list of those findings.

The City must align any decisions about which of these findings should be mitigated, how they should be mitigated, and when they should be mitigated. This should be done in conjunction with its Self-evaluation of programs, policies, and practices.

The final section of this report will discuss the next steps necessary to create a Transition Plan based on the TPD.

Facilities Audited

This report does not cover parks and other outdoor spaces. The club houses at the golf courses are covered by this report but the actual courses were covered in the *DRAFT: City of Arvada Parks and Golf Course Facilities ADA Report* (August 19, 2019). The facilities covered by this report are:

- Allen House/Meeting Hall
- Arvada Police West Woods Station
- Arvada Police Lake Arbor Community Station
- Arvada Tennis Center (APEX)
- AURA Office
- Central Stores
- Arvada Visitors Center (Chamber of Commerce)
- Child Advocacy Center
- Child Advocacy Office
- Churches Ranch
- City Hall
- City Hall Annex
- Food Bank (Community Table)
- Lake Arbor Golf Course (Club House only)
- Maintenance Building Indiana Shops
- Majestic View Nature Center
- McIlvoy House (Historic Society)
- Moore Brother Property
- Print Shop
- Ralston Treatment Plant

- Ron Culbertson Building
- The Arvada Center
- TV Station KATV
- US Post Office (5885 Allison)
- West Woods Golf Club (Club House only)

SYNTHESIS OF PROGRAM ACCESS EVALUATION AND THE TRANSITION PLAN

When considering the large number of physical deficiencies discovered in the City's facilities, it is critical to be aware that all barriers are not created equal. Based on the regulatory requirements, the first barriers that must be identified in the Self-evaluation and Transition Plan processes are those that prevent access to services, programs, and activities, when viewed in their entirety. Next, those barriers that were created by new construction and/or alterations must be identified. Finally, those barriers that exist, and have existed since prior to the ADA, that currently present no barrier to program access, must be listed in the Transition Plan even when there is no current requirement for their removal.

The objective of this report is not necessarily to prescribe, for each finding listed, the precise means by which the City should mitigate each barrier. Rather, the objective here is to identify potential barriers and develop a process for deciding when and if a given barrier can be mitigated through methods or means other than an architectural remedy. The regulations do not necessarily require a public entity to make each of its facilities accessible. Public entities must make each of their services, programs, and activities, when viewed in their entirety accessible to and usable by qualified individuals of all abilities, including those individuals who use wheelchairs or other mobility devices. The DOJ's [2010 Guidance and Section-by-Section Analysis](#) of the regulations, while providing no mathematical or formulaic definition of *viewed in their entirety*, does provide the following, non-exhaustive list of factors to apply in deciding whether programs are accessible, when viewed in their entirety:

- size of the public entity
- the specific features of the program offered at each site
- the geographical distance between sites
- the travel times to the sites
- the number of sites
- availability of public transportation to the sites

Practical Approach to Priority

Table 1 shows the numbers and percentages of findings by degree of intrinsic priority and estimated mitigation difficulty. Findings in the cells shaded orange (the **orange** zone), to the upper left, are those that MTC recommends be addressed first. Findings in the cells shaded light blue (the **blue** zone), to the lower right, are those that can wait the longest.

Table 1 – Summary of Findings					
Intrinsic Priority	Mitigation Difficulty				
	3-Low	2-Moderate	1-High	Total	
1-Entry	103	26	231	360	15%
2-Services	583	64	124	771	54%
3-Restrooms	429	53	104	586	30%
4-Other	10	4	6	20	1%
Total	1,125	147	465	1,737	100%
	65%	8%	27%	100%	
	1,205	63	459	10	1,737
	69%	4%	26%	1%	100%

 First Priority
  Second Priority
  Third Priority
  Fourth Priority

A transition plan must list barriers for which *structural changes to facilities will be undertaken to achieve program accessibility* (§ 35.150(d)(1)). City staff reviewed all original findings to identify those findings that do not currently or potentially present barriers to program access. Following this assessment, the original 2,575 findings were reduced to 1,737 findings for which structural changes to facilities will be undertaken to achieve program access. The 838 findings that (though not in compliance with ADA Standards) do not currently or potentially present barriers to program access, result in a 32.5 percent reduction in the number of findings that must be listed and scheduled for remediation in the City's Transition Plan. Title II regulations make it clear that public entities are not required to make all facilities fully accessible (§ 35.150(a)(1)).

Barriers to Program Access

MTC identifies barriers as any element or feature of a facility having one or more attributes that does not adhere to the scoping and/or technical provisions of the ADA Standards. Such deficiencies that exist in rooms or spaces, where public access is not supervised or monitored by a public entity, and prevent or might prevent access to a service, program, or activity, are barriers to program access. These barriers have the highest priority for mitigation. When structural barrier removal is not a feasible, short-term option, mitigation of the barrier must be accomplished through alternative methods or means as soon as possible.

Barriers that exist in rooms or spaces, where public access is not supervised or monitored by a public entity, are typically found in parking facilities, exterior walkways, facility entrances, at reception counters in lobby areas, and public restrooms. In rooms or spaces where staff of a public entity are present, such as the offices of vocational rehabilitation counselors, procedural measures to provide program access, for individuals with disabilities, can often mitigate barriers without physical barrier removal. When qualified individuals with disabilities can

independently access public programs, in the most integrated setting appropriate to their needs, through reasonable modifications of policies, alternative venues or online access, architectural barrier removal may not be necessary.

Where Can Facility Barriers Be Eliminated?

Most public entities expect a public presence in most of their facilities at some time. But some facilities and some areas of other facilities are off-limits to the public. In some areas of public buildings, public access is restricted at certain times or not allowed at all without supervision or escort by a public employee. Locations having such restrictions might include police facilities or even the offices of workers such as social service counselors. However, even in these areas there may be some spaces where physical barriers prevent or at least limit the full and equal participation of qualified individuals with disabilities. For example, at a public swimming pool, where staff supervision is present, the absence of a compliant pool lift or sloped entry to the pool might prevent program access. Lifting an individual from their wheelchair and carrying them into a swimming pool is not an acceptable means of providing program access. Another example would be a restroom within a public supervised area of a facility. When a restroom in a public supervised area is available for use by other members of the public, it must be accessible to and usable by individuals with disabilities, including people who use wheelchairs.

When individuals are escorted by public employees into offices or meeting rooms and assistance with doors is provided or meetings can be held in an alternate space, rather than the employee's cubicle, then program access is being provided. In residential programs where clients are always accompanied or escorted by staff, reach ranges and slopes that might otherwise be critical barriers, are generally not barriers to program access.

However, barriers such as protruding objects in circulation paths or alarm systems lacking a visible component may still be considered barriers to program access even in public supervised areas. Protrusions in circulation paths that cannot be seen by individuals who are blind and alarms that cannot be heard by individuals who are deaf continue to present barriers to program access, as well as safety risks, even when individuals are provided with assistance. The safety risks may raise concerns in emergencies.

Limitations of This Analysis

New construction and alterations to existing facilities completed since January 26, 1992, regardless of program access evaluation, must comply with the accessible design standards in effect at the time of construction.

In determining the site or location of a facility – in essence the location of a program – public entities are prohibited from *making selections that have the effect of excluding individuals with disabilities from those facilities, denying them the benefits of those facilities, or otherwise subjecting them to discrimination* (§ [35.130\(b\)\(4\)](#)).

Barriers in New Construction and Alterations

MTC, per DOJ emphasis in title II settlement agreements, regards barriers in new construction or alterations to existing facilities as the next highest priority. In a Project Civic Access settlement agreement, the DOJ states that public entities are required “to ensure that facilities for which construction or alteration was begun after January 26, 1992, are readily accessible to and usable by people with disabilities, in accordance with 1) the Department of Justice's (DOJ) title II regulation and 2) the 1991 ADA Standards or UFAS, or the 2010 ADA Standards, as

applicable, 28 C.F.R. § 35.151.” Obviously, listing of these barriers was not considered in the original requirements for a Transition Plan. Construction completed after January 26, 1992, and prior to March 15, 2012, adhering (to the *maximum extent feasible*) to either the 1991 ADA Standards or the Uniform Federal Accessibility Standards, has safe harbor.

Nevertheless, despite all good intentions to the contrary, existing facilities have been altered and new facilities built that do not comply with any of the referenced standards. These *post-ADA* barriers must be included in an updated Transition Plan. Regardless of whether these deficiencies present current or imminent barriers to program access, a public entity is required to structurally correct these barriers. New construction or alterations to existing facilities, which do not comply with any of the referenced standards, are separate violations of the ADA regulations.

Path of Travel

At times, alterations can also trigger the “path of travel” provision of the ADA. This provision requires that any alterations, that took place after January 26th, 1992, that affect or could affect the usability or access to a primary function area of a facility must also include addressing accessibility deficiencies along the path of travel to the altered area. Examples of items included in this “path of travel”, per 28 C.F.R. § [35.151](#) (4), are: walks and sidewalks, curb ramps, parking areas, corridors and restrooms. A primary function of a facility is a major activity for which the facility is intended. Examples include: the dining area of a cafeteria, the meeting rooms in a conference center, as well as offices and other work areas in which the activities of the public entity using the facility are carried out. Alterations to comply with the ADA along the path of travel are only required to the level of disproportionally. Disproportionally is reached when the cost of alterations to path of travel elements exceed 20 percent of the cost of the alteration to the primary function area.

It is important for the City to examine any alterations undertaken by the City, that took place after January 26th, 1992, to owned facilities that may have triggered the “path of travel” provision. Alterations that were required to take place under this provision, that did not, are required to be executed regardless of program access implications. It is important to note that alterations undertaken for the sole purpose of improving or meeting accessibility requirements of the ADA do not trigger the “path of travel” requirement.

MTC is not able to determine independently whether the barriers identified by this audit of the City’s facilities existed before January 26, 1992. Nor is MTC able to determine independently where barriers which existed at the time of an alteration, since that date, would have triggered the path of travel requirement. Therefore, the City would be prudent to investigate the dates of alterations in its facilities that may have triggered removal of barriers even when those barriers did not limit or prevent access to its services, programs, or activities. These conditions often exist in employee only areas of facilities that have been renovated since January 26, 1992. MTC recommends that barriers which can be remedied with little difficulty or expense be scheduled in the Transition Plan whether remedies would have been within the scope of previous alterations or not. The priority of these barriers, though lower than the removal of barriers to program access, is not immaterial.

Safe Harbor, New Construction, and Alterations

Safe harbor refers to:

Elements that have not been altered in existing facilities on or after March 15, 2012, and that

comply with the corresponding technical and scoping specifications for those elements in either the 1991 Standards or in the Uniform Federal Accessibility Standards (UFAS), Appendix A to 41 CFR part 101–19.6 (July 1, 2002 ed.), 49 FR 31528, app. A (Aug. 7, 1984) are not required to be modified in order to comply with the requirements set forth in the 2010 Standards (§ [35.150](#)(b)(2)(i)).

Identification of elements having safe harbor is not possible, in the absence of specific, detailed information as to the dates and locations of construction and alterations to facilities. Typically, there are a limited number of elements having *as-is* conditions that adhere to previous standards that would not also be compliant with the 2010 ADA Standards. Most of the elements, for which safe harbor may be applied, have relatively low mitigation difficulty. Among the features that may qualify for safe harbor are the following:

- Surfaces of doors up to ten inches that are not smooth
- Water closets centerlines between 18 and 18.5 inches from the near wall
- Single wheelchair accessible (i.e., low) drinking fountains
- Operable parts between 48 and 54 inches or between 9 and 15 inches

The City must determine, independent of MTC, when safe harbor applies. To claim safe harbor for an element the City must have evidence that the element in question was built/alterd prior to March 15, 2012. Safe harbor *does not apply to those elements in existing facilities that are subject to supplemental requirements (i.e., elements for which there are neither technical nor scoping specifications in the 1991 Standards)* (§ [35.150](#)(b)(2)(ii)).

Consideration of “When Viewed in Its Entirety” Factors

A title II entity must operate each service, program, or activity so that the service, program, or activity, *when viewed in its entirety*, is readily accessible to and usable by individuals with disabilities. The phrase, *when viewed in its entirety*, has been the cause of some confusion and speculation since the Part 35 regulations were adopted. The regulations do not require a public entity to make each of its existing facilities accessible to and usable by individuals with disabilities. That said, there is not a formula that numerically or proportionally defines how many or which of a public entity’s facilities must be made accessible to and usable by people with disabilities, in order to satisfy the *viewed in its entirety* language. In its [Title II Regulations 2010 Guidance and Section-by-Section Analysis](#), the DOJ gives the following explanation of factors to be assessed to determine whether a program is accessible *when viewed in its entirety*:

In determining how many facilities of a multi-site program must be made accessible in order to make the overall program accessible, the standard has always been an assessment of what is reasonable under the circumstances to make the program readily accessible to and usable by individuals with disabilities, taking into account such factors as the size of the public entity, the particular program features offered at each site, the geographical distance between sites, the travel times to the sites, the number of sites, and availability of public transportation to the sites.

As an example, consider a large community with five swimming pools that serve the entire city. Due to geographical distances between the pools and considerable travel times to access any of these pools, it is not reasonable to consider that barriers at any one pool could be excepted on the basis that program access, *when viewed in its entirety*, can be achieved by referring an individual to an (accessible) pool in another location.

Some city offices may have staff who travel to the homes of their clients. To some extent this practice could offset some facility barriers, thereby making a program, *viewed in its entirety*, accessible. At other offices, clients are typically served in areas where access is procedurally limited. Clients are accompanied, escorted, and or assisted in these areas. These policies, procedures, and practices allow barriers to be avoided or otherwise mitigated through methods and means other than structural barrier removal, making a program, *viewed in its entirety*, accessible.

Nevertheless, there are certain barriers that might not be avoided, regardless of assistance provided by staff. For example, protruding objects in circulation paths continue to present potential hazards for individuals who are blind or visually impaired. Where others have access to public restrooms, at least one fully accessible restroom must be provided for individuals with disabilities, including those who use wheelchairs. Accessible parking, accessible routes from site arrival points (including public sidewalks, public transportation, and accessible parking) to each accessible entrance, and all the way to an accessible reception counter, are necessary to make the services, programs, and activities offered at any location accessible, *when viewed in their entirety*.

Barriers Not Necessarily Required to Be Removed

It is not necessary to schedule structural barrier removal, where program access, *viewed in its entirety*, is provided in the most integrated setting appropriate to the needs of qualified individuals with disabilities, regardless of built-elements of existing facilities that do not adhere to accessible design standards.

While a Transition Plan must list these (potential) barriers, removal of such barriers is not necessarily required until certain events trigger structural barrier removal. Events that might trigger structural barrier removal include, but are not limited to the following:

- Request for a reasonable accommodation under title I of the ADA
- Alterations to these built elements
- Relocation of a program or repurposing of the space
- General renovation of a facility
- A determination that a barrier was created by new construction or alteration after January 26, 1992, not covered by safe harbor
- A specific complaint from the public

It is important to consider a review of any construction, in a title II facility since January 26, 1992. Findings that do not currently present barriers to program access, built since that date, must be removed. Any structural barrier that is the subject of a public complaint, unless it can be circumvented through alternative methods or means, must be removed.

Program access may be limited in those circumstances when a public entity can document that a modification in policy or eligibility criteria or architectural barrier removal would result in a fundamental alteration to the program or undue financial and administrative burdens.

In those circumstances where personnel of the public entity believe 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 that conclusion.

It is important to note that, if the City determines a proposed action would cause an undue financial and administrative burden or a fundamental alteration, the City is required to take actions that would nevertheless ensure that individuals with disabilities receive the benefits or services provided by the City.

Conventional Industry Tolerances

The 2010 ADA Standards permit the application of conventional industry tolerances, but no authority is named for defining them. Determining if an element's condition falls into a conventional industry tolerance is up to the entity and its design professionals. Once a set of tolerances are adopted by the City, the application of those tolerances may allow for certain barriers to not be removed. The below sections and advisory are taken directly from the 2010 ADA Standards for further guidance.

104.1 Dimensions. *Dimensions that are not stated as "maximum" or "minimum" are absolute.*

104.1.1 Construction and Manufacturing Tolerances. *All dimensions are subject to conventional industry tolerances except where the requirement is stated as a range with specific minimum and maximum end points.*

Advisory 104.1.1 Construction and Manufacturing Tolerances. *Conventional industry tolerances recognized by this provision include those for field conditions and those that may be a necessary consequence of a particular manufacturing process. Recognized tolerances are not intended to apply to design work.*

It is good practice when specifying dimensions to avoid specifying a tolerance where dimensions are absolute. For example, if this document requires "1 inches," avoid specifying "1 inches plus or minus X inches."

Where the requirement states a specified range, such as in Section 609.4 where grab bars must be installed between 33 inches and 36 inches above the floor, the range provides an adequate tolerance and therefore no tolerance outside of the range at either end point is permitted.

Where a requirement is a minimum or a maximum dimension that does not have two specific minimum and maximum end points, tolerances may apply. Where an element is to be installed at the minimum or maximum permitted dimension, such as "15 inches minimum" or "5 pounds maximum", it would not be good practice to specify "5 pounds (plus X pounds) or 15 inches (minus X inches)." Rather, it would be good practice to specify a dimension less than the required maximum (or more than the required minimum) by the amount of the expected field or manufacturing tolerance and not to state any tolerance in conjunction with the specified dimension.

Specifying dimensions in design in the manner described above will better ensure that facilities and elements accomplish the level of accessibility intended by these requirements. It will also more often produce an end result of strict and literal compliance with the stated requirements and eliminate enforcement difficulties and issues that might otherwise arise. Information on

specific tolerances may be available from industry or trade organizations, code groups and building officials, and published references.

MTC recommends Ken Ballast's [*Handbook of Construction Tolerances*](#), 2nd Edition (March 2007), as an excellent guide for determining acceptable construction tolerances. Ballast also wrote [*"Dimensional Tolerances in Construction and for Surface Accessibility"*](#), for the U.S. Access Board.

Exceptions Allowing Less Than Full Compliance

At times, it may be technically infeasible or structurally impracticable to fully comply with applicable ADA standards. *Structurally impracticability* applies to new construction which the ADA defines as construction that commenced after January 26, 1992. *Technically infeasible* applies to alterations of buildings or facilities that existed prior to January 26, 1992.

Structural Impracticability. Full compliance will be considered structurally impracticable only in those rare circumstances when the unique characteristics of terrain prevent the incorporation of accessibility features.

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

If either of the above-mentioned conditions are deemed by the City to apply to a given barrier, room/space or facility, compliance with the applicable ADA standards is still required to the maximum extent feasible. For example, if it would be *technically infeasible* to widen a toilet compartment to a size usable by an individual who uses a wheelchair due to the bathroom containing a load bearing wall, the toilet compartment must still be made accessible for individuals who have an ambulatory impairment. In addition, all other elements within the restroom should be made accessible to the maximum extent feasible. This provision of the ADA exemplifies the reality that not all individuals with a disability use a wheelchair.

In addition, places of historical significance are not required to remove barriers that would "threaten or destroy" their historic significance. To be considered a historically significant site the building must be "eligible for listing in the National Register of Historic Places under the National Historic Preservation Act or... designated as historic under State or local law." If the City asserts that the act of removing a barrier at a historical property would "threaten or destroy" historical significance, adherence to the applicable standards is still required to the maximum extent feasible and program access must still be provided.

Where to Begin

MTC recognizes that the cost of providing access to services, programs, and activities might be very high, when and if the only resolution to provide access involves major renovation or alteration of a facility, to remedy structural barriers. Conversely, in many cases, where difficult-to-mitigate physical barriers exist, methods and means other than architectural barrier removal may be able to provide access to services, programs, and activities

at significant cost savings. The intention is to suggest a process by which some number of the costliest to mitigate findings can be eliminated without resorting to architectural barrier removal.

At the same time, demonstrable progress in implementing a Transition Plan is possible by eliminating many easily mitigated barriers in the short-term. Intrinsic to MTC's recommended milestones for barrier mitigation is the idea that easily eliminated barriers should be addressed as quickly as possible. More complex and difficult to remove barriers will require extended time to organize resources and allocate budgets.

MTC suggests that the process of beginning the implementation of a Transition Plan should follow this twofold approach. Begin actions to remove the *low-hanging fruit* immediately. Initiate simultaneous efforts to investigate all potential means to eliminate major physical barriers to access and establish budgets to fund eventual architectural mitigation projects.

Leased Properties

MTC recommends separate approaches and schedules for owned facilities and leased facilities. It is prudent to consider the cost of improvements to facilities that are not owned, when terminating a lease and relocating might be more cost effective. Leased facilities may also have barriers that are not directly under the City's control; barriers for which a landlord is responsible. For properties leased by the City to other parties who may also be covered by title II or title III of the ADA, the City should clearly state lease terms indicating elements of the facility for which the tenant is responsible for ADA compliance. For architectural barriers in a facility, regardless of the landlord/tenant relationship, the City may ultimately be responsible for ADA compliance. In some instances, should a tenant refuse or be unable to remove barriers, it may be prudent for the terminate the lease at the earliest opportunity.

City-owned Leased Property	Tenant	Program/Business Activity
• Allen House	Peace Jam	Educational programs for youth
• Arvada Tennis Center	APEX	Tennis/Recreational activities
• Arvada Visitors Center	Chamber of Commerce	Promoting tourism and local events in Arvada
• Churches Ranch	Horse League	Stables
• Food Bank	Community Table	Food assistance
• George Myers Pool	APEX	Various aquatic programs
• Hansen House	City Employee	Employee resident (caretaker)
• McIlvoy House	Historic Society	Preserving the history of Arvada
• Meridian Farm	City Employee	Employee resident (caretaker)
• Moore Farms	4-H (barns)	employee resident (caretaker)
• Post Office	USPS	U.S. Postal service covered by ABA
• Reservoir House	City Employee	Employee resident (caretaker)
• Schaaf Property	City Employee	Employee resident (caretaker)

Property Leased to the City	City Service/Program/Activity
• AURA Office	Arvada Urban Renewal Authority

If the City contemplates leasing city property to third parties or leasing third party properties for City programs, now or in the future, then the City must take due diligence to ensure that such spaces comply with ADA Standards and make such facilities accessible to and usable by people of all abilities. Language in the title III regulations ([§ 36.201](#)) addresses facilities that are leased and states:

As between the parties, allocation of responsibility for complying with the obligations of this part may be determined by lease or other contract.

The City properties, listed above, which are currently leased (either with a formal lease or by memoranda of understanding) present potential risk of liability for violation of the ADA if tenants or the City fail to remove structural barriers that prevent or might prevent access to the programs, services, or goods offered at those facilities. This exposure potentially includes the need to remove potential barriers that may need to be eliminated to provide Reasonable Accommodation (title I) for City employees or employees of third-party tenants who work in those facilities.

For the City's Urban Renewal Authority, provision of services in a leased facility that is acknowledged to lack the accessibility necessary to ensure program access to qualified individuals with disabilities, inclusion of removal of barriers in the City's Transition Plan is required. If an existing or new City employee needed barrier removal as a Reasonable Accommodation to perform essential job functions, the City would be obligated to complete that barrier removal or negotiate an alternative Reasonable Accommodation for the employee. Because the space is leased, the City may be reluctant to invest in potentially costly renovation (an elevator?). MTC recommends that the City begin a search for an alternative, accessible facility (see [§ 35.130\(b\)\(4\)](#)) to house AURA as soon as possible – even prior to the end of its current lease.

Barriers with Low Mitigation Difficulty (Low-Hanging Fruit)

Low difficulty barriers should be addressed as quickly as possible. However, when major renovations at a facility are anticipated, the removal of some low difficulty barriers may be postponed until a renovation is scheduled. Many of these barriers can be managed as in-house maintenance or repair activities. However, the City should take care that incremental adjustments or repairs do not result in wasted effort that will be removed by subsequent renovation to a facility. In some cases, where multiple attributes of an element are not compliant it will not be possible to make the element accessible without addressing all the attributes. For example, if a side grab bar's location is too high and too far from the back wall, its diameter is too small, and it is too short, then no amount of relocation can fix the deficiency without first acquiring a new grab bar between 1.25 and 2 inches in diameter and 42 inches long minimum.

Or, to give another example, re-stripping parking spaces and access aisles can be done easily for minimal cost, but it will not solve a maximum slope steeper than 1:48 (2.08 percent). However, relocation of designated accessible parking spaces to an alternate location where the maximum slope is compliant and connection to an accessible route is possible, might cost far less than the regrading and repaving the existing spaces that are too steep.

When maintenance and repair activities are used to resolve barriers to program access, document these actions in the Transition Plan to track progress. Evidence of the adoption and implementation of a Transition Plan may be critical in the event of investigation of complaints or litigation.

Barriers with High Mitigation Difficulty

It is practical for the City to consider, early in its deliberations, findings categorized as having high mitigation difficulty. This will allow time to eliminate findings from the Transition Plan Database (TPD) where methods and means other than architectural barrier removal can be equally effective to provide programmatic access for qualified people of all abilities.

Milestone months (which are provided to suggest relative priority for mitigation) in the TPD for high difficulty barriers range from 18 to 48 months. All these barriers should be considered first, to determine whether relocation of a program or methods or means other than architectural barrier removal can resolve program access issues. The potential cost savings justifies the time and scrutiny necessary to identify alternative methods and means of resolving these findings.

Barriers in spaces used by the public, in particular outdoor spaces, such as sports fields, typically unsupervised spaces, have the highest intrinsic priority (or risk of discrimination) and often require a high level of cost and effort to accomplish removal.

MTC typically finds many barriers to program access in restrooms. Even in facilities where a significant amount of program access is facilitated by staff, privacy and independent access to toileting must be provided. When spaces such as toilet compartments are not sufficient to accommodate a wheelchair, assistance from staff is of little or no use. Significantly, two out of three barriers found in restrooms are considered to have low mitigation difficulty. However, of the high mitigation difficulty barriers almost half are found in restrooms. Removal of these barriers will ultimately take substantial effort and expense.

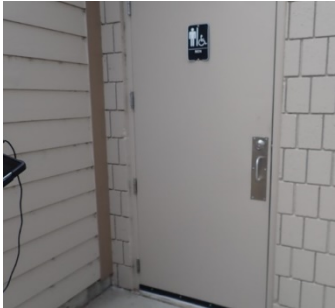
Typical Barriers Found in City Facilities

Below are typical barriers that MTC identified during the onsite assessment.

Typical Low Mitigation Difficulty Barriers

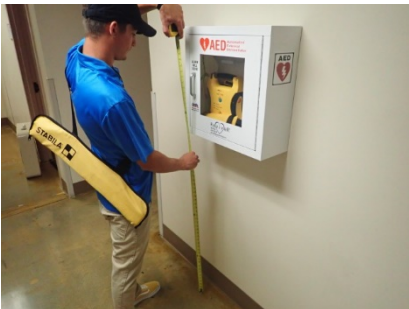
Typical Observation: Improper signage location for permanent rooms and spaces:

2010 ADA Standards Reference: [703](#).



Typical Observation: Protrusions throughout facilities:

2010 ADA Standards Reference: [307](#).



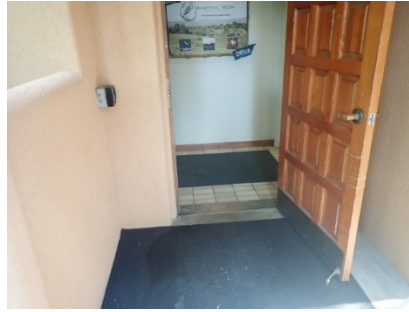
Typical Observation: Operable parts above required reach range

2010 ADA Standards Reference: [308](#).



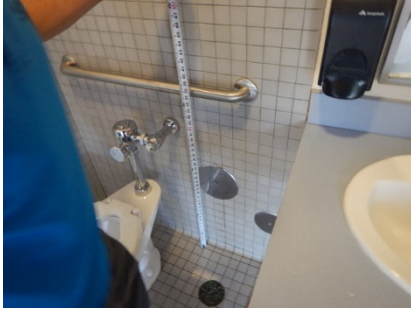
Typical Observation: 10-inch smooth surface missing on the push side of doors.

2010 ADA Standards: [404.2.10](#).



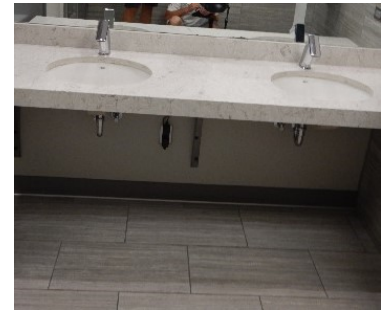
Typical Observation: improperly mounted grab bars in restrooms.

2010 ADA Standards Reference: [604.5](#) and [609.4](#).



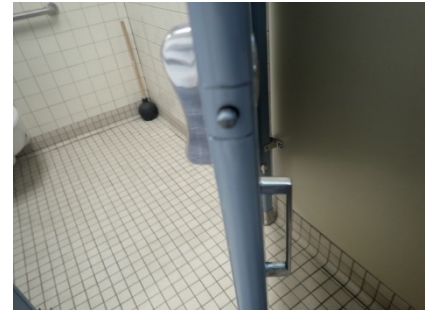
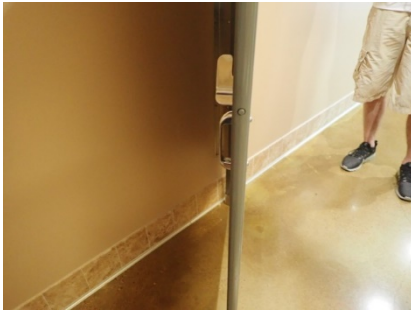
Typical Observation: Water supply and drain pipes are not insulated under lavatories.

2010 ADA Standards Reference: [606.5](#).



Typical Observation: Handles are not provided on both sides of toilet compartment doors.

2010 ADA Standards Reference: [604.8.1.2](#).



Typical Moderate Mitigation Difficulty Barriers

Typical Observation: Vertical changes in level (greater than ¼-inch vertical, or ½-inch beveled).

2010 ADA Standards Reference: [303.2](#).



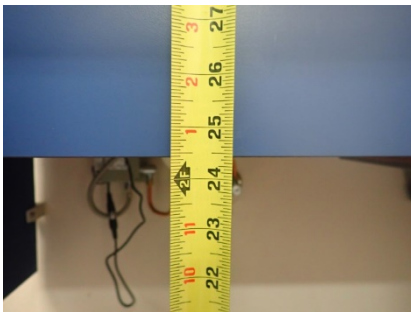
Typical Observation: Sink tops are too high.

2010 ADA Standards Reference: [606.3](#).



Typical Observation: Insufficient knee clearance.

2010 ADA Standards Reference: [306.3](#)



Typical High Mitigation Difficulty Barriers

Typical Observation: Curb ramps with slopes too steep.

2010 ADA Standards Reference: [406.](#)



Typical Observation: Parking spaces with slopes too steep.

2010 ADA Standards Reference: [502.4](#)



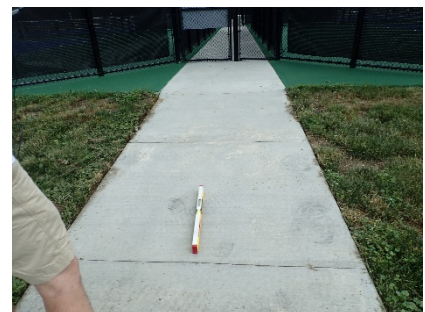
Typical Observation: Toilet compartment with insufficient clearance.

2010 ADA Standards Reference: [604.3](#)



Typical Observation: Accessible routes with slopes too steep.

2010 ADA Standards: [403.3](#)



Transition Plan Development

MTC's scope of work was limited to a survey of identified City facilities. *As-is* conditions in those facilities that did not adhere to the scoping and technical provisions of the 2010 ADA Standards for Accessible Design were identified.

MTC's TPD is merely the beginning of the process by which a Transition Plan is to be developed, adopted, and implemented by the City. MTC recommends that the City carefully consider if it needs to mitigate each finding, considering discoveries made in its Self-evaluation.

MTC recommends that the City apply knowledge gained from its Self-evaluation to determine whether it would be better – more cost-effective – to resolve some of the structural findings in MTC's TPD through methods and means other than architectural barrier removal.

The City of Arvada, with participation of people with disabilities or organizations representing them, must expand the scheme for completing mitigation of findings and assigning the responsibility for implementing the plan. Mitigation of findings in facilities alone, outside of the context of the accessibility of the City's programs, policies, and practices, cannot ensure the absence of prohibited discrimination based on disability. Discoveries made through its Self-evaluation should be included. MTC continues to be available to the City to provide further consultation on development of the Transition Plan.

Conclusions

First and foremost, title II entities must ensure that their services, programs, and activities, when viewed in their entirety are accessible to and usable by qualified individuals with disabilities. Every effort to eliminate barriers through alternative methods and means or through architectural barrier removal must be made to implement an effective Transition Plan. More than one-quarter of all findings in previous MTC facility surveys could have been potentially deferred until triggered by certain events, as these identified architectural deficiencies did not affect program access. Elimination of *low-hanging fruit* and long-term planning for high mitigation difficulty barriers should begin immediately.

Second, regardless of program access, all architectural barriers caused by alterations or new construction must be structurally eliminated. Such architectural deficiencies in alterations or new construction have been prohibited since January 26, 1992. In addition, if any programs have been located or moved to inaccessible (owned or leased) facilities, since that date, architectural barriers in those facilities must be removed or the programs must be relocated to other sites and locations that are compliant with the 2010 ADA Standards. Research to identify dates of construction, origination of leases, and renewal of leases is a necessary component of a Transition Plan.

Third, budgetary and logistical considerations make immediate removal of all barriers impossible. The information provided in an MTC Transition Plan Database (TPD) – which can be sorted and filtered in many ways, allows short-term, mid-term, and long-term planning that can be spread across several fiscal years.

Finally, to the extent that facilities have been altered, built, or leased that are not compliant with the relevant standards for accessible design (i.e., the Uniform Federal Accessibility Standards [UFAS], the 1991 ADA

Accessibility Guidelines [ADAAG], or the 2010 ADA Standards), policies, procedures, and practices must be developed to avoid future deficiencies. Training for key individuals responsible for designing new facilities, renovating existing facilities, or negotiating leases for additional facilities, is essential. It is as important to prevent the construction or acquisition of new barriers as it is to remove those that currently exist.

City of Arvada – Report on ADA Findings in the Public Right of Way

FEBRUARY 8, 2021

GEOFF AMES, MEETING THE CHALLENGE, INC. – A CP&Y COMPANY

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Introduction

The City of Arvada (City) contracted Meeting the Challenge Inc. (MTC) to conduct an on-site review of compliance with the Americans with Disabilities Act (ADA) at the City's facilities. This report includes an analysis of the data collected from the pedestrian facilities in the City's right-of-way, identifying and describing barriers, applicable sections of the U.S. Access Board's [Proposed Guidelines for Pedestrian Facilities in the Public Right-of-Way](#) (PROWAG), and priorities for barrier removal based on the Department of Justice (DOJ) requirements, practical considerations for meeting pedestrian/programmatic traffic demand, and availability of City funding resources. The City plans to incorporate the subsequent data collection of findings for elements which were not consistent with the scoping and technical provisions of PROWAG into its Transition Plan.

Pedestrian Facilities in the Public Right-of Way

Pedestrian facilities in the public right-of-way (PROW), i.e., public sidewalks, crosswalks, curb ramps, bus stops, etc., serve a public program – pedestrian transportation. While people may use sidewalks for recreational activities, the primary function of public sidewalks is to serve pedestrian transportation needs. The opportunity for people with mobility limitations and low-vision to participate in pedestrian travel in our communities has historically been, and continues to be, minimal. The minimal opportunity of people with disabilities to travel even short distances on public sidewalks has a negative impact on their ability to access local services, places of public accommodation, and fixed-route public transit. The first mile/last mile barriers that prevent many people with disabilities from accessing fixed-route public transit make them eligible for and dependent upon ADA paratransit services, which are more costly.¹



Figure 1 First mile/last mile refers to the distance between a transit rider's origin/destination and a transit station/stop.²

A significant benefit of efforts to remove barriers that limit the accessibility of people with disabilities is that these efforts also improve the walkability and safety of pedestrian facilities for people of all abilities. Walkability can also enhance economic development in commercial/retail areas. It is difficult to overstate the concern for the safety of all pedestrians, not only those with disabilities. Smart Growth America reports, "the number of people killed while walking increased by 35 percent" in the past ten (between 2008 and 2017) years.³

¹ Schmitt, Angie, "How Transit Agencies Can Offer Better Paratransit Service at Lower Costs," <https://usa.streetsblog.org/2016/09/20/how-transit-agencies-can-offer-better-paratransit-service-at-lower-costs/>, on April 28, 2020.

² King, David A., "What Do We Know About the "First Mile/Last Mile" Problem for Transit?," <https://transportist.org/2016/10/06/what-do-we-know-about-the-first-milelast-mile-problem-for-transit/>, on April 28, 2020.

³ Smart Growth America, "Dangerous By Design 2019," <https://smartgrowthamerica.org/dangerous-by-design/>, on February 2, 2021.

Regulatory Requirements

The primary purposes of title II of the Americans with Disabilities Act (ADA) and its Part 35, enforcing regulations which cover state and local governments, are the prohibition of disability-based discrimination and the requirement to ensure that all public services, programs, and activities, when viewed in their entirety, are accessible to and usable by qualified people with disabilities. A public entity must administer its services, programs, and activities in the most integrated setting appropriate to the needs of qualified individuals with disabilities. This does not necessarily mean that a public entity must make all its facilities accessible. (See [§ 35.130](#) and [§ 35.150\(a\)\(1\)](#).)

Self-evaluation

A public entity is required to evaluate all services, policies, and practices, and the effects thereof, identify any that do not or may not meet the Part 35 requirements, and where it needs to change any such services, policies, and practices, it must proceed to make the necessary changes. A public entity, during this process must provide an opportunity for public comments, document such comments, and keep those comments on file for three years minimum. (See [§ 35.105](#).) Solicitation of public comments is critical, if for no other reason, because it is far better to receive comments directly from constituents than to have those comments (or complaints) relayed to the City through DOJ or a local advocate for disability rights.

Transition Plan

Where conditions or features of its facilities prevent, or may prevent access to its programs, a public entity must develop a Transition Plan to resolve those physical barriers to access. As with the Self-evaluation process, the public must be given an opportunity to participate in the development of the Transition Plan by submitting comments. The Transition Plan must be retained and available for public inspection. (See [§ 35.149](#) and [§ 35.150\(d\)](#).)

A public entity having responsibility or authority over streets, roads, or walkways, must include in its Transition Plan a schedule for providing curb ramps or other sloped areas where pedestrian walks cross curbs. There are four required components of the City's Transition Plan:

1. Identify physical barriers that limit access to programs or activities
2. Detailed description of the methods that will be used to eliminate those barriers
3. Schedule the steps necessary to eliminate those barriers, including steps that will be required each year after the first year of the Plan
4. Name the individual(s) who will be responsible for implementing the Plan

Current Self-evaluation and Transition Plan Requirements

The process of Self-evaluation and the development of a Transition Plan were original administrative actions of title II required by Part 35 regulations to be completed within six months of January 26, 1992. Whether or not the City created or implemented a Transition Plan for its pedestrian facilities in the 1990s, it has an ongoing obligation to ensure that its pedestrian transportation program is accessible to and usable by pedestrians with disabilities. The construction of new and alterations to existing pedestrian facilities, including but not limited to curb ramps and sidewalks, have been required to be consistent with accessible design standards and guidance since January 26, 1992. The purpose of these processes is to confirm that the City continues to meet those obligations.

Until March 15, 2012, the City had the option of using one or the other of the Uniform Federal Accessibility Standards (UFAS) or the ADA Accessibility Guidelines (ADAAG, 1991). Since March 15, 2012, the applicable accessible design standards are the 2010 ADA Standards for Accessible Design and any construction – new or alterations to existing sites or facilities on sites – must meet the 2010 ADA Standards at minimum. There is some ambiguity regarding the applicable design standards or guidelines, prior to Federal Highway Administration recognition of PROWAG as best practices for pedestrian facilities in public rights-of-way, effective January 23, 2006. Rationale for the application of PROWAG for pedestrian facilities in the public right-of-way is discussed in the *Why PROWAG?* section of this report.

Identifying Physical Barriers in the Public Right-of-Way

MTC recommends the use of PROWAG to identify minimum scoping and technical provisions that establish best practices for accessible pedestrian facilities in the City’s right-of-way. In the sense that the City’s right-of-way constitutes a single facility serving a single program, for that program, when viewed in its entirety, to be accessible to and usable by qualified people of different abilities means that eventually all pedestrian facilities must be minimally accessible as defined by PROWAG. That said, the City has many miles of sidewalk/pedestrian street crossings, hundreds of bus stops along those sidewalks, and thousands of curb ramps. Making all these assets ADA-compliant will take many years. Establishing priorities that align with title II regulatory requirements and the City’s real-world pedestrian traffic patterns, is essential to the creation of a successful, implementable Transition Plan.

Why PROWAG?

Most simply stated, program access is required even when there are not formal or legally adopted standards that define or prescribe the technical provisions to achieve compliance. The 2010 ADA Standards, the previous ADAAG, and UFAS, created by the U.S. Access Board, are specifically intended to apply to facilities on sites. The Access Board did not intend these standards for application in the public right-of-way. Accordingly, the Access Board provides the following explanation for its development of PROWAG:

Sidewalks, street crossings, and other elements in the public right-of-way can pose challenges to accessibility. The Board’s ADA and ABA Accessibility Guidelines focus mainly on facilities on sites. While they address certain features common to public sidewalks, such as curb ramps, further guidance is necessary to address conditions and constraints unique to public rights-of-way.

The Board is developing new guidelines for public rights-of-way that will address various issues, including access for blind pedestrians at street crossings, wheelchair access to on-street parking, and various constraints posed by space limitations, roadway design practices, slope, and terrain. The new guidelines will cover pedestrian access to sidewalks and streets, including crosswalks, curb ramps, street furnishings, pedestrian signals, parking, and other components of public rights-of-way. The Board’s aim in developing these guidelines is to ensure that access for persons with disabilities is provided wherever a pedestrian way is newly built or altered, and that the same degree of convenience, connection, and safety afforded the public generally is available to pedestrians with disabilities. Once these guidelines are adopted by the Department of Justice, they will become enforceable standards under title II of the ADA.⁴

⁴ U.S. Access Board, <https://www.access-board.gov/guidelines-and-standards/streets-sidewalks/public-rights-of-way>, on April 23, 2020.

The ADA Standards include the following permission:

103 Equivalent Facilitation

Nothing in these requirements prevents the use of designs, products, or technologies as alternatives to those prescribed, provided they result in substantially equivalent or greater accessibility and usability.

The Federal Highway Administration (FHWA) recognizes PROWAG as “recommended best practices, and [they] can be considered the state of the practice that could be followed for areas not fully addressed by the present ADAAG standards.”⁵

Practical Application

In practice perhaps the greatest advantage of using PROWAG is the very practical nature of its scoping and technical provisions. Significantly, in alterations, PROWAG requires compliance only to the extent practicable within the scope of a project where existing physical constraints (e.g., *underlying terrain, right-of-way availability, underground structures, adjacent developed facilities, drainage, or the presence of a notable natural or historic feature*) make full compliance impracticable. Transitions to existing unaltered segments of pedestrian circulation paths must comply only to the extent practicable. However, alterations must not decrease or have the effect of decreasing the accessibility of a facility or an accessible connection to an adjacent building below the requirements for new construction.⁶

When Will PROWAG Become Standards?

The guidelines have been in process since the 1990s and the first draft was completed in 2005. The current version was at the final rule stage in 2011. However, questions and comments regarding the connection of Shared Use Paths (SUPs) to sidewalks in public rights-of-way, stalled what seemed to be imminent adoption at that time. Supplemental rules for SUPs were proposed and published in the Federal Register in February 2013. Once again, the adoption wheels started turning but the process was not completed before the arrival of the following administration’s policy that no new regulations would be adopted without first removing two other regulations.

At present, it is advisable to have a good understanding of the reasons for applying PROWAG, rather than to speculate about the future date when PROWAG will become enforceable federal standards. Nationwide, many state, county, and municipal governments – including the Colorado Department of Transportation – have legally recognized all or parts of PROWAG as their design standards for pedestrian facilities.

Program Access

To understand and apply the requirements for program access, in the public right-of-way, MTC compares PROWAG to the ADA Standards’ provisions for swimming pools. Prior to the adoption of the 2010 ADA Standards, while there were no enforceable scoping or technical provisions for swimming pools, public entities were required nevertheless to ensure that programs at public swimming pools, such as swimming lessons, were accessible to and usable by people with disabilities. Prior to the adoption of the 2010

⁵ U.S. Department of Transportation, Federal Highway Administration, accessed at https://www.fhwa.dot.gov/environment/bicycle_pedestrian/resources/prwaa.cfm, on March 18, 2020.

⁶ U.S. Access Board, PROWAG R203.3, <https://www.access-board.gov/guidelines-and-standards/streets-sidewalks/public-rights-of-way/proposed-rights-of-way-guidelines/chapter-r2-scoping-requirements>, on April 23, 2020.

Standards, public entities were wise to identify the 2004 ADA Accessibility Guidelines (the basis for the 2010 ADA Standards) as best practices for ensuring that their swimming (and other recreation) programs were accessible.

Where public sidewalks are very narrow or meet street with curbs, it is reasonable to conclude that these conditions prevent, or might prevent access to the pedestrian transportation program for some people with disabilities. Therefore, it is also reasonable to look for some guidance to replace the existing with construction designed for access by qualified people of all abilities. MTC recommends PROWAG as the guidance that best serves the purpose of making the City's pedestrian transportation program accessible to and usable by qualified people of all abilities.

Prioritizing Remediation of Findings in PROW [Proprietary Intellectual Property]

Under title II of the ADA, the priority for public entities is to ensure that their services, programs, and activities are accessible to and usable by people with disabilities, including those who use wheelchairs. Stated another way, the regulations prohibit discrimination in programs or facilities that prevents or might prevent the opportunity for qualified individuals with disabilities to access programs. The ADA requires state and local governments to evaluate their programs, policies, procedures, practices, and facilities to identify those that do not or may not fulfill the title II regulations. To the extent that changes to any services, policies, or practices are required, public entities must proceed to make the necessary changes. When physical changes to facilities are needed to achieve program accessibility, a public entity must develop a Transition Plan explaining how, when, and who will be responsible for implementing the plan to complete such changes.

A Transition Plan is the road map used by a public entity to remove physical barriers to programs. The priority therefore is to remove those barriers that will most effectively and efficiently make programs accessible. In the public right-of-way, the regulations address priority as follows:

§ 35.150 Existing facilities

(d) Transition plan...

(2) If a public entity has responsibility or authority over streets, roads, or walkways, its transition plan shall include a schedule for providing curb ramps... *giving priority to walkways serving entities covered by the Act, including State and local government offices and facilities, transportation, places of public accommodation, and employers*, followed by walkways serving other areas.

This regulatory language means that the priority for the remediation of barriers in PROW is essentially determined by location. Locations have priority relative to nearness of entities covered by the ADA. The intent of this language is to prioritize those locations in the right-of-way that have the greatest pedestrian demand. Accordingly, we calculate priority of locations starting with the walksheds surrounding covered entities and other locations with high anticipated pedestrian traffic.

Preliminary Assumptions

MTC reviews local information from planning and development to map areas that would be expected to have high pedestrian traffic. MTC refers to these as Zone Values. Zone values were applied to pedestrian

facility locations within the project scope before field data collection.

This predictive analysis gave high values to walksheds surrounding facilities such as schools, transportation facilities, and parks. Areas zoned for commercial activity where places of public accommodation deliver retail goods and services are also assumed to be pedestrian magnets. And, even though churches are not ADA-covered entities, MTC recognizes that churches can also drive pedestrian traffic. While not discounting pedestrian facilities in quiet residential neighborhoods, MTC considers that, in the absence of specific public requests for access, these locations have a secondary priority.

MTC assumed that the City has some miles of pedestrian sidewalks that, based on design standards (or lack thereof) at the time of construction, were not even minimally accessible. Typically, these are sidewalks less than 36 inches wide, often with rollover curbs. That is, these areas of sidewalk are not wide enough to provide an Accessible Route as specified in the ADA Standards or a Pedestrian Access Route as specified in PROWAG. Where curb ramps have been constructed in these areas, they are diagonal curb ramps (*In alterations where existing physical constraints prevent compliance with R207.1, a single diagonal curb ramp shall be permitted to serve both pedestrian street crossings.*)⁷ with noncompliant running and cross slopes. Residential neighborhoods where sidewalks are attached to the back of curbs also typically have cross slopes exceeding 2 percent at every driveway meaning that, regardless of sidewalk width, a continuous Pedestrian Access Route (PAR) is not provided. Areas having categorically inaccessible sidewalks have a tertiary priority for detailed data collection. That said, MTC suggested in our proposal that these areas be mapped for future reference.

A Transition Plan for these locations will require that sidewalks be completely removed and replaced with PARs that meet, to the maximum extent feasible, PROWAG requirements. In many cases, making these walkways accessible will require encroaching on residential lawns or narrowing streets. It would be prudent of the City to establish a protocol or policy for removing and replacing these sidewalks when maintenance and repairs are needed in the short-term and for eventual systemic replacement when PROWAG is adopted by DOJ as enforceable standards.

The exception to tertiary priority where such less than minimally accessible sidewalks exist is in locations where these walkways fall within first-priority walksheds. A literal reading of regulations does not explicitly require the construction of new public sidewalks where none currently exist. However, in MTC's broader understanding of the ADA, we recommend the construction of new sidewalks where that may be necessary to provide program access to covered entities.

On-the-Street Observations

The second factor in calculating the priority of pedestrian facilities, by location, was the assignment of what MTC calls a *Program Access Value* (PAV). Regardless of anticipated priority, based on planning and development zones or walksheds, MTC has found that unanticipated drivers of pedestrian traffic may exist in unexpected locations. To include the impact of these drivers of pedestrian traffic, MTC collects, through on-the-ground observation, at a point of data collection, the relative nearness of facilities that may drive pedestrian traffic. These observations of, for example, a park within a given walking distance (ranging from zero to three blocks), serve to confirm presumed Zone Values, and are added to Zone Values as a factor in

⁷ U.S. Access Board, PROWAG R207.2, <https://www.access-board.gov/guidelines-and-standards/streets-sidewalks/public-rights-of-way/proposed-rights-of-way-guidelines/chapter-r2-scoping-requirements>, on April 23, 2020.

calculating a value that MTC calls the Program Score of a location.

In some instances, Zone Values provide a prediction of program demand at a location that does not currently exist but may exist with future development. The collection of the PAV for a location serves to verify (or not) these predictions. That is, the Zone Value may be predictive of a high volume of pedestrian traffic, but the observed PAV does not substantiate that prediction when no covered entity/pedestrian traffic driver is located within a short walking distance of the location.

To be clear, PAV is meant as a subjective measure, rather than *as-the-crow-flies* distance. Using *blocks* as a unit of measure is intentionally imprecise. MTC's purpose is to give a relative on-site assessment of the likelihood that individuals would walk to a covered entity from a given point where data is collected. Walkability studies are not precise in their estimation of the distances that people will walk. Normative standards of walkability are typically based on a walk-time of 10 minutes even though there is "little empirical evidence to support the validity of this measure."⁸ Obviously, as walking speeds vary greatly between individuals, estimates of 10-minute walking distances range from 1/8 to 1/2-mile. The actual shape of walksheds based on these estimates will not be a circle with a center at the destination point. It makes sense when interpreting MTC's calculated Program Scores to view the overall impression given when these data are plotted in GIS.

Mitigation Difficulty

Finally, the expected effort, resulting disruption, and cost of mitigating a barrier provides a minimal practical qualification to the prioritization process. Effectively, for locations that have the highest priority, as calculated by Program Score (the sum of Zone and Program Access Values), mitigation difficulty makes no difference. In locations with the highest priority (as determined by Program Score), findings of noncompliance, regardless of difficulty and cost of remediation, should be early on the City's Transition Plan schedule. Conversely, other than the most easily remedied barriers (e.g., easily trimmed protruding tree branches), barriers in locations with the lowest priority, should be scheduled as far out as is practical, based on budgets and other resources. In this model, MTC prioritizes the removal of a small vertical discontinuity at a downtown curb ramp, above the construction of a missing curb ramp in a low-density residential neighborhood (where the absence of entities covered by the ADA has been confirmed). Simply stated, MTC gives far greater weight to the location of a barrier than its severity when determining ADA priority.

MTC's analysis of the data demonstrated that, based on the rough order of magnitude (i.e., high, moderate, and low) estimation of mitigation difficulty, the severity of specific findings was not closely correlated with opinions of probable construction costs (OPCCs). After a review of mitigation difficulty values and OPCCs for element findings, MTC determined that revising mitigation difficulties (which are factored into Priority Scores) would make no significant difference in the overall schedule of the City's Transition Plan for pedestrian facilities in the City's right-of-way. Barrier removal actions in the right-of-way will be clustered based on the location of CIP projects. Because of this, the Priority Scores of individual elements – which are higher or lower when factoring mitigation difficulty – do not have significant meaning in the determination of when or where CIP projects will be scheduled. For example, when looking at the Priority Scores for all elements scheduled for 2021 CIP projects, they range from 0 to 15. The intent of MTC's prioritization model is to focus on locations where removal of barriers will benefit the most people. The severity of barriers

⁸ Layton, Robby, Ph.D., Walkability Standards: Test Of Common Assumptions, at <https://www.dcla.net/blog/walkability-standards>, on April 23, 2020.

which is the major factor in determining mitigation difficulty is far less important than location. It is apparent that the best approach for prioritization in Arvada is to target general locations, listen to public input, consider maintenance cycles, and scope CIP projects to include nearby barriers to pedestrian access which have been identified in the City's Transition Plan on a project-by-project basis.

To be clear, MTC knows that there are typical conditions to be found in every community's pedestrian infrastructure. The range of technical deficiencies includes conditions from those that are minor tripping hazards for anyone, to barriers that are insurmountable to a diverse population of people with disabilities. The following is a non-exhaustive list of the conditions, documented in the City's pedestrian facilities, which are inconsistent with PROWAG requirements:

- Minor/simple vertical discontinuities in walking surfaces
- Complex vertical discontinuities in walking surfaces
- Organic protrusions within pedestrian circulation paths
- Built protrusions within pedestrian circulation paths
- Minor horizontal openings (gaps) in walking surfaces
- Complex/extended horizontal openings in walking surfaces
- Walking surfaces that are not firm and stable
- Pedestrian access routes (sidewalks) less than 48 inches wide
- Pedestrian access routes (sidewalks) – cross slopes too steep
- Pedestrian access routes (sidewalks) – running slopes too steep
- Curb ramps – missing where required
- Curb ramps – diagonal (not allowed in new construction and typically have noncompliant slopes)
- Curb ramps with one or more critical slopes (running, cross, counter) too steep
- Curb ramps missing a top/bottom turning space
- Curb ramps/blended transitions missing/noncompliant detectable warnings
- Turning spaces (top/bottom) too small
- Pedestrian signals – walk interval too short
- Pedestrian signals not within reach ranges (too high/too far from clear space)
- Pedestrian signals (or other operable parts) missing clear spaces
- Pedestrian street crossings cross/running slopes too steep
- Detectable warnings missing/damaged/buried
- Street furniture (newspaper racks, benches, etc.) blocking pedestrian access route
- Bus stops – boarding and alighting areas – too small/no pad
- Bus stops – boarding and alighting areas – cross/running slopes too steep
- Bus stops – boarding and alighting areas – not connected to pedestrian access route
- Bus stops – boarding and alighting areas – shelter without wheelchair space
- On-street parking – too few spaces provided
- On-street parking missing/noncompliant access aisles
- On-street parking missing required signs

Obviously, each of these deficiencies will require varying degrees of effort and cost to be remedied. The context and location of the findings will, of course, effect both the priority and cost of resolution. At the low-end of the mitigation difficulty scale are simple efforts that can be accomplished by maintenance activities, such as trimming tree branches or shrubbery that obstruct sidewalks. The high-end of the scale are those conditions that will require removal, redesign, and replacement of a curb ramp and/or curb and gutter within the road profile; whenever one or more of the critical slopes of a curb ramp is too steep

removal, redesign, and replacement will be necessary. All identified barriers – from the slightest tripping hazard to the absence of a required curb ramp – in a location should be addressed when they fall within the logical scope of a CIP project.

Final Comments on PROW Priority

Regardless of the above abstract calculation of barrier removal priorities, a public entity must have appropriate policy, practice, or procedure in place, including easy and prompt means to receive public input or complaints, that will raise to the highest priority for remediation, any barrier specifically identified by the an individual with a disability or an advocacy organization representing people with disabilities. Installation of curb ramps, for example, upon request by individuals with disabilities must in most circumstances rise to the highest level of priority and be addressed as soon as is practically possible. Phone number, email address, on-line request form or other means of communicating such requests must be published and made accessible to the public, including people with disabilities and organizations advocating for the civil rights of people with disabilities. In a few complicated situations, decisions regarding the methods to be used to resolve such requests may require intervention by the City’s ADA Coordinator. However, in most cases policy, procedures, and standard practices must resolve requests with the greatest expedience possible.

In addition, the City must proactively prevent the construction of future pedestrian facilities which are inconsistent with best practices for accessible pedestrian facilities provided in PROWAG. An engineering criteria manual prescribing construction and inspection standards for new development and alterations to existing pedestrian facilities is critical to ensuring ongoing compliance with title II of the ADA. MTC recommends that the City create and adopt a policy establishing clear enforcement authority for such accessible design standards. This policy or ordinance would serve both the purpose of including people of all abilities in the use of the City’s pedestrian facilities and the avoidance of external ADA enforcement actions.

A Brief Summary of Data Collection Activity and Findings

MTC data collectors and analysts documented 247,296 attributes (measurements of dimensions or slopes, and observations of other conditions necessary) to identify 32,022 noncompliant elements, at approximately 7,218 corners of 3,301 intersections including 10,874 (10,151 noncompliant) curb ramps and blended transitions. MTC data collectors and analysts documented data for 796 miles of sidewalk, finding approximately 462 miles noncompliant.

The mitigation difficulty of most (31,057) noncompliant elements was estimated to be high; for 381 findings mitigation difficulty should be moderate; and for 584 findings mitigation difficulty should be low. These estimations are based on rough order of magnitude, not tied to specific costs. In actual construction projects, many of the lower magnitude findings would logically be included within the scope of the more difficult remediation efforts. For example, a segment of sidewalk might have findings for running and cross slopes that are too steep one or more simple and/or complex vertical discontinuities, and shrubbery narrowing the sidewalk width. Individually fixing any single finding might be estimated as a low mitigation difficulty but fixing the entire segment of sidewalk would be estimated as a high mitigation difficulty.

Some of the least difficult efforts, such as trimming tree branches protruding (more than 4 inches between 27 and 80 inches above sidewalk surface), may be accomplished through minor maintenance and repair projects. In some cases, but not all, combining these maintenance activities with a sidewalk replacement project might be more cost effective than managing them independently.

Program Scores

Program Scores provide a location-based evaluation of priority, before assessing the severity of a barrier, estimating the relative mitigation difficulty, and calculating an OPCC. Program Scores are the sum of Zone Values (ZV) and Program Access Values (PAV). ZVs, ranging from 0 to 5, roughly align with the City's planning and use zones, predicting the expected volume of pedestrian traffic. Areas zoned for retail business or public offices, for example, would be assigned a ZV of 0, anticipating high pedestrian volume. PAVs are based on subjective observations made by data collectors *on the ground*. PAVs range from 0 (less than 1 block) to 3 (more than 3 blocks), indicating the perceived walking distance – loosely framed as a number of blocks, not an objective distance – between the point of data collection and the nearest “covered entity” or other site (for example, churches which are not “covered entities”) expected to generate pedestrian traffic. The PAV is a measure of the relative probability of pedestrian traffic at a given location.

The interplay of ZVs and PAVs meshes an abstract prediction of pedestrian traffic with an actual/*on the ground* expectation of pedestrian traffic. There are locations where the ZV would predict a high volume pedestrian traffic based on future/planned use in the zone that has yet to be built while the PAV would be scored as “3 – More than 3 blocks,” indicating current-significant pedestrian traffic.

Program Scores for locations within the project scope range from 0 (ZV: 0 + PAV: 0 = Program Score: 0) to 8 (ZV: 5 + PAV: 3 = Program Score: 8). Program Score and numbers of element findings, follow:

- 0: 2,033
- 1: 294
- 2: 1,900
- 3: 10,123

- 4: 7,324
- 5: 5,135
- 6: 5,187
- 7: 22
- 8: 3

CIP projects for 2021-23 anticipate removal of 279 (13.7 percent) of the 2,033 findings where Program Score = 0. The OPCC for removal of barriers in planned 2021-23 CIP projects totals \$18.4 million over three years. This is approximately 9.3 percent of the total \$197.2 million OPCC projected to complete the City's Transition Plan for removal of pedestrian facility barriers in the City's right-of-way.

MTC recommends the completion of the entire Transition Plan for the City's right-of-way in 20 years, by December 2040. MTC cannot promise that a 20-year plan will satisfy scrutiny by the U.S. Department of Justice (DOJ). However, in our opinion, a plan extending longer than 20 years, starting 30 years after the passage of the ADA, would not meet with DOJ approval. DOJ's eventual issue of standards for pedestrian facilities in public right-of-way (presumably based on PROWAG) will potentially come with a regulatory deadline for compliance. Recent settlements with disability rights advocates have compelled local governments, along the Colorado front range, to complete sidewalk and curb ramp remediation in even shorter periods.

This anticipates the City budgeting to cover approximately \$178.8 million OPCC from 2024 through 2040. On average the City will need to budget approximately \$10.5 million per year to achieve this goal. Planned *Future* CIP projects anticipate approximately \$1.1 million OPCC, after 2023. While MTC encourages prioritizing the Transition Plan's completion based on the Program Scores calculated by MTC's data collection and analysis, the City will necessarily need to consider factors that have historically been applied to identify and prioritize CIP projects. The opportunity for public comment on the City's draft Transition Plan may raise specific concerns that should also be factored into the CIP planning process. Regardless MTC recommends evaluating the priority of projects based on the greatest benefit to the largest number of pedestrians.

Transition Plan Schedule

MTC recommends dividing the large quantity of data summarized in this report (and detailed in the PROW Transition Plan Data-table) into smaller, manageable clusters. These clusters can be organized into some number of logical, annual projects. Aligning these projects within the scope of currently planned CIP projects is clearly the best approach to scheduling implementation of the City's Transition Plan for 2021 through 2023.

Funding the Transition Plan

Inevitably, whenever there is a question of *when* to execute plans to alter or build public facilities, the availability and allocation of necessary funds and other resources will play a large role in finding the answer. To contemplate the implementation schedule for a Transition Plan without considering the costs and the budgetary resources is impossible. Existing and future budgets large enough to cover all costs of implementing a Transition Plan will need to be considered prior to the adoption of the Transition Plan. In MTC's experience, funding that comes, through state departments of transportation, from the U.S. Department of Transportation will receive higher scores for grant proposals that emphasize the inclusion of ADA improvements.

Typical Non-Compliant Conditions

The Transition Plan Data-table (OPCC/TPD) that accompanies this report provides a detailed list of every non-compliant element, including the *as-is* values for every attribute of those elements. It is not the purpose of this report to reiterate in text the sizable amount of data and detail provided in the TPD. However, in summarizing the data in the TPD, it is useful to demonstrate here, some of the typical conditions discovered in Arvada's pedestrian facilities.

Curb Ramps and Blended Transitions

One or more of the critical slopes – running, cross, and counter – of many curb ramps are excessive. Curb ramp running slopes are required to be between 5 and 8.3 percent; blended transitions must have running slopes of 5 percent maximum. Curb ramps and blended transitions must have cross slopes of 2 percent maximum. The counter slopes of curb ramps and blended transitions must be 5 percent maximum. Slopes that are too steep present obvious difficulties for people who use wheelchairs and other mobility devices, including canes and walkers. A combination of excessive running slopes and counter slopes can be very hazardous for wheelchair users. Turning spaces at the top or bottom (parallel curb ramps) are often missing



Figure 2 Measurement shows the running slope of this curb ramp is 11.5%.

or lack sufficient dimensions. Of more than 7,218 corners documented in this study, only 126 corners, where sidewalk is present, have no required curb ramps.



Figure 3 Measurement shows the counter slope of this curb ramp is 7.0%.



Figure 4 Diagonal curb ramp has no turning space.



Figure 5 Measurement shows the cross slope of this curb ramp is 2.9%



Figure 6 No curb ramp at corner.

Many curb ramps and blended transitions have no detectable warnings, or the detectable warnings are damaged, or do not extend the full width of the ramp or blended transition. In some locations, detectable warnings have been buried by sediment accumulating in gutters. When detectable warnings are not present and compliant, people who are blind or have low-vision have no tactile cue to inform them that they are crossing a curb line into a vehicular way.



Figure 7 Detectable warnings are buried.



Figure 8 Detectable warnings are missing from this curb ramp.

Turning Spaces at Curb Ramps

Turning spaces are required at the tops of perpendicular curb ramps and at the bottoms of parallel curb ramps. Unconstrained turning spaces are required to measure 48 inches by 48 inches minimum.

Where turning spaces at the tops of perpendicular curb ramps are constrained at the back-of-sidewalk, the turning space must measure 48 inches by 60 inches minimum. The 60-inch dimension must be provided in the direction of the ramp run.

Where turning spaces at the bottom of parallel curb ramps are constrained on two or more sides, the turning space must measure 48 inches minimum by 60 inches minimum. The 60-inch dimension must be provided in the direction of the pedestrian street crossing.



Figure 9 Turning space at the top of this curb ramp is too narrow.



Figure 10 No turning space is provided at the top of this curb ramp.

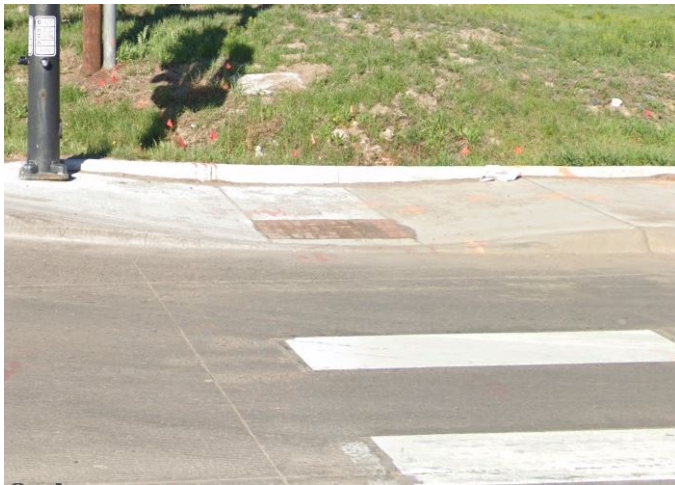


Figure 11 Turning space on this parallel curb ramp is too narrow.



Figure 12 No turning space is provided at the top of this curb ramp.



Figure 13 Turning space on this parallel curb ramp is too narrow.

Sidewalk Barriers

Typical barriers in sidewalks include the following:

- Excessive running and or cross slopes
- Simple and complex vertical discontinuities
- Horizontal openings
- Unstable walking surfaces
- Sidewalk too narrow
- Utility poles, guy wires, and street furniture
- Organic (tree branches) and built (signs, utility boxes, etc.) protrusions



Figure 14 Measurement shows the running slope of this sidewalk is 9.3%.



Figure 15 Measurement shows the cross slope of this sidewalk is 2.6%.



Figure 16 Measurement shows a vertical discontinuity greater than 1/2 inch.



Figure 17 Measurement shows a vertical discontinuity greater than 1/2 inch where the cross slope is 4.1%.



Figure 18 Measurement shows a horizontal opening greater than 1/2 inch across the width of the sidewalk.



Figure 19 Observation shows stanchion supporting a pole that obstructs the clear width of the sidewalk.



Figure 20 Data collector measures the width of a narrow sidewalk.



Figure 21 Measurement shows the sidewalk is 28 inches wide.

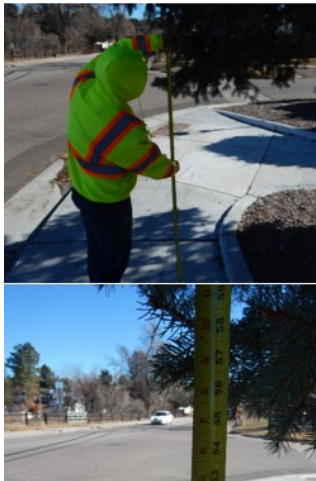


Figure 22 Data collector measuring the height of tree branch protruding at 55 inches.



Figure 23 Data collector measuring a mailbox that protrudes nearly 7 inches into the clear width of a sidewalk.

Driveway Pans

Excessive running and cross slopes are typical findings at driveway pans.



Figure 24 Data collector measuring the running slope of the sidewalk at a driveway.



Figure 25 Measurement shows the running slope of the sidewalk, at driveway, is 11.2%.



Figure 26 Data collector measuring the cross slope of sidewalk at driveway.



Figure 27 Measurement shows cross slope of sidewalk, at driveway, is 8.5%.



Figure 28 Example of a sidewalk at a driveway where design meets best practice to prevent excessive cross slope.

Bus/Transit Stops

The title II regulations place a high priority on providing accessible routes to transportation facilities in the public right-of-way. Accessible bus stops are an essential link in the chain to provide first mile/last mile capacity for accessible fixed route buses. Typical barriers at bus stops include:

- Stops that are not connected to an accessible route
- Stops that have excessive slopes
- Stops that do not provide stable and firm surfaces
- Bus shelters that do not provide wheelchair spaces
- Stops that provide insufficient space for buses to deploy lifts and ramps



Figure 29 Bus stop sign posted at location without pad or connection to an accessible route.



Figure 30 Measurement shows clear space adjacent to bench is less than 30 inches wide.



Figure 31 Measurement shows the slope at a bus stop, perpendicular to the street is 3.2%.

Pedestrian Controls/Signals

The most common barriers at pedestrian controls are failure to provide a clear ground space (48 inches by 30 inches) and unobstructed reach ranges (obstruction depth of 10 inches is permitted where clear ground space for side reach is present). Pedestrian signal phase timing sometimes allows insufficient time for crossing streets with four or more lanes (pedestrian clearance time must be calculated using a pedestrian walking speed of 1.1 m/s – 3.5 ft/s or less). There were 23 findings of *Walk intervals too short*, in this study. Short crossing intervals can be very dangerous for all pedestrians but are especially so for older adults, people with limited mobility, and individuals who are blind or deaf.



Figure 32 Data Collector measures obstructed reach distance to pedestrian control that is greater than 10 inches.



Figure 33 View of pedestrian street crossing at intersection across S. Holly Street at E. Orchard Road. The pedestrian walk interval was timed at 8 seconds to cross six traffic lanes.



Figure 34 Pedestrian control is higher than 48 inches.

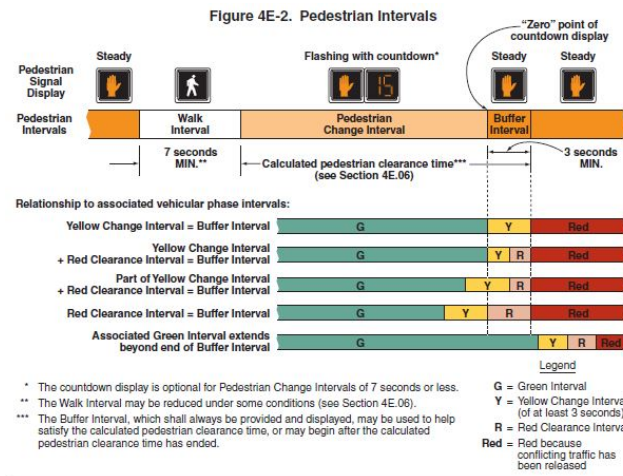


Figure 35 Graphic - Figure 4E-2 - from the Manual of Uniform Traffic Control Devices shows the pedestrian intervals and the associated displays that will appear during each phase.

Conclusion

Pedestrian facilities across the country are commonly in a state of disrepair. Arvada's sidewalks are typical – that is, not significantly better or worse than sidewalks anywhere in America. The age of many sidewalks is a very significant factor in the conditions highlighted in this report. Obviously, aging will result in many of the conditions caused by the growth of trees, wear and tear from weather (e.g., spalled concrete that results from the freeze-thaw cycles and efforts to clear ice), expansive soils, etc. The fact that many of the City's sidewalks were built years, even decades, before the City was incorporated, explain why construction standards and accessibility concerns were limited or nonexistent.

Many of the same findings of noncompliance with PROWAG identify conditions that make sidewalks difficult to travel for everyone, not just people with disabilities. Most of the accessible design provisions of PROWAG will provide sidewalks that are safer and more useful for everyone. From curb ramps that provide convenience for parents pushing strollers to walk intervals that allow safe street crossing time for all pedestrians, the need for improvements identified by this study will benefit people of all abilities.

The emphasis in this report on the setting of priorities cannot be overstated. First, the process is intended to identify those locations where bringing facilities into compliance will serve the greatest number of pedestrians and provide the most benefit. Second, assuming that the fiscal resources needed to fulfill all the needs identified in this study are not immediately available, the prioritization process proposed in MTC's TPD and this report provides a long-term strategy that allows fiscal responsibility while consistently fixing the facilities that will most benefit the community.

Finally, the burden of removing barriers that already exist is challenging. An equal challenge is developing and enforcing standards that ensure compliance of alterations to existing sidewalks and construction of new sidewalks.

City of Arvada

Golf Course and Parks Facilities ADA Report

Meeting the Challenge, Inc., A CP&Y Company
(Final Revision February 2, 2021)

August 19, 2019

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Introduction

The City of Arvada, Colorado (City) contracted Meeting the Challenge Inc. (MTC) to conduct an Americans with Disabilities Act (ADA) Self-evaluation. By performing an organizational evaluation of the programs and services offered at the facilities identified in the scope of the project, MTC has evaluated the services, policies, and practices for compliance with the Department of Justice's title II regulation, 28 C.F.R. §35.105.

MTC has conducted a comprehensive collection of the facilities data to identify potential conditions, which are not consistent with the scoping and technical provisions of the 2010 ADA Standards for Accessible Design (2010 Standards) and used this data to assist the City of Arvada with development the City's ADA Transition Plan.

MTC has performed an analysis of the data collected from 112 City owned parks and recreation facilities, including sports complexes, equestrian parks, and two golf courses. This report includes a description of the barriers to accessibility in the City's parks and recreation facilities, using the applicable sections of the 2010 Standards and suggested priorities for barrier removal as recommended by the Department of Justice (DOJ). MTC will incorporate the data-table of findings, for elements which are not compliant with the scoping and technical provisions of the 2010 Standards, into the City's ADA Transition Plan.

Arvada Program Accessibility

The first principle of title II of the ADA is a requirement to make all programs offered by a public entity, when viewed in their entirety, accessible to, and usable by, qualified individuals with disabilities. This may require modification of policies and procedures to eliminate inadvertent discrimination. Removal of architectural barriers to provide program access will be, in many cases, the final option. With respect to the *viewed in their entirety* language of the regulation, identification of services, programs, or activities that are unique to a specific facility, will be critical to determining compliance with program access requirements. If a service, program, or activity is available to the public, only by being present in a specific facility, that facility must be accessible to individuals with disabilities.

For example, picnic tables in parks offer the opportunity for picnicking. While there are no technical specifications in the 2010 ADA Standards for picnic tables, it is prudent to provide a means of access to the picnic tables found in public parks. In addition, the ADA Standards provide scoping and technical provisions for dining surfaces that can be applied to picnic tables. For those elements for which there are new scoping and technical provisions, such as play areas and team and player seating, standards define accessibility and what is meant by program access. In other words, if a program requires entering a play area to participate, the standards now specify the technical requirements which must be met to make a play area accessible.

Program access continues to be the primary requirement for public facilities. If physical barriers prevent program access, the scoping and technical provisions must be considered, to the maximum extent feasible, to achieve program access. Program access, when programs, services, and activities are provided in more than one location, can be achieved considering the viewed in its entirety provision. Where elements do not have specific ADA Standards, public entities, covered by title II, must make a good faith effort to identify best practices to ensure that program access needs can be met.

ADA Viewed in Its Entirety Provision

A public entity must operate each of its services, programs, and activities so the service, program, or activity, *when viewed in its entirety*, is accessible to people with disabilities. This does not mean that every existing facility must be accessible. (§35.150(a))ⁱ Rather, physical barriers should be removed if that removal is the only means to ensure program access. All newly constructed facilities and alterations to existing facilities must comply with accessibility standards. A public entity must also ensure that when it acquires new facilities by purchase or lease, such facilities are accessible to and usable by qualified individuals with disabilities. In the event new programs are initiated, or existing programs are relocated, the same obligations exist to ensure facilities to be occupied, by such programs, are accessible (§ 35.130(b)(4))ⁱⁱ.

To explain the viewed in its entirety provision in the regulations, DOJ provides the following guidance:

In determining how many facilities of a multi-site program must be made accessible in order to make the overall program accessible, the standard has always been an assessment of what is reasonable under the circumstances to make the program readily accessible to and usable by individuals with disabilities, taking into account such factors as the size of the public entity, the particular program features offered at each site, the geographical distance between sites, the travel times to the sites, the number of sites, and availability of public transportation to the sites. In choosing among available methods for meeting this requirement, public entities are required to give priority "to those methods that offer services, programs, and activities in the most integrated setting appropriate."

ADA Fundamental Alteration and Undue Financial Burden Provisions

Considerations, in prioritizing, and ultimately scheduling, the removal of architectural barriers in public facilities, also include the concepts of historical significance, fundamental alteration, and undue financial and administrative burden. While these concepts allow a public entity to forego architectural barrier removal in some circumstances, they do not allow a public entity to discriminate based on disability, regarding the services, programs, or activities offered in those facilities, when viewed in their entirety.

The regulations do not require a public entity to remove a barrier, where removal of a barrier would result in a fundamental alteration to the nature of a program. The regulations would not require, for example, paving over the grass on a baseball field as that would cause a fundamental alteration.

In those circumstances where personnel of the public entity believe 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 with §35.150(a) of this part 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 a 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 that conclusion. If an action would result in such an alteration or such burdens, a public entity shall take any other action that would not result in such an alteration or such burdens but would nevertheless ensure that individuals with disabilities receive the benefits or services provided by the public entity. (§35.150(a)(3))

The regulations do not require a local government to remove architectural barriers, when doing so would threaten or destroy the historic significance of an historic property. (§35.150(a)(2))

The above exceptions do not apply to new construction and alterations completed since January 26, 1992.

Safe Harbor

Identification of elements having safe harbor requires specific, detailed information as to the dates and locations of construction and alterations to facilities.

Generically, there are a limited number of elements having as-is conditions consistent with previous standards that would not also adhere to the 2010 ADA Standards. Most of the elements, for which safe harbor may be applied, have relatively low mitigation difficulty. Among the features that may qualify for safe harbor are the following:

- Push-side surfaces of doors up to ten inches that are not smooth
- Water closet centerlines between 18 and 18.5 inches from the near wall (considered to be *within tolerance* of previous standard)
- Single, wheelchair accessible drinking fountains (high-low fountains now required)
- Operable parts between 48 and 54 inches or between 9 and 15 inches

ADA Compliant Parks and Recreation Facilities

Minimum Accessibility Basics

The 2010 ADA Standards for Architectural Design (2010 Standards) define the minimum scoping and technical provisions for accessibility in the built environment, as required by the Americans with Disabilities Act. The 2010 Standards, which became effective on March 15, 2012, replace the 1991 ADA Standards (also known as the ADAAG) and the Uniform Federal Accessibility Standards (UFAS). The 2010 Standards, while they do revise some of the former requirements and create supplemental standards for additional facilities (such as play areas, swimming pools, and golf courses), essentially build on the basics of the older standards. The basic elements of accessible built environment are referred to as building blocks. These building blocks are inherently derived from an understanding of those aspects or traditional buildings and construction practices that have presented physical barriers for people with disabilities. These minimum spaces and clearances to accommodate people with disabilities are organized in Chapter 3 of the 2010 Standards.

For example, objects that protrude more than four (4) inches into a circulation path between 27 and 80 inches above the floor present a barrier or hazard for people who are blind. People who use wheelchairs and others who have difficulty with walking or balance encounter barriers at vertical changes in level, such as stairs, and steep slopes. Floor and ground surfaces that lack stability, firmness, or slip-resistance are also difficult to traverse for people with impaired mobility. The intention of accessibility standards is to design new structures without these barriers. Renovation and alteration to existing structures should also, when feasible, eliminate such barriers. The building blocks define basic spaces in the built environment in a way that precludes construction of new structures or alterations to existing structures that prevent or limit access for people with disabilities.

Until the adoption of the 2010 ADA Standards, recreation specific facilities and elements indoors and especially those outdoors lacked standardized measures of accessibility. However, the lack of standards did not relieve places of public accommodation or public entitiesⁱⁱⁱ from their obligations to comply with the ADA's prohibition of discrimination on the basis of disability. This lack of standards contributed to a great deal of confusion for private businesses that were required to provide non-discriminatory access to "the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of any place of public accommodation". Similarly, public entities often found themselves negotiating in the gray area of the need for and limits of program access. Public entities consistently had difficulty in determining how to make programs accessible. Alternatives to physical barrier removal such as modification of policies, change of venue, and other means of delivering services have been employed to prevent discrimination in accessing services, programs, and activities viewed in their entirety^{iv}. Public entities can offer special programs to accommodate people with disabilities however, they must also

“administer services, programs, and activities in the most integrated setting appropriate to the needs of qualified individuals with disabilities.”

With the advent of scoping and technical provision requirements for recreation facilities found in the supplemental standards of the 2010 ADA Standards, evaluation of access to recreational services, programs, and activities has become significantly more objective. The standards specify the minimum measures that must be taken to make recreation facilities accessible. Where, when, and how much of a playground must be accessible is specified. How many and which means of access must be provided at swimming pools is identified. The minimum requirement for access to exercise machines and equipment is clarified.

Accessible Play Areas

There have been a variety of pressures for recreation professionals to make playgrounds both safe and accessible. In many respects, these two objectives are contradictory, if not mutually exclusive. The following discussion will attempt to interpret and clarify the confusing and often conflicting information and ideas surrounding the implementation of the requirements of the 2010 Standards for accessible play areas, specifically those defining compliant surfaces. The scoping and technical provisions for recreation facilities articulate the intent of the ADA to provide non-discriminatory opportunities to access recreational services, programs, and activities for people with disabilities. Access to public programs applies to all members of the public including parents, grandparents, siblings, or guardians who have disabilities in addition to children who have disabilities. While the standards require an approximate percentage of types and dispersion of play components as the primary goal of accessible play areas, in real world application, the surface – or some portion thereof – is literally foundational in achieving that goal.

For recreation professionals, the choice of material, understanding of proper installation, and management of ongoing monitoring and maintenance present considerable challenges. Skulski and York conclude, “there is no perfect playground surface”^v. The surface materials that work best for accessibility are not safe. The surface materials that work best for safety are not accessible. Inevitably, we must compromise to find surface materials that can and will serve each purpose and both purposes. Critical to this compromise is the understanding that there are three types of surfaces required in a compliant play area: 1) safe (impact attenuating) surfaces in use zones, 2) accessible (firm, stable, and slip resistant) surfaces within routes and clear ground spaces for those play components required to be accessible, and 3) safe and accessible surfaces where use zones and accessible routes coincide. An understanding of where and why given surface materials must be applied (or not) is essential to making decisions that deliver the best results both in terms of compliance and economics.

“ADA-Approved” Surfaces

Recreation professionals are not alone in seeking to procure products and materials that have a stamp or certification that confirms product compliance. Architects and contractors search for “ADA-certified” plumbing appliances and handrails. Administrators want “ADA-compliant” boilerplate for their policy and procedure manuals. The simple fact is that while those labels exist and some of those products may in fact comply with the Americans with Disabilities Act’s many regulations, there is no federal government entity that is authorized to sanction products, materials, or policies as “ADA-approved.”

Accessible Surfaces

The ADA Standards are a set of scoping and technical provision rules that specify the minimum requirements for accessible design. These rules are based on guidelines developed by the U.S Access Board. Guidelines become standards when the authorized enforcing entity adopts them through regulation. The 2010 ADA Standards incorporate the following standards of the American Society of Testing and Materials:

ASTM F 1292-99 Standard Specification for Impact Attenuation of Surface Systems Under and Around Playground Equipment (see 1008.2.6.2).

ASTM F 1292-04 Standard Specification for Impact Attenuation of Surfacing Materials Within the Use Zone of Playground Equipment (see 1008.2.6.2).

ASTM F 1487-01 Standard Consumer Safety Performance Specification for Playground Equipment for Public Use (see 106.5).

ASTM F 1951-99 Standard Specification for Determination of Accessibility of Surface Systems Under and Around Playground Equipment (see 1008.2.6.1).^{vi}

The 2010 Standards define accessible surfaces and specify where those surfaces must also meet fall attenuation standards, as well as specifying the properties of those surfaces, by referencing the ASTM Standards:

1008.2.6 Ground Surfaces. Ground surfaces on accessible routes, clear floor or ground spaces, and turning spaces shall comply with 1008.2.6.

Advisory 1008.2.6 Ground Surfaces. Ground surfaces must be inspected and maintained regularly to ensure continued compliance with the ASTM F 1951 standard. The type of surface material selected and play area use levels will determine the frequency of inspection and maintenance activities.

1008.2.6.1 Accessibility. Ground surfaces shall comply with ASTM F 1951. Ground surfaces shall be inspected and maintained regularly and frequently to ensure continued compliance with ASTM F 1951.

1008.2.6.2 Use Zones. Ground surfaces located within use zones shall comply with ASTM F 1292 (1999 edition or 2004 edition).

The standards do not identify specific materials, such as engineered wood fiber (EWF) or poured-in-place (PIP) surfaces, as being compliant. By reference, the standards provide a method for measuring materials to identify, assess, and determine whether they meet the minimum requirements for stability and firmness, as indicated by the measurement of wheelchair work (work per foot) for straight propulsion and turning on a given surface. The average work values for test trials on a given surface are compared to work values on a “hard, smooth surface with a grade of 7.1 +/- 0.2% (1:14) and a cross slope of 0 +/- 0.5%.)”^{vii}. Those surface materials for which the average work values exceed the average work value for the control surface are not compliant with ASTM F 1951-99.

The testing standard explains that accessible surfaces (those not exceeding the work value of ASTM F 1951-99) must also comply with fall attenuating values (as established by ASTM F 1292-04) where accessible surfaces coincide with use zones (established by ASTM F 1487-01). One can conclude that a level concrete sidewalk will produce work values not exceeding the maximum work value established under ASTM F 1951-99. However, a concrete sidewalk cannot comply with the fall attenuating value established under ASTM F 1292-04. Loose fill pea gravel, when provided at a sufficient depth might have fall attenuating properties that are compliant with the fall attenuating values established under ASTM F 1292-04, but cannot (under normal conditions) produce a wheelchair work value that does not exceed the maximum work value established under ASTM F 1951-99. Materials that can meet both accessibility and fall attenuating properties are often casually termed “ADA-approved”.

The purpose of ASTM F 1951-99 is to provide a method for identifying materials that are potentially capable of producing “playground surfaces that are firm and stable, and if within the use zone, resilient, thereby enabling use by people with mobility impairments”^{viii}. The ADA’s building block requirement for accessible surfaces is given in section 302 of the 2010 Standards:

302.1 General. Floor and ground surfaces shall be stable, firm, and slip resistant and shall comply with 302.

Advisory 302.1 General. A stable surface is one that remains unchanged by contaminants or applied force, so that when the contaminant or force is removed, the surface returns to its original condition. A firm surface resists deformation by either indentations or particles moving on its surface. A slip-resistant surface provides sufficient frictional counterforce to the forces exerted in walking to permit safe ambulation.^{ix}

As a final comment on accessible surfaces, to date, in our inspection of more than 1,000 playgrounds using loose-fill materials, such as EWF, MTC’s survey teams have not found one play area surface that had fully compliant slopes, an absence of prohibited changes in level and horizontal openings, or stability as defined in the Standards. Based on observation, MTC consultants have concluded that the surface deficiencies are a consistent result of the migration of loose-fill materials that have not been properly installed and maintained.

Transition Plan Requirements

Regulations require a transition plan when physical changes to facilities are necessary to achieve program accessibility. The purpose of title II of the ADA is not to drive an urban renewal plan for the City's infrastructure and buildings. Rather, the ADA is a civil rights law intended to include people with disabilities in the day-to-day life of American communities. To envision the ADA as an architectural code would be short-sighted. A transition plan is more than a list of findings to be fixed.

A transition plan must provide a path to a future that is accessible and inclusive for everyone. Like any plan, it should set objectives based on priorities that create realistic time-sensitive goals. The document should set forth the steps necessary to complete such changes ([§35.150\(d\)\(1\)](#)). Regulations originally required public entities with 50 or more employees to develop a transition plan "within six months of January 26, 1992". Structural changes were expected to "be made within three years of January 26, 1992, but in any event as expeditiously as possible" ([§35.150\(c\)](#)). MTC recommends an approach that emphasizes the implementation of planned actions in a sequence intended to provide the greatest benefit to the most people at the earliest feasible time.

Public Outreach

The transparency of the transition plan process is essential to giving ownership of the plan to all stakeholders. The participation by people with disabilities or organizations representing them in the formal adoption of a transition plan is essential.

The regulation states "a public entity shall provide an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the development of the transition plan by submitting comments. A copy of the transition plan shall be made available for public inspection ([§35.150\(d\)\(1\)](#))."

A transition plan, per title II regulation ([§35.150\(d\)\(3\)](#)), must at minimum:

- i. Identify physical obstacles in the public entity's facilities that limit the accessibility of its programs or activities to individuals with disabilities.
- ii. Describe in detail the methods that will be used to make the facilities accessible.
- iii. Specify the schedule for taking the steps necessary to achieve compliance with this section and, if the time period of the transition plan is longer than one year, identify steps that will be taken during each year of the transition period.
- iv. Indicate the official responsible for implementation of the plan.

Reporting

This Summary Report includes an overview of the process and standards used in the data collection and analysis effort. This is followed by a complete explanation of our methodology used in assigning priorities within the Transition Plan Data-table (TPD). This Report summarizes the findings and the recommendations in a manner which allows the City personnel to understand the scope and extent of the accessibility issues.

The Summary Report is accompanied by an electronic version of the TPD, which also provides additional fields for the City accessibility teams to document and track the resolution status of barrier removal. The TPD data is presented in a format which can be searched, sorted, edited, and filtered in an unlimited variety of ways.

MTC continues to work with the City, using identified factors for prioritization and to mitigate barriers, to develop a timeline for the implementation of the City of Arvada Transition Plan, which reflects budgetary constraints.

Project Approach

In most public facilities, there are typically many physical deficiencies discovered. Therefore, it is important to know that all barriers are not created equal. As noted, the ADA's Title II regulations do not necessarily require a public entity to make each of its existing facilities accessible ([§35.150\(a\)\(1\)](#)). A public entity must operate its services, programs, or activities so that its services, programs, or activities, when viewed in their entirety, are readily accessible to and usable by individuals with disabilities. When a public entity can establish that a program viewed in its entirety is accessible, without removing barriers from a given facility where that program is offered, the priority for mitigating findings in that facility is the lowest. While the ADA has no "grandfather clause," legacy barriers – i.e., those architectural elements built or last altered prior to January 26, 1992 – which do not currently or potentially bar inclusion of qualified individuals with disabilities from participation in the City's programs do not need to be prioritized in the City's Transition Plan at this time.

Based on the regulatory requirements, there are three main categories of barrier removal that must be identified in every self-evaluation and transition plan:

- Primary barriers which prevent access to local governments' services, programs, and activities, when viewed in their entirety.
- Barriers which were created by new construction or alterations (i.e., new construction and alterations built after January 26, 1992), which do not comply with enforceable standards, at the time of construction.
- Barriers which have existed prior to the ADA, that currently present no barrier to program access, should be listed in a transition plan even when there is no current

requirement for their removal.

- There are triggers that will require removal of this category of barriers, including:
 - A need to accommodate an employee
 - Renovations to a primary function area
 - Re-purposing of a space that creates a new demand for programmatic access.

The objective is to develop a process for deciding when, and if, a given barrier can be mitigated through methods or means other than an architectural remedy. Public entities must make each of their services, programs, and activities, when viewed in their entirety, accessible to individuals with disabilities, including those individuals who use wheelchairs or other mobility devices. However, the regulations do not necessarily require a public entity to make each of its facilities accessible.

Any structural barrier that is the subject of a public complaint, unless it can be circumvented through alternative methods or means, must be removed. Structural alterations to findings are not required when they would cause a fundamental alteration to the nature of a program.

Factors in Setting Priorities (Timeframes for Mitigation)

MTC uses DOJ terms to rate the priority of removing structural barriers. These levels of priority can be viewed as a set of concentric circles. The outermost circle comprises the arrival at, and access to, entrances of a facility. This includes paths of travel from public walkways, transit stops, and accessible parking. Continuous accessible routes must be provided within these paths of travel. MTC labels these as priority 1 – Entry.

The next level is access to services, upon entering a facility. This includes elements such as reception counters in lobbies, swimming pools in recreation centers, and picnic tables in parks. MTC labels these as priority 2 – Service.

The third level is restrooms. Restrooms are not considered to contain a primary function of a facility or to provide a service. For this reason, restrooms are a lower priority than services. MTC labels these as priority 3 – Restroom. However, when restrooms are provided at a public park or within locker rooms at a swimming pool, for example, restrooms should be considered to serve a primary function.

The lowest level of priority is anything that does not fit in one of the above categories. Drinking fountains, vending machines, breakrooms, and appliances (refrigerators and microwave ovens in breakrooms) fall into this category. MTC labels these as priority 4 – Other.

MTC contends that the difficulty of mitigating a finding is a very reasonable consideration for deciding the relative order in which mitigation of findings should be completed.

Mitigation of findings which are high priority and low mitigation difficulty at the earliest opportunity, is sensible and cost effective. Examples of this category of finding include restriping parking spaces, raising parking signs to a minimum of 60 inches, adjusting door opening forces and closing speeds, and installing tactile designation signage. This “low hanging fruit” can often be mitigated by maintenance staff and will seldom cost much or take long to complete.

At the other end of the priority spectrum, the high mitigation difficulty findings will require, expensive, long-term projects. MTC recommends mitigating the highest priority/high difficulty findings before those that are lower priority. For example, providing accessible parking spaces by regrading a site might cost as much as a major renovation to provide accessible restrooms, but in understanding DOJ sense of priority, parking is more important than the restrooms.

MTC labels findings as high mitigation difficulty when our analysis presumes that the mitigation will ordinarily take significant quantities of time and funding. Major projects will require design, more expensive budgets, and greater amounts of time. Major projects will require time to mobilize and complete construction. Major projects will almost always require the issue of an RFP and the ensuing decision and negotiation process to hire a contractor. A public entity must consider all these factors in projecting a long-term schedule for mitigating these findings.

Transition Plan Development

MTC’s scope of work was to identify conditions in those facilities that did not adhere to the scoping and technical provisions of the 2010 ADA Standards for Accessible Design.

MTC’s Parks and Golf Courses TPD is the beginning of the process by which a transition plan will be developed, adopted, and implemented by the City. MTC recommends that the City carefully consider if it needs to mitigate each finding, considering discoveries made in its Self-evaluation.

MTC recommends the City apply knowledge gained from its Self-evaluation to determine whether it would be better, and more cost-effective, to resolve some of the structural findings in MTC’s TPD through methods and means other than architectural barrier removal.

MTC has conducted a comprehensive collection of the Park and Golf Courses facilities data to identify potential conditions, which do not adhere to the scoping and technical provisions of the 2010 ADA Standards for Accessible Design.

Within each site in the project scope, MTC has surveyed each of the following, for compliance:

General Site Elements

- Accessible Routes

- Park Entrance
- Parking Facility
- Walking Surfaces
- Doors/Doorways/Gates
- Curb Ramps
- Parking Spaces
- Access Aisles
- Passenger Loading Zones
- Handrails
- Ramps

Special Rooms and Spaces

- Amphitheaters/Auditoriums
- Botanical Gardens
- Arboretums
- Trails and Trailheads
- Historic Elements

Recreation Facilities

- Play Areas
- Sports Fields and Courts
- Spectator Seating/Press Boxes
- Fishing Piers and Platforms
- Picnic Facilities/BBQ Grills
- Skate Parks
- Shelters

Plumbing Elements

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

Miscellaneous Elements

- Signage
- Fire Alarm Systems
- Assistive Listening Systems

Data Analysis

The Parks and Golf Courses Transition Plan Data-table consolidates accessibility compliance findings in a format that is easy to understand and use in continued compliance efforts.

Each finding generates a recommendation, along with an evaluation of the difficulty associated with accomplishing the recommendation. Based on an objective analysis of the data, the Parks and Golf Courses TPD assigns a suggested milestone priority for mitigation, and a means to track the status of the mitigation effort.

Recommendations to remedy non-compliant elements are described in the TPD. These recommendations consider program accessibility (viewed in its entirety), extent of feasibility, and fundamental alteration.

MTC compiles and analyzed collected data and created a Parks and Golf Courses facility TPD that for exterior elements provides and includes:

- Element location and description
- On-site value of attribute
- Determination of compliance
- Description of finding
- Priority of barrier
- Recommendations and values
- 2010 ADA Standards citations
- Mitigation difficulty
- Suggested net priorities
- Resolution status and comments
- GPS Coordinates
- “Map It” feature

MTC approaches the development of a Transition Plan Data-table in three general steps. The first is described as data collection. The next is an objective analysis of that data per architectural design standards and other criteria to identify scoping and technical inconsistencies. Finally, a deliverable is produced in the form of a Transition Plan Data-table. This deliverable includes the required elements of a transition plan.

MTC uses tablet-based, proprietary software developed in the MS Access database application to collect location information and the observable or measurable attributes of elements that have accessibility requirements. MTC’s software acts as an electronic checklist that ensures thorough documentation of on-site conditions and compiles that information directly to a data-table. This process eliminates an intermediate step of transferring handwritten information from paper checklists into an electronic format and ensures the accuracy and quality of the data.

Overview of the Parks and Golf Courses Facilities Survey

There are four essential components required in a transition plan: a barrier list, a mitigation plan, a barrier-removal schedule and designation of the official responsible for oversight. As mentioned above, a list of findings and recommendations for mitigation, and a suggested schedule is listed in the TPD. The City will name the person or persons responsible for implementation.

The findings are comprised of existing conditions (*as-is* measurements or observations) that are not consistent with the requirements (scoping or technical provisions) or best practices (advisory comments) stated in the 2010 ADA Standards for Accessible Design.

- Analysis of the collected data identified 3,968 findings (3,591 do not adhere to ADA Standards and 377 are not best practice).
- Except for 9 (all at Apex Field House) of the above findings for which determination of program access is still pending, all currently or potentially prevent program access
- An analysis of the services, programs, and activities associated with each facility was coordinated between MTC and City staff

[Table 1](#) below summarizes the findings based on their level of priority and mitigation difficulty:

Findings in the cells shaded **orange** are those that should be addressed first. Many of the findings in the **orange** zone can be described, metaphorically, as the “low hanging fruit.” Findings in the cells shaded **green** are secondary. Findings in the cells shaded **yellow** are expected to be long-term projects as they will typically be costly and need long lead times for planning and budgeting. More than two thirds of high mitigation difficulty findings involve the placement or replacement of concrete walkways or accessible playground surface material. Findings in the cells shaded **light blue** are those in the lowest priority category.

Table 1– Summary of Findings

Priority	Mitigation Difficulty			Total	
	3-Low	2-Moderate	1-High		
1-Entry	66	209	268	543	13.7%
2-Services	728	672	1,505	2,905	73.2%
3-Restrooms	318	74	107	499	12.6%
4-Other	5	0	16	21	0.5%
Total	1,117	955	1,896	3,968	100%
	28.2%	24.0%	47.8%	100%	
	1,993	79	1,880	16	
	50.2%	2.0%	47.4%	0.4%	100%

Out of 3,968 attributes that need to be fixed, 668 could potentially be done by the facilities maintenance crew.

Approximately 800 or more attributes can be bundled into Element repairs.

Conclusion

A survey of the 112 parks and recreation sites, within the scope of MTC's proposal, was completed in 2019. The greatest concentration of the findings was found in the Services Priority which includes play areas, aquatics areas, golf facilities, picnic tables/facilities, eating areas, benches, sport areas, fishing piers, boating facilities, trailheads, walkways connecting such areas, etc., resulted in the highest number (2,905) of findings. Entry Priority which includes parking, passenger loading zones, curb ramps, walking surfaces throughout the parks, ramps, etc., had significantly fewer (543) findings. Restrooms Priority accounts for nearly as many (499) findings. Details of these findings can be found in the attached Transition Plan Data-table (TPD) which is intended to become a living document used to track the progress of barrier removal.

For play area surfaces, MTC does not perform measurements with a rotational penetrometer. Play surfaces are viewed regarding the probable and possible properties of stability, firmness, and slip-resistance necessary to provide the minimum level of accessibility required by the Standards. Regardless of surface material, the ADA Standards have technical provisions for surface conditions, including slopes, changes in level, and horizontal openings. Typically, for obvious reasons, loose fill surface materials cannot consistently meet stability, or compliant slope, level change, and horizontal opening requirements in the ADA Standards technical provisions for play areas.

MTC cannot assert safety of play area surfaces. Arvada Parks, Golf and Hospitality staff with CPSI credentials should assess fall attenuation periodically to evaluate surface safety within Use Zones.

MTC believes, based on their experience and knowledge of the ADA, the recommendations to be included in the City's Transition Plan represent a valid and accurate interpretation of all pertaining regulations.

MTC recommends the City use the content of the TPD and the overview provided in this report to move forward in the development of a compliant ADA Transition Plan.

The City, with participation of people with disabilities or organizations representing them, must determine the plan for completing mitigation of findings and assigning the responsibility for implementing the plan. Mitigation of findings in facilities alone, outside of the context of the accessibility of the City's programs, policies, and practices, cannot ensure the absence of prohibited discrimination based on disability. Discoveries made through its Self-evaluation will be included in the plan development

The content of this report, including the attached Transition Plan Data-table, are submitted as technical assistance and guidance and should not be considered legal advice. To the best of the MTC staff understanding, all elements in the buildings and sites within the scope of this project, and having accessibility requirements, were surveyed. Ultimate determination

of legal compliance, with and enforcement of Part 35 Regulation, is the responsibility of the U.S. Department of Justice.

End Notes

- ⁱ U.S. Department of Justice, 28 CFR Part 35, Nondiscrimination on the Basis of Disability in State and Local Government Services; Final Rule, September 15, 2010.
- ⁱⁱ U.S. Department of Justice, 28 CFR Part 35, Nondiscrimination on the Basis of Disability in State and Local Government Services; Final Rule, September 15, 2010.
- ⁱⁱⁱ U.S. Department of Justice, 28 CFR Part 35, Nondiscrimination on the Basis of Disability in State and Local Government Services; (as amended by the final rule published on September 15, 2010), 35.130, p. 33.
- ^{iv} U.S. Department of Justice, 28 CFR Part 35, Nondiscrimination on the Basis of Disability in State and Local Government Services; (as amended by the final rule published on September 15, 2010), 35.150, p. 41.
- ^v Jennifer K. Skulski, CPSI, Principal Investigator, Dr. Sherril York, Executive Director; National Center on Accessibility, “A Longitudinal Study of Playground Surfaces to Evaluate Accessibility: Year One Findings, Executive Summary”, Bloomington, IN, May, 2011, p.8.
- ^{vi} U.S. Department of Justice, *2010 ADA Standards for Accessible Design*, September 15, 2010, 1008.2.6, p. 276.
- ^{vii} American Society of Testing and Materials, ASTM International, West Conshohocken, PA, Designation F 1951-99, 5.1, p. 841.
- ^{viii} American Society of Testing and Materials, ASTM International, West Conshohocken, PA, Designation F 1951-99, p. 844.
- ^{ix} U.S. Department of Justice, *2010 ADA Standards for Accessible Design*, September 15, 2010, 302, p. 10.

City of Arvada, Colorado

ADA Transition Plan, Draft for Public Comment

February 26, 2021

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DRAFT

1.0 INTRODUCTION

The City of Arvada, Colorado (the City), to ensure that it meets its obligations under the Americans with Disabilities Act (ADA) and to promote equity and inclusivity for people with disabilities is developing its Transition Plan. The purpose of the Transition Plan is to identify those physical conditions in the City's facilities where it must undertake structural changes to facilities to achieve program accessibility. The City is aware that its primary goal under title II of the ADA is to verify that its services, programs, and activities, when viewed in their entirety, are accessible to and usable by qualified people with disabilities. When physical barriers prevent or might prevent access to a program the City must either remove such barriers or through other methods and means ensure that qualified individuals with disabilities can access those programs in the most integrated setting appropriate to the needs of the individual.

The City realizes that the ADA is a civil rights law intended to protect the rights of people with disabilities. Though the ADA does prescribe minimum scoping and technical provisions for the built environment, the law is not meant to be a building code. In fact, while building codes have evolved in the 30 years since the ADA's signing in 1990, simply complying with accessibility requirements of building codes does not and cannot guarantee full compliance with the ADA. Regardless of the ability to remove physical barriers, the City must modify its policies and practices and provide reasonable accommodations, including but not limited to the provision of auxiliary aids and services to achieve effective communication, to ensure that it does not discriminate against individuals with disabilities.

The City has contracted with ADA-consulting firm, Meeting the Challenge, Inc., A CP&Y Company (MTC), to assist with the City's development and adoption of a current Transition Plan. Beginning in May 2019, MTC conducted on-site reviews of *as-is* conditions for compliance with the ADA at the City's buildings, parks, and pedestrian facilities in the City's right-of-way. This Transition Plan will include an analysis of the data collected from the 24 facilities (buildings, including golf course clubhouses), 113 outdoor facilities (parks, sports complexes, equestrian centers, golf courses, etc.), 796 miles of public sidewalks (including 10,874 curb ramps).

1.1 Executive Summary

The collection of data and the subsequent findings from the 24 facilities, 113 outdoor recreation facilities, and 796 miles of public sidewalks (including 10,874 curb ramps) surveyed by MTC have been listed in Transition Plan data-tables (TPDs). The TPDs were produced by MTC to identify structural conditions in the City's facilities that present or might present barriers preventing or limiting the opportunity of people with disabilities to access the City's services, programs, and activities. The City is developing policies and practices to ensure, when elements of its facilities do not adhere to relevant standards or guidelines and cannot, within the limits of technical feasibility, be made fully accessible, that its employees will provide assistance, including the modification of City policies, practices, and procedures, necessary to give qualified people with disabilities equal opportunities to participate in the programs offered at those facilities. In the event that such accommodations are not possible or effective, the City will relocate those programs to an alternate, accessible venue, or find other methods or means of delivering those programs in the most integrated setting appropriate to the needs of the individual.

Findings of noncompliance or not-best-practice have been determined based on applicable sections of the [2010 ADA Standards for Accessible Design](#) (ADA Standards), the U.S. Access Board's [Proposed Guidelines for Pedestrian Facilities in the Public Right-of-Way](#) (PROWAG), the [Outdoor Developed Areas](#) sections of the [Architectural Barriers Act Accessibility Standards](#) (ODA/ABAAS), and the U.S. Department of Justice (DOJ) [Part 35](#) regulations enforcing title II of the ADA. In its Transition Plan, the City will incorporate the findings for elements which are not compliant with the scoping and technical provisions of the ADA Standards and findings that are not-best-practice based on the PROWAG or ODA/ABAAS. The City understands that the ultimate determination of compliance with title II is based on the affirmative requirements and prohibitions of discrimination found in the Part 35 regulations which do

not necessarily require a public entity to make each of its facilities accessible. The regulations do require the City to ensure that each of its programs, when viewed in its entirety, is accessible to and usable by individuals with disabilities.

Findings based on ADA Standards advisories, PROWAG, and ODA/ABAAS are deemed to be *not-best-practice*, rather than *not compliant*, because these scoping and technical provisions have not been adopted by DOJ as enforceable standards for ADA-covered facilities. The City, based on MTC's recommendation, has decided to apply PROWAG (including the [Supplemental Notice of Proposed Rulemaking](#) for Shared Use Paths, February 13, 2013) and ODA/ABAAS as best practices, as the spaces and elements (pedestrian facilities in the public right-of-way, SUPs, trails, picnic and camping areas, viewing areas, beach access routes, and other components of outdoor developed areas) covered by these guidelines are not covered by the ADA Standards. The City, based on MTC's recommendation, will adhere to these best practices as a *good faith effort* by the City of Arvada to ensure that the programs served by these facilities will be accessible to and usable by qualified individuals of all abilities.

The collection of data and the subsequent findings from the 25 facilities, 113 outdoor recreation facilities, and 796 miles of public sidewalks (including 10,874 curb ramps) surveyed by MTC have been listed in Transition Plan data-tables (TPDs). The TPDs were produced by MTC to identify structural conditions in the City's facilities that present or might present barriers preventing or limiting the opportunity of people with disabilities to access the City's services, programs, and activities. The City will develop policies and practices to ensure, when elements of its facilities are not consistent with relevant standards or guidelines and cannot, within the limits of technical feasibility, be made fully accessible, that its employees will provide assistance necessary to give qualified people with disabilities equal opportunities to participate in the programs offered at those facilities. In the event that such accommodations are not possible or effective, the City will relocate those programs to an alternate, accessible venue, or find other methods or means of delivering those programs in the most integrated setting appropriate to the needs of the individual.

This report summarizes the process by which the underlying data-tables were developed. It describes how the data was gathered and analyzed and recommends how the findings should be used. For each finding, a citation is referenced to the applicable sections of ADA Standards or PROWAG or ODA/ABAAS. The TPDs include recommendations for structural mitigation of each finding.

MTC has provided detailed, raw data to the City for buildings, parks, athletic complexes, golf courses, and pedestrian facilities in the City's right-of-way which has been used to compile the Transition Plan. The TPDs are in the form of Excel data tables which can be searched, sorted, filtered, and edited. These are intended to be retained and updated as living plans that will be kept current, as findings are resolved, to demonstrate the progress of ongoing efforts to comply with the ADA and ensure ongoing inclusivity of all City services, programs, and activities for qualified people of all abilities. In addition, all (32,001) findings for barriers in the City's right-of-way have been delivered to the City in the form of ArcGIS data files which have been integrated into the City's GIS. Each finding is described and accompanied with photos linked to the GPS coordinates.

The TPDs detail and analyze the raw data necessary to the development of this Transition Plan. The TPDs do not constitute a Transition Plan. This Transition Plan is more than a detailed narrative listing the findings in the TPDs. The City intends the Transition Plan to be its road map to guide efforts to resolve physical obstacles that currently prevent or might prevent access to its services programs and activities. Presumed in the implementation of the Transition Plan is the City's intent to review and revise its policies and practices to effectively resolve physical barriers that would be technically infeasible to remove architecturally or that would entail undue financial or administrative burdens. The City acknowledges that there may be instances where removing programs from an inaccessible space or building is the only feasible and non-burdensome means to make a program accessible.

The City will align any decisions about which of these findings should be mitigated, how they should be mitigated, and when they should be mitigated, with the Part 35 regulations. This will be done in conjunction with its Self-evaluation of programs, policies, and practices.

Section 3.0 *Transition Plan Development* will describe the steps taken to create the Transition Plan based on the findings in the TPDs and efforts of find other methods and means to overcome barriers. Section 4.0 *Transition Plan* will enumerate the four minimum regulatory requirements (see *Section 1.2 Regulatory Requirement for a Transition Plan*) of an ADA Transition Plan. The preliminary schedule for the Transition Plan anticipates 10 years to resolve findings in City buildings, 15 years to resolve findings in City parks and golf courses, 20 years to resolve findings in the City right-of-way. The Transition Plan is viewed as a living document and its schedule will necessarily be contingent on the City's budgetary resources from year to year, for the duration of the Transition Plan.

1.1.2 Reasons for Using PROWAG

MTC acknowledges that DOJ has yet to formally issue the PROWAG as regulatory standards for pedestrian facilities in public rights-of-way. However, the title II regulations clearly indicate that local governments with responsibility or authority over streets, roads, or walkways, must include in their transition plans *a schedule for providing curb ramps or other sloped areas where pedestrian walks cross curbs, giving priority to walkways* public facilities and places of public accommodation. Whether or not there are formal standards, public entities have an obligation to ensure that pedestrian facilities which exist for the purpose of providing the *program* of pedestrian transportation, are accessible to and usable by qualified people with disabilities.

Most simply stated, program access is required even when there are not formal or legally adopted standards that define or prescribe the technical provisions to achieve compliance. The ADA Standards and the previous ADA Accessibility Guidelines (ADAAG), created by the U.S. Access Board are specifically intended to apply to facilities on sites. The Access Board did not intend these standards for application in the public right-of-way. Accordingly, the Access Board provided the following [explanation for its development of PROWAG](#):

Sidewalks, street crossings, and other elements in the public right-of-way can pose challenges to accessibility. The Board's ADA and ABA Accessibility Guidelines focus mainly on facilities on sites. While they address certain features common to public sidewalks, such as curb ramps, further guidance is necessary to address conditions and constraints unique to public rights-of-way.

The Board is developing new guidelines for public rights-of-way that will address various issues, including access for blind pedestrians at street crossings, wheelchair access to on-street parking, and various constraints posed by space limitations, roadway design practices, slope, and terrain. The new guidelines will cover pedestrian access to sidewalks and streets, including crosswalks, curb ramps, street furnishings, pedestrian signals, parking, and other components of public rights-of-way. The Board's aim in developing these guidelines is to ensure that access for persons with disabilities is provided wherever a pedestrian way is newly built or altered, and that the same degree of convenience, connection, and safety afforded the public generally is available to pedestrians with disabilities. Once these guidelines are adopted by the Department of Justice, they will become enforceable standards under title II of the ADA.

The ADA Standards include the following permission:

103 Equivalent Facilitation

Nothing in these requirements prevents the use of designs, products, or technologies as alternatives to those prescribed, provided they result in substantially equivalent or greater accessibility and usability.

The Federal Highway Administration (FHWA) recognizes PROWAG as “recommended best practices, and [they] can be considered the state of the practice that could be followed for areas not fully addressed by the present ADAAG standards.”¹

To understand and apply the requirements for program access, in the public right-of-way, compare PROWAG to the ADA Standards’ provisions for swimming pools. Prior to the adoption of the ADA Standards, (September 15, 2010) while there were no enforceable scoping or technical provisions for swimming pools, public entities nevertheless were required to ensure that programs at public swimming pools, such as swimming lessons, were accessible to and usable by people with disabilities. Prior to the adoption of the current ADA Standards, public entities were wise to identify the 2004 ADA Accessibility Guidelines (the basis for the ADA Standards) as *best practices* for ensuring that their swimming (and other recreation) programs were accessible.

1.1.3 Administrative Requirements of Title II

The City of Arvada, Colorado, has adopted, published, and disseminated its:

- Notice Under the Americans with Disabilities Act ([§ 35.106](#))
- Naming of an ADA Coordinator ([§ 35.107\(a\)](#))
- ADA Complaint/grievance procedure ([§ 35.107\(b\)](#))

1.2 Regulatory Requirement for a Transition Plan

Regulations require a transition plan when physical changes to facilities are necessary to achieve program accessibility. The purpose of title II of the ADA is not to drive an urban renewal plan for the City’s infrastructure and buildings. Rather, the ADA is a civil rights law intended to include people with disabilities in the day-to-day life of American communities. To envision the ADA as an architectural code would be short-sighted. The City’s Transition Plan is more than a list of findings to be fixed.

A transition plan must provide a path to a future that is accessible and inclusive for everyone. Like any plan, it should set objectives based on priorities that create realistic time-sensitive goals. The document should set “forth the steps necessary to complete such changes” ([§35.150\(d\)\(1\)](#)). Regulations originally required public entities with 50 or more employees to develop a transition plan “within six months of January 26, 1992”. Structural changes were expected to “be made within three years of January 26, 1992, but in any event as expeditiously as possible” ([§35.150\(c\)](#)).

The title II regulations do not include an affirmative requirement to update a transition plan developed in 1992 or to develop a new transition plan at any given interval. However, as the ongoing compliance with the ADA is required, the City has committed to the development of this Transition Plan to ensure that its programs, when viewed in their entirety, remain accessible to and usable by qualified people of all abilities. It is obvious that the City has taken many actions – created new programs, moved programs to different locations, built new structures, and altered existing structures – in the normal course of community growth since the dawn of the ADA 30 years ago. Whether studying for the first time or re-assessing all City programs to identify any policies, practices, or facilities that affect or might affect the opportunity of people with disabilities to participate in the most integrated setting appropriate to their needs, the development of the (current) Transition Plan is necessary to ensure ongoing compliance with the ADA.

¹ U.S. Department of Transportation, Federal Highway Administration, accessed at https://www.fhwa.dot.gov/environment/bicycle_pedestrian/resources/prwaa.cfm, on February 11, 2021.

The transparency of the Transition Plan process is essential to giving ownership of the plan to all stakeholders. Inherent to the motto of many in the disability community, “nothing about us, without us,” is the understanding that members of society (other than people with disabilities), are not better informed or situated, than people with disabilities, themselves to make decisions about or for people with disabilities. The participation by people with disabilities or organizations representing them in the formal adoption of a Transition Plan is essential.

The regulation clearly states: A public entity shall provide an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the development of the transition plan by submitting comments. A copy of the transition plan shall be made available for public inspection ([§35.150\(d\)\(1\)](#)).

A transition plan, per title II regulation ([§35.150\(d\)\(3\)](#)) must at minimum:

- i. Identify physical obstacles in the public entity's facilities that limit the accessibility of its programs or activities to individuals with disabilities;
- ii. Describe in detail the methods that will be used to make the facilities accessible;
- iii. Specify the schedule for taking the steps necessary to achieve compliance with this section and, if the time period of the transition plan is longer than one year, identify steps that will be taken during each year of the transition period; and
- iv. Indicate the official responsible for implementation of the plan.

1.3 Facilities Audited

This report covers the City’s buildings, parks, golf courses, and pedestrian facilities in the City’s right-of-way. The detailed survey content is provided under separate cover in Transition Plan Data tables (TPDs). The TPDs are MS Excel data tables that are searchable, sortable, filterable, and editable. The purpose of these data tables is to maintain living records and document the actions taken to resolve findings and the dates when such actions were completed. The City will monitor progress of the Transition Plan’s implementation through periodic review of these data tables. The facilities covered by this report are:

1.3.1 Buildings

- Allen House
- Arvada Police West Woods Station
- Arvada Police Lake Arbor Community Station
- Arvada Tennis Center (APEX)
- AURA Office
- Central Stores
- Arvada Visitors Center (Chamber of Commerce)
- Ralston House Lakewood
- Ralston House - Arvada
- Churches Ranch
- City Hall
- City Hall Annex
- Food Bank (Community Table)
- Lake Arbor Golf Course (Club House only)
- Maintenance Building Indiana Shops
- Majestic View Nature Center
- McIlvoy House (Historic Society)
- Moore Brother Property

- Print Shop
- Ralston Treatment Plant
- Ron Culbertson Building
- The Arvada Center
- TV Station KATV
- US Post Office (5885 Allison)
- West Woods Golf Club (Club House only)

1.3.2 Parks, Athletic Complexes, and Golf Courses

District 1

- Arvada Volunteer Firefighters Park
- Britton Park
- Club Crest Park North
- Club Crest Park South
- Columbine Park
- Creekside Park
- Emil Schneider Park
- Far Horizons Park
- Gold Strike Bridge
- Gold Strike Park
- Hackberry Hill Park
- Hillside Park
- Homestead Park
- Ladybug Park
- Lake Arbor Community Center & Park
- Lake Arbor Community Park
- Lew Walsh Park
- Little Dry Creek Park
- Majestic View Community Park
- Majestic View Nature Center
- McIlvoy Park
- Olde Town Square
- Rainbow Park 2
- Rainbow Park 3
- Robby Ferrufina Park
- Secrest Park
- Stocke-Walter Park
- Sunrise Park
- Tennyson Knolls Park
- Thundercloud Park
- Wadsworth Park
- Westree Park

District 2

- Alice Sweet Thomas Park
- Allendale Park
- Bridgeside Park
- Danny Kendrick Park East

- Davis Lane Park
- Fitzmorris Park
- Four Acre Lake Park
- Griffith Station Park
- Harry S. Truman Park
- Hoskinson Park
- Independence Park
- Jack B. Tomlinson Park
- Johnny Roberts Disk Golf Course
- Lakecrest Park
- Lamplighter Park
- Leyden Creek Park
- MacArthur Park
- Marge Roberts Park
- Meadowglen Park
- Memorial Community Park
- Michael Northey Park
- Oak Park
- Ralston Central Park
- Ralston Cove Park
- Sierra Park
- Skyline Park
- Terrace Park
- Westlake Park
- Wolff Park
- Woodrun Park

District 3

- Apple Meadows Park
- Arvada Blunn Reservoir
- Arvada Indoor Equestrian Center
- Arvada Modelers Airpark
- Arvada Skate Park
- Beeman Park
- Bird's Nest Disk Park
- Broad Lake Park
- Church's Crossing Park
- Cimarron Park
- Danny Kendrick Park West
- Daybreak Park
- Double E Park
- Farmstead Park
- Forest Springs Park
- Haystack Plateau Park
- Hills at Standley Lake Park
- Indiana Equestrian Park
- Lookout Park

- Maple Valley Park
- Maverick Mesa Park
- Meadowbrook Village Park
- Meadowlake Park
- Meadows at West Woods Park
- Moon Gulch Park
- North Table Mountain Park
- Panorama Park
- Quaker Acres Park
- Ralston Valley Park
- Russell Park
- Saddle Brook Park
- Sarah George Park
- Shadow Mountain Park
- Spring Mesa Park
- Sunrise Ridge Park
- West Arvada Dog Park
- Westridge Park
- Westwoods Park
- Whisper Creek Park
- Wyndham Park
- Yankee Doodle Park

Athletic Complexes

- Foster Ballfields
- Harold D. Lutz Sports Complex
- Long Lake Regional Park
- Pioneer Sports Complex
- Ralston Park Addition
- Stenger Sports Complex
- Youth Memorial Sports Complex

Golf Courses

- Lake Arbor Golf Course
- West Woods Golf Course

Other

- Apex Field House²

1.3.2.1 Use of Other Power-driven Mobility Devices

While it is appropriate for people with limited mobility to choose devices (e.g., golf carts, ATVs, Segways, electric bicycles, etc.) that do not fit the definition, size, shape, or weight of manual or powered wheelchairs and scooters, there are definitely limits to where and when some other power-driven mobility devices (OPMDs) may be safely and reasonably used. The City does not arbitrarily ban every type of powered vehicle that is not a conventional manual or powered wheelchair from its park trails, multi-use paths, pedestrian facilities, or its buildings. However,

² At present, it has not been determined whether the City of Arvada or Apex Park and Recreation District will be responsible for removal of barriers to program access at the Field House.

the City will develop guidelines or reasonably modify its policies, on a case-by-case basis, to allow or restrict the use of OPMDs in locations and at events, where or when there are legitimate safety requirements or other practical reasons for limiting OPMD access.

The City, in making decisions regarding the places and times where OPMDs may or may not be used, will consider the assessment factors listed in title II regulations, as follows ([§ 35.137\(b\)\(2\)](#)) :

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

The City will not ask people using wheelchairs or OPMDs questions about the nature and extent of their disabilities.

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

1.3.3 Pedestrian Facilities

Sidewalks in the City's right-of-way are essential to pedestrian transportation throughout the City. These sidewalks create a network that is not consistent across all locations within City limits. The title II regulations do not necessarily require the construction of new sidewalk where none currently exists. The regulations require the City to include in its Transition Plan a schedule for providing curb ramps or other sloped areas where pedestrian walks cross curbs. The regulations do not provide similar language specific to sidewalks between the corners. The City must, in its efforts to make its pedestrian transportation program inclusive, choose the best practices available to establish design and construction standards that result in pedestrian walkways that are accessible to and usable by people with disabilities. For this reason, the City has selected the PROWAG (see Section 1.1.2) as its best practices for pedestrian facilities in the City's right-of-way.

The City's highest priority pedestrian facilities are in Olde Town, bounded on the east by Wadsworth Boulevard, on the south by the RTD light rail tracks, on the west by Yukon Street, and north by Ralston Road. However, most, old residential neighborhoods and all new, residential developments have sidewalks. Of the 32,001 findings in MTC's TPD for pedestrian facilities, 26,601 (83 percent) were located within three blocks of an ADA-covered entity, and 14,724 (46 percent) were located within one block of a facility of an ADA-covered entity.

The City, in establishing its scope and priorities for pedestrian facilities, considered a variety of factors that ultimately focus on program demand by location. As the regulations invoke priority based on walkways that serve

entities covered by the ADA, the City's data collection, analysis, and prioritization of remediation needs have been assessed based on the nearness of a given pedestrian asset to a covered entity in the following order of priority:

1. State and local government offices and facilities
2. Transportation
3. Places of public accommodation
4. Employers
5. Walkways serving other areas

In addition, where it is readily apparent that sidewalk width (i.e., less than 36 inches) is insufficient to provide minimum accessibility, collection of other attributes (e.g., slopes, vertical discontinuities, etc.) has been deemed nonessential. In these locations, all accessibility requirements will be incorporated when new sidewalk replaces the existing sidewalk. Incremental repairs to sidewalk in these locations, prior to major replacement projects, will necessarily be limited to specific public requests for accessibility improvement or hazard removal. When such segments of sidewalk are in areas serving entities covered by the ADA, the priority for replacement of those sidewalk segments will be inferred from the location, not by the severity of deficiencies. This model assumes that minor deficiencies in heavily traveled sidewalks have a greater probability of presenting barriers to program access than major deficiencies in seldom-traveled sidewalks. The City will disregard this assumption in those instances when the public requests removal of a barrier to access in an otherwise low priority location.

1.3.3.1 Sidewalks 36 Inches Wide Minimum

While sidewalks less than 48 inches wide do not meet the minimum width provision for a Pedestrian Access Route (PAR) in PROWAG, a 36-inch width does meet the provision for minimum width of an accessible route in the ADA Standards. The City, based on MTC's recommendation, decided to collect *as-is* attributes (e.g., width, running and cross slopes, vertical discontinuities, horizontal openings, and protrusions) of sidewalks 36 inches wide minimum, as such walkways provide some degree of accessibility for individuals using wheelchairs. These sidewalks are not best practice but might be widened to 48 inches or more without having to be totally removed and replaced. Having data on other deficiencies will inform future decisions on budgets for repairing and/or widening such less than optimal pedestrian facilities. Sidewalks, to be consistent with PROWAG PAR or ADA Standards accessible route provisions, must also provide passing spaces 60 inches wide minimum at intervals of 200 feet maximum.

1.3.3.2 Sidewalks Less Than 36 Inches Wide

Unlike sidewalks that are 36 inches wide minimum, sidewalks narrower than 36 inches do not provide the minimum acceptable width for accessibility for people using wheelchairs. The City, based on MTC's recommendation, decided not to collect all *as-is* attributes of sidewalks narrower than 36 inches wide minimum. These sidewalks are not-best-practice and widening to 48 inches or more without having to be totally removed and replaced would typically be infeasible. Having data on minor deficiencies will not further inform future decisions on budgets, as repairing and/or widening these walkways, in virtually all locations, by alterations less than removal and replacement will not significantly increase accessibility. These narrow sidewalks are typically attached or integral to rollover curbs in old residential neighborhoods. In addition, the fact that these sidewalks are attached (i.e., no parkway or setback from the street is provided) makes it geometrically impossible to install diagonal curb ramps with running or cross slope percentages consistent with the maximums allowed for accessibility.

The location of such sidewalk segments has been documented. In rare cases, these sidewalks might be within the walksheds of entities covered by the ADA. On a case-by-case basis, sub-minimal sidewalk in such rare cases will be prioritized for removal and replacement with new sidewalk that meets, to the maximum extent practicable, the technical provisions of PROWAG.

1.4 Limitations of This Analysis

During the collection of data in the City's facilities, information regarding the dates and location of new construction and alterations since January 26, 1992, was not available to the data collectors. This information is key to determining whether findings are or might be subject to either remediation requirements or safe harbor provisions. The City will review findings for which program access is not currently an issue to determine whether these conditions were created or not corrected during post-ADA construction or alterations. In addition, the City will determine whether barriers in *paths of travel* serving primary function spaces were overlooked at the time of alterations to those primary function areas after January 26, 1992 (see section 1.4.7 Path of Travel). As a result, analysis of findings was limited to interpretation of *as-is* conditions at the time of data collection.

New construction and alterations to existing facilities completed since January 26, 1992, regardless of program access evaluation, must comply with the accessible design standards in effect at the time of construction.

In determining the site or location of a facility – in essence the location of a program – public entities are prohibited from *making selections that have the effect of excluding individuals with disabilities from those facilities, denying them the benefits of those facilities, or otherwise subjecting them to discrimination* (§ [35.130](#)(b)(4)).

1.4.1 Barriers in New Construction and Alterations

The City, per recommendation from MTC and DOJ emphasis in title II settlement agreements, will recognize barriers in new construction or alterations to existing facilities, as the next highest priority. In a Project Civic Access settlement agreement, the DOJ states that public entities are required “to ensure that facilities for which construction or alteration was begun after January 26, 1992, are readily accessible to and usable by people with disabilities, in accordance with 1) the Department of Justice's (DOJ) title II regulation and 2) the 1991 ADA Standards or UFAS, or the 2010 ADA Standards, as applicable, 28 C.F.R. § 35.151.” Obviously, listing of these barriers was not considered in the original requirements for transition plans. Construction completed after January 26, 1992, and prior to March 15, 2012, adhering (to the *maximum extent feasible*) to either the 1991 ADA Standards or the Uniform Federal Accessibility Standards, has safe harbor.

Nevertheless, despite all good intentions to the contrary, existing facilities have been altered and new facilities built that do not comply with any of the referenced standards. These *post-ADA* barriers must be included in the City's current Transition Plan. Regardless of whether these deficiencies present current or imminent barriers to program access, a public entity is required to structurally correct these barriers. New construction or alterations to existing facilities, which do not comply with any of the referenced standards, are separate violations of the ADA regulations.

1.4.2 Fundamental Alteration

Regarding structural barrier removal in existing City facilities, title II regulations do not require the City to take any action that it can demonstrate would cause a fundamental alteration in the nature of a service, program, or activity. In those rare circumstances where City staff believe that a proposed action would fundamentally alter the service, program, or activity, the City has the burden of proving that compliance with [§35.150](#)(a) of the Part 35 regulations would cause such a fundamental alteration. The decision that compliance would cause such an alteration must be made by Arvada's Mayor or the Mayor's 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 that conclusion. If an action would cause such an alteration the City must take any other action that would not result in such an alteration but would nevertheless ensure that individuals with disabilities receive City benefits or services.

1.4.3 Historic properties

Title II regulations do not require a public entity to take any action that would threaten or destroy the historic significance of an historic property. At this time, the City has identified McIlvoy House as historical properties.

When any City properties are listed or otherwise designated as historic properties, the City will evaluate any deficient conditions to determine if removal would result in a threat to or destruction of historic significance. The City will then determine whether such conditions can be overcome through methods or means other than structural barrier removal. The City will give priority to methods that provide physical access to individuals with disabilities. Where it is not possible to provide access to programs without damaging or removing features of historical significance, the City will find an alternative venue or means of providing access to the program viewed in its entirety.

When the historical value of a property is, in essence, the program – i.e., the facility has historical value which attracts visitors and tours – the City will take measures to ensure that people with disabilities have an opportunity to enjoy the benefits of the program through means other than physical access. The City can assign persons to guide individuals with disabilities into or through portions of historic properties that cannot otherwise be made accessible. For example, virtual tours offered through multi-media presentations or online streaming to depict those portions of an historic property that cannot otherwise be made accessible and presentation of artifacts in an accessible space at the facility can provide a similar experience for people who are not able to physically tour the facility.

1.4.4 Undue Financial and Administrative Burden

When considering structural barrier removal in existing City facilities, title II regulations do not require the City to take any action that it can demonstrate would cause undue financial and administrative burdens. In those circumstances where City personnel believe that a proposed action would result in undue financial and administrative burdens, the City must prove that compliance with requirements for removal of barriers in existing facilities (see [§35.150\(a\)](#)) would result in such burdens.

Ultimately, Arvada's Mayor or the Mayor's designee will make the decision that compliance with title II regulations would result in undue financial and administrative burdens, when all resources available for use in the funding and operation of the service, program, or activity, have been considered. The Mayor or Mayor's designee must provide a written statement of the reasons for the decision. The City must, regardless of such decisions, take any other action that would not result in undue financial and administrative burdens to ensure that qualified people of all abilities can receive City benefits or services.

1.4.5 Safe Harbor, New Construction, and Alterations

Safe harbor refers to:

Elements that have not been altered in existing facilities on or after March 15, 2012, and that comply with the corresponding technical and scoping specifications for those elements in either the 1991 Standards or in the Uniform Federal Accessibility Standards (UFAS), Appendix A to 41 CFR part 101–19.6 (July 1, 2002 ed.), 49 FR 31528, app. A (Aug. 7, 1984) are not required to be modified in order to comply with the requirements set forth in the 2010 Standards (§ [35.150\(b\)\(2\)\(i\)](#)).

Identification of elements having safe harbor is not possible, in the absence of specific, detailed information as to the dates and locations of construction and alterations to facilities. Typically, there are a limited number of elements having *as-is* conditions that adhere to previous standards that would not also be compliant with the 2010 ADA Standards. Most of the elements, for which safe harbor may be applied, have relatively low mitigation difficulty. Among the features that may qualify for safe harbor are the following:

- Surfaces of doors up to ten inches that are not smooth
- Water closets centerlines between 18 and 18.5 inches from the near wall
- Single wheelchair accessible (i.e., low) drinking fountains
- Operable parts between 48 and 54 inches or between 9 and 15 inches

The City must determine when safe harbor applies. To claim safe harbor for an element the City must have evidence that the element in question was built/alterd prior to March 15, 2012. Safe harbor *does not apply to those elements in existing facilities that are subject to supplemental requirements (i.e., elements for which there are neither technical nor scoping specifications in the 1991 Standards)* (§ [35.150](#)(b)(2)(ii)).

1.4.5.1 Elements for Which Safe Harbor Does Not Apply

The safe harbor provision does not apply to those elements in existing facilities which are subject to new scoping and technical provisions in the (2010) ADA Standards. The following elements are not eligible for safe harbor:

- Residential facilities dwelling units, sections 233 and 809
- Amusement rides, sections 234 and 1002; 206.2.9; 216.12
- Recreational boating facilities, sections 235 and 1003; 206.2.10
- Exercise machines and equipment, sections 236 and 1004; 206.2.13
- Fishing piers and platforms, sections 237 and 1005; 206.2.14
- Golf facilities, sections 238 and 1006; 206.2.15
- Miniature golf facilities, sections 239 and 1007; 206.2.16
- Play areas, sections 240 and 1008; 206.2.17
- Saunas and steam rooms, sections 241 and 612
- Swimming pools, wading pools, and spas, sections 242 and 1009
- Shooting facilities with firing positions, sections 243 and 1010
- Team or player seating, section 221.2.1.4
- Accessible route to bowling lanes, section. 206.2.11
- Accessible route in court sports facilities, section 206.2.12

1.4.6 Conventional Industry Tolerances

The ADA Standards permit the application of conventional industry tolerances, but no authority is named for defining them. Determining if an element's condition falls into a conventional industry tolerance is up to the entity and its design professionals. Once a set of tolerances are adopted by the City, the application of those tolerances may allow for certain barriers to stand. The below sections and advisory are taken directly from the ADA Standards for further guidance.

104.1 Dimensions. Dimensions that are not stated as "maximum" or "minimum" are absolute.

104.1.1 Construction and Manufacturing Tolerances. All dimensions are subject to conventional industry tolerances except where the requirement is stated as a range with specific minimum and maximum end points.

Advisory 104.1.1 Construction and Manufacturing Tolerances. Conventional industry tolerances recognized by this provision include those for field conditions and those that may be a necessary consequence of a particular manufacturing process. Recognized tolerances are not intended to apply to design work.

It is good practice when specifying dimensions to avoid specifying a tolerance where dimensions are absolute. For example, if this document requires "1 inches," avoid specifying "1 inches plus

or minus X inches."

Where the requirement states a specified range, such as in Section 609.4 where grab bars must be installed between 33 inches and 36 inches above the floor, the range provides an adequate tolerance and therefore no tolerance outside of the range at either end point is permitted.

Where a requirement is a minimum or a maximum dimension that does not have two specific minimum and maximum end points, tolerances may apply. Where an element is to be installed at the minimum or maximum permitted dimension, such as "15 inches minimum" or "5 pounds maximum", it would not be good practice to specify "5 pounds (plus X pounds) or 15 inches (minus X inches)." Rather, it would be good practice to specify a dimension less than the required maximum (or more than the required minimum) by the amount of the expected field or manufacturing tolerance and not to state any tolerance in conjunction with the specified dimension.

Specifying dimensions in design in the manner described above will better ensure that facilities and elements accomplish the level of accessibility intended by these requirements. It will also more often produce an end result of strict and literal compliance with the stated requirements and eliminate enforcement difficulties and issues that might otherwise arise. Information on specific tolerances may be available from industry or trade organizations, code groups and building officials, and published references.

The City, based on MTC's recommendation, will refer to Ken Ballast's [Handbook of Construction Tolerances](#), 2nd Edition (March 2007), as an excellent guide for determining acceptable construction tolerances. Ballast also researched and wrote ["Dimensional Tolerances in Construction and for Surface Accessibility"](#) (2011), for the U.S. Access Board. Tolerances may be acceptable for construction that existed prior to the ADA but design for new construction should allow for reasonable tolerances of standard craftsmanship. For example, if a tolerance of +0.5 percent is accepted as a conventional industry tolerance for the slope on a concrete surface, then running slopes should be designed to 7.8 percent maximum and cross slopes should be designed to 1.5 percent maximum to ensure that finished concrete within the tolerance, will be consistent with accessibility requirements.

1.4.7 Path of Travel

At times, alterations can also trigger the "path of travel" provision of the ADA. This provision requires that any alterations, after January 26th, 1992, that affect or could affect the usability or access to a primary function area of a facility must also include addressing accessibility deficiencies along the path of travel to the altered area. Examples of items included in this "path of travel", per 28 C.F.R. § [35.151](#) (4), are: walks and sidewalks, curb ramps, parking areas, corridors and restrooms. A primary function of a facility is a major activity for which the facility is intended. Examples include: the dining area of a cafeteria, the meeting rooms in a conference center, as well as offices and other work areas in which the activities of the public entity using the facility are carried out. Alterations to comply with the ADA along the path of travel are only required to the level of disproportionally. Disproportionally is reached when the cost of alterations to path of travel elements exceed 20 percent of the cost of the alteration to the primary function area.

The City will examine any alterations undertaken by the City, that took place after January 26th, 1992, to owned facilities that may have triggered the "path of travel" provision. Alterations that were required under this provision, which did not, are required to be executed regardless of program access implications. It is important to note that alterations undertaken for the sole purpose of improving or meeting accessibility requirements of the ADA do not trigger the "path of travel" requirement.

The City's ADA consultant, MTC, was not able to determine independently whether the barriers identified by this audit of the City's facilities existed before January 26, 1992. Nor was MTC able to determine independently where barriers which existed at the time of an alteration, since that date, would have triggered the *path of travel* requirement. Therefore, the City will investigate the dates of alterations in its facilities that may have triggered removal of barriers even when those barriers did not limit or prevent access to its services, programs, or activities. These conditions might exist in employee only or employee common areas of facilities that have been renovated since January 26, 1992. The City, based on MTC's recommendation, has decided to schedule barriers which can be remedied with little difficulty or expense in the Transition Plan, regardless of whether remedies would have been within the scope of previous alterations. The priority of these barriers, though lower than the removal of barriers to program access, is not immaterial.

1.5 Public Outreach

The inclusion and consideration of comments from the public is an essential component in the creation of an ADA Transition Plan. The comments and questions of all stakeholders inform and enhance the priorities and perspective of the Transition Plan.

The City has provided an opportunity to interested persons, including people with disabilities or organizations representing people with disabilities, to participate in the development of the Transition Plan by submitting comments. A copy of the Transition Plan will be made available for public inspection. The City will be holding two public comment meetings one of which will be in-person and the other will be virtual (due to ongoing pandemic restrictions). In addition, opportunities to read and comment on the Transition Plan will be offered online, through mail, email, and voicemail.

2.0 PROGRAM ACCESS EVALUATION AND THE TRANSITION PLAN

When considering the significant number of physical deficiencies discovered in the City's facilities, it is critical to be aware that all barriers are not created equal. Based on the regulatory requirements, the first barriers that must be identified in the Self-evaluation and Transition Plan processes are those that prevent access to services, programs, and activities, when viewed in their entirety. Next, those barriers that were created by new construction and/or alterations must be identified. Finally, those barriers that exist, and have existed since prior to the ADA, that currently present no barrier to program access, are listed in the Transition Plan even when there is no current requirement for their removal. Various events may trigger a future need to remedy these conditions.

The objective of this document is not necessarily to prescribe, for each finding listed, the precise means by which the City will mitigate each barrier. Rather, the objective here is to identify potential barriers and develop a process for deciding when and if a given barrier can be mitigated through methods or means other than an architectural remedy. Relocating programs/offering them at alternate accessible facilities, delivering services, offering virtual access, or giving assistance that circumvents barriers are some of the other methods and means that may make a program accessible without removing all physical barriers to access.

During the current pandemic, direct face-to-face access to the City's programs and services has been extremely limited in response to statewide public health orders. While this may have decreased the urgency to remove architectural barriers, the simultaneous increase in demand for access to virtual programs and services has highlighted the parallel requirement to make websites and other means of digital communication accessible to people with disabilities, including, but not limited to, people who are deaf or blind.

The regulations do not necessarily require a public entity to make each of its facilities accessible. Public entities must make each of their services, programs, and activities, *when viewed in their entirety*, accessible to and usable by qualified individuals of all abilities, including those individuals who use wheelchairs or other mobility devices. The DOJ's [2010 Guidance and Section-by-Section Analysis](#) of the regulations, while providing no mathematical or formulaic definition of *viewed in their entirety*, does provide the following, non-exhaustive list of factors to apply in deciding whether programs, offered at more than one location, are accessible, when viewed in their entirety:

- size of the public entity
- the particular program features and amenities offered at each site
- the geographical distance between sites
- the travel times to the sites
- the number of sites
- availability of public transportation to the sites

Simply offering a service, program, or activity at an alternate location may not necessarily make that service, program, or activity accessible when viewed in its entirety.

2.1 Barrier Removal Priorities in Facilities (Buildings, Parks, & Golf Courses)

The process for prioritizing barrier removal to achieve program access is multi-layered. First, for all findings of conditions which are not consistent with the technical provisions of the ADA Standards, the City reviewed the conditions in context to determine whether each finding could limit or prevent access to a service, program, or activity. Where a noncompliant condition is not a barrier to program access, its removal is not prioritized in the Transition Plan.

2.1.1 Facility/Building Priority

The fact that a given facility, is regarded as an employee-only facility, removes the priority for all findings in that facility. On this basis, findings in the at the Central Stores building are not considered to be barriers to program access.

The priority for other City facilities has been ranked based on factors including the amount of program access or public presence anticipated for each, existing renovation/capital improvement plans, and the overall degree of mitigation difficulty which can cause practical delays in scheduling. The highest priority facilities have been ranked as follows:

1. The Arvada Center (2021-22)
2. Majestic View Nature Center (2021)
3. City Hall (2021-22)
4. Food Bank (Community Table) (2022-23)
5. Lake Arbor Golf Course Clubhouse (2023-24)
6. West Woods Golf Course Clubhouse (2023-24)
7. City Hall Annex (2023-24)

Remediation of findings in the above facilities is planned for completion between 2021 and 2024. The Transition Plan anticipates removal of barriers to program access in the remaining facilities by year as follows:

2025

- Allen House/Meeting Hall
- Arvada Police West Woods Station
- Arvada Tennis Center (APEX)
- AURA Offices

2026

- Chamber of Commerce
- Ralston House - Lakewood

2027

- Ralston House - Arvada
- Churches Ranch

2028

- Lake Arbor Community Police Station
- Maintenance Building Indiana Shops
- McIlvoy House
- Print Shop

2029

- Ralston Treatment Plant
- Ron Culbertson Building (Wastewater)
- TV Station KATV

2030

- U.S. Post Office

See detailed schedule, section 4.1, below.

2.1.2 Concentric Circles of Intrinsic Priority

Intrinsic priority for accessibility begins at the perimeter of a facility, including site arrival points (accessible parking, public sidewalks, and transit stops), accessible routes to accessible entrances, and the required number of accessible public entrances to a facility. The next ring of the concentric circles includes the areas of facilities - the primary function areas – where services, programs, and activities (e.g., reception counter in the lobby of City Hall or a playground in a park) can be accessed. The next ring covers public restrooms, which with some exceptions (e.g., restrooms adjacent to a multi-use path in a park), are not primary function areas of facilities. Finally, other areas and elements of facilities, such as drinking fountains or employee common use spaces (e.g., employee-only restrooms and break rooms) have the least priority, because these areas are least-used for delivery of programs.

2.1.3 Parks, Athletic Complexes, and Golf Courses

Participation in recreation programs and activities essentially requires access to the facilities serving those programs. Based on various factors, including the volume of public/program demand and degree of deficiencies (based on the number of findings and mitigation difficulty), the City plans to approach barrier removal in parks athletic complexes, and golf courses based on the following priorities:

- 80 percent of all identified maintenance items in 1-3 years
- 100 percent maintenance items done in 5 years
- Entry items at Athletic fields in 1-2 years
- Entry items at other Parks Districts in 2-5 years
- Service and Restroom items across all Parks and Athletic fields in 5-10years

See detailed schedule, see section 4.2, below.

2.2 Barrier Removal Priorities in the City's Right-of-Way

Because the nature of the right-of-way is completely different than the (relatively) confined spaces of buildings and sites, priority must be assessed with a different process. Effectively, pedestrian facilities all exist at the perimeter of the concentric circle used to assess priority for sites and buildings. The City's Transition Plan for pedestrian facilities is prioritized assuming that specific facilities – those belonging to entities covered by the ADA – are more likely to generate higher volumes of pedestrian traffic. That is, the sidewalks in front of a school or The Arvada Center are more likely to see high volumes of pedestrian traffic than the sidewalks in front of houses in a quiet residential neighborhood.

Based on this, important attributes of the data collected for pedestrian facilities include predictors of program access demand associated with the location where data is collected.

2.2.1 Priority by Location

The ADA's title II, Part 35, regulations prescribe priority for pedestrian facilities based on nearness to entities covered by the ADA ([§ 35.150\(d\)\(2\)](#)). MTC documented the location of each datapoint first, by applying the City's planning and use zone values to assess the expectation of pedestrian traffic volume; and second, by collecting, on-site, the observed distance to the nearest facility of a covered entity. The sum of the values represents the degree of need for accessible pedestrian facilities at a specific location. MTC calls this value a Program Score. The Program Scores are meant to assign a relative need for program access which is the essential requirement of title II. While any obstruction in pedestrian facilities may cause discrimination against people with disabilities, the purpose of this approach is to remove first those barriers which have the greatest probability of limiting or preventing access by people with disabilities.

2.2.1.1 Zone Values – Predicting Use

Zone Values (ZV) from 0 to 5 are roughly based on the City’s planning and use zones with ZV of 0 applied to business districts or other locations with high expectation of pedestrian traffic. At the other extreme, ZV of 5 applies to low-density residential and similar locations with low expectation of pedestrian traffic. These values are predictive but not necessarily indicative of the current use of locations. For example, an area may be zoned for commercial or residential use even though development has not begun in the area. ZVs are very useful when accurately applied for walksheds near schools, parks, and churches.

2.2.1.2 Program Access Values – On-the Street Observations

The second factor in calculating the Program Score of pedestrian facilities, by location, was the assignment of what MTC calls a *Program Access Value* (PAV). Regardless of anticipated priority, based on planning and development zones or walksheds, MTC has found that unanticipated drivers of pedestrian traffic may exist in unexpected locations. To include the impact of these drivers of pedestrian traffic, MTC collects, through on-the-ground observation, at a point of data collection, the relative nearness of facilities that may drive pedestrian traffic. These observations of, for example, a park within a given walking distance (ranging from zero to three blocks), serve to confirm presumed ZVs, and are added to ZVs as a factor in calculating a value that MTC calls the Program Score of a location.

As ZVs may predict program demand at a location that does not currently exist but may exist with future development, the collection of the PAV for a location serves to verify (or not) these predictions. That is, the ZV at a location may be predictive of a high volume of pedestrian traffic, but the observed PAV does not substantiate that prediction when no covered entity/pedestrian traffic driver is located within a short walking distance of the location.

To be clear, PAV is meant as a subjective measure, rather than a measured, *as-the-crow-flies*, distance. Using *blocks* as a unit of measure is intentionally imprecise. MTC’s purpose is to give a relative on-site assessment of the likelihood that individuals would walk to a covered entity from a given point where data is collected. Walkability studies are not precise in their estimation of the distances that people will walk. Normative standards of walkability are typically based on a walk-time of 10 minutes even though there is “little empirical evidence to support the validity of this measure.”³ Obviously, as walking speeds vary greatly between individuals, estimates of 10-minute walking distances range from 1/8 to 1/2-mile. The actual shape of walksheds based on these estimates will not be a circle with a center at the destination point. It makes sense when interpreting MTC’s calculated Program Scores to view the overall impression given when these data are plotted in GIS.

2.2.1.3 Program Score

Program Scores are intended as a general estimate of the relative probability of pedestrian traffic at a location. A finding, at a location, documents conditions that are not consistent with the best practices for accessible pedestrian facilities as provided by PROWAG. Program Scores, ranging from 0 to 8 for the collected data, imply the probability that those conditions will impede pedestrian travel for people with disabilities. Because Program Scores are location specific, they provide a model for selecting sites and the sequence of Transition Plan projects. The City will include these locations in deciding the sites of future CIP projects. In the short-term, planned CIP projects will dictate the initial actions to remove barriers identified in the Transition Plan.

³ Layton, Robby, Ph.D., Walkability Standards: Test Of Common Assumptions, at <https://www.dcla.net/blog/walkability-standards>, on April 23, 2020.

2.3 Practical Approach to Priority

In practice, major public works projects typically require extended lead times to allow for mandated procurement processes, possible need for acquisition of property, interruption of services when renovating public spaces, and the availability of various resources including, but not limited to, funding needed to complete such projects. Because the City must factor these lead times into major projects, regardless of perceived priorities, it may take several years to schedule these projects in the Transition Plan. Logically, projects which have already been scheduled in the City's Capital Improvement Plan (CIP) will take priority and may be expanded to include Transition Plan findings which fall within the scope of planned and budgeted CIP projects. Funding resources for transportation projects which have long lead times and may rely on statewide and regional priorities, will necessarily affect the schedule for barrier removal projects in the Transition Plan for pedestrian facilities in the public right-of-way. Despite the significant cost of Transition Plan projects for pedestrian facilities, the City believes that an ambitious plan to complete these projects in 20 years is necessary to stay within time frames which are acceptable to DOJ.

2.3.1 Intrinsic Priority

The concept of intrinsic priority presumed in the approach to prioritization used in the Transition Plan is intended to provide a practical model consistent with the title II of the ADA focus on program accessibility. The following priorities for structural barrier removal in title III of the ADA also inform the process:

Priorities. A public accommodation is urged to take measures to comply with the barrier removal requirements of this section in accordance with the following order of priorities.

(1) First, a public accommodation should take measures to provide access to a place of public accommodation from public sidewalks, parking, or public transportation. These measures include, for example, installing an entrance ramp, widening entrances, and providing accessible parking spaces.

(2) Second, a public accommodation should take measures to provide access to those areas of a place of public accommodation where goods and services are made available to the public. These measures include, for example, adjusting the layout of display racks, rearranging tables, providing Brailled and raised character signage, widening doors, providing visual alarms, and installing ramps.

(3) Third, a public accommodation should take measures to provide access to restroom facilities. These measures include, for example, removal of obstructing furniture or vending machines, widening of doors, installation of ramps, providing accessible signage, widening of toilet stalls, and installation of grab bars.

(4) Fourth, a public accommodation should take any other measures necessary to provide access to the goods, services, facilities, privileges, advantages, or accommodations of a place of public accommodation. (§ [36.304\(c\)](#))

In the data collected for sites and facilities in the Transition Plan, the four priorities described above have been labelled *1-Entry*, *2-Servcies*, *3-Restrooms*, and *4-Other*. Logically, barriers to access at site arrival points (see ADA Standards [206.2](#)), such as parking lots or the sidewalks that lead to building entrances, prevent access to the facility as a whole and any services, programs or activities provided at the facility. In addition, from a risk management perspective such barriers are least likely to be mitigated by City staff and most likely to result in complaints.

2.3.2 Mitigation Difficulty

The Transition Plan for buildings and parks applies mitigation difficulty as one of the key factors in the determination of the priority to remediate barriers. Mitigation difficulty refers to the rough order of magnitude necessary to remove a barrier in an existing facility. While potential design and construction costs must be considered in the estimation of mitigation difficulty, other factors, such as the disruption of services during facility renovations, potential infeasibility of removing a particular barrier (e.g., enlarging a restroom might require removing a load bearing wall), and the typical lead time necessary when considering competitive bids and construction operations, may have more weight in labelling the mitigation difficulty of a particular barrier as *high*. When walls must be moved or parking lots regraded and repaved to remove barriers, the City will be prudent in choosing the most cost-effective approach. In some cases, moving a program to another facility may be the best choice. The City will make these decisions as soon as possible to ensure program access. However, these decisions should not be made before all relevant options have been thoroughly explored.

Regardless of the City's commitment to inclusivity and ADA compliance, budgetary constraints present a reality that the City must face in choosing which barriers will be removed first and which will be scheduled for later remediation. By assessing the immediate nature of each barrier, as well as the difficulty removing it will entail, the City plans to remove the highest priority barriers as soon as the necessary financial resources become available. The caveat to this approach is the responsiveness necessary, when input (i.e., comment, request, or complaint) from a person with a disability identifies an immediate barrier to program access.

2.4 City Buildings

Table 1 summarizes the numbers and percentages of findings in the City's buildings, by degree of intrinsic priority and estimated mitigation difficulty. The City, based on MTC's recommendation, will give priority to findings in the cells shaded **orange** (the *orange zone*), to the upper left. The City will reasonably address findings located in buildings (see section 2.1.1 above) most frequently accessed by the public that fall within the *orange zone* of **Table 1**. Most of these findings are for barriers that will require minimal effort or expense to remedy. Many will be (have been?) eliminated in-house by maintenance staff.

Findings in the cells shaded **light blue** (the *blue zone*), to the lower right, are those that can wait the longest.

Table 1 – Summary of Findings: City Buildings					
Intrinsic Priority	Mitigation Difficulty			Total	
	3-Low	2-Moderate	1-High		
1-Entry	109	26	237	372	21%
2-Services	581	64	122	767	44%
3-Restrooms	429	53	103	585	34%
4-Other	10	4	6	20	1%
Total	1,129	147	468		100%
	65%	8%	27%	100%	
Color Zone Totals	1,209	63	462	10	1,744
Color Zone Percentages	69%	4%	26%	1%	100%



2.4.1 Typical Barriers Found in City Buildings

In the sections below are typical barriers identified in the City's buildings, during the onsite facility assessments. The difficulty and cost to remedy individual barriers varies from simple, low-cost, maintenance and repairs, to extensive redesign and renovation of publicly accessed spaces. Re-stripping parking spaces or adjusting door-opening forces and closing speeds will require minimal expense or difficulty. Moving and reframing a door to provide sufficient maneuvering clearance or realigning a water closet to correct near wall clearance to the required 16-18 inches can be costly, difficult, and even technically infeasible if, for example, the alteration would effect a load-bearing wall. For this reason, the typical barriers are separated, by rough order of magnitude, ranging from those where mitigation difficulty is expected to be low to those where mitigation difficulty is expected to be high.

Usually, those barriers expected to have high mitigation difficulty will require long-term process to be accomplished. The City may need to hire architects or engineers to determine the best structural solutions. Because of cost, the City must formally solicit proposals and the funding needed for these projects may not be available for several budget cycles. While the City recognizes these concerns, to make this plan viable requires the City to begin the processes for achieving removal of these high difficulty barriers as soon as possible, even though actual structural alterations might be years down the road.

2.4.1.1 Typical Low Mitigation Difficulty Barriers

Figure 2.4.1.1(a) **Typical Observation:** Improper signage location for permanent rooms and spaces: [[ADA Standards 703.](#)]

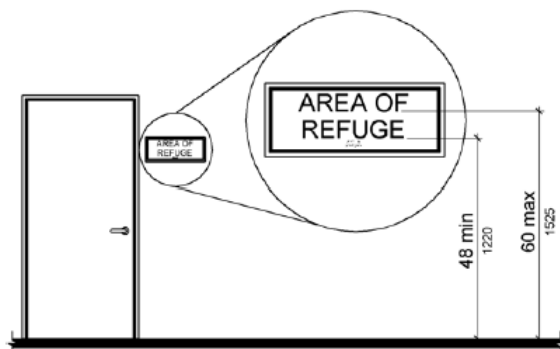
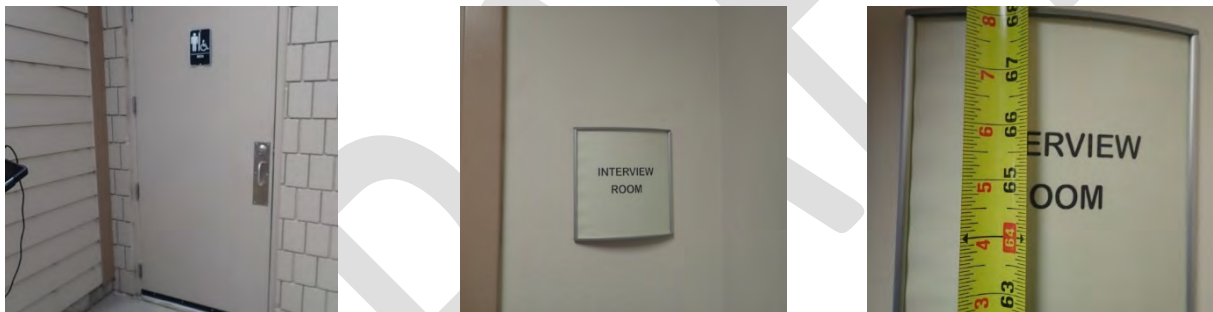


Figure 703.4.1 Height of Tactile Characters Above Finish Floor or Ground

Figure 2.4.1.1(b) **Typical Observation:** Protrusions throughout facilities: [ADA Standards [307.](#)]

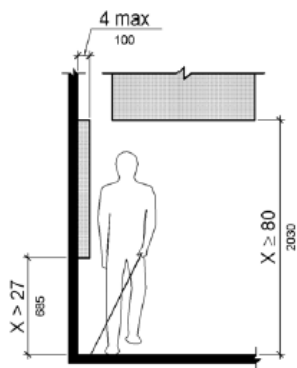
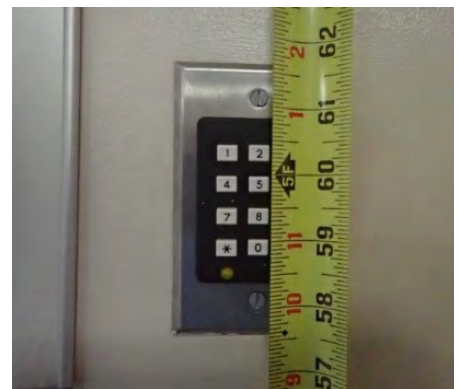


Figure 307.2 Limits of Protruding Objects

Figure 2.4.1.1(c) **Typical Observation:** Operable parts above required reach range: [ADA Standards [308.](#)]



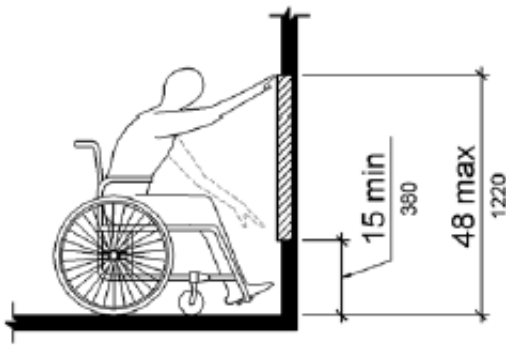
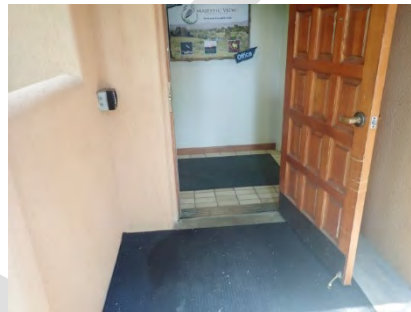
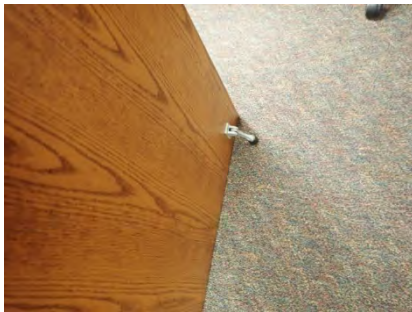


Figure 308.2.1 Unobstructed Forward Reach

Figure 2.4.1.1(d) **Typical Observation:** 10-inch smooth surface missing on the push side of doors: [ADA Standards [404.2.10.](#)]



Door with smooth push side surface within 10 inches of finish floor.

Figure 2.4.1.1(e) **Typical Observation:** improperly mounted grab bars in restrooms: [ADA Standards [604.5](#) and [609.4](#).]

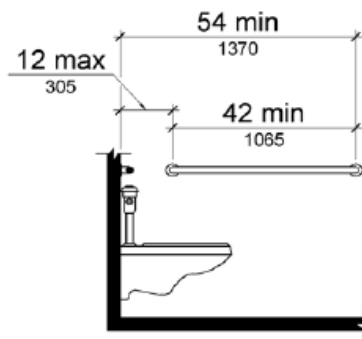


Figure 604.5.1 Side Wall Grab Bar at Water Closets

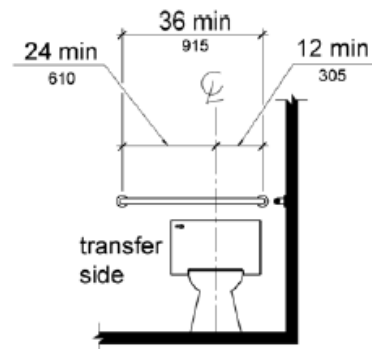


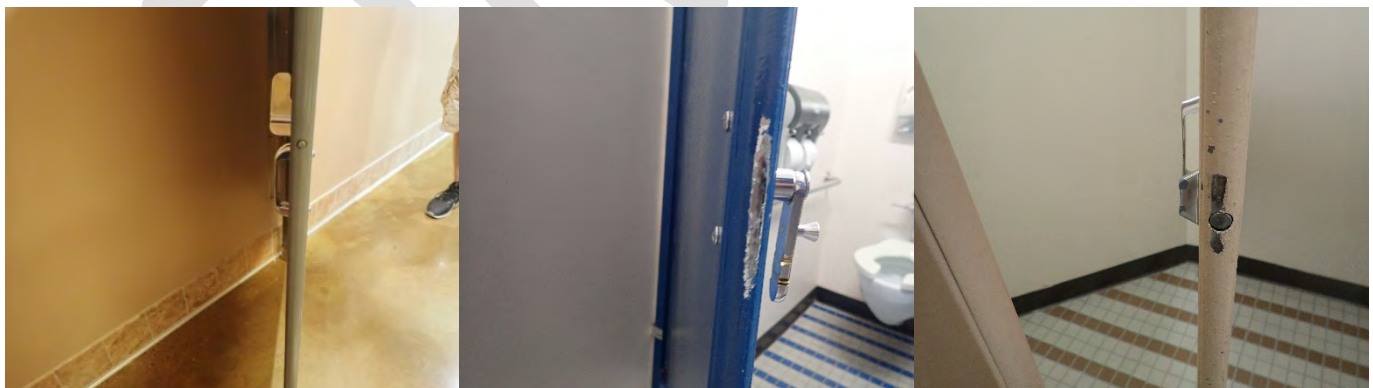
Figure 604.5.2 Rear Wall Grab Bar at Water Closets

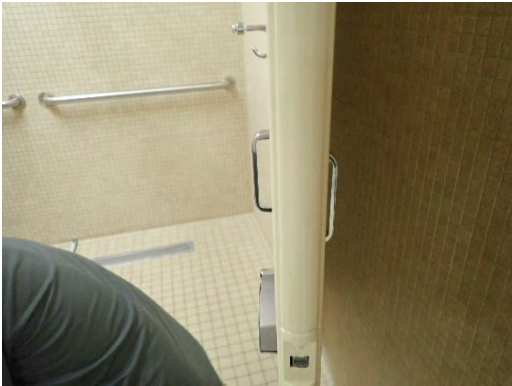
Figure 2.4.1.1(f) **Typical Observation:** Water supply and drain pipes are not insulated under lavatories: [ADA Standards [606.5.](#)]



Sink with insulation wrapping drain and supply pipes.

Figure 2.4.1.1(g) **Typical Observation:** Handles are not provided on both sides of toilet compartment doors: [ADA Standards [604.8.1.2.](#)]





Toilet compartment door with handles on both sides.

2.4.1.2 Typical Moderate Mitigation Difficulty Barriers

Figure 2.4.1.2(a) **Typical Observation:** Vertical changes in level (greater than ¼-inch vertical, or ½-inch beveled):
[ADA Standards [303.2](#) and [303.3](#).]



Figure 303.2 Vertical Change in Level

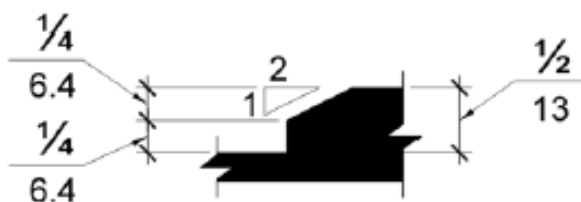


Figure 303.3 Beveled Change in Level

Figure 2.4.1.2(b) **Typical Observation:** Sink tops are too high: [ADA Standards [606.3.](#)]

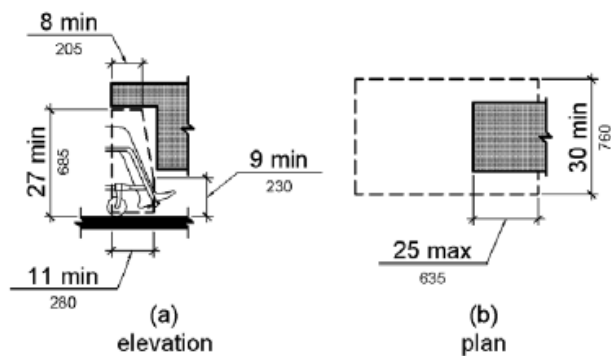


Figure 306.3 Knee Clearance – (a) elevation and (b) clear floor space

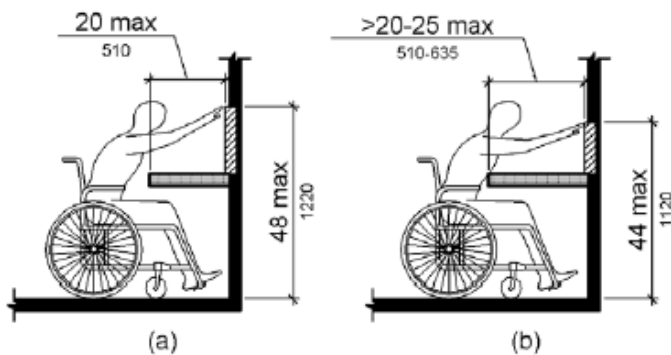


Figure 308.2.2 Obstructed High Forward Reach – (a) over 20 inches maximum and (b) over > 20-25 inches

Figure 2.4.1.2(c) **Typical Observation:** Insufficient knee clearance: [ADA Standards [306.3.](#)]

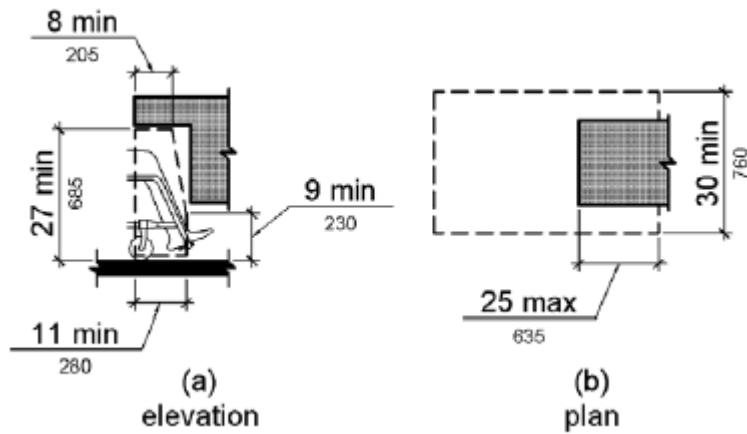
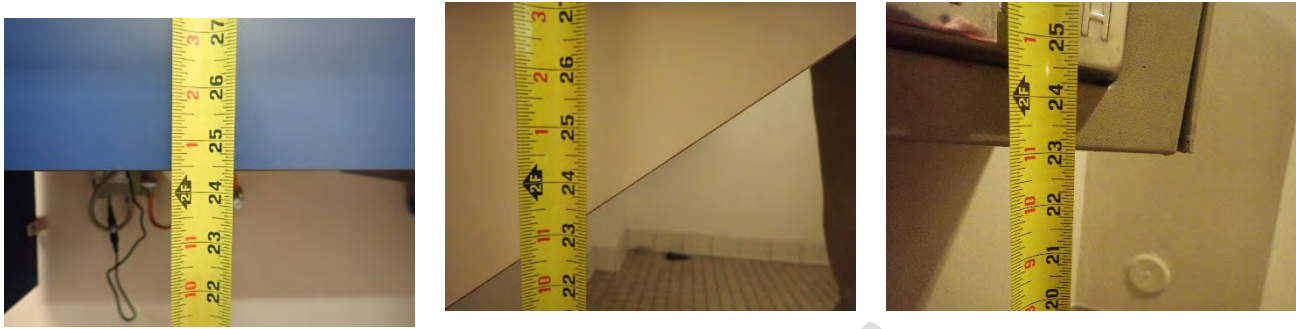


Figure 306.3 Knee Clearance – (a) elevation and (b) clear floor space

2.4.1.3 Typical High Mitigation Difficulty Barriers

Figure 2.4.1.3(a) **Typical Observation:** Curb ramps with slopes too steep: [ADA Standards [406.](#)]

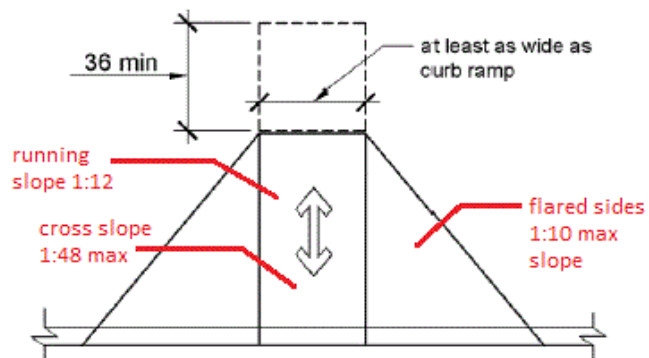


Figure 406 Landings at the Top of Curb Ramps and Maximum Slopes



Figure 406.2 Counter Slope of Surfaces Adjacent to Curb Ramps

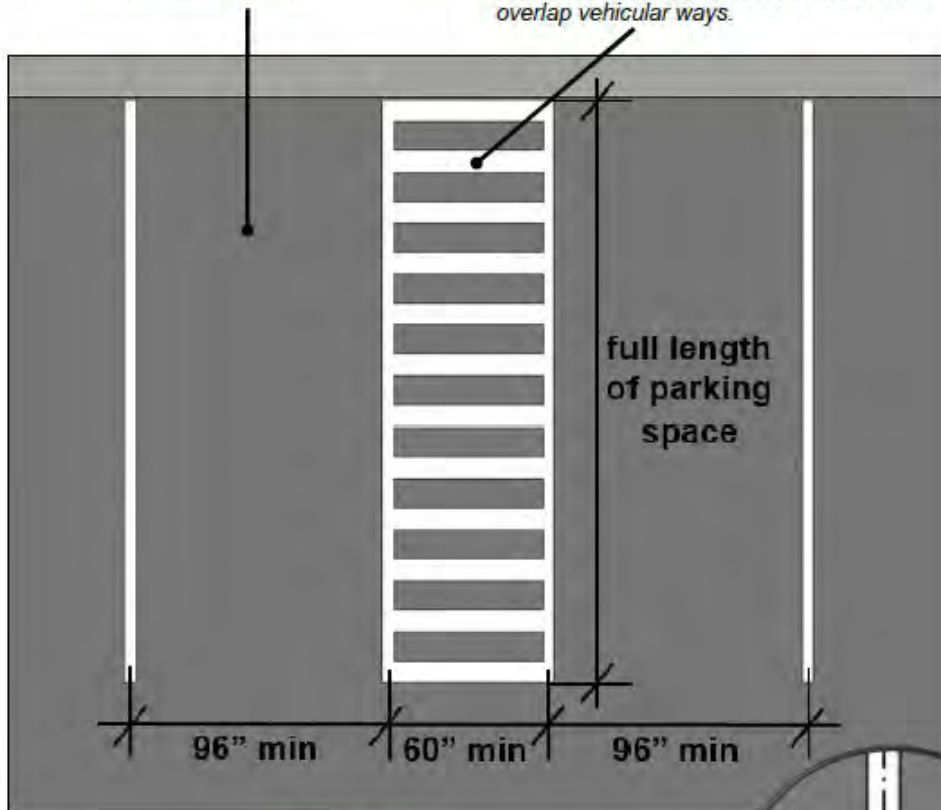
Figure 2.4.1.3(b) **Typical Observation:** Parking spaces with slopes too steep: [ADA Standards 502.4.]



Accessible Parking Space

Vehicle Spaces (§502.2)
Spaces must be marked to define the 96" minimum width.

Access Aisle (§502.3)
An access aisle at least 60" wide and at least as long as the parking space is required on either side of the parking space and must be marked to discourage parking in it. Two spaces can share one aisle. Access aisles cannot overlap vehicular ways.



Surfaces (§502.4)
Parking spaces and access aisles must meet requirements for floor and ground surfaces (§302) and cannot have changes in level other than slopes not exceeding 1:48.

Markings (§502.1, §502.2, §502.3.3)
Both the parking space and access aisle must be marked. The marking method and color is not specified in the Standards, but may be addressed by state or local codes or regulations. The width of spaces and aisles is measured to the centerline of markings (but it can include the full width of lines where there is no adjacent parking space or aisle).

Figure 2.4.1.3(c) **Typical Observation:** Toilet compartment with insufficient clearance: [ADA Standards [604.8.1.1.](#)]

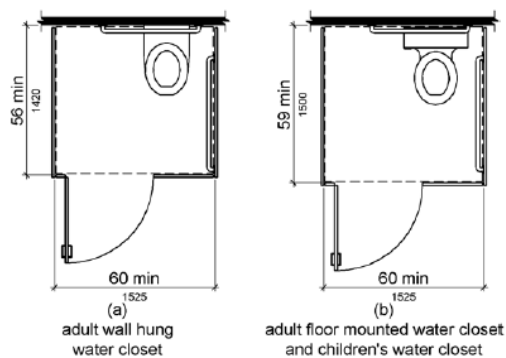
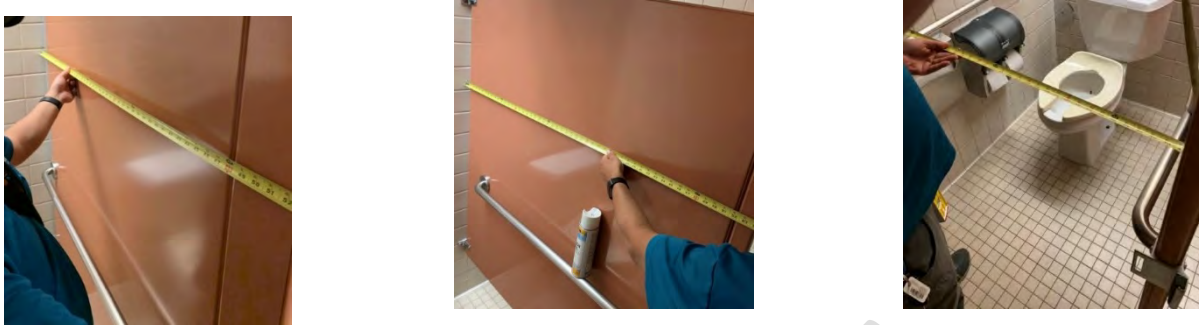


Figure 604.8.1.1 Size of Wheelchair Accessible Toilet Compartment

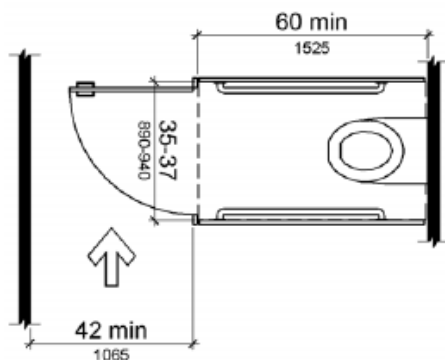


Figure 604.8.2 Ambulatory Accessible Toilet Compartment

Figure 2.4.1.3(d) **Typical Observation:** Accessible routes with slopes too steep: [ADA Standards [403.3](#)]



Maximum running slope of an accessible route is 5 percent.

Maximum cross slope of an accessible route is 2.08 percent.



2.5 City Parks, Athletic Complexes, and Golf Courses

Table 2 summarizes the numbers and percentages of findings in the City's parks, athletic complexes, and golf courses, by degree of intrinsic priority and estimated mitigation difficulty. The City, based on MTC's recommendation, will give priority to findings in the cells shaded orange (the *orange zone*), to the upper left. Findings in the cells shaded light blue (the *blue zone*), to the lower right, are those that can wait the longest.

Intrinsic Priority	Mitigation Difficulty			Total	
	3-Low	2-Moderate	1-High		
1-Entry	66	209	268	543	13.7%
2-Services	728 ⁴	672 ⁵	1,505	2,905	73.2%
3-Restrooms	318	74	107	499	12.6%
4-Other	5	-	16	21	0.5%
Total	1,117	955	1,896	3,968	100%
	28.2%	24.0%	47.8%	100%	
Color Zone Totals	1,993	79	1,880	16	3,968
Color Zone Percentages	50.2%	2.0%	47.4%	0.4%	100%

 First Priority
  Second Priority
  Third Priority
  Fourth Priority

Approximately 17 percent (668) of findings have been identified as maintenance items. The City plans to complete mitigation of 80 percent of maintenance items by the end of 2023, and 100 percent by the end of 2025. The City plans removal of all 167 *Entry* level barriers at athletic complexes by the end of 2022. The City plans removal of all 354 *Entry* level barriers at other Districts between 2023 and the end of 2025. The City plans removal of all *Services* and *Restrooms* level barriers between 2025 and the end of 2030.

2.5.1 Typical Barriers Found in City Parks, Athletic Complexes, and Golf Courses

Barriers typical in outdoor recreation facilities, technically are not significantly different than those found in other City facilities. However, findings at aquatics, boating, fishing piers, exercise equipment, picnic areas, and playgrounds, typically, are not found in City buildings. Some typical barriers in these areas will be displayed below in section 2.5.1.1.

As participation in recreation programs and activities essentially requires access to the facilities serving those programs, almost all noncompliant conditions identified in these facilities must be removed to ensure program accessibility. The exception may be where access at other venues can achieve access to a program, when viewed in its entirety.

The Department of Justice (DOJ) in its guidance to the title II regulations writes that factors to be considered in whether a program is accessible, when viewed in its entirety, include:

- the size of the public entity
- the particular program features and amenities offered at each site
- the geographical distance between sites
- the travel times to the sites
- the number of sites

⁴ For 6 of these findings, at Apex Field House, the Program Access status is Pending.

⁵ For 3 of these findings, at Apex Field House, the Program Access status is Pending.

- availability of public transportation to the sites

The above list of factors is not exhaustive. When deciding on methods for meeting the *viewed in its entirety* requirement, the City must give priority to methods that offer services, programs, and activities in the *most integrated setting appropriate to the needs of people with disabilities*. DOJ guidance continues:

As a result, in cases where the sites are widely dispersed with difficult travel access and where the program features offered vary widely between sites, program accessibility will require a larger number of facilities to be accessible in order to ensure program accessibility than where multiple sites are located in a concentrated area with easy travel access and uniformity in program offerings.

DRAFT

2.5.1.1 Typical Low Mitigation Difficulty Barriers

Figure 2.5.1.1(a) **Typical Observation:** Accessible route to and clear space at exercise equipment. [ADA Standards [1004.1](#) and [305.2](#).]

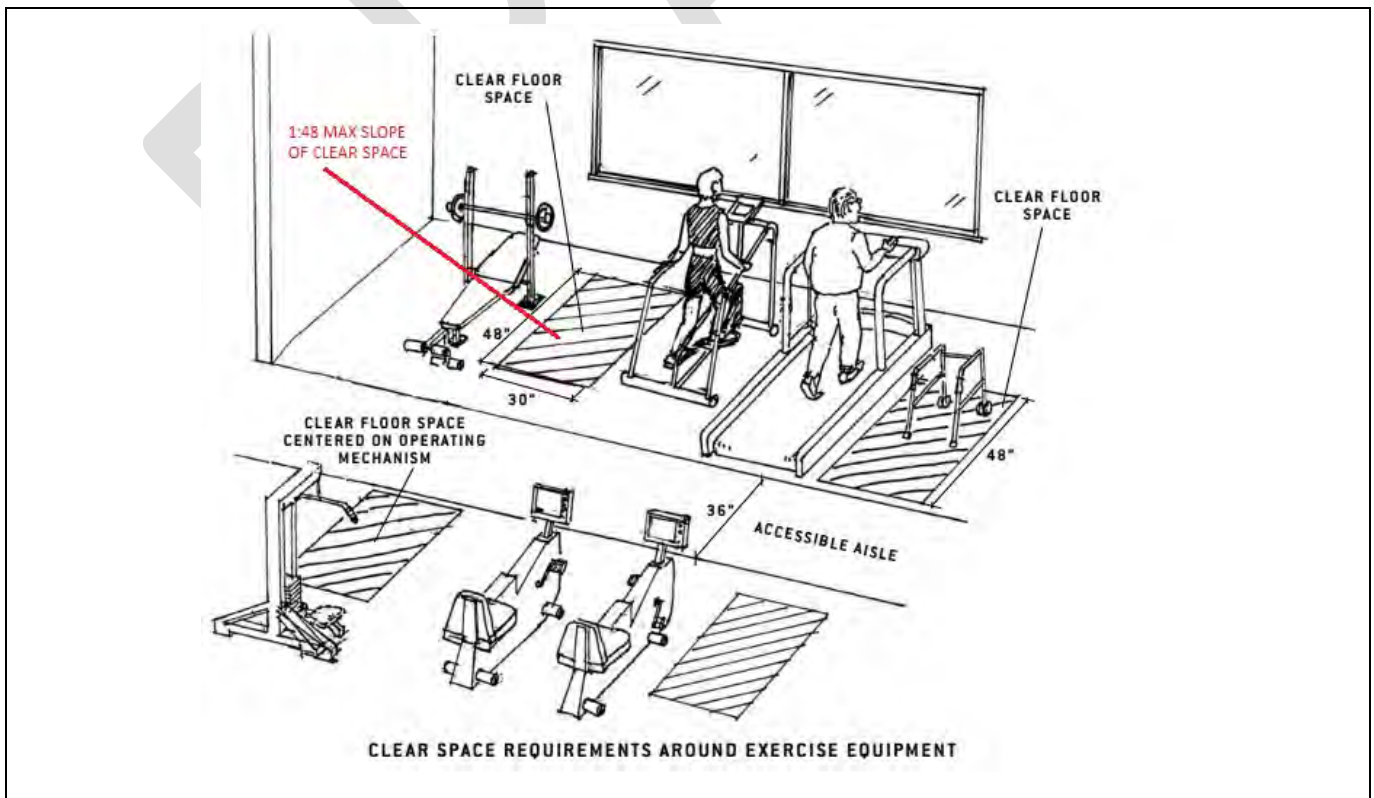


Figure 2.5.1.1(b) **Typical Observation:** Cooking surface of grills too high. [ABAAS (ODA) [1011.5.2](#)]



Figure 2.5.1.1(c) **Typical Observation:** 48 inches of clear ground space is not provided on all usable sides of grill. [ABAAS (ODA) Table [1011.2.1](#)]

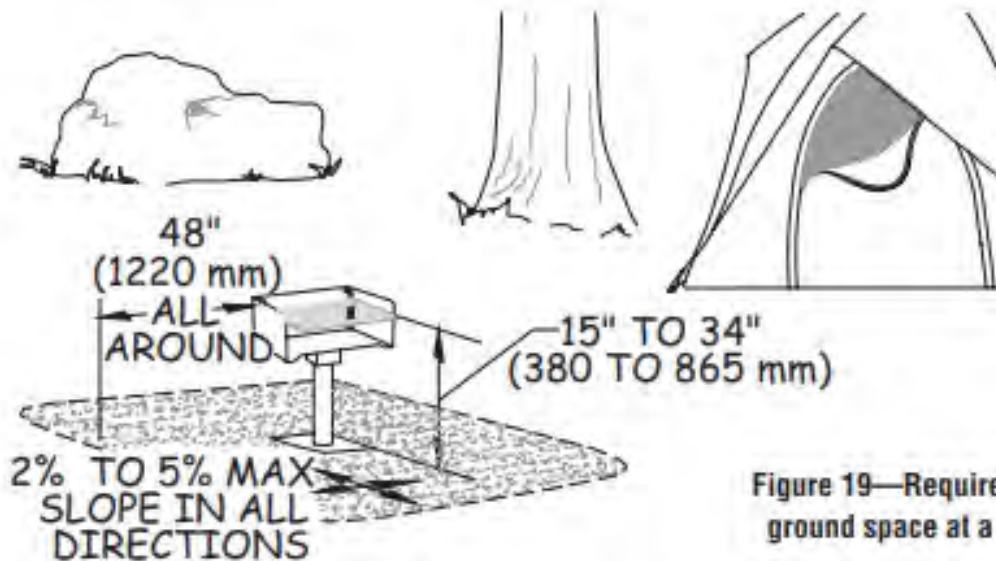


Figure 19—Requirements for clear ground space at a pedestal grill.

Figure 2.5.1.1(d) **Typical Observation:** Insufficient knee clearance at picnic table. [ADA Standards [306.3.3.](#)]

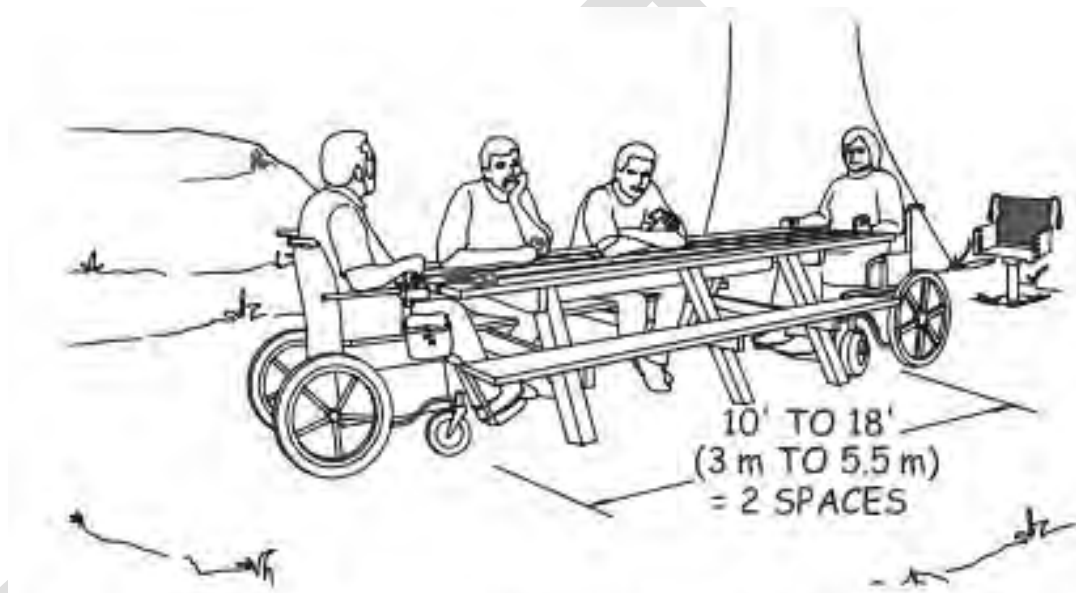


Figure 17—At least two spaces must be accessible at a 10- to 18-foot long picnic table.

2.5.1.2 Typical Moderate Difficulty Barriers

Figure 2.5.1.2(a) **Typical Observation:** Clear floor space not provided within weather shelter. [ADA Standards [1006.4.](#)]



Figure 2.5.1.2(b) **Typical Observation:** No accessible route to amenities such as picnic tables and grills. [ADA Standards [206.2.2](#) and ABAAS (ODA) [F245.2.5.1.](#)]



2.5.1.3 Typical High Mitigation Barriers

Figure 2.5.1.3(a) **Typical Observation:** Maximum slope of the clear space at play area ground component is steeper than 2.0 percent. [ADA Standards 1008.4.2, 305.2]



Figure 2.5.1.3(b) **Typical Observation:** Maximum slope of the transfer space at play area transfer platform is 9.1 percent. [ADA Standards [1008.3.1.3](#) and [305.2](#)]



Figure 2.5.1.3(c) **Typical Observation:** Play area has no ground level play components on an accessible route. [ADA Standards 240.2.1.1, 1008.4]



Pictures from Allendale Park show safe and accessible surface connecting to transfer platform of elevated play structure and three ground level play components. Ground level play components have adjacent clear ground spaces.



2.6 Pedestrian Facilities in the City's Right-of-Way

Table 3 summarizes the number of findings by Program Score including those findings to be included in CIP projects, starting in 2021. Beginning in 2024, the Transition Plan will proceed with removing barriers based on Program Scores for those findings not addressed by CIP projects already planned in years 2021 -2023. For findings in locations calculated as Program Score 0, barrier removal will begin in 2024. Most findings (63 percent) have Program Scores from 3 to 5, are scheduled in the Transition Plan to be completed between 2026 and 2037, with the goal of completing the entire Transition Plan in 20 years, by 2040. See section 2.2, above, for explanation of the calculation of Program Scores.

See maps for detailed schedule, Appendix A.

Program Score	Number of Findings					
	Not in CIP	CIP 2021	CIP 2022	CIP 2023	CIP Future	Total
0	1,657	184	54	33	104	2,032
1	259	21	0	7	7	294
2	1,677	156	48	0	19	1,900
3	9,148	634	261	2	77	10,122
4	6,582	489	222	11	17	7,321
5	4,489	530	53	45	6	5,123
6	4,996	91	88	9	0	5,184
7	20	2	0	0	0	22
8	3	0	0	0	0	3
Total	28,831	2,107	726	107	230	32,001

As the renovation of large areas of pedestrian facilities will cost tens of millions of dollars, it is prudent to conduct further analysis of the data to isolate high value destinations that will attract large volumes of pedestrian traffic. Public offices, libraries, and schools and their surrounding walksheds have been identified and mapped in the City's GIS.

2.6.1 Typical Barriers Found in City Right-of-Way

There are typical conditions to be found in every community's pedestrian infrastructure. The range of technical deficiencies includes conditions from those that are minor tripping hazards for anyone, to barriers that are insurmountable to a diverse population of people with disabilities. The following is a non-exhaustive list of the conditions, documented in the City's pedestrian facilities, which are inconsistent with PROWAG requirements:

- Simple/minor vertical discontinuities in walking surfaces
- Complex/major vertical discontinuities in walking surfaces
- Organic protrusions within pedestrian circulation paths
- Built protrusions within pedestrian circulation paths
- Minor horizontal openings (gaps) in walking surfaces
- Complex/extended horizontal openings in walking surfaces
- Walking surfaces that are not firm and stable
- Pedestrian access routes (sidewalks) less than 48 inches wide
- Pedestrian access routes (sidewalks) – cross slopes too steep
- Pedestrian access routes (sidewalks) – running slopes too steep
- Curb ramps – missing where required
- Curb ramps – diagonal (not allowed in new construction and typically have noncompliant slopes)
- Curb ramps with one or more critical slopes (running, cross, counter) too steep
- Curb ramps missing a top/bottom turning space
- Curb ramps/blended transitions missing/noncompliant detectable warnings
- Turning spaces (top/bottom) too small
- Pedestrian signals – walk interval too short
- Pedestrian signal controls not within reach ranges (too high/too far from clear space)
- Pedestrian signal controls (or other operable parts) missing clear spaces
- Pedestrian street crossings cross/running slopes too steep
- Detectable warnings missing/damaged/buried
- Street furniture, utility poles, etc. blocking pedestrian access route

Each of these deficiencies will require varying degrees of effort and cost to be remedied. The context and location of the findings will, of course, effect both the priority and cost of resolution. At the low-end of the mitigation difficulty scale are simple efforts that can be accomplished by maintenance, such as trimming tree branches or shrubbery that obstruct sidewalks. At the high-end of the scale are those conditions requiring removal, redesign, and replacement of a curb ramp and/or curb and gutter within the road profile; whenever one or more of the critical slopes of a curb ramp is too steep removal, redesign, and replacement will be necessary.

2.6.1.1 Typical Low Mitigation Difficulty Barriers

Figure 2.6.1.1(a) **Typical Observation:** Simple vertical discontinuity (level change) measuring less than 1.5 inches where running and cross slopes are compliant. [PROWAG [R302.7.2](#).]

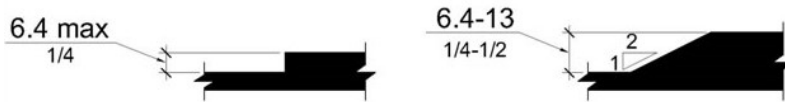


Figure R302.7.2 Vertical Surface Discontinuities

Figure 2.6.1.1(b) **Typical Observation:** Organic protrusions greater than 4 inches between 27 and 80 inches above walking surfaces within a circulation path. [PROWAG [R402.2](#).]

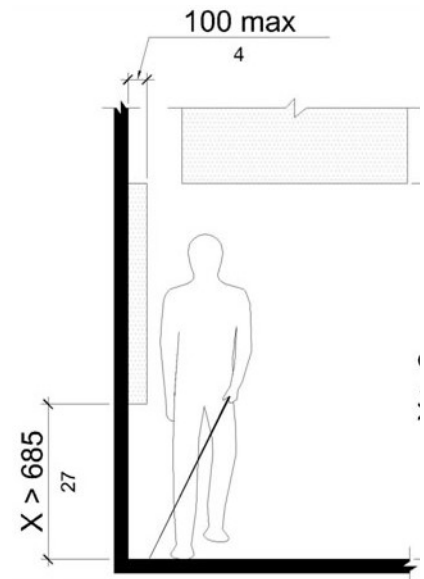
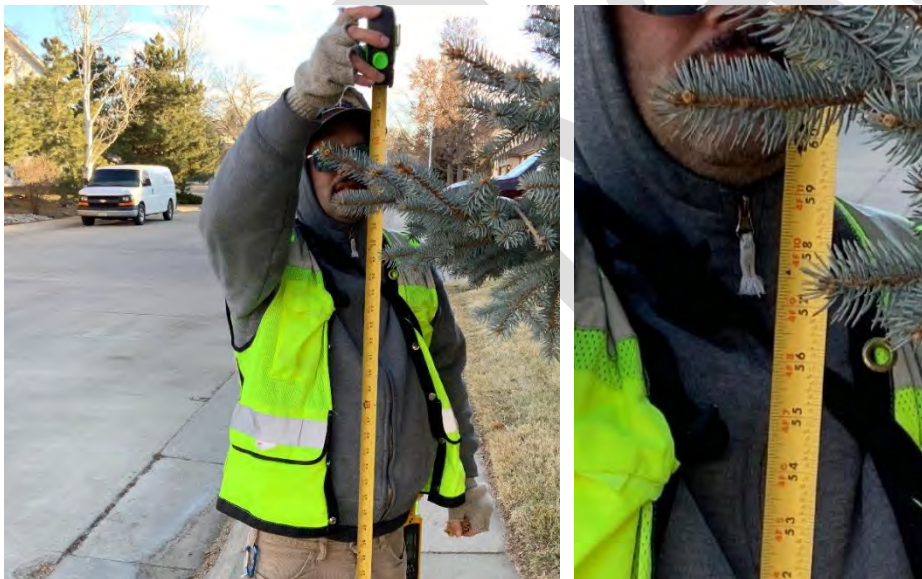


Figure R402.2 Protrusion Limits

Figure 2.6.1.1(c) **Typical Observation:** Detectable warning surface, required on curb ramp, is damaged or covered by dirt or other detritus. [PROWAG [R208](#), [R305](#), and [§ 35.133](#).]



Figure 2.6.1.2(d) **Typical Observation:** Detectable warning surface not provided on curb ramp. [PROWAG [R208](#) and [R305](#).]



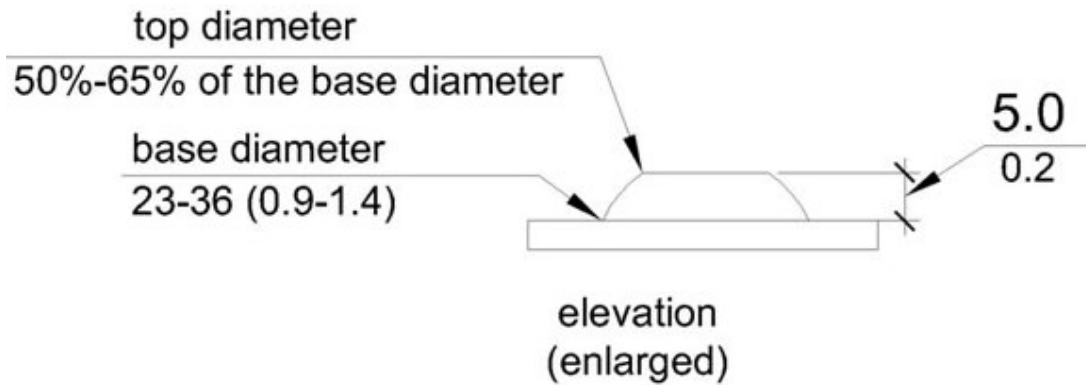


Figure R305.1.1 Dome Size

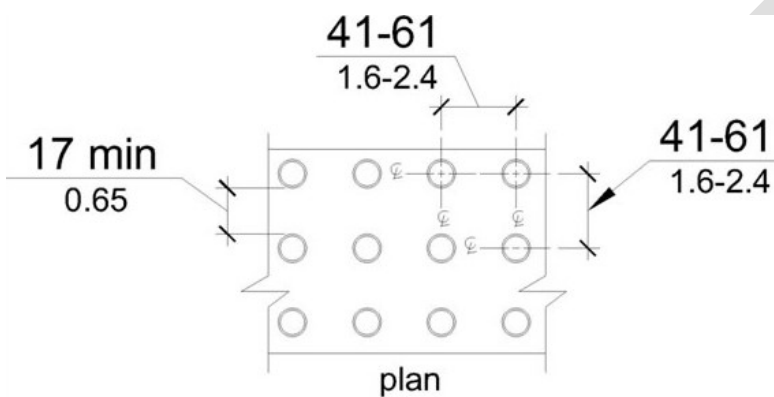


Figure R305.1.2 Dome Spacing

Figure 2.6.1.1(e) **Typical Observation:** Horizontal opening (gap) in surface wider than $\frac{1}{2}$ inch. [**PROWAG** [R302.7.3.](#)]



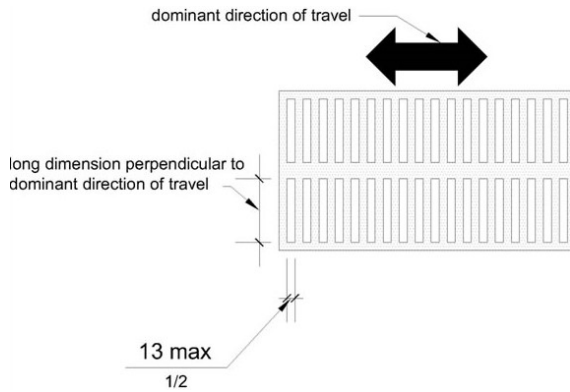


Figure R302.7.3 Horizontal Openings

2.6.1.2 Typical Moderate Mitigation Difficulty

Figure 2.6.1.2(a) **Typical Observation:** Sidewalk cross slope is too steep (i.e., steeper than 2.0 percent (1:50)). [PROWAG [R302.6](#).]



Figure 2.6.1.2(b) **Typical Observation:** Complex vertical discontinuity greater than 1.5 inches with cross slope steeper than 2.0 percent (1:50). [[PROWAG R3027.2.](#)]



Figure R302.7.2 Vertical Surface Discontinuities

Figure 2.6.1.2(c) **Typical Observation:** Built features (such as signs and mailboxes) between 27 and 80 inches above a sidewalk, protruding more than 4 inches create a hazardous barrier for pedestrians who are blind or have low-vision. [[PROWAG R402.2.](#)]



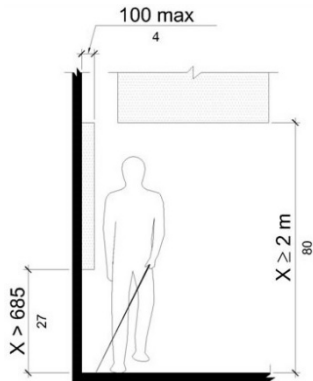


Figure R402.2 Protrusion Limits

Figure 2.6.1.2(d) **Typical Observation:** Cross slope at clear space for pedestrian control is steeper than 2.0 percent (1:50). [PROWAG [R403.2](#) and [R404.2](#).]



Figure 2.6.1.2(e) **Typical Observation:** No clear space for a wheelchair is provided adjacent to bench within a bus stop shelter. [PROWAG [R308.2](#) and [R404](#).]

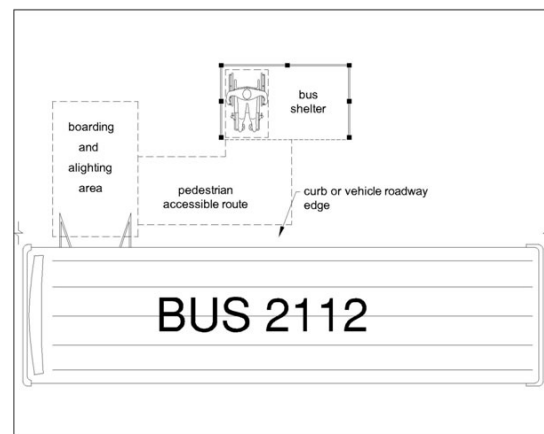


Figure R308.1.3.2 Connection

Figure 2.6.1.2(f) **Typical Observation:** Obstructed side reach greater than 10 inches at pedestrian control. [PROWAG [R406.3.](#)]



Figure 2.6.1.2(g) **Typical Observation:** Pedestrian control is too high. [PROWAG [R406.](#)]

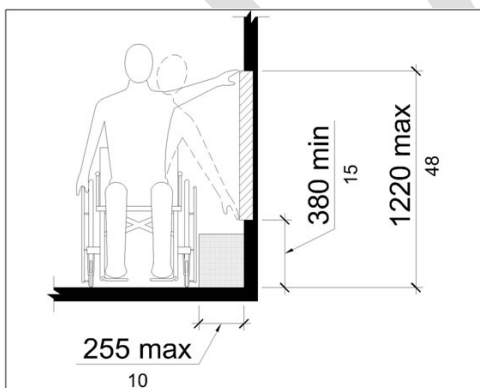


Figure R406.3 Unobstructed Side Reach

2.6.1.3 Typical High Mitigation Difficulty

Figure 2.6.1.3(a) **Typical Observation:** Curb ramp running slope is steeper than 8.3 percent (1:12). [[PROWAG R304.2.2.](#)]



Figure 2.6.1.3(b) **Typical Observation:** Curb ramp cross slope is steeper than 2.0 percent (1:50). [[PROWAG R304.5.3.](#)]

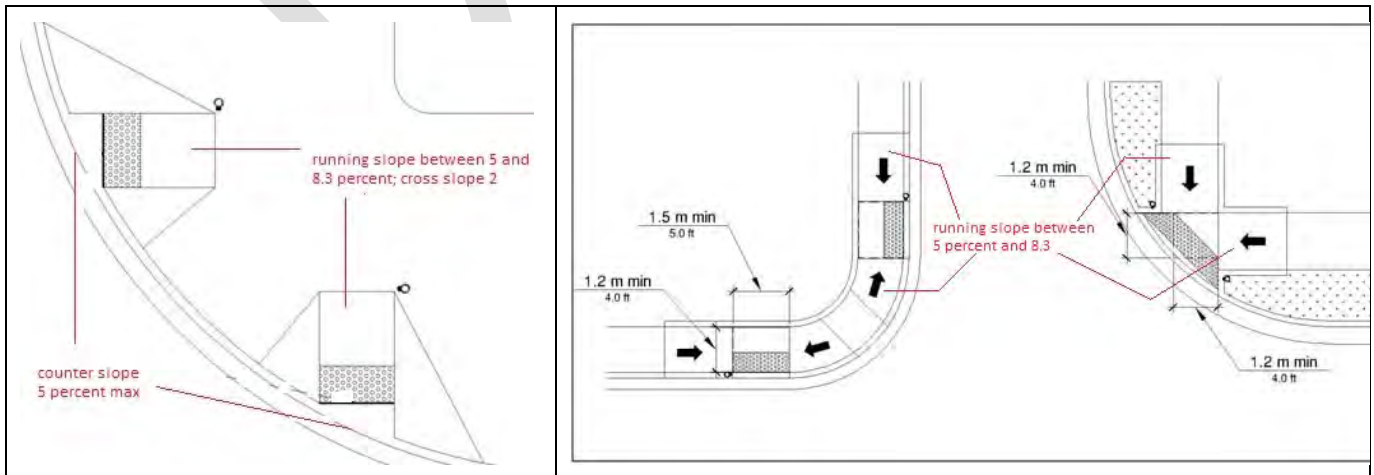


Figure 2.6.1.3(c) **Typical Observation:** Curb ramp counter slope is steeper than 5.0 percent (1:20). [PROWAG [R3054.5.4.](#)]



Figure 2.6.1.3(d) **Typical Observation:** Curb ramp has no turning space at top. [PROWAG [R304.2.1.](#)]



Figure 2.6.1.3(e) **Typical Observation:** No curb ramp provided at corner where sidewalk is present. [[PROWAG R207.1.](#)]



Figure 2.6.1.3(f) **Typical Observation:** Turning space at top of curb ramp is too narrow/obstructed. [[PROWAG R304.2.1.](#)]

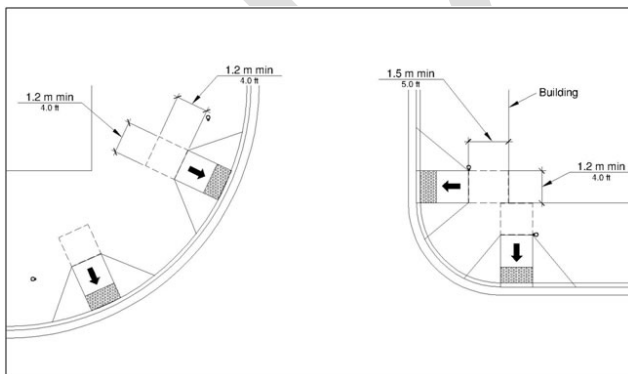


Figure R304.2.1 Turning Space (perpendicular ramps)

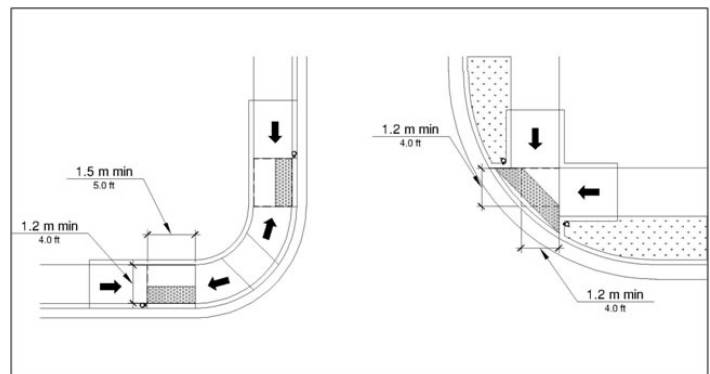


Figure R304.3.1 Turning Space (parallel ramps)

Figure 2.6.1.3(g) **Typical Observation:** Turning space at bottom of curb ramp is too short or narrow. [PROWAG [R304.3.1.](#)]



Figure 2.6.1.3(h) **Typical Observation:** In older neighborhoods, many miles of sidewalks are narrower than 48, or even 36 inches, making them inaccessible to wheelchair users and other pedestrians with limited mobility. [PROWAG [R302.3.](#)]

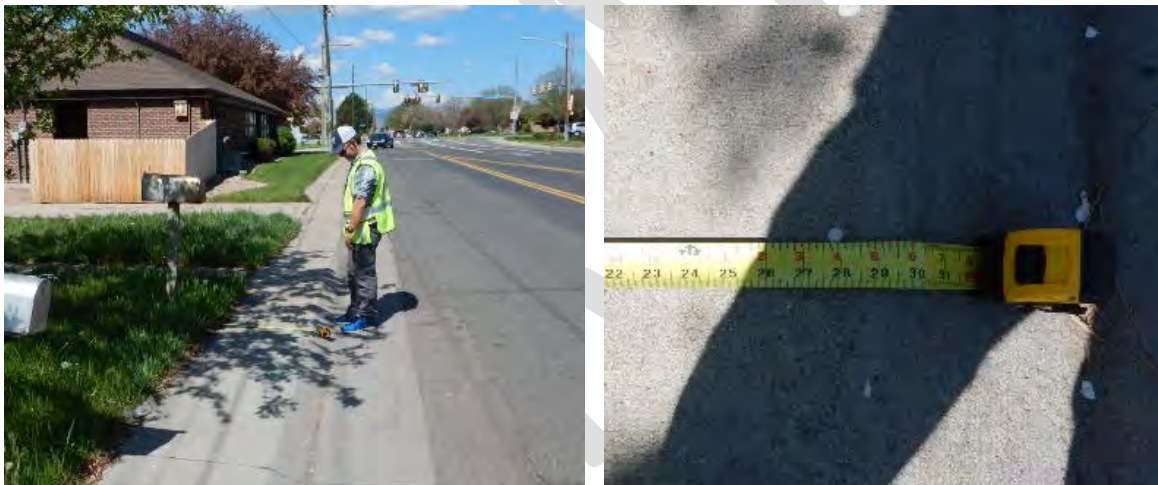


Figure 2.6.1.3(i) **Typical Observation:** Driveways at attached sidewalks create sidewalk running slopes steeper than 8.3 percent (1:12) and cross slopes steeper than 2.0 percent (1:50). [**PROWAG** [R302.5.1](#) and [R302.6.](#)]



Segment of sidewalk, 48 inches wide and cross slope 2 percent max, behind slope of driveway pan

Figure 2.6.1.3(j) **Typical Observation:** Pedestrian access route (PAR)/pedestrian street crossing not 60 inches wide minimum within pedestrian refuge island. [[PROWAG R302.3.1.](#)]



The clear width of pedestrian access routes within the pedestrian refuge island at W 58th Ave & Kipling Parkway.

2.7 Barriers to Program Access

Any elements or features of a facility having one or more attributes which are not consistent with the scoping and/or technical provisions of the ADA Standards, PROWAG, or other recognized accessibility guidance, are identified as *barriers*. Such deficiencies that exist in rooms or spaces, where public access is not supervised or monitored by a City staff, and prevent or might prevent access to a service, program, or activity, are barriers to program access. These barriers have the highest priority for mitigation. When structural barrier removal is not a feasible, short-term option, mitigation of the barrier must be accomplished through alternative methods or means as soon as possible.

Barriers that exist in rooms or spaces, where public access is not supervised or monitored by City staff, are typically found in parking facilities, exterior walkways, facility entrances, at reception counters in lobby areas, and public restrooms. Other areas where public access is not regularly monitored include public sidewalks, multi-use paths, parks, and other recreation facilities. The significant possibility that even minor barriers may impede access to these facilities by people with disabilities when City staff are not present to assist or respond to complaints.

In rooms or spaces where City staff are present, such as the Community Assistance Office, procedural measures to provide program access, for individuals with disabilities, can often mitigate barriers without physical barrier removal. When qualified individuals with disabilities can independently access public programs, in the most integrated setting appropriate to their needs, through reasonable modifications of policies, alternative venues or online access, architectural barrier removal may not be necessary.

3.0 TRANSITION PLAN CREATION

The City designated MTC's scope of work to include a survey of identified City buildings, parks, athletic complexes, and pedestrian facilities in the City's right-of-way. In addition, the City tasked MTC with an evaluation of the City's *current services, policies, and practices, and the effects thereof, that do not or may not meet the requirements* of the ADA's Part 35 regulations. The purpose of these processes is to ensure that the City can ensure ongoing compliance with title II of the ADA, providing inclusive programs for people of all abilities. Implied in this process is the effort of the City to identify barriers, structural or procedural, that might impede access by qualified people to its services, programs, or activities. When those barriers are identified the City recognizes that it has the legal duty to find methods and means to overcome those barriers, whether caused by the absence of a qualified interpreter to provide equally effective communication for a citizen who is deaf, the inaccessible surface of a playground, or a sidewalk that is too narrow for a wheelchair user.

3.1 Where Can Facility Barriers Be Eliminated?

Most public entities expect a public presence in most of their facilities at some time. But some facilities and some areas of other facilities are off-limits to the public. In some areas of public buildings, public access is restricted at certain times or not allowed at all without supervision or escort by a public employee. Locations having such restrictions might include police facilities or even the offices of workers such as employees providing social services. However, even in these areas there may be some spaces where physical barriers prevent or at least limit the full and equal participation of qualified individuals with disabilities. For example, at a public swimming pool, where staff supervision is present, the absence of a compliant pool lift or sloped entry to the pool might prevent program access. Lifting individuals from their wheelchairs and carrying them into a swimming pool is not an acceptable means of providing program access. Another example would be a restroom within a public supervised area of a facility. When a restroom in a public supervised area is available for use by other members of the public, it must be accessible to and usable by individuals with disabilities, including people who use wheelchairs.

When individuals are escorted by public employees into offices or meeting rooms and assistance with doors is provided or meetings can be held in an alternate space, rather than the employee's cubicle, then program access is being provided. In residential programs where clients are always accompanied or escorted by staff, reach ranges and slopes that might otherwise be critical barriers, are generally not barriers to program access.

However, barriers such as protruding objects in circulation paths or alarm systems lacking a visible component may still be considered barriers to program access even in public supervised areas. Protrusions in circulation paths that cannot be seen by individuals who are blind and alarms that cannot be heard by individuals who are deaf continue to present barriers to program access, as well as safety risks, even when individuals are provided with assistance. The safety risks may raise concerns in emergencies.

3.1.1 Identifying Structural Barriers

MTC staff, using appropriate tools and electronic tablet technology using proprietary software, conducted comprehensive measurement and observation of City facilities, collecting *as-is* conditions, focusing on those elements of the built environment which affect or might affect access by people with disabilities. Measurements and observations were analyzed for compliance with the appropriate minimum accessibility requirements. Results of the analysis was compiled in data tables which have been used in the development of this Transition Plan. MTC provided the City with findings, referencing applicable citations, recommendations for mitigation, assessment of priorities, and Opinions of Probable Construction Costs (OPCC). MTC transmitted data collected in the City's right-of-way, including, GPS coordinates, findings, and photos in the form of ArcGIS files compatible with the City's GIS.

The data represent snapshots in time and MTC submits that conditions identified in that data may have been remedied between the time the data was collected and the delivery of this report. In other some instances conditions may have deteriorated during that interval.

The ultimate purpose of this Transition Plan is to identify barriers where structural changes to facilities must be made to achieve program accessibility.

3.1.2 Identifying Non-Structural Issues

The identification of *as-is* conditions which are not consistent with accessible design requirements is merely the beginning of the process. MTC facilitated the City's efforts to assess the ability of staff to modify City policies, practices, and procedures to circumvent structural barriers and provide inclusive access, in the most integrated setting appropriate to the needs of qualified individuals with disabilities. Title II of the ADA does not necessarily require the City to make all facilities accessible and allows the City to find alternative methods or means to achieve program accessibility.

To assist the City with the discovery of means by which the City can circumvent physical barriers and continue to provide inclusive access to its programs, MTC took the following measures:

- Inventory and review of City policies/recommendation of revised and additional policies/guidance
- Interviews with City management to assess practices and understanding of ADA requirements
- Survey of City employees to identify gaps in ADA knowledge
- Interaction with staff to identify areas of facilities where public access is restricted, or staff gives assistance which circumvents physical barriers to program accessibility

The City has reviewed and evaluated each finding in the collected data to determine whether the conditions identified present or might present barriers that limit or exclude opportunities for inclusive access to the services, programs, or activities in the location of the finding. The City acknowledges that in given spaces, for example, public sidewalks, parks, playgrounds, and parking lots, without removing identified barriers, the programs provided in those spaces cannot be independently accessible to qualified people of all abilities in the most integrated setting appropriate to their needs.

The City, based on MTC's recommendation, will apply knowledge gained from completing its Self-evaluation to determine whether it would be better – more cost-effective – to resolve some of the structural findings in the TPDs through methods and means other than architectural barrier removal. The City recognizes that potentially, the relocation of some services, programs or activities may be the most practical and cost-effective means to surmount major structural barriers in its built environment.

In spaces such as offices and public assembly areas, the City assumes has a duty to ensure that assistance and accommodations, including auxiliary aids and services to ensure effective communication, are readily available to people with disabilities with or without a making a request. The City will continue to make reasonable modifications to its policies, procedures, and practices to prevent disability-based discrimination, except in those instances where the City can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity.

The City of Arvada, with the participation of people with disabilities or organizations representing them, will expand the scheme for completing mitigation of findings and assigning the responsibility for implementing the Transition Plan. Mitigation of findings in facilities alone, outside of the context of the accessibility of the City's programs, policies, and practices, cannot ensure the absence of prohibited discrimination based on disability. Discoveries made through its Self-evaluation should be included. MTC continues to be available to the City to provide further consultation on implementation of its Transition Plan.

3.1.3 Consideration of “When Viewed in Its Entirety” Factors

A title II entity must operate each service, program, or activity so that the service, program, or activity, *when viewed in its entirety*, is readily accessible to and usable by individuals with disabilities. The phrase, *when viewed in its entirety*, has been the cause of some confusion and speculation since the Part 35 regulations were adopted. The regulations do not require a public entity to make each of its existing facilities accessible to and usable by individuals with disabilities. That said, there is not a formula that numerically or proportionally defines how many or which of a public entity’s facilities must be made accessible to and usable by people with disabilities, in order to satisfy the *viewed in its entirety* language. In its [Title II Regulations 2010 Guidance and Section-by-Section Analysis](#), the DOJ gives the following explanation of factors to be assessed to determine whether a program is accessible *when viewed in its entirety*:

In determining how many facilities of a multi-site program must be made accessible in order to make the overall program accessible, the standard has always been an assessment of what is reasonable under the circumstances to make the program readily accessible to and usable by individuals with disabilities, taking into account such factors as the size of the public entity, the particular program features offered at each site, the geographical distance between sites, the travel times to the sites, the number of sites, and availability of public transportation to the sites.

As an example, consider a large community with five swimming pools that serve the entire city. Due to geographical distances between the pools and considerable travel times to access any of these pools, it is not reasonable to consider that barriers at any one pool could be excepted on the basis that program access, *when viewed in its entirety*, can be achieved by referring an individual to an (accessible) pool in another location.

Some city offices may have staff who travel to the homes of their clients. To some extent this practice could offset some facility barriers, thereby making a program, *viewed in its entirety*, accessible. At other offices, clients are typically served in areas where access is procedurally limited. Clients are accompanied, escorted, and or assisted in these areas. These policies, procedures, and practices allow barriers to be avoided or otherwise mitigated through methods and means other than structural barrier removal, making a program, *viewed in its entirety*, accessible.

Nevertheless, there are certain barriers that might not be avoided, regardless of assistance provided by staff. For example, protruding objects in circulation paths continue to present potential hazards for individuals who are blind or visually impaired. Where others have access to public restrooms, at least one fully accessible restroom must be provided for individuals with disabilities, including those who use wheelchairs. Accessible parking, accessible routes from site arrival points (including public sidewalks, public transportation, and accessible parking) to each accessible entrance, and all the way to a point where service is provided, such as an accessible reception counter, are necessary to make the services, programs, and activities offered at any location accessible, *when viewed in their entirety*.

3.1.4 Virtual Program Access

While access to online programs provided on websites or through other electronic means has certainly been recognized as a title II requirement as long ago as 1998 (when the Rehabilitation Act was amended to include section 508 provisions), the need to make virtual environments accessible has become critically important in the past year, as the City has limited in-person contact between its employees and the public to adapt to statewide public health restrictions. Technically, the regulations do not require the City to list virtual barriers, such as the absence of captions and audio description on streamed public meetings, in its Transition Plan. The advent of digital access to public services, programs, and activities on public websites, in many instances has made those programs more accessible to many people with disabilities, by eliminating the need for accessible transportation, facilities, etc.

However, as City programs that would normally have been delivered in-person, are currently being delivered online through *virtual facilities* (i.e., websites), the City recognizes the need to make efforts to identify and remove virtual barriers, within the requirements of the Self-evaluation process.

See detailed website assessment, Appendix B.

3.1.5 Barriers Not Necessarily Required to Be Removed

It is not necessary to schedule structural barrier removal, where program access, *viewed in its entirety*, is provided in the most integrated setting appropriate to the needs of qualified individuals with disabilities, regardless of built-elements of existing facilities which are not consistent accessible design standards.

While a Transition Plan must list these (potential) barriers, removal of such barriers is not necessarily required until certain events trigger structural barrier removal. Events that might trigger structural barrier removal include, but are not limited to the following:

- Request for a reasonable accommodation under title I of the ADA
- Alterations to these built elements
- Relocation of a program or repurposing of the space
- General renovation of a facility
- A determination that a barrier was created by new construction or alteration after January 26, 1992, not covered by safe harbor
- A specific complaint from the public

It is important to consider a review of any construction, in a title II facility, after January 26, 1992. Findings that do not currently present barriers to program access, built since that date, must be removed. Any structural barrier that is the subject of a public complaint, unless it can be circumvented through alternative methods or means, must be removed.

Program access may be limited in those circumstances when a public entity can document that a modification in policy or eligibility criteria or architectural barrier removal would result in a fundamental alteration to the program or undue financial and administrative burdens.

In those circumstances where personnel of the public entity believe 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 that conclusion. (§ 35.150(a)(3))

It is important to note that, if the City determines a proposed action would cause an undue financial and administrative burden or a fundamental alteration, the City is required to take actions that would nevertheless ensure that individuals with disabilities receive the benefits or services provided by the City.

3.1.6 Exceptions Allowing Less Than Full Compliance

At times, it may be technically infeasible or structurally impracticable to fully comply with applicable ADA standards. *Structurally impracticability* applies to new construction which the ADA defines as construction that commenced after January 26, 1992. *Technically infeasible* applies to alterations of buildings or facilities that existed prior to January 26, 1992.

Structural Impracticability. Full compliance will be considered structurally impracticable only in those rare circumstances when the unique characteristics of terrain prevent the incorporation of accessibility features. ([§ 35.151\(a\)\(2\)\(i\)](#))

Technically Infeasible. With respect to an alteration of a building or a facility, something that has little likelihood of being accomplished because existing structural conditions would require removing or altering a load-bearing member that is an essential part of the structural frame; or because other existing physical or site constraints prohibit modification or addition of elements, spaces, or features that are in full and strict compliance with the minimum requirements. ([ADA Standards 106.5](#))

If either of the above-mentioned conditions are deemed by the City to apply to a given barrier, room/space or facility, compliance with the applicable ADA standards is still required to the maximum extent feasible. For example, if it would be *technically infeasible* to widen a toilet compartment to a size usable by an individual who uses a wheelchair due to the bathroom containing a load bearing wall, the toilet compartment must still be made accessible for individuals who have an ambulatory impairment. In addition, all other elements within the restroom should be made accessible to the maximum extent feasible. This provision of the ADA exemplifies the reality that not all individuals with a disability use a wheelchair.

In addition, places of historical significance are not required to remove barriers that would “threaten or destroy” their historic significance. To be considered a historically significant site the building must be “eligible for listing in the National Register of Historic Places under the National Historic Preservation Act or... designated as historic under State or local law.” If the City asserts that the act of removing a barrier at a historical property would “threaten or destroy” historical significance, adherence to the applicable standards is still required to the maximum extent feasible and program access must still be provided.

3.2 Where to Begin

The cost of providing access to services, programs, and activities might be very high, when and if the only resolution to provide access involves major renovation or alteration of a facility, to remedy structural barriers. Conversely, in many cases, where difficult-to-mitigate physical barriers exist, methods and means other than architectural barrier removal may be able to provide access to services, programs, and activities at significant cost savings. The intention is to suggest a process by which some of the most difficult/expensive to mitigate findings can be eliminated without resorting to architectural barrier removal.

At the same time, the City will demonstrate progress in implementing the Transition Plan by eliminating many easily mitigated barriers (i.e., *low-hanging fruit*) in the short-term. Many of these barriers can be removed through normal maintenance or repair activities. Intrinsic to the recommended priorities for barrier mitigation is the idea that easily eliminated barriers should be addressed as quickly as possible. More complex and difficult to remove barriers will require extended time to organize resources and allocate budgets.

The City, based on MTC’s recommendation, will begin the implementation of a Transition Plan following this twofold approach. The City will begin actions to remove the *low-hanging fruit* immediately and simultaneous efforts to investigate all potential means to eliminate major physical barriers to access and establish budgets to fund eventual architectural mitigation projects. The City has identified several of its facilities which are leased properties. The City, based on MTC’s recommendation, will use a separate approach to prioritizing barrier removal in leased properties and when it chooses to lease facilities in the future. It is prudent to consider the cost of improvements to facilities that are not owned, when signing or terminating a lease and relocating might be more cost effective. Leased

facilities may also have barriers that are not directly under the City's control; barriers for which a landlord is responsible. Should the City contemplate leasing spaces, in the future, it must take due diligence to ensure that such spaces comply with ADA Standards and make such facilities accessible to and usable by people of all abilities.

Currently, the City also has an agreement with Apex Park and Recreation District for the field house which is a City-owned facility. Apex operates all programs at the facility. Apex has its own title II obligations to ensure that its services, programs, and activities are accessible to and usable by qualified people with disabilities. The City will negotiate with Apex to determine who will take responsibility for barrier removal at the field house and any other facilities with joint responsibility.

3.2.1 Barriers with Low Mitigation Difficulty (Low-Hanging Fruit)

Low difficulty barriers should be addressed as quickly as possible. However, when major renovations at a facility are anticipated, the removal of some low difficulty barriers may be postponed until a renovation is scheduled. Many of these barriers can be managed as in-house maintenance or repair activities. However, the City will take care that incremental adjustments or repairs do not result in wasted effort that will be removed by subsequent renovation to a facility. In some cases, where multiple attributes of an element are not compliant it will not be possible to make the element accessible without addressing all the attributes. For example, at a toilet, if a side grab bar's location is too high and too far from the back wall, its diameter is too small, and it is too short, then no amount of relocation can fix the deficiency without first acquiring a new grab bar between 1.25 and 2 inches in diameter and 42 inches long minimum.

Or, to give another example, re-striping parking spaces and access aisles can be done easily for minimal cost, but it will not solve a maximum slope steeper than 1:48 (2.08 percent). However, relocation of designated accessible parking spaces to an alternate location where the maximum slope is compliant and connection to an accessible route is possible, might cost far less than the regrading and repaving the existing spaces which are too steep.

When maintenance and repair activities are used to resolve barriers to program access, the City document these actions in the Transition Plan to track progress. Evidence of the adoption and implementation of a Transition Plan may be critical in the event of investigation of complaints or litigation.

3.2.2 Barriers with High Mitigation Difficulty

The City will consider, early in its deliberations, findings categorized as having high mitigation difficulty or high OPCCs. This will allow time to eliminate findings from the Transition Plan Database (TPD) where methods and means other than architectural barrier removal can be equally effective to provide programmatic access for qualified people of all abilities.

MTC's *Suggested Net Priorities* (which are provided to imply relative priority for remediation) in the TPDs for high difficulty barriers range from 3 to 17 for City buildings and 1 to 7 for City parks, athletic complexes, and golf courses. All these barriers should be considered first, to determine whether relocation of a program or methods or means other than architectural barrier removal can resolve program access issues. The potential cost savings justifies the time and scrutiny necessary to identify alternative methods and means of resolving these findings.

Barriers in spaces used by the public, in particular outdoor spaces, such as sports fields, typically unsupervised spaces, have the highest intrinsic priority (or risk of discrimination) and often require a high level of cost and effort to accomplish removal.

Accessibility surveys typically find many barriers to program access in restrooms. Even in facilities where a significant amount of program access is facilitated by staff, privacy and independent access to toileting must be provided. When spaces such as toilet compartments are not sufficient to accommodate a wheelchair, assistance from staff is of little or no use, and inappropriate. Significantly, at the City's buildings, parks, athletic complexes,

and golf courses, more than two-thirds (747 of 1,084 findings, 68.9 percent) of barriers found in restrooms are expected to require low mitigation difficulty. Of all high mitigation difficulty barriers, in all City facilities, fewer than one-tenth (210 of 2,364 findings, 8.88 percent) are found in restrooms. Where access to restrooms (and locker rooms) is most important, at parks, athletic complexes, and golf courses, only little more than one in twenty (107 of 1,896, 5.64%) are expected to require high mitigation difficulty. Removal of these barriers will ultimately take minimal effort and expense.

DRAFT

4.0 TRANSITION PLAN

4.1 Physical Obstacles in City Facilities Limiting Program Access

4.1.1 2021-2022: *The Arvada Center*

Opinion of probable construction costs (for budgeting purposes): \$687,020.00

Summary of key barrier removal actions required:

- Provide compliant slopes, dimensions, and markings at designated accessible parking spaces
- Remove/replace/adjust barriers in all restrooms
- Remove/replace/adjust barriers in all dressing/locker rooms
- Remove or provide cane-detectable surfaces at all protrusions

4.1.2 2021: *Majestic View Nature Center*

Opinion of probable construction costs (for budgeting purposes): \$135,765.00

Summary of key barrier removal actions required:

- Provide accessible picnic tables
- Remove/replace/adjust barriers in all restrooms
- Provide accessible route to deck
- Minor adjustments to main entry door

4.1.3 2021-2022: *City Hall*

Opinion of probable construction costs (for budgeting purposes): \$ 233,010.00

Summary of key barrier removal actions required:

- Provide compliant slopes, dimensions, and markings at designated accessible parking spaces
- Lobby areas – remediate protrusions, operable parts, service counter, etc.
- Remove/replace/adjust barriers in all restrooms
- Council chambers – provide required accessible wheelchair spaces
- Council chambers – ensure that signage for assistive listening system is provided
- Provide accessible routes to and clear spaces at witness stand, jury box and judge's bench

4.1.4 2022-2023: *Food Bank (Community Table)*

Opinion of probable construction costs (for budgeting purposes): \$ 27,280.00

Summary of key barrier removal actions required:

- Remove/replace/adjust barriers in all restrooms
- Lobby areas – remove barriers at doorway

4.1.5 2023-2024: *Lake Arbor Golf Course Clubhouse*

Opinion of probable construction costs (for budgeting purposes): \$ 31,120.00

Summary of key barrier removal actions required:

- Provide compliant slopes, dimensions, and markings at designated accessible parking spaces
- Remove/replace/adjust barriers in all restrooms
- Remove/replace/adjust barriers in route from entrance to pro shop
- Remove barriers to access in cafeteria

4.1.6 2023-24: West Woods Golf Course Clubhouse

Opinion of probable construction costs (for budgeting purposes): \$ 59,850.00

Summary of key barrier removal actions required:

- Provide compliant slopes, dimensions, and markings at designated accessible parking spaces
- Remove/replace/adjust barriers in all restrooms
- Remove barriers to access in cafeteria

4.1.7 2023-2024: City Hall Annex

Opinion of probable construction costs (for budgeting purposes): \$83,710.00

Summary of key barrier removal actions required:

- Remove/replace/adjust barriers in all restrooms
- Lobby – provide accessible service counter(s) for housing and sales tax
- Remove/replace/adjust barriers in break room

All other locations are projected to be addressed in years 5-10 with the assumption that we will receive adequate funding.

4.1.8 2025: Allen House

Opinion of probable construction costs (for budgeting purposes): \$ 65,350.00

Summary of key barrier removal actions required:

- Provide compliant slopes, dimensions, and markings at designated accessible parking spaces
- Remove and replace excessive slopes, non-compliant hardware, and overhead clearance at the entrance
- Remove and replace inaccessible sidewalk segments and ramp – exterior routes
- Remove/replace/adjust barriers in all restrooms
- Remove or provide cane-detectable surfaces at all protrusions
- Advise consulting with State Historic Preservation Officer to determine the number of accessible entrances which may be required

4.1.9 2025: Arvada Police West Woods Station

Opinion of probable construction costs (for budgeting purposes): \$ 52,305.00

Summary of key barrier removal actions required:

- Remove and replace inaccessible sidewalk segments from the PROW to front entry – exterior routes
- Provide compliant slopes at designated accessible parking spaces
- Remove or provide cane-detectable surfaces at all protrusions
- Remove/replace/adjust barriers in all restrooms
- Remove/replace/adjust barriers the Community Room

4.1.10 2025: Arvada Tennis Center (APEX)

Opinion of probable construction costs (for budgeting purposes): \$ 82,990.00

Summary of key barrier removal actions required:

- Remove and replace inaccessible sidewalk segments from the PROW to tennis courts– exterior routes
- Provide compliant slopes at designated accessible parking spaces
- Provide compliant walking surfaces to all public access areas on the site
- Remove or provide cane-detectable surfaces at all protrusions
- Remove/replace/adjust barriers in all restrooms

4.1.11 2025: AURA Office

Opinion of probable construction costs (for budgeting purposes): \$ 2,500.00

Summary of key barrier removal actions required:

- Remove and replace excessive slopes, non-compliant hardware at the entrance
- Remove or provide cane-detectable surfaces at all protrusions
- Provide accessible tactile signage for permanent spaces
- Remove/replace/adjust barriers along hallways and at doors

4.1.12 2026: Chamber of Commerce (Visitors Center)

Opinion of probable construction costs (for budgeting purposes): \$ 186,965.00

Summary of key barrier removal actions required:

- Remove and replace excessive slopes, non-compliant hardware, and overhead clearance at the entrance
- Remove and replace inaccessible sidewalk segments– exterior routes
- Remove/replace/adjust barriers in all restrooms
- Remove or provide cane-detectable surfaces at all protrusions
- Replace inaccessible operating hardware
- Provide an accessible route to the Conference Room

4.1.13 2026: Ralston House – Lakewood

Opinion of probable construction costs (for budgeting purposes): \$ 112,050.00

Summary of key barrier removal actions required:

- Provide compliant slopes, dimensions, and markings at designated accessible parking spaces
- Remove and replace inaccessible sidewalk segments– exterior routes
- Remove/replace/adjust barriers in all restrooms
- Provide accessible clearances and features at the entrance
- Provide accessible clearances throughout the facility at doors and elements available to the public
- Consider relocating public programs and services to an accessible space

4.1.14 2027: Ralston House – Arvada

Opinion of probable construction costs (for budgeting purposes): \$ 93,000.00

Summary of key barrier removal actions required:

- Remove and replace inaccessible sidewalk segments, relocate inaccessible reach ranges and protrusions– exterior routes
- Remove/replace/adjust barriers in all restrooms
- Provide accessible tactile signage for permanent spaces
- Remove or provide cane-detectable surfaces at all protrusions
- Provide accessible clearances and features throughout the facility at doorways
- Consider relocating public programs and services to an accessible space

4.1.15 2027: Churches Ranch

Opinion of probable construction costs (for budgeting purposes): \$ 28,150.00

Summary of key barrier removal actions required:

- Relocate accessible parking nearer to the accessible entrance and provide compliant slopes, dimensions, surfaces, and markings at designated accessible parking spaces
- Provide, replace, and repair walking surfaces to accessible conditions to areas of public access – exterior routes
- Remove and replace non-compliant hardware and address door clearance at the east homestead entry
- Provide an accessible portable restroom
- Provide an accessible ground surface to the outdoor picnic area

4.1.16 2028: Lake Arbor Community Police Station

Opinion of probable construction costs (for budgeting purposes): \$ 35,805.00

Summary of key barrier removal actions required:

- Provide compliant slopes designated accessible parking spaces
- Remove, replace, and repair inaccessible sidewalk segments – exterior routes
- Remove/replace/adjust barriers in all restrooms
- Remove or provide cane-detectable surfaces at all protrusions
- Provide a compliant accessible lowered port of the service counter in the lobby

4.1.17 2028: Maintenance Building Indiana Shops

Opinion of probable construction costs (for budgeting purposes): \$ 23,075.00

Summary of key barrier removal actions required:

- Provide compliant slopes, dimensions, and number of vehicle spaces at designated accessible parking spaces
- Repair and replace accessible walking surfaces, provide an accessible route from the Public Right of Way to the entrance – exterior routes

4.1.18 2028: McIlvoy House

Opinion of probable construction costs (for budgeting purposes): \$ 13,640.00

Summary of key barrier removal actions required:

- Provide accessible clearances and operation of the main entrance– exterior routes
- Remove/replace/adjust barriers in all restrooms
- Remove or provide cane-detectable surfaces at all protrusions

4.1.19 2028: Moore Brothers Property

Opinion of probable construction costs (for budgeting purposes): \$13,000.00

Summary of key barrier removal actions required:

- Provide compliant slopes, dimensions, markings, and accessible surfaces at designated accessible parking spaces
- Provide accessible walking surfaces to areas open to the public – exterior routes
- Replace existing portable restroom with accessible portable restroom

4.1.20 2028: Print Shop

Opinion of probable construction costs (for budgeting purposes): \$ 4,575.00

Summary of key barrier removal actions required:

- Relocate accessible parking near the accessible entrance
- Repair, remove, and replace inaccessible sidewalk and ramp segments– exterior routes

4.1.21 2029: Ralston Treatment Plant

Opinion of probable construction costs (for budgeting purposes): \$ 41,430.00

Summary of key barrier removal actions required:

- Provide compliant slopes, dimensions, surfaces, and markings at designated accessible parking spaces
- Provide wheelchair clearances, remove, and replace inaccessible sidewalk segments and ramp – exterior routes

- Remove/replace/adjust barriers in all restrooms

4.1.22 2029: Ron Culbertson Building (Wastewater)

Opinion of probable construction costs (for budgeting purposes): \$ 16,950.00

Summary of key barrier removal actions required:

- Provide compliant slopes, dimensions, and markings at designated accessible parking spaces
- Remove and replace inaccessible sidewalk segments from accessible parking to the entrance – exterior routes

4.1.23 2029: TV Station KATV

Opinion of probable construction costs (for budgeting purposes): \$ 24,740.00

Summary of key barrier removal actions required:

- Provide enough accessible parking and relocate accessible parking near accessible entry
- Repair excessive vertical discontinuities and provide compliant ramp landing – exterior routes
- Provide compliant threshold and reframe entry doorway to provide accessible clearances
- Remove/replace/adjust barriers in all restrooms

4.1.24 2030: US Post Office

Opinion of probable construction costs (for budgeting purposes): \$ 11,850.00

Summary of key barrier removal actions required:

- Provide an access aisle and compliant slopes at accessible parking spaces
- Provide compliant slopes at maneuvering clearance, adjust door hardware at the entrance
- Remove or provide cane-detectable surfaces at all protrusions
- Adjust or replace non-compliant operable parts
- Provide lowered wheelchair accessible service counter and self-service stations

4.2 Physical Obstacles in City Parks, Athletic Complexes, and Golf Courses Limiting Program Access

Opinion of probable construction costs (for budgeting purposes): \$ 16,391,691.

The Transition Plan priority schedule for removing barriers in the City's Parks, Athletic Complexes, and Golf Courses follows:

- 80 percent of all identified maintenance items in 1-3 years
- 100 percent maintenance items done in 5 years
- Entry items at Athletic fields in 1-2 years
- Entry items at other Parks Districts in 2-5 years
- Service and Restroom items across all Parks and Athletic fields in 5-10 years

4.2.1 2021-2023 All Parks Athletic Complexes, and Golf Courses

Remove 80 percent (534 of 668) of all identified maintenance items.

4.2.2 2024-2025 All Parks, Athletic Complexes, and Golf Courses

Finish removing 100 percent of all identified maintenance items.

4.2.3 2021-2022 Entry Level Findings at Athletic Fields

4.2.3.1 Foster Ballfields (Athletic Fields)

Opinion of probable construction costs (for budgeting purposes): \$ 78,700.

- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site
- Provide accessible routes to and wheelchair spaces at both sides of court sports/team and player seating areas/spectator seating areas

4.2.3.2 Harold D. Lutz Sports Complex (Athletic Fields)

Opinion of probable construction costs (for budgeting purposes): \$ 368,680.

- Provide minimum number of compliant accessible parking spaces with required access aisles, signs, and connection to accessible routes
- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site
- Provide accessible routes to and wheelchair spaces at both sides of court sports/team and player seating areas/spectator seating areas

4.2.3.3 Long Lake Regional Park (Athletic Fields)

Opinion of probable construction costs (for budgeting purposes): \$ 448,430.

- Provide minimum number of compliant accessible parking spaces with required access aisles, signs, and connection to accessible routes
- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site
- Remove protrusions in outdoor circulation paths
- Provide accessible routes to and wheelchair spaces at both sides of court sports/team and player seating areas/spectator seating areas

4.2.3.4 Pioneer Sports Complex (Athletic Fields)

Opinion of probable construction costs (for budgeting purposes): \$ 96,800.

- Provide minimum number of compliant accessible parking spaces with required access aisles, signs, and connection to accessible routes
- Provide accessible routes connecting features and amenities within site
- Provide additional ground level/elevated play components to meet minimum scoping requirements
- Provide accessible routes to and wheelchair spaces at both sides of court sports/team and player seating areas/spectator seating areas

4.2.3.5 Ralston Park Addition (Athletic Fields)

Opinion of probable construction costs (for budgeting purposes): \$ 25,500.

- Provide minimum number of compliant accessible parking spaces with required access aisles, signs, and connection to accessible routes
- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site

4.2.3.6 Stenger Sports Complex (Athletic Fields)

Opinion of probable construction costs (for budgeting purposes): \$ 375,780.

- Provide minimum number of compliant accessible parking spaces with required access aisles, signs, and connection to accessible routes
- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components
- Remove protrusions in outdoor circulation paths

4.2.3.7 Youth Memorial Sports Complex (Athletic Fields)

Opinion of probable construction costs (for budgeting purposes): \$ 134,150.

- Provide accessible routes connecting features and amenities within site
- Provide minimum number of compliant accessible parking spaces with required access aisles, signs, and connection to accessible routes

4.2.4 2022-2025 Entry Level Findings at Districts 1-3 and Golf Courses

4.2.4.1 Lake Arbor Golf Course (Golf Courses)

Opinion of probable construction costs (for budgeting purposes): \$ 22,400.

- Provide accessible routes connecting features and amenities within site
- Redesign and rebuild or provide an alternate weather shelter that can accommodate an individual in a golf cart.
- Remove protrusions in outdoor circulation paths

4.2.4.2 West Woods Golf Park (Golf Courses)

Opinion of probable construction costs (for budgeting purposes): \$ 5,600.

- Provide access to amenities, including ball washers and drinking fountains, along golf cart passage
- Remove protrusions in outdoor circulation paths

4.2.4.3 Arvada Volunteer Firefighters Park (District 1)

Opinion of probable construction costs (for budgeting purposes): \$ 114,490.

- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site
- Provide additional ground level/elevated play components to meet minimum scoping requirements
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components

4.2.4.4 Britton Park (District 1)

Opinion of probable construction costs (for budgeting purposes): \$ 183,400.

- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site
- Provide additional ground level/elevated play components to meet minimum scoping requirements
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components

4.2.4.5 Club Crest Park North (District 1)

Opinion of probable construction costs (for budgeting purposes): \$ 380,880.

- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site
- Provide additional ground level/elevated play components to meet minimum scoping requirements
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components

4.2.4.6 Club Crest Park South (District 1)

Opinion of probable construction costs (for budgeting purposes): \$ 25,575.

- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site

- Remove protrusions in outdoor circulation paths

4.2.4.7 Columbine Park (District 1)

Opinion of probable construction costs (for budgeting purposes): \$ 289,105.

- Provide minimum number of compliant accessible parking spaces with required access aisles, signs, and connection to accessible routes
- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site
- Provide additional ground level/elevated play components to meet minimum scoping requirements
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components

4.2.4.8 Creekside Park (District 1)

Opinion of probable construction costs (for budgeting purposes): \$ 326,330.

- Provide accessible routes connecting features and amenities within site
- Provide additional ground level/elevated play components to meet minimum scoping requirements
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components

4.2.4.9 Emil Schneider Park (District 1)

Opinion of probable construction costs (for budgeting purposes): \$ 101,505.

- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components

4.2.4.10 Far Horizons Park (District 1)

Opinion of probable construction costs (for budgeting purposes): \$ 21,950.

- Provide accessible routes connecting features and amenities within site
- Provide accessible routes to and wheelchair spaces at both sides of court sports/team and player seating areas/spectator seating areas

4.2.4.11 Gold Strike Bridge (District 1)

Opinion of probable construction costs (for budgeting purposes): \$ 115,600.

- Provide accessible routes connecting features and amenities within site

4.2.4.12 Gold Strike Park (District 1)

Opinion of probable construction costs (for budgeting purposes): \$ 17,850.

- Provide minimum number of compliant accessible parking spaces with required access aisles, signs, and connection to accessible routes
- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site

4.2.4.13 Hackberry Hill Park (District 1)

Opinion of probable construction costs (for budgeting purposes): \$ 500.

- Provide minimum number of compliant accessible parking spaces with required access aisles, signs, and connection to accessible routes
- Provide accessible routes connecting features and amenities within site

4.2.4.14 Hillside Park (District 1)

Opinion of probable construction costs (for budgeting purposes): \$ 76,050.

- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site
- Provide additional ground level/elevated play components to meet minimum scoping requirements
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components

4.2.4.15 Homestead Park (District 1)

Opinion of probable construction costs (for budgeting purposes): \$ 245,115.

- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site
- Provide additional ground level/elevated play components to meet minimum scoping requirements
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components

4.2.4.16 Ladybug Park (District 1)

Opinion of probable construction costs (for budgeting purposes): \$ 79,230.

- Provide accessible routes connecting features and amenities within site
- Provide additional ground level/elevated play components to meet minimum scoping requirements
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components

- Remove protrusions in outdoor circulation paths

4.2.4.17 Lake Arbor Community Center & Park (District 1)

Opinion of probable construction costs (for budgeting purposes): \$ 106,745.

- Provide minimum number of compliant accessible parking spaces with required access aisles, signs, and connection to accessible routes
- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site
- Provide additional ground level/elevated play components to meet minimum scoping requirements
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components
- Remove protrusions in outdoor circulation paths
- Remove protrusions in indoor circulation paths

4.2.4.18 Lake Arbor Community Park (District 1)

Opinion of probable construction costs (for budgeting purposes): \$ 624,050.

- Provide minimum number of compliant accessible parking spaces with required access aisles, signs, and connection to accessible routes
- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site
- Provide additional ground level/elevated play components to meet minimum scoping requirements
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components

4.2.4.19 Lew Walsh Park (District 1)

Opinion of probable construction costs (for budgeting purposes): \$ 189,340.

- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site
- Provide additional ground level/elevated play components to meet minimum scoping requirements
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components

4.2.4.20 Little Dry Creek Park (District 1)

Opinion of probable construction costs (for budgeting purposes): \$ 268,235.

- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site

- Provide additional ground level/elevated play components to meet minimum scoping requirements
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components

4.2.4.21 Majestic View Community Park (District 1)

Opinion of probable construction costs (for budgeting purposes): \$ 173,075.

- Provide minimum number of compliant accessible parking spaces with required access aisles, signs, and connection to accessible routes
- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site
- Provide additional ground level/elevated play components to meet minimum scoping requirements
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components
- Remove protrusions in outdoor circulation paths
- Provide accessible routes to and wheelchair spaces at both sides of court sports/team and player seating areas/spectator seating areas

4.2.4.22 Majestic View Nature Center (District 1)

Opinion of probable construction costs (for budgeting purposes): \$ 68,985.

- Provide minimum number of compliant accessible parking spaces with required access aisles, signs, and connection to accessible routes
- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site

4.2.4.23 McIlvoy Park (District 1)

Opinion of probable construction costs (for budgeting purposes): \$ 166,809.

- Provide accessible routes connecting features and amenities within site
- Provide additional ground level/elevated play components to meet minimum scoping requirements
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components

4.2.4.24 Olde Town Square (District 1)

Opinion of probable construction costs (for budgeting purposes): \$ 24,750.

- Provide accessible routes connecting features and amenities within site

4.2.4.25 Rainbow Park 2 (District 1)

Opinion of probable construction costs (for budgeting purposes): \$ 510,780.

- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site
- Provide additional ground level/elevated play components to meet minimum scoping requirements
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components
- Remove protrusions in outdoor circulation paths

4.2.4.26 Rainbow Park 3 (District 1)

Opinion of probable construction costs (for budgeting purposes): \$ 489,785.

- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site
- Provide additional ground level/elevated play components to meet minimum scoping requirements
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components

4.2.4.27 Robby Ferrufina Park (District 1)

Opinion of probable construction costs (for budgeting purposes): \$ 242,698.

- Provide minimum number of compliant accessible parking spaces with required access aisles, signs, and connection to accessible routes
- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site
- Provide additional ground level/elevated play components to meet minimum scoping requirements
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components
- Remove protrusions in outdoor circulation paths

4.2.4.28 Secrest Park (District 1)

Opinion of probable construction costs (for budgeting purposes): \$ 30,425.

- Provide minimum number of compliant accessible parking spaces with required access aisles, signs, and connection to accessible routes
- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site

4.2.4.29 Stocke-Walter Park (District 1)

Opinion of probable construction costs (for budgeting purposes): \$ 60,250.

- Provide accessible routes connecting features and amenities within site

4.2.4.30 Sunrise Park (District 1)

Opinion of probable construction costs (for budgeting purposes): \$ 438,995.

- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components
- Remove protrusions in outdoor circulation paths

4.2.4.31 Tennyson Knolls Park (District 1)

Opinion of probable construction costs (for budgeting purposes): \$ 6,425.

- Provide accessible routes connecting features and amenities within site
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components
- Remove protrusions in outdoor circulation paths

4.2.4.32 Thundercloud Park (District 1)

Opinion of probable construction costs (for budgeting purposes): \$ 106,030.

- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site
- Provide additional ground level/elevated play components to meet minimum scoping requirements
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components
- Remove protrusions in outdoor circulation paths

4.2.4.33 Westree Park (District 1)

Opinion of probable construction costs (for budgeting purposes): \$ 47,205.

- Provide accessible routes connecting features and amenities within site
- Provide additional ground level/elevated play components to meet minimum scoping requirements
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components
- Remove protrusions in outdoor circulation paths

4.2.4.34 Alice Sweet Thomas Park (District 2)

Opinion of probable construction costs (for budgeting purposes): \$ 35,575.

- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility

- Provide accessible routes connecting features and amenities within site

4.2.4.35 Allendale Park (District 2)

Opinion of probable construction costs (for budgeting purposes): \$ 99,965.

- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide additional ground level/elevated play components to meet minimum scoping requirements
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components

4.2.4.36 Bridgeside Park (District 2)

Opinion of probable construction costs (for budgeting purposes): \$ 162,855.

- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site
- Provide additional ground level/elevated play components to meet minimum scoping requirements
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components

4.2.4.37 Danny Kendrick Park East (District 2)

Opinion of probable construction costs (for budgeting purposes): \$ 413,925.

- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site
- Provide additional ground level/elevated play components to meet minimum scoping requirements
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components

4.2.4.38 Davis Lane Park (District 2)

Opinion of probable construction costs (for budgeting purposes): \$ 392,205.

- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components
- Remove protrusions in outdoor circulation paths

4.2.4.39 Fitzmorris Park (District 2)

Opinion of probable construction costs (for budgeting purposes): \$ 17,250.

- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility

4.2.4.40 Four Acre Lake Park (District 2)

Opinion of probable construction costs (for budgeting purposes): \$ 120,750.

- Provide accessible routes connecting features and amenities within site
- Remove protrusions in outdoor circulation paths

4.2.4.41 Griffith Station Park (District 2)

Opinion of probable construction costs (for budgeting purposes): \$ 67,550.

- Provide accessible routes connecting features and amenities within site
- Provide additional ground level/elevated play components to meet minimum scoping requirements
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components

4.2.4.42 Harry S. Truman Park (District 2)

Opinion of probable construction costs (for budgeting purposes): \$ 71,000.

- Provide accessible routes connecting features and amenities within site
- Remove protrusions in outdoor circulation paths

4.2.4.43 Hoskinson Park (District 2)

Opinion of probable construction costs (for budgeting purposes): \$ 1,375.

- Provide accessible routes connecting features and amenities within site

4.2.4.44 Independence Park (District 2)

Opinion of probable construction costs (for budgeting purposes): \$ 55,000.

- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site
- Remove protrusions in outdoor circulation paths

4.2.4.45 Jack B. Tomlinson Park (District 2)

Opinion of probable construction costs (for budgeting purposes): \$ 133,850.

- Provide minimum number of compliant accessible parking spaces with required access aisles, signs, and connection to accessible routes
- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility

- Provide accessible routes connecting features and amenities within site
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components

4.2.4.46 Johnny Roberts Disk Golf Course (District 2)

Opinion of probable construction costs (for budgeting purposes): \$ 200.

- Provide accessible routes connecting features and amenities within site

4.2.4.47 Lakecrest Park (District 2)

Opinion of probable construction costs (for budgeting purposes): \$ 279,920.

- Provide accessible routes connecting features and amenities within site
- Provide additional ground level/elevated play components to meet minimum scoping requirements
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components

4.2.4.48 Leyden Creek Park (District 2)

Opinion of probable construction costs (for budgeting purposes): \$ 58,690.

- Provide accessible routes connecting features and amenities within site
- Provide additional ground level/elevated play components to meet minimum scoping requirements
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components
- Remove protrusions in outdoor circulation paths

4.2.4.49 MacArthur Park (District 2)

Opinion of probable construction costs (for budgeting purposes): \$ 28,000.

- Provide accessible routes connecting features and amenities within site

4.2.4.50 Marge Roberts Park (District 2)

Opinion of probable construction costs (for budgeting purposes): \$ 15,400.

- Provide accessible routes connecting features and amenities within site
- Remove protrusions in outdoor circulation paths

4.2.4.51 Meadowglen Park (District 2)

Opinion of probable construction costs (for budgeting purposes): \$ 34,200.

- Provide minimum number of compliant accessible parking spaces with required access aisles, signs, and connection to accessible routes
- Provide accessible routes connecting features and amenities within site

- Provide additional ground level/elevated play components to meet minimum scoping requirements
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components

4.2.4.52 Memorial Community Park (District 2)

Opinion of probable construction costs (for budgeting purposes): \$ 253,597.

- Provide minimum number of compliant accessible parking spaces with required access aisles, signs, and connection to accessible routes
- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site
- Provide additional ground level/elevated play components to meet minimum scoping requirements
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components
- Remove protrusions in outdoor circulation paths

4.2.4.53 Michael Northey Park (District 2)

Opinion of probable construction costs (for budgeting purposes): \$ 292,257.

- Provide accessible routes connecting features and amenities within site
- Provide additional ground level/elevated play components to meet minimum scoping requirements
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components
- Remove protrusions in outdoor circulation paths

4.2.4.54 Oak Park (District 2)

Opinion of probable construction costs (for budgeting purposes): \$ 119,350.

- Provide minimum number of compliant accessible parking spaces with required access aisles, signs, and connection to accessible routes
- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site
- Provide additional ground level/elevated play components to meet minimum scoping requirements
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components
- Provide accessible routes to and wheelchair spaces at both sides of court sports/team and player seating areas/spectator seating areas

4.2.4.55 Ralston Central Park (District 2)

Opinion of probable construction costs (for budgeting purposes): \$ 107,525.

- Provide minimum number of compliant accessible parking spaces with required access aisles, signs, and connection to accessible routes
- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components

4.2.4.56 Ralston Cove Park (District 2)

Opinion of probable construction costs (for budgeting purposes): \$ 59,675.

- Provide accessible routes connecting features and amenities within site
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components
- Remove protrusions in outdoor circulation paths

4.2.4.57 Sierra Park (District 2)

Opinion of probable construction costs (for budgeting purposes): \$ 82,350.

- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site

4.2.4.58 Skyline Park (District 2)

Opinion of probable construction costs (for budgeting purposes): \$ 272,230.

- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site
- Provide additional ground level/elevated play components to meet minimum scoping requirements
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components

4.2.4.59 Terrace Park (District 2)

Opinion of probable construction costs (for budgeting purposes): \$ 123,575.

- Provide minimum number of compliant accessible parking spaces with required access aisles, signs, and connection to accessible routes
- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site
- Provide additional ground level/elevated play components to meet minimum scoping requirements
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components

- Remove protrusions in outdoor circulation paths
- Provide accessible routes to and wheelchair spaces at both sides of court sports/team and player seating areas/spectator seating areas

4.2.4.60 Westlake Park (District 2)

Opinion of probable construction costs (for budgeting purposes): \$ 36,175.

- Provide accessible routes connecting features and amenities within site
- Remove protrusions in outdoor circulation paths

4.2.4.61 Wolff Park (District 2)

Opinion of probable construction costs (for budgeting purposes): \$ 93,630.

- Provide additional ground level/elevated play components to meet minimum scoping requirements
- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components

4.2.4.62 Woodrun Park (District 2)

Opinion of probable construction costs (for budgeting purposes): \$ 186,840.

- Provide accessible routes connecting features and amenities within site
- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide additional ground level/elevated play components to meet minimum scoping requirements

4.2.4.63 Apple Meadows Park (District 3)

Opinion of probable construction costs (for budgeting purposes): \$ 219,380.

- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site
- Provide additional ground level/elevated play components to meet minimum scoping requirements
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components

4.2.4.64 Arvada Blunn Reservoir (District 3)

Opinion of probable construction costs (for budgeting purposes): \$ 180,335.

- Provide minimum number of compliant accessible parking spaces with required access aisles, signs, and connection to accessible routes
- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility

- Provide accessible routes connecting features and amenities within site

4.2.4.65 Arvada Indoor Equestrian Center (District 3)

Opinion of probable construction costs (for budgeting purposes): \$ 2,400.

- Provide minimum number of compliant accessible parking spaces with required access aisles, signs, and connection to accessible routes
- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site

4.2.4.66 Arvada Modelers Airpark (District 3)

Opinion of probable construction costs (for budgeting purposes): \$ 57,485.

- Provide minimum number of compliant accessible parking spaces with required access aisles, signs, and connection to accessible routes
- Provide accessible routes connecting features and amenities within site

4.2.4.67 Arvada Skate Park (included in Gibbs West Park) (District 3)

Opinion of probable construction costs (for budgeting purposes): \$ 145,965.

- Provide minimum number of compliant accessible parking spaces with required access aisles, signs, and connection to accessible routes
- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site

4.2.4.68 Beeman Park (District 3)

Opinion of probable construction costs (for budgeting purposes): \$ 124,120.

- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site

4.2.4.69 Bird's Nest Disk Park (District 3)

Opinion of probable construction costs (for budgeting purposes): \$ 30,210.

- Provide minimum number of compliant accessible parking spaces with required access aisles, signs, and connection to accessible routes
- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site

4.2.4.70 Broad Lake Park (District 3)

Opinion of probable construction costs (for budgeting purposes): \$ 132,350.

- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site

4.2.4.71 Church's Crossing Park (District 3)

Opinion of probable construction costs (for budgeting purposes): \$ 235,000.

- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components
- Provide accessible routes to and wheelchair spaces at both sides of court sports/team and player seating areas/spectator seating areas

4.2.4.72 Cimarron Park (District 3)

Opinion of probable construction costs (for budgeting purposes): \$ 91,020.

- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site
- Provide additional ground level/elevated play components to meet minimum scoping requirements
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components

4.2.4.73 Danny Kendrick Park West (District 3)

Opinion of probable construction costs (for budgeting purposes): \$ 129,000.

- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components

4.2.4.74 Daybreak Park (District 3)

Opinion of probable construction costs (for budgeting purposes): \$ 72,750.

- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site
- Provide additional ground level/elevated play components to meet minimum scoping requirements

- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components

4.2.4.75 Double E Park (District 3)

Opinion of probable construction costs (for budgeting purposes): \$ 112,030.

- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site
- Provide additional ground level/elevated play components to meet minimum scoping requirements
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components
- Remove protrusions in outdoor circulation paths

4.2.4.76 Farmstead Park (District 3)

Opinion of probable construction costs (for budgeting purposes): \$ 32,500.

- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site
- Provide additional ground level/elevated play components to meet minimum scoping requirements
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components

4.2.4.77 Forest Springs Park (District 3)

Opinion of probable construction costs (for budgeting purposes): \$ 44,300.

- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site

4.2.4.78 Haystack Plateau Park (District 3)

Opinion of probable construction costs (for budgeting purposes): \$ 59,150.

- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site
- Provide additional ground level/elevated play components to meet minimum scoping requirements
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components

4.2.4.79 Hills at Standley Lake Park (District 3)

Opinion of probable construction costs (for budgeting purposes): \$ 56,980.

- Provide minimum number of compliant accessible parking spaces with required access aisles, signs, and connection to accessible routes
- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site

4.2.4.80 Indiana Equestrian Park (District 3)

Opinion of probable construction costs (for budgeting purposes): \$ 74,550.

- Provide minimum number of compliant accessible parking spaces with required access aisles, signs, and connection to accessible routes
- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site

4.2.4.81 Lookout Park (District 3)

Opinion of probable construction costs (for budgeting purposes): \$ 137,465.

- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site
- Provide additional ground level/elevated play components to meet minimum scoping requirements
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components

4.2.4.82 Maple Valley Park (District 3)

Opinion of probable construction costs (for budgeting purposes): \$ 190,475.

- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site
- Remove protrusions in outdoor circulation paths

4.2.4.83 Maverick Mesa Park (District 3)

Opinion of probable construction costs (for budgeting purposes): \$ 98,605.

- Provide minimum number of compliant accessible parking spaces with required access aisles, signs, and connection to accessible routes
- Provide accessible routes connecting features and amenities within site
- Provide additional ground level/elevated play components to meet minimum scoping requirements
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components

4.2.4.84 Meadowbrook Village Park (District 3)

Opinion of probable construction costs (for budgeting purposes): \$ 154,000.

- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site
- Provide additional ground level/elevated play components to meet minimum scoping requirements
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components

4.2.4.85 Meadowlake Park (District 3)

Opinion of probable construction costs (for budgeting purposes): \$ 162,325.

- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site
- Provide additional ground level/elevated play components to meet minimum scoping requirements
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components

4.2.4.86 Meadows at West Woods Park (District 3)

Opinion of probable construction costs (for budgeting purposes): \$ 51,080.

- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site
- Provide additional ground level/elevated play components to meet minimum scoping requirements
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components
- Remove protrusions in outdoor circulation paths

4.2.4.87 Moon Gulch Park (District 3)

Opinion of probable construction costs (for budgeting purposes): \$ 22,500.

- Provide accessible routes connecting features and amenities within site

4.2.4.88 North Table Mountain Park (District 3)

Opinion of probable construction costs (for budgeting purposes): \$ 41,250.

- Provide accessible routes connecting features and amenities within site
- Provide additional ground level/elevated play components to meet minimum scoping requirements
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components

4.2.4.89 Panorama Park (District 3)

Opinion of probable construction costs (for budgeting purposes): \$ 145,180.

- Provide accessible routes connecting features and amenities within site
- Provide additional ground level/elevated play components to meet minimum scoping requirements
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components

4.2.4.90 Quaker Acres Park (District 3)

Opinion of probable construction costs (for budgeting purposes): \$ 266,805.

- Provide accessible routes connecting features and amenities within site
- Provide additional ground level/elevated play components to meet minimum scoping requirements
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components

4.2.4.91 Ralston Valley Park (District 3)

Opinion of probable construction costs (for budgeting purposes): \$ 234,405.

- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site
- Provide additional ground level/elevated play components to meet minimum scoping requirements
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components
- Remove protrusions in outdoor circulation paths

4.2.4.92 Russell Park (District 3)

Opinion of probable construction costs (for budgeting purposes): \$ 165,105.

- Provide accessible routes connecting features and amenities within site
- Provide additional ground level/elevated play components to meet minimum scoping requirements
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components

4.2.4.93 Saddle Brook Park (District 3)

Opinion of probable construction costs (for budgeting purposes): \$ 115,110.

- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site
- Provide additional ground level/elevated play components to meet minimum scoping requirements

- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components

4.2.4.94 Sarah George Park (District 3)

Opinion of probable construction costs (for budgeting purposes): \$ 233,000.

- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site
- Provide additional ground level/elevated play components to meet minimum scoping requirements

4.2.4.95 Shadow Mountain Park (District 3)

Opinion of probable construction costs (for budgeting purposes): \$ 52,000.

- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site

4.2.4.96 Spring Mesa Park (District 3)

Opinion of probable construction costs (for budgeting purposes): \$ 177,605.

- Provide accessible routes connecting features and amenities within site
- Provide additional ground level/elevated play components to meet minimum scoping requirements
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components

4.2.4.97 Sunrise Ridge Park (District 3)

Opinion of probable construction costs (for budgeting purposes): \$ 310,450.

- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry points of elevated play structures, minimum number and types of ground level play components
- Provide accessible picnic facilities, including a minimum number of accessible picnic tables and grills

4.2.4.98 West Arvada Dog Park (District 3)

Opinion of probable construction costs (for budgeting purposes): \$ 264,650.

- Provide minimum number of compliant accessible parking spaces with required access aisles, signs, and connection to accessible routes
- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site

4.2.4.99 Westridge Park (District 3)

Opinion of probable construction costs (for budgeting purposes): \$ 172,305.

- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site
- Provide additional ground level/elevated play components to meet minimum scoping requirements
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components

4.2.4.100 Westwoods Park (District 3)

Opinion of probable construction costs (for budgeting purposes): \$ 256,675.

- Provide minimum number of compliant accessible parking spaces with required access aisles, signs, and connection to accessible routes
- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site
- Provide additional ground level/elevated play components to meet minimum scoping requirements
- Provide safe and accessible surface for accessible routes and clear ground spaces to/at entry point(s) of elevated play structure(s), minimum number and types of ground level play components
- Provide accessible routes to and wheelchair spaces at both sides of court sports/team and player seating areas/spectator seating areas

4.2.4.101 Whisper Creek Park (District 3)

Opinion of probable construction costs (for budgeting purposes): \$ 56,500.

- Provide accessible routes connecting features and amenities within site
- Provide accessible routes to and wheelchair spaces at both sides of court sports/team and player seating areas/spectator seating areas

4.2.4.102 Wyndham Park (District 3)

Opinion of probable construction costs (for budgeting purposes): \$ 99,140.

- Provide accessible routes connecting features and amenities within site
- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide additional ground level/elevated play components to meet minimum scoping requirements

4.2.4.103 Yankee Doodle Park (District 3)

Opinion of probable construction costs (for budgeting purposes): \$ 126,875.

- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility

- Provide accessible routes connecting features and amenities within site

4.2.4.104 Apex Field House (Other)

Opinion of probable construction costs (for budgeting purposes): \$ 58,200.

- Provide minimum number of compliant accessible parking spaces with required access aisles, signs, and connection to accessible routes
- Provide accessible routes from site arrival points to features and amenities (such as benches, trash receptacles, picnic tables, drinking fountains, etc.) at park/facility
- Provide accessible routes connecting features and amenities within site
- Remove protrusions in outdoor circulation paths

4.2.5 2025-2030 at All Parks, Athletic Complexes, and Golf Courses

4.2.5.1 Harold D. Lutz Sports Complex (Athletic Fields)

Opinion of probable construction costs (for budgeting purposes): \$ 8,660.

- Remove access barriers in restrooms

4.2.5.2 Long Lake Regional Park (Athletic Fields)

Opinion of probable construction costs (for budgeting purposes): \$ 31,560.

- Remove access barriers in restrooms

4.2.5.3 Pioneer Sports Complex (Athletic Fields)

Opinion of probable construction costs (for budgeting purposes): \$ 4,840.

- Remove access barriers in restrooms

4.2.5.4 Ralston Park Addition (Athletic Fields)

Opinion of probable construction costs (for budgeting purposes): \$ 2,000.

- Remove access barriers in restrooms

4.2.5.5 Stenger Sports Complex (Athletic Fields)

Opinion of probable construction costs (for budgeting purposes): \$ 32,420.

- Remove access barriers in restrooms

4.2.5.6 Youth Memorial Sports Complex (Athletic Fields)

Opinion of probable construction costs (for budgeting purposes): \$ 27,990.

- Remove access barriers in restrooms

4.2.5.7 Lake Arbor Golf Course (Golf Courses)

Opinion of probable construction costs (for budgeting purposes): \$ 27,800.

- Remove access barriers in restrooms (at holes 3 and 14)

4.2.5.8 West Woods Golf Park (Golf Courses)

Opinion of probable construction costs (for budgeting purposes): \$ 61,010.

- Remove access barriers in restrooms (at holes 7, 14, and 23)

4.2.5.9 Gold Strike Park (District 1)

Opinion of probable construction costs (for budgeting purposes): \$ 2,000.

- Remove access barriers in restrooms

4.2.5.10 Hackberry Hill Park (District 1)

Opinion of probable construction costs (for budgeting purposes): \$ 2,000.

- Remove access barriers in restrooms

4.2.5.11 Lake Arbor Community Center & Park (District 1)

Opinion of probable construction costs (for budgeting purposes): \$ 39,075.

- Remove access barriers in restrooms

4.2.5.12 Lake Arbor Community Park (District 1)

Opinion of probable construction costs (for budgeting purposes): \$ 2,000.

- Remove access barriers in restrooms

4.2.5.13 Majestic View Community Park (District 1)

Opinion of probable construction costs (for budgeting purposes): \$ 2,000.

- Remove access barriers in restrooms

4.2.5.14 Robby Ferrufina Park (District 1)

Opinion of probable construction costs (for budgeting purposes): \$ 4,000.

- Remove access barriers in restrooms

4.2.5.15 Memorial Community Park (District 2)

Opinion of probable construction costs (for budgeting purposes): \$ 2,000.

- Remove access barriers in restrooms

4.2.5.16 Oak Park (District 2)

Opinion of probable construction costs (for budgeting purposes): \$ 2,000.

- Remove access barriers in restrooms

4.2.5.17 Ralston Central Park (District 2)

Opinion of probable construction costs (for budgeting purposes): \$ 16,500.

- Remove access barriers in restrooms

4.2.5.18 Arvada Blunn Reservoir (District 3)

Opinion of probable construction costs (for budgeting purposes): \$ 9,150.

- Remove access barriers in restrooms

4.2.5.19 Arvada Indoor Equestrian Center (District 3)

Opinion of probable construction costs (for budgeting purposes): \$ 30,320.

- Remove access barriers in restrooms

4.2.5.20 Arvada Modelers Airpark (District 3)

Opinion of probable construction costs (for budgeting purposes): \$ 2,000.

- Remove access barriers in restrooms

4.2.5.21 Arvada Skate Park (included in Gibbs West Park) (District 3)

Opinion of probable construction costs (for budgeting purposes): \$ 2,000.

- Remove access barriers in restrooms

4.2.5.22 Bird's Nest Disk Park (District 3)

Opinion of probable construction costs (for budgeting purposes): \$ 2,000.

- Remove access barriers in restrooms

4.2.5.23 Indiana Equestrian Park (District 3)

Opinion of probable construction costs (for budgeting purposes): \$ 2,000.

- Remove access barriers in restrooms

4.2.5.24 West Arvada Dog Park (District 3)

Opinion of probable construction costs (for budgeting purposes): \$ 2,000.

- Remove access barriers in restrooms

4.2.5.25 Westwoods Park (District 3)

Opinion of probable construction costs (for budgeting purposes): \$ 2,000.

- Remove access barriers in restrooms

4.2.5.26 Whisper Creek Park (District 3)

Opinion of probable construction costs (for budgeting purposes): \$ 2,000.

- Provide accessible restrooms onsite
- Remove access barriers in restrooms

4.2.5.27 Apex Field House (Other)

Opinion of probable construction costs (for budgeting purposes): \$ 16,030.

- Remove access barriers in restrooms

4.3 Pedestrian Facilities in PROW

4.3.1 2021: CIP Projects 2021

Opinion of probable construction costs (for budgeting purposes): \$13,276,889.41

- See Maps – Figures 1A-1E, 2A-2B, 3A-3B, 4A, and 5A-5C⁶

4.3.2 2022: CIP Projects 2022

Opinion of probable construction costs (for budgeting purposes): \$3,945,062.30

- See Maps – Figures 6A-6C and 7A-7C

4.3.3 2023: CIP Projects 2023

Opinion of probable construction costs (for budgeting purposes): \$762,204.69

- See Maps – Figures 8A-8B

4.3.4 2024: CIP Projects/Future and Non-CIP Projects, Program Score 0

Opinion of probable construction costs (for budgeting purposes): \$7,939,280.05

- See Maps – Figures 9A-9B and 10B

4.3.5 2025: Non-CIP Projects, Program Score 1 and 2

⁶ Some CIP projects scheduled for 2021 were completed with surplus funds in 2020. Pedestrian facilities altered by these projects will be updated on the Transition Plan, pending inspection and verification of compliance with PROWAG.

Opinion of probable construction costs (for budgeting purposes): \$7,136,772.11

- See Maps – Figures 10C-10D

4.3.6 2026-2030: Non-CIP Projects, Program Score 3

Opinion of probable construction costs (for budgeting purposes): \$50,812,461.25

- See Maps – Figure 10E

4.3.7 2031-2034: Non-CIP Projects, Program Score 4

Opinion of probable construction costs (for budgeting purposes): \$48,947,856.54

- See Maps – Figure 10F

4.3.8 2035-2037: Non-CIP Projects, Program Score 5

Opinion of probable construction costs (for budgeting purposes): \$34,592,043.51

- See Maps – Figure 10G

4.3.9 2038-2040: Non-CIP Projects, Program Score 6-8

Opinion of probable construction costs (for budgeting purposes): \$29,643,060.22

- See Maps – Figures 10H-J

4.4 Individual(s) Responsible for Implementation of the Plan

Kim Vagher, Manager of City Facilities

5.0 DEFINITIONS

This section provides definitions for terms and concepts commonly used in discussion and explanation of the Americans with Disabilities Act.

1991 Standards means the requirements set forth in the ADA Standards for Accessible Design, originally published on July 26, 1991, and republished as Appendix D to 28 CFR part 36; also known as ADA Accessibility Guidelines or ADAAG.

2004 ADAAG means the requirements set forth in appendices B and D to 36 CFR part 1191 (2009).

2010 Standards or ADA Standards means the 2010 ADA Standards for Accessible Design, which consist of the 2004 ADAAG and the requirements contained in § 35.151.

Act means the Americans with Disabilities Act (Pub. L. 101-336, 104 Stat. 327, 42 U.S.C. 12101-12213 and 47 U.S.C. 225 and 611).

Auxiliary aids and services include—

- 1) Qualified interpreters on-site or through video remote interpreting (VRI) services; notetakers; real-time computer-aided transcription services; written materials; exchange of written notes; telephone handset amplifiers; assistive listening devices; assistive listening systems; telephones compatible with hearing aids; closed caption decoders; open and closed captioning, including real-time captioning; voice, text, and video-based telecommunications products and systems, including text telephones (TTYs), videophones, and captioned telephones, or equally effective telecommunications devices; videotext displays; accessible electronic and information technology; or other effective methods of making aurally delivered information available to individuals who are deaf or hard of hearing;
- 2) Qualified readers; taped texts; audio recordings; Brailled materials and displays; screen reader software; magnification software; optical readers; secondary auditory programs (SAP); large print materials; accessible electronic and information technology; or other effective methods of making visually delivered materials available to individuals who are blind or have low vision;
- 3) Acquisition or modification of equipment or devices; and
- 4) Other similar services and actions.

Complete complaint means a written statement that contains the complainant's name and address and describes the public entity's alleged discriminatory action in sufficient detail to inform the agency of the nature and date of the alleged violation of this part. It shall be signed by the complainant or by someone authorized to do so on his or her behalf. Complaints filed on behalf of classes or third parties shall describe or identify (by name, if possible) the alleged victims of discrimination.

Designated agency means the Federal agency designated under subpart G of this part to oversee compliance activities under this part for particular components of State and local governments.

Direct threat means a significant risk to the health or safety of others that cannot be eliminated by a modification of policies, practices or procedures, or by the provision of auxiliary aids or services as provided in § 35.139.

Existing facility means a facility in existence on any given date, without regard to whether the facility may also be considered newly constructed or altered under this part.

Facility means all or any portion of buildings, structures, sites, complexes, equipment, rolling stock or other conveyances, roads, walks, passageways, parking lots, or other real or personal property, including the site where the building, property, structure, or equipment is located.

Historic preservation programs means programs conducted by a public entity that have preservation of historic properties as a primary purpose.

Historic properties means those properties that are listed or eligible for listing in the National Register of Historic Places or properties designated as historic under State or local law.

Individual with a disability means a person who has a disability. The term individual with a disability does not include an individual who is currently engaging in the illegal use of drugs, when the public entity acts based on such use.

Other power-driven mobility device means any mobility device powered by batteries, fuel, or other engines—whether or not designed primarily for use by individuals with mobility disabilities—that is used by individuals with mobility disabilities for the purpose of locomotion, including golf cars, electronic personal assistance mobility devices (EPAMDs), such as the Segway® PT, 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. This definition does not apply to Federal wilderness areas; wheelchairs in such areas are defined in section 508(c)(2) of the ADA, 42 U.S.C. 12207(c)(2).

Public entity means—

- 1) Any State or local government;
- 2) Any department, agency, special purpose district, or other instrumentality of a State or States or local government; and
- 3) The National Railroad Passenger Corporation, and any commuter authority (as defined in section 103(8) of the Rail Passenger Service Act).

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

Qualified interpreter means an interpreter who, via a video remote interpreting (VRI) service or an on-site appearance, is able to interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. Qualified interpreters include, for example, sign language interpreters, oral transliterators, and cued-language transliterators.

Qualified reader means a person who is able to read effectively, accurately, and impartially using any necessary specialized vocabulary.

Section 504 means section 504 of the Rehabilitation Act of 1973 (Pub. L. 93-112, 87 Stat. 394 (29 U.S.C. 794), as amended.

Service animal means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the individual's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime

deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

State means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, and the Commonwealth of the Northern Mariana Islands.

Video remote interpreting (VRI) service means an interpreting service that uses video conference technology over dedicated lines or wireless technology offering high-speed, wide-bandwidth video connection that delivers high-quality video images as provided in § 35.160(d).

Wheelchair means a manually-operated or power-driven device designed primarily for use by an individual with a mobility disability for the main purpose of indoor, or of both indoor and outdoor locomotion. This definition does not apply to Federal wilderness areas; wheelchairs in such areas are defined in section 508(c)(2) of the ADA, 42 U.S.C. 12207 (c)(2).

DRAFT

6.0 IMPLEMENTING THIS PLAN

First and foremost, the City of Arvada will ensure that all services, programs, and activities, *when viewed in their entirety* are accessible to and usable by qualified individuals with disabilities. Every effort to eliminate barriers through alternative methods and means or through architectural barrier removal must be made to implement an effective Transition Plan. The City has deferred one-third (854 / 2,598) of findings in buildings which have been identified as conditions not currently limiting or preventing program access. These findings will not need to be remedied until triggered by subsequent events, because they do not affect access to City services, programs, or activities. Elimination of *low-hanging fruit* and long-term planning for high mitigation difficulty barriers – possibly through methods or means other than structural barrier removal – will begin immediately.

Second, regardless of program access, all architectural barriers caused by alterations or new construction must be structurally eliminated. Such architectural deficiencies in alterations or new construction have been prohibited since January 26, 1992. In addition, if any programs have been located or moved to inaccessible (owned or leased) facilities, since that date, architectural barriers in those facilities must be removed or the programs must be relocated to other sites and locations that comply with the 2010 ADA Standards. Research to identify dates of construction, origination of leases, and renewal of leases is a necessary component of the Transition Plan.

Third, budgetary and logistical considerations make immediate removal of all barriers impossible. The information provided in the Transition Plan Data-tables (TPDs) developed and submitted to the City by MTC, which can be sorted and filtered in many ways, allows short-term, mid-term, and long-term planning that will be spread across many fiscal years.

Finally, to the extent that facilities have been altered, built, or leased which are not compliant with the relevant standards for accessible design (i.e., the Uniform Federal Accessibility Standards [UFAS], the 1991 ADA Accessibility Guidelines [ADAAG], or the 2010 ADA Standards), the City will develop policies, procedures, and practices to avoid future deficiencies. Training for key individuals responsible for designing new facilities, renovating existing facilities, or negotiating leases for additional facilities, is essential. The City will strive to prevent the construction or acquisition of new barriers, in addition to removing those which currently exist. The City will adopt engineering criteria for developers and designers ensuring that the construction of new pedestrian facilities and alterations to facilities connecting new developments will be consistent with accessibility requirements and best practices to meet program access requirements of the ADA.

7.0 RESOURCES

Information and Technical Assistance on the ADA

ADA Information Line: U.S. Department of Justice

ADA Information Line:

800-514-0301 (voice)

800-514-0383 (TTY)

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

U.S. Access Board

1331 F Street NW, Suite 1000

Washington, DC 20004-1111

Phone (voice): 202-272-0080, toll free: 800-872-2253

Phone (TTY): 202-272-0082, toll free: 800-993-2822

Fax: 202-272-0081

Email: info@access-board.gov

Website: <https://www.access-board.gov>

Region 8 [Rocky Mountain ADA Center](#)

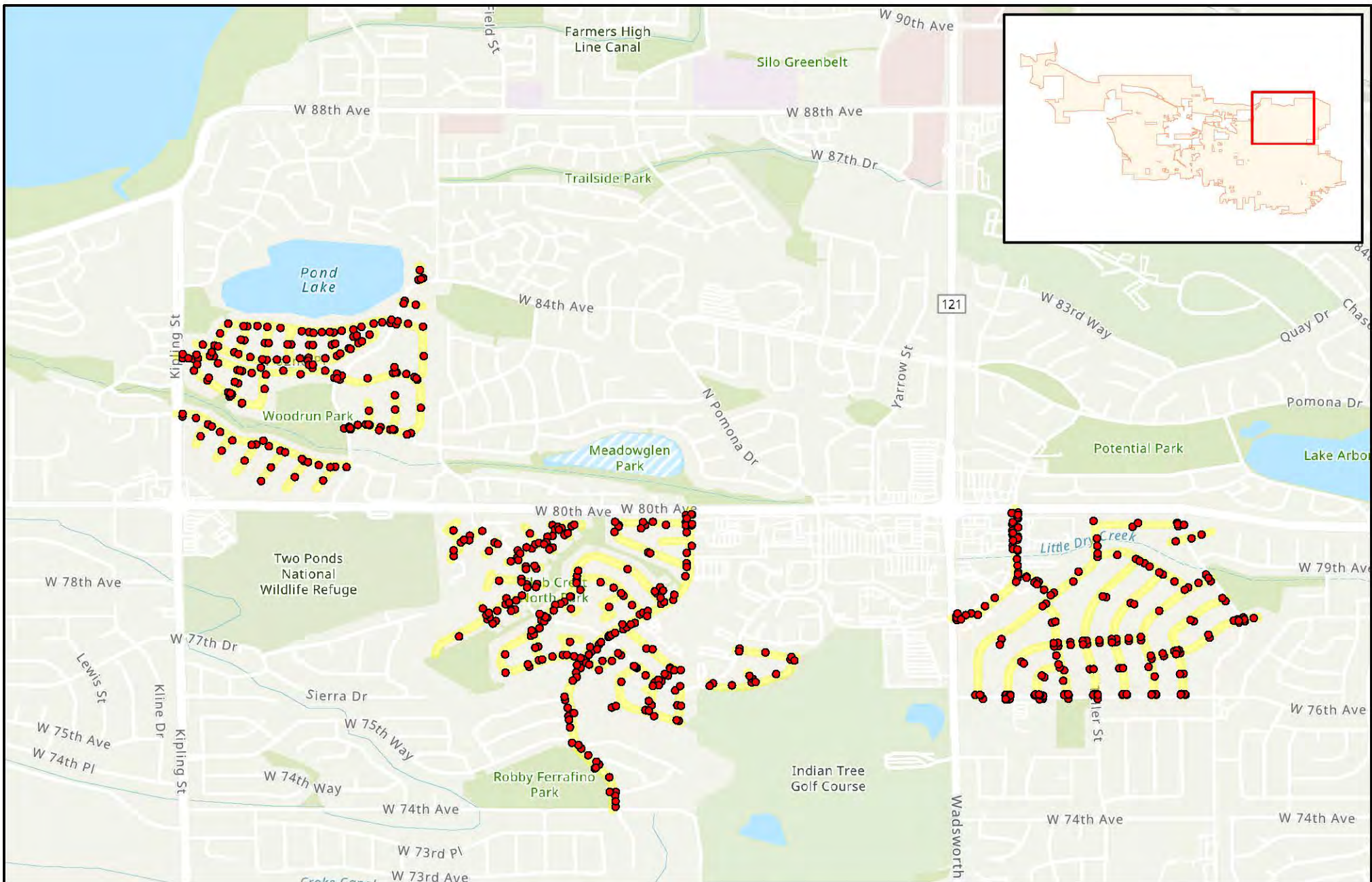
Address: Meeting the Challenge Inc.

3630 Sinton Road, Suite 103

Colorado Springs, CO 80907

Phone: 800.949.4232, 719.444.0268

APPENDIX A (CIP/PROW Transition Plan Maps)

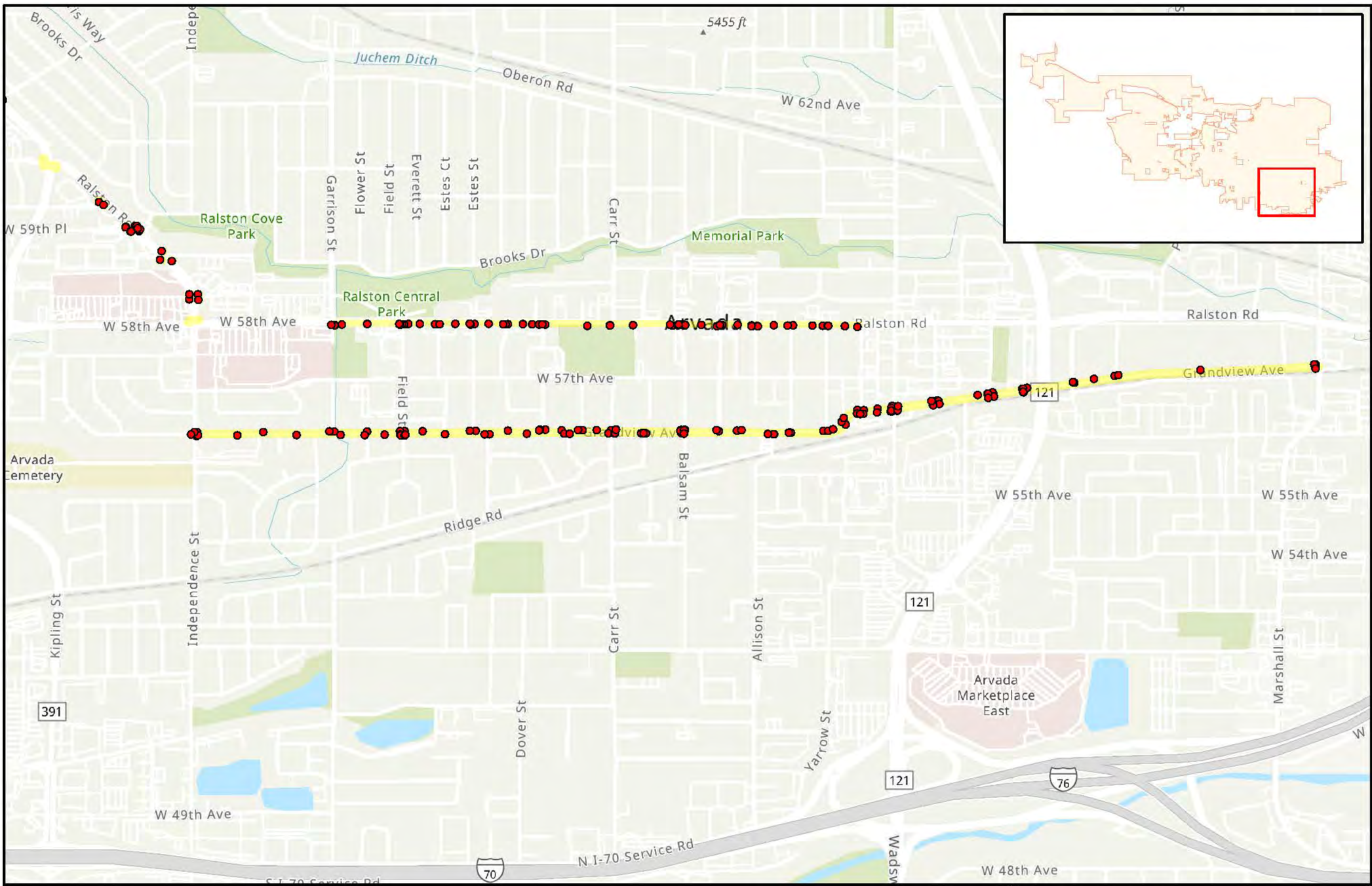


0 0.8 Miles



- Non-Compliant Elements
- Capitol Improvement Project (CIP) Area

Figure 1A
2021 Streets CIP Projects - North
PROW Transition Plan
City of Arvada, Colorado

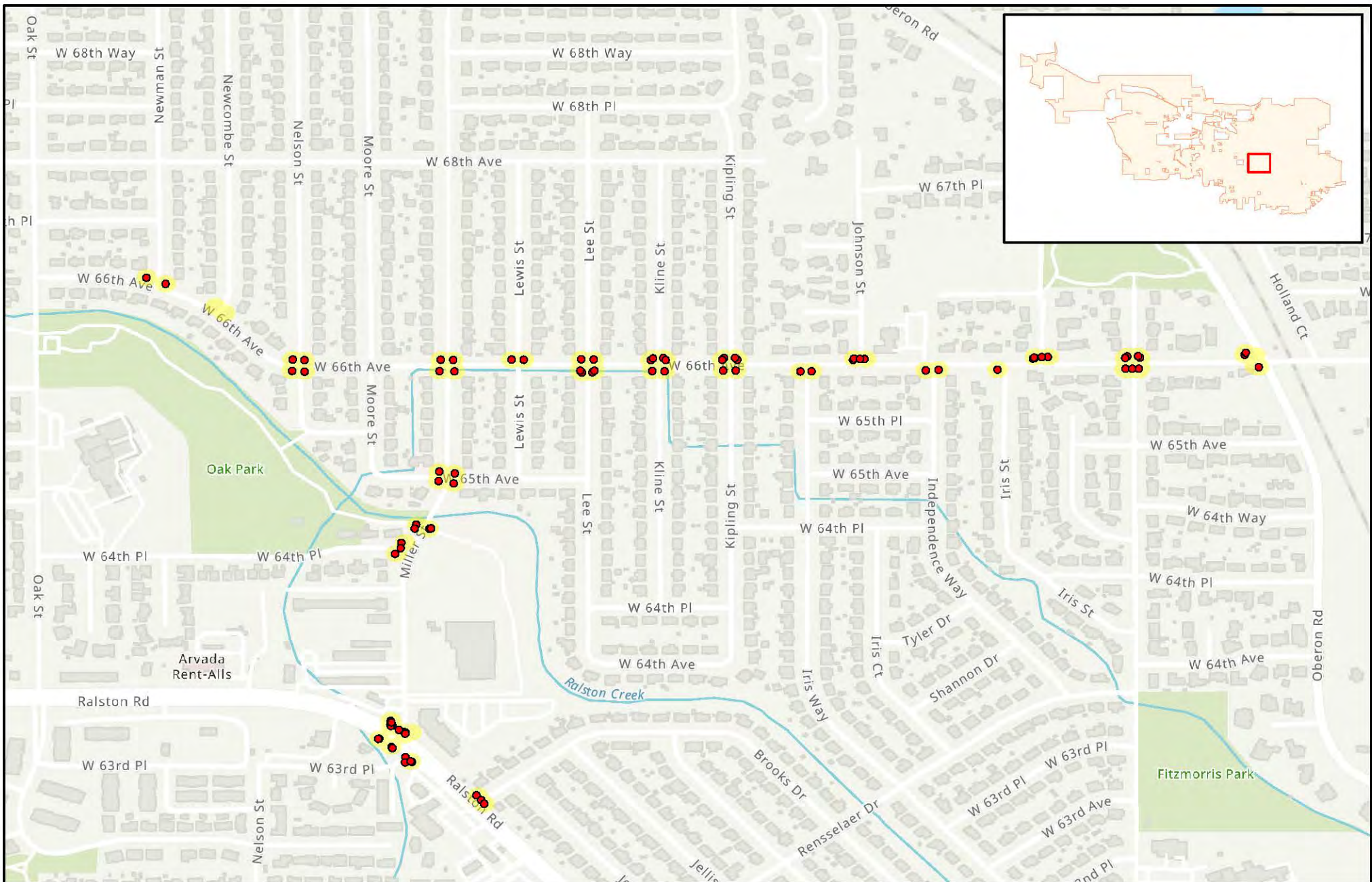


0 0.6 Miles



- Non-Compliant Elements
- Capitol Improvement Project (CIP) Area

Figure 1C
 2021 Streets CIP Projects - South
 PROW Transition Plan
 City of Arvada, Colorado

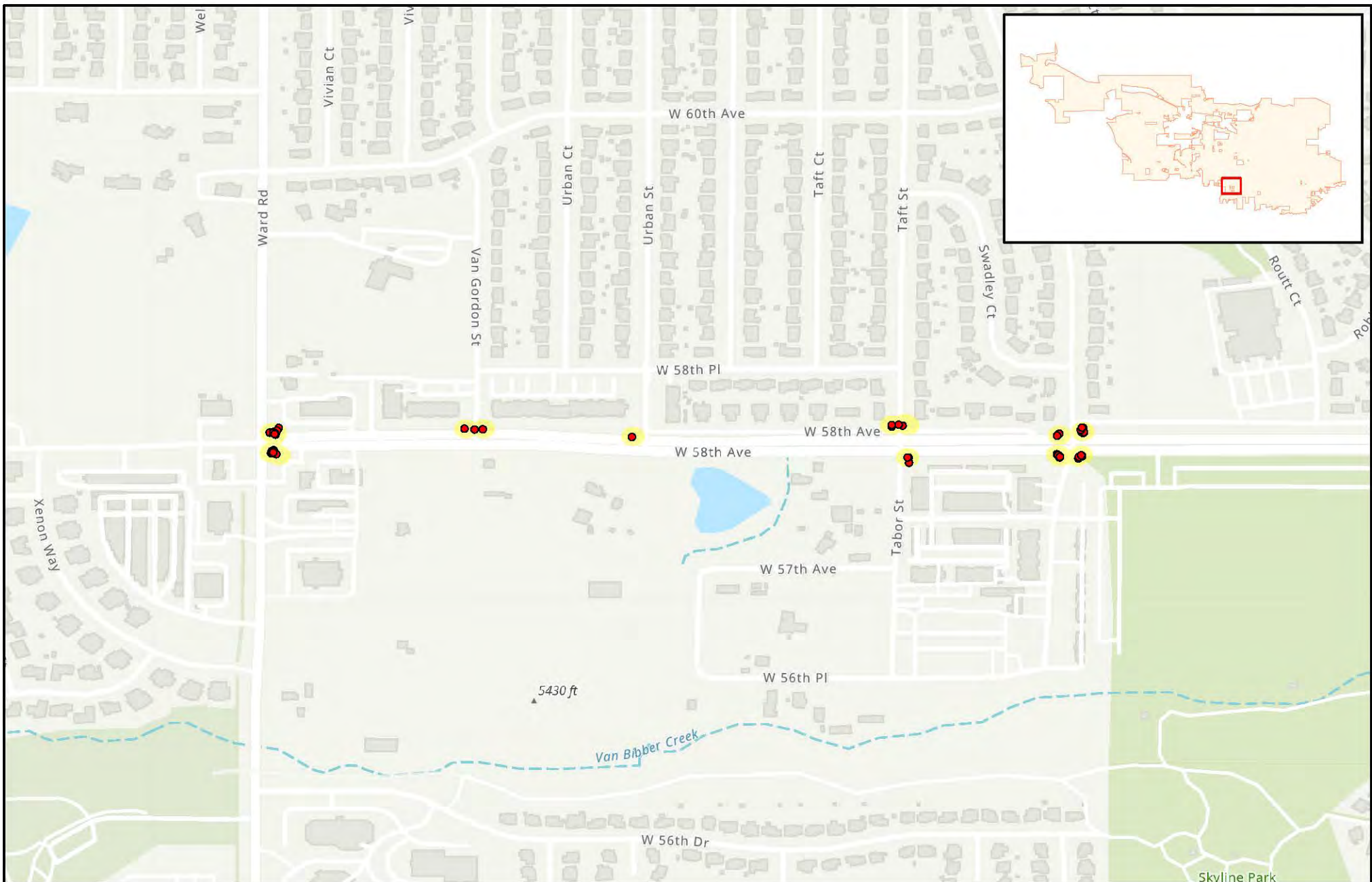


- Non-Compliant Elements
- Capitol Improvement Project (CIP) Area

0 0.3 Miles



Figure 1D
2021 Streets CIP Projects - West
PROW Transition Plan
City of Arvada, Colorado

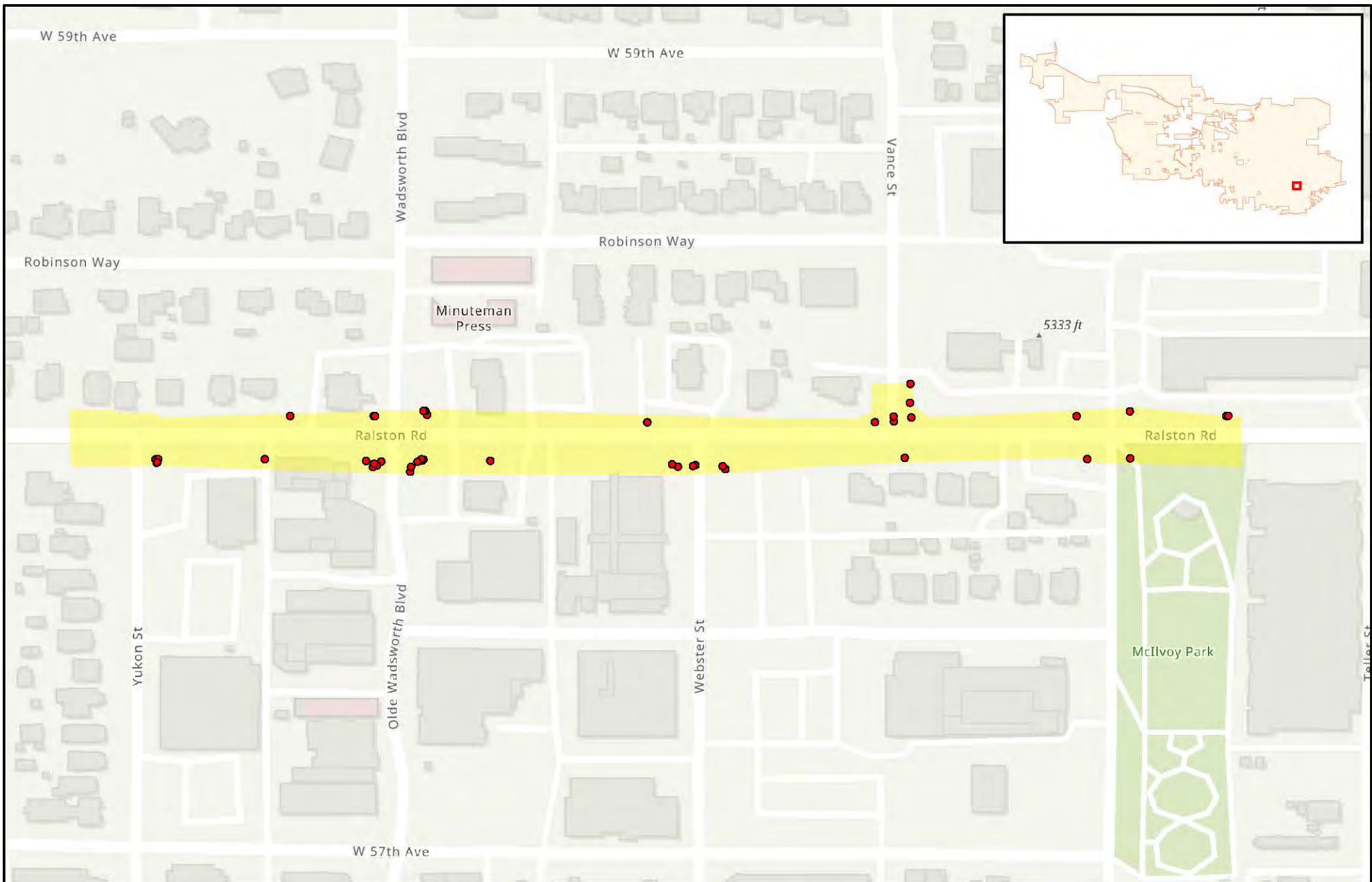


- Non-Compliant Elements
- Capitol Improvement Project (CIP) Area

0 0.2 Miles



Figure 1E
2021 Streets CIP Projects - South West
PROW Transition Plan
City of Arvada, Colorado

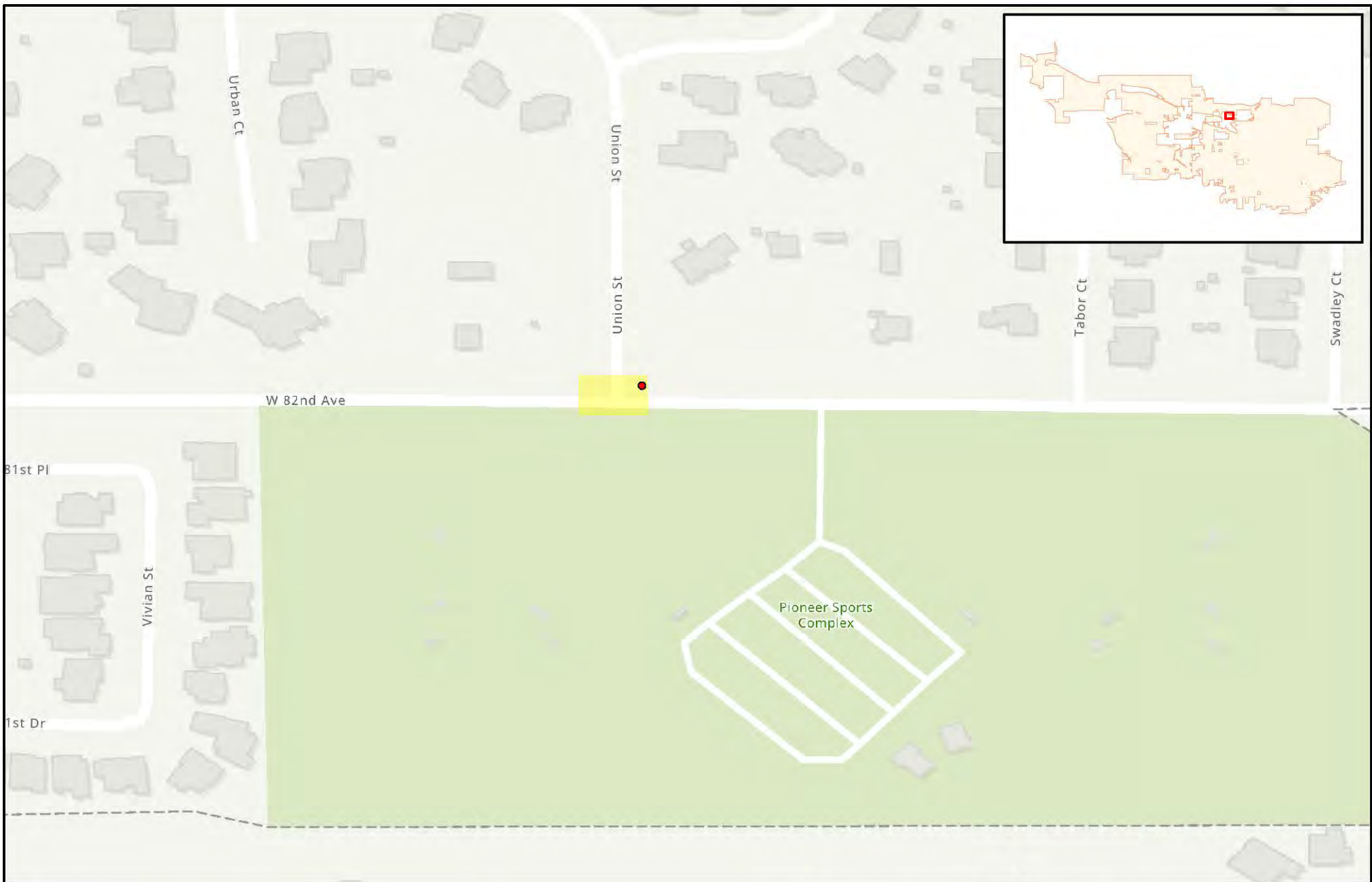


0 0.1 Miles



- Non-Compliant Elements
- Capitol Improvement Project (CIP) Area

Figure 2B
2021 Engineering CIP Projects -
South
PROW Transition Plan
City of Arvada, Colorado

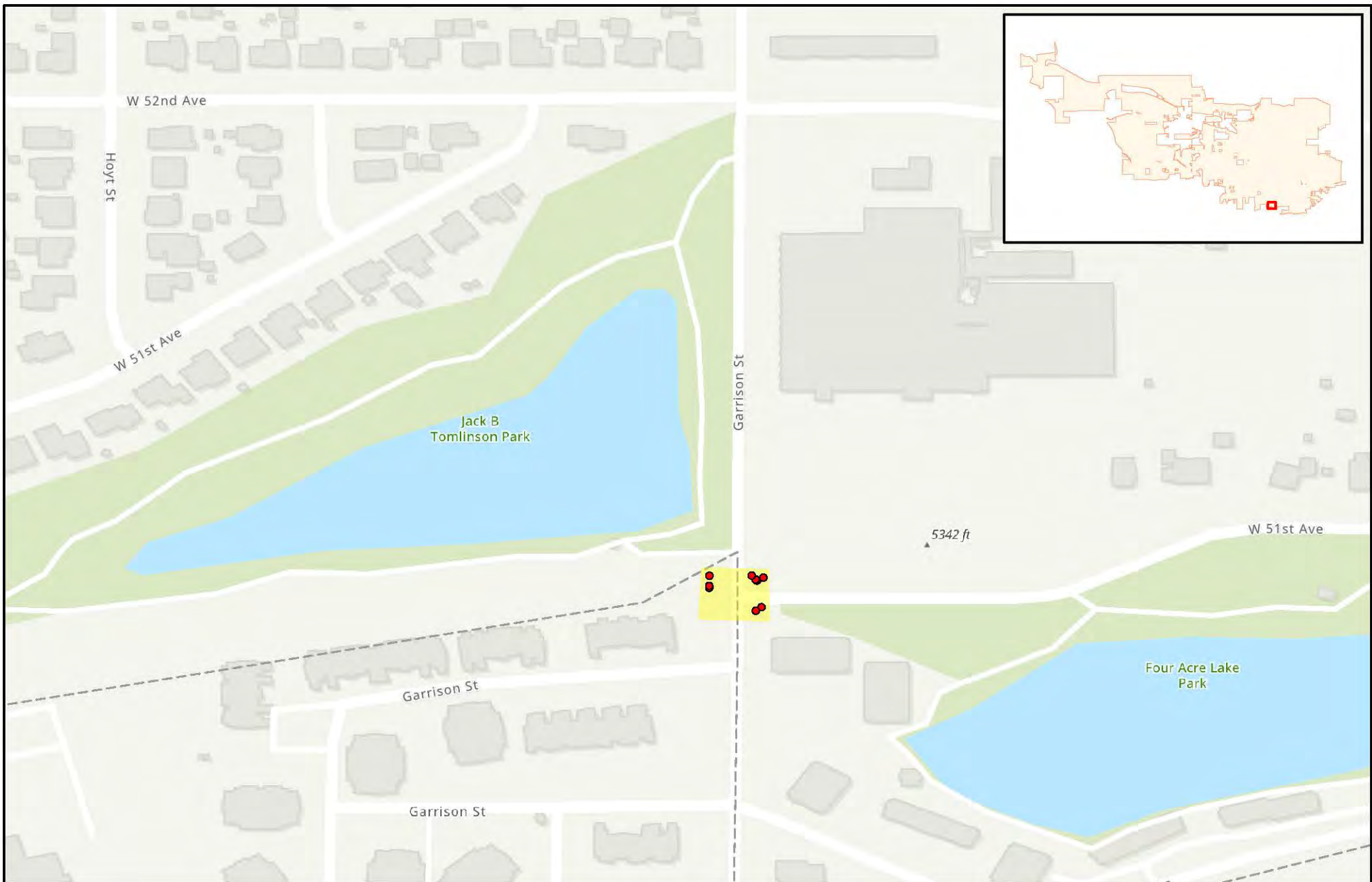


- Non-Compliant Elements
- Capitol Improvement Project (CIP) Area

0 0.1 Miles



Figure 3A
2021 MPI CIP Projects -
North Transition Plan
City of Arvada, Colorado

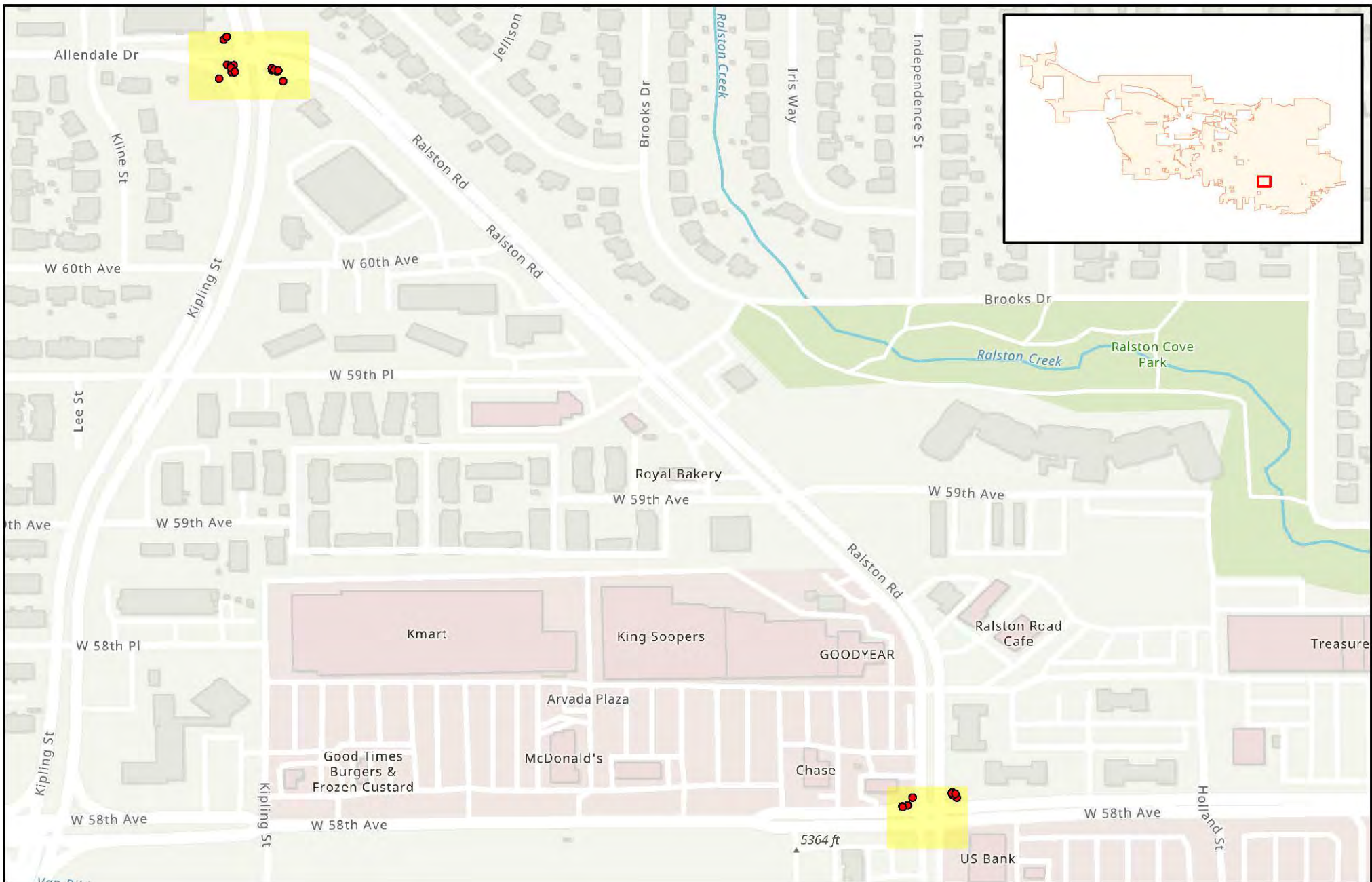


- Non-Compliant Elements
- Capitol Improvement Project (CIP) Area

0 0.1 Miles



Figure 3B
2021 MPI CIP Projects - South
PROW Transition Plan
City of Arvada, Colorado

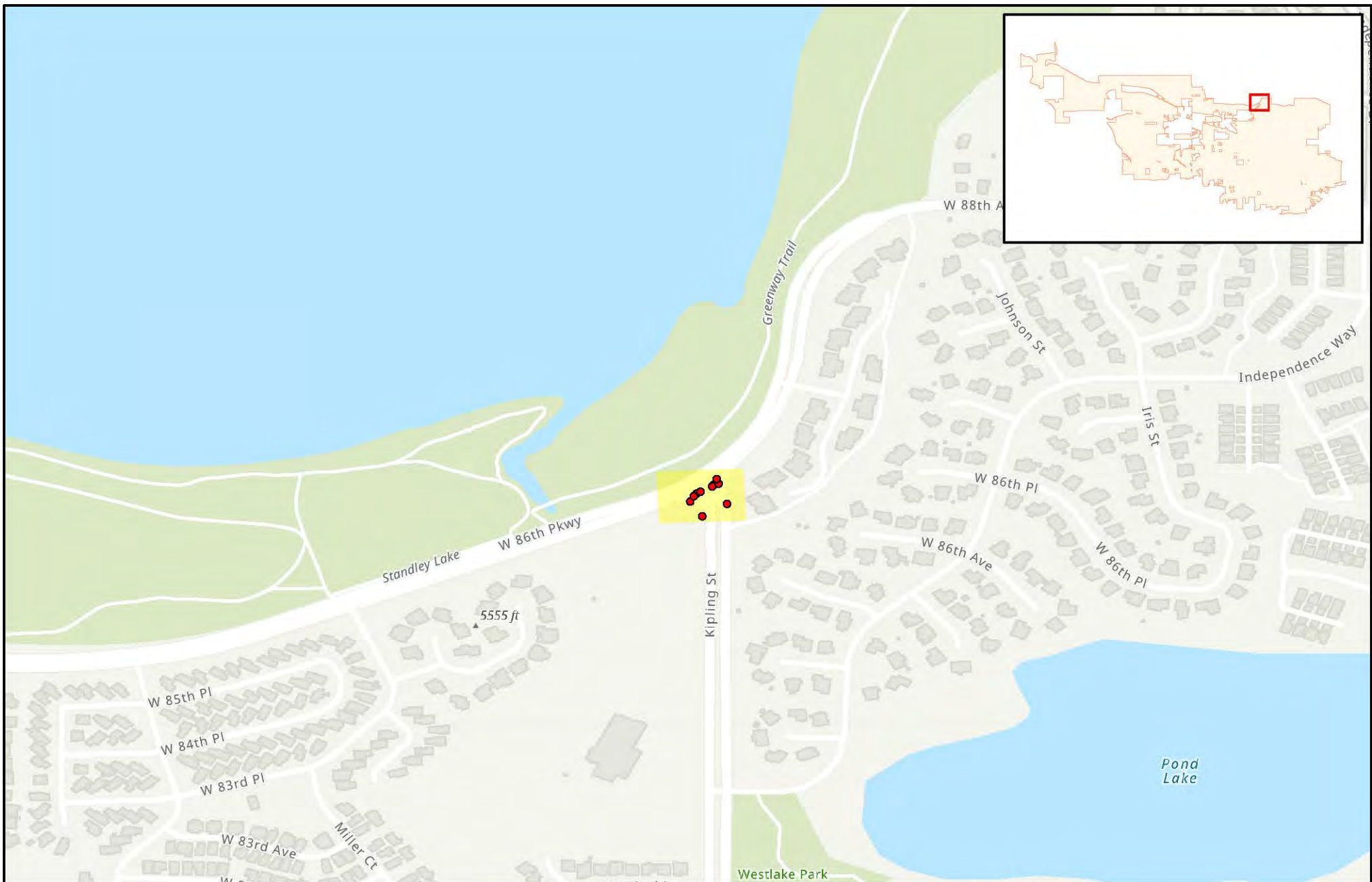


0 0.2 Miles



- Non-Compliant Elements
- Capitol Improvement Project (CIP) Area

Figure 4A
2021 Streets & Traffic CIP Projects
PROW Transition Plan
City of Arvada, Colorado

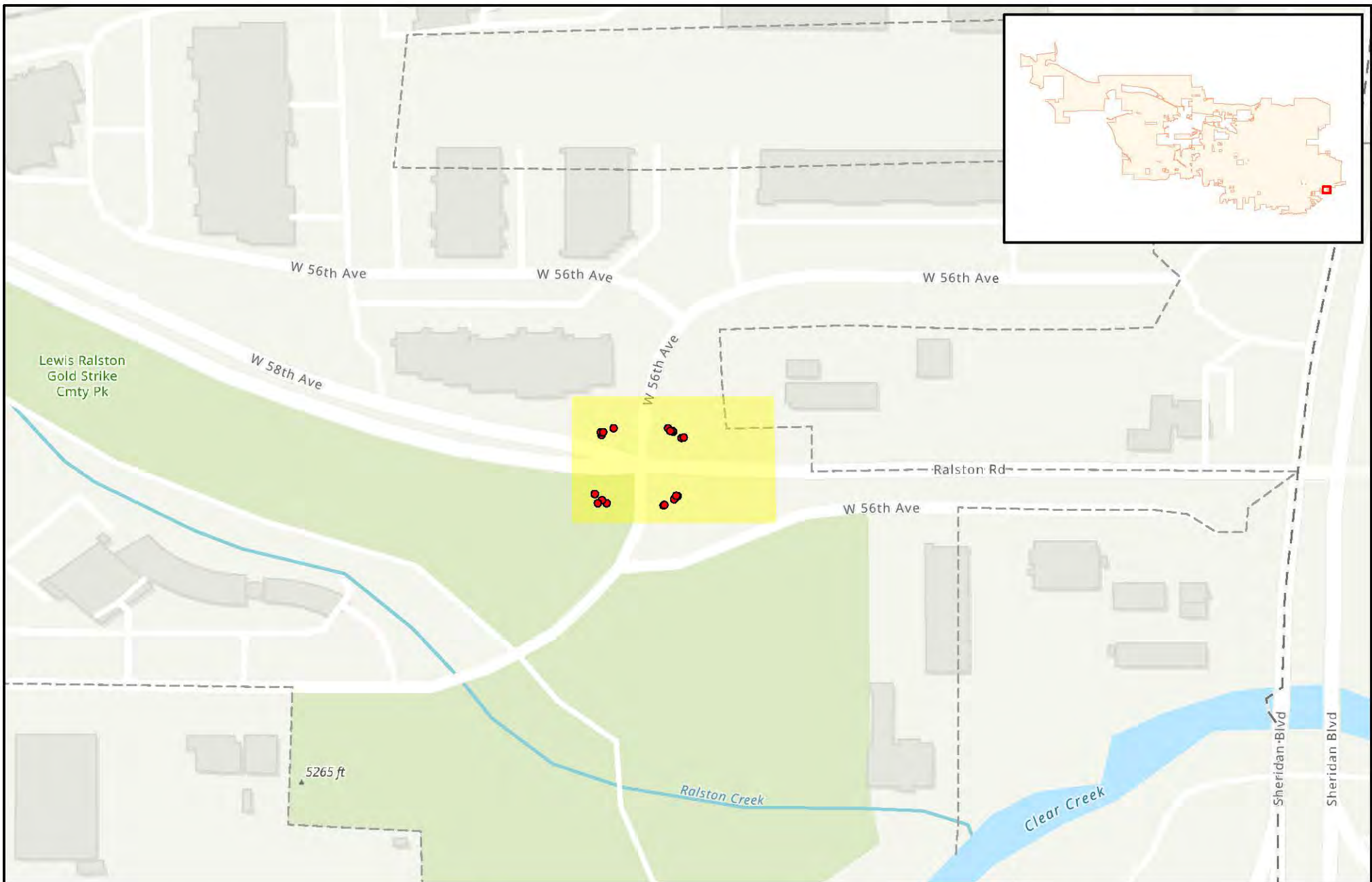


- Non-Compliant Elements
- Capitol Improvement Project (CIP) Area

0 0.1 0.2 Miles



Figure 5A
2021 Traffic CIP Projects - North
PROW Transition Plan
City of Arvada, Colorado

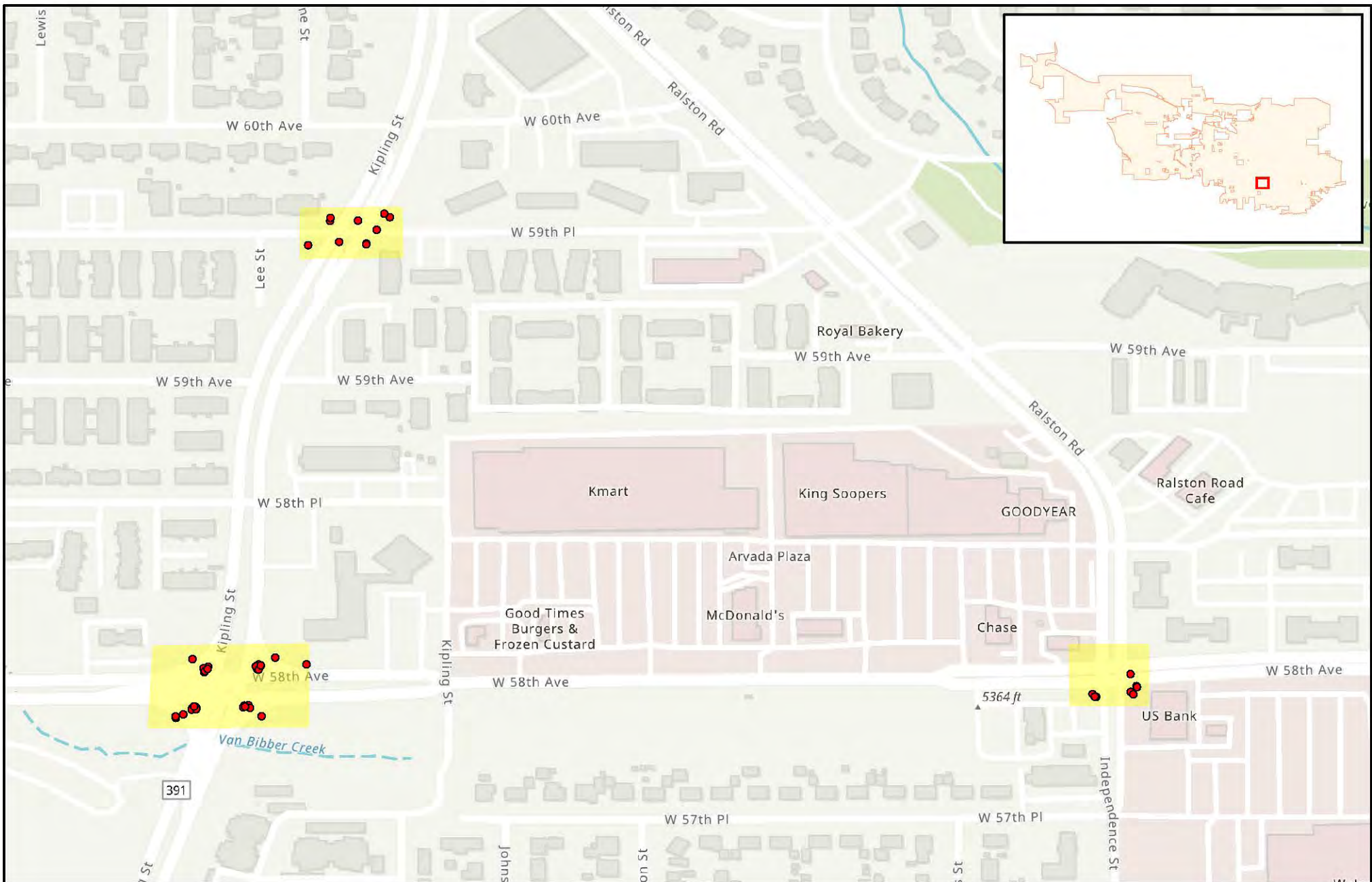


- Non-Compliant Elements
- Capitol Improvement Project (CIP) Area

0 0.1 Miles

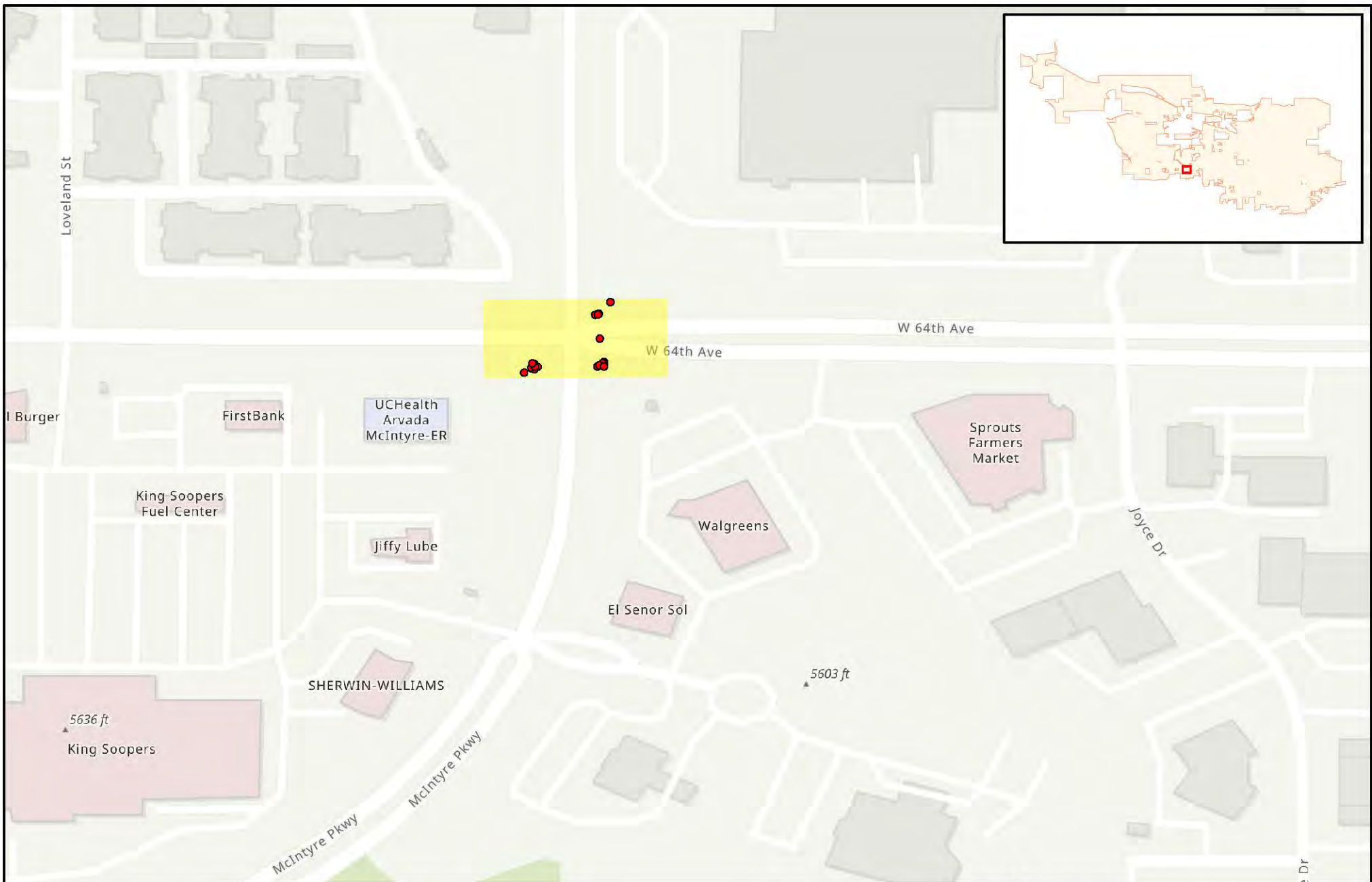


Figure 5B
2021 Traffic CIP Projects - East
PROW Transition Plan
City of Arvada, Colorado



- Non-Compliant Elements
- Capitol Improvement Project (CIP) Area

Figure 5C
 2021 Traffic CIP Projects - South
 PROW Transition Plan
 City of Arvada, Colorado



- Non-Compliant Elements
- Capitol Improvement Project (CIP) Area

0 0.1 Miles



Figure 5D
2021 Traffic CIP Projects - West
PROW Transition Plan
City of Arvada, Colorado

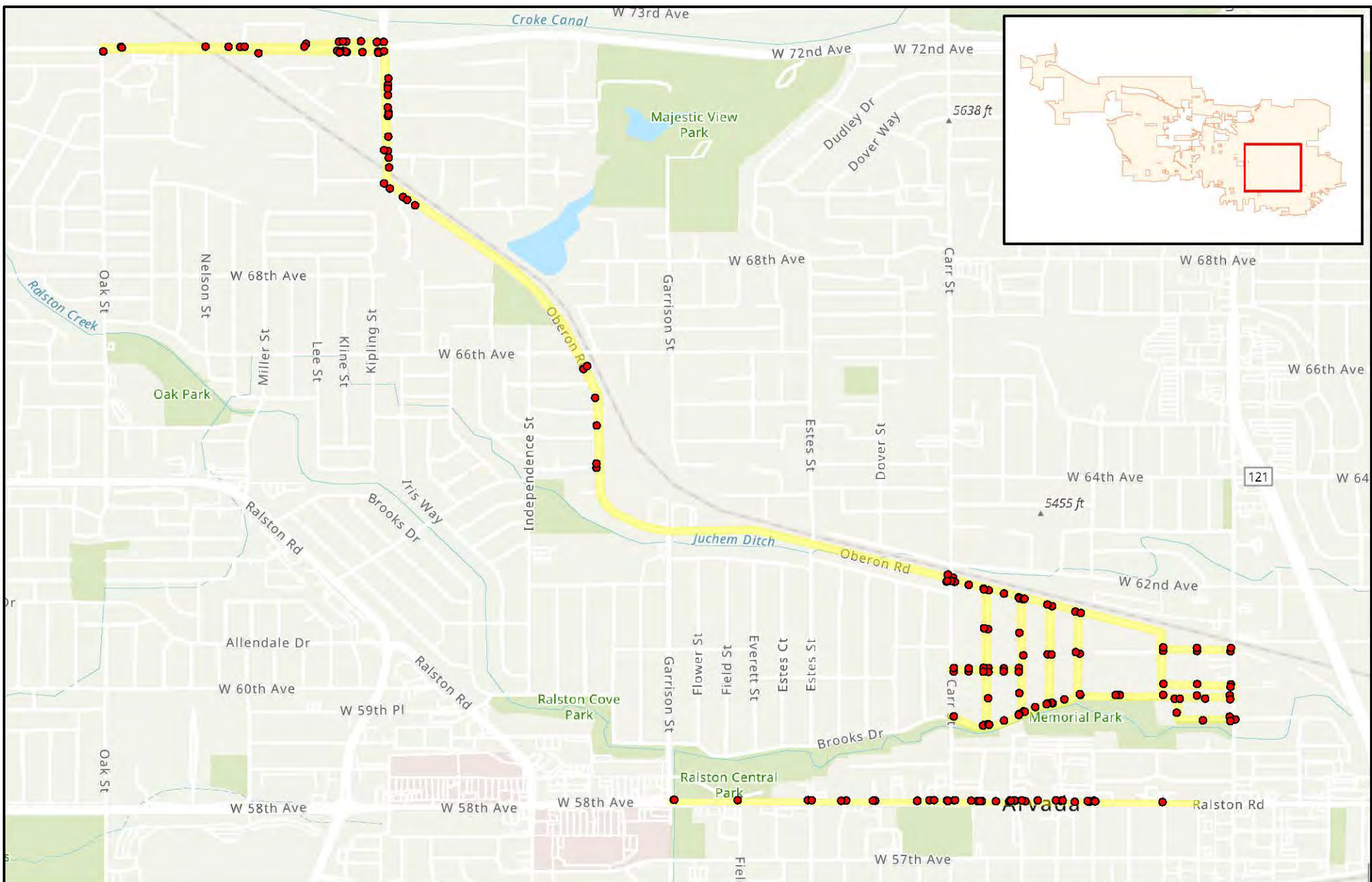
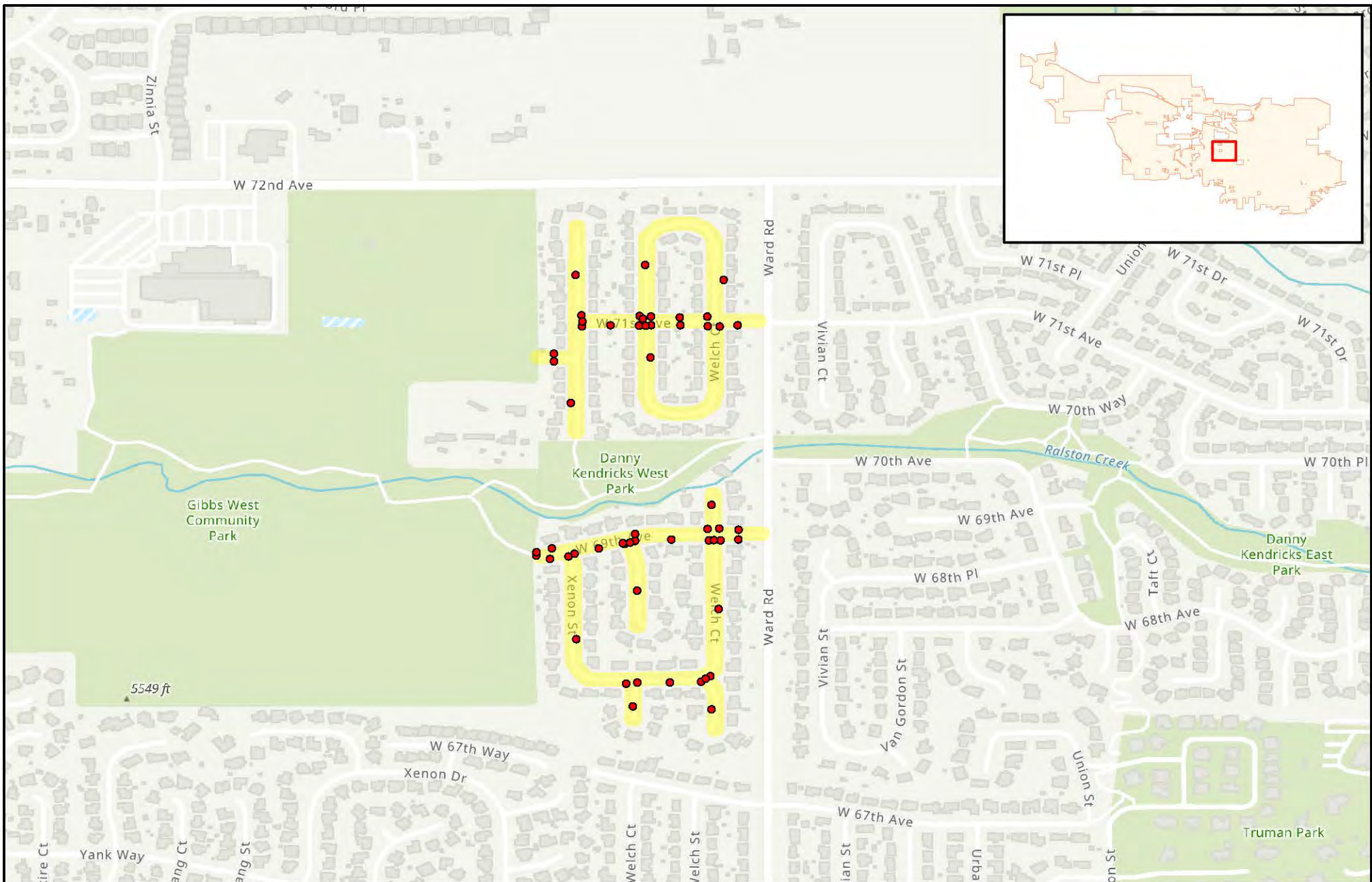


Figure 6A
 2022 Streets CIP Projects - East
 PROW Transition Plan
 City of Arvada, Colorado

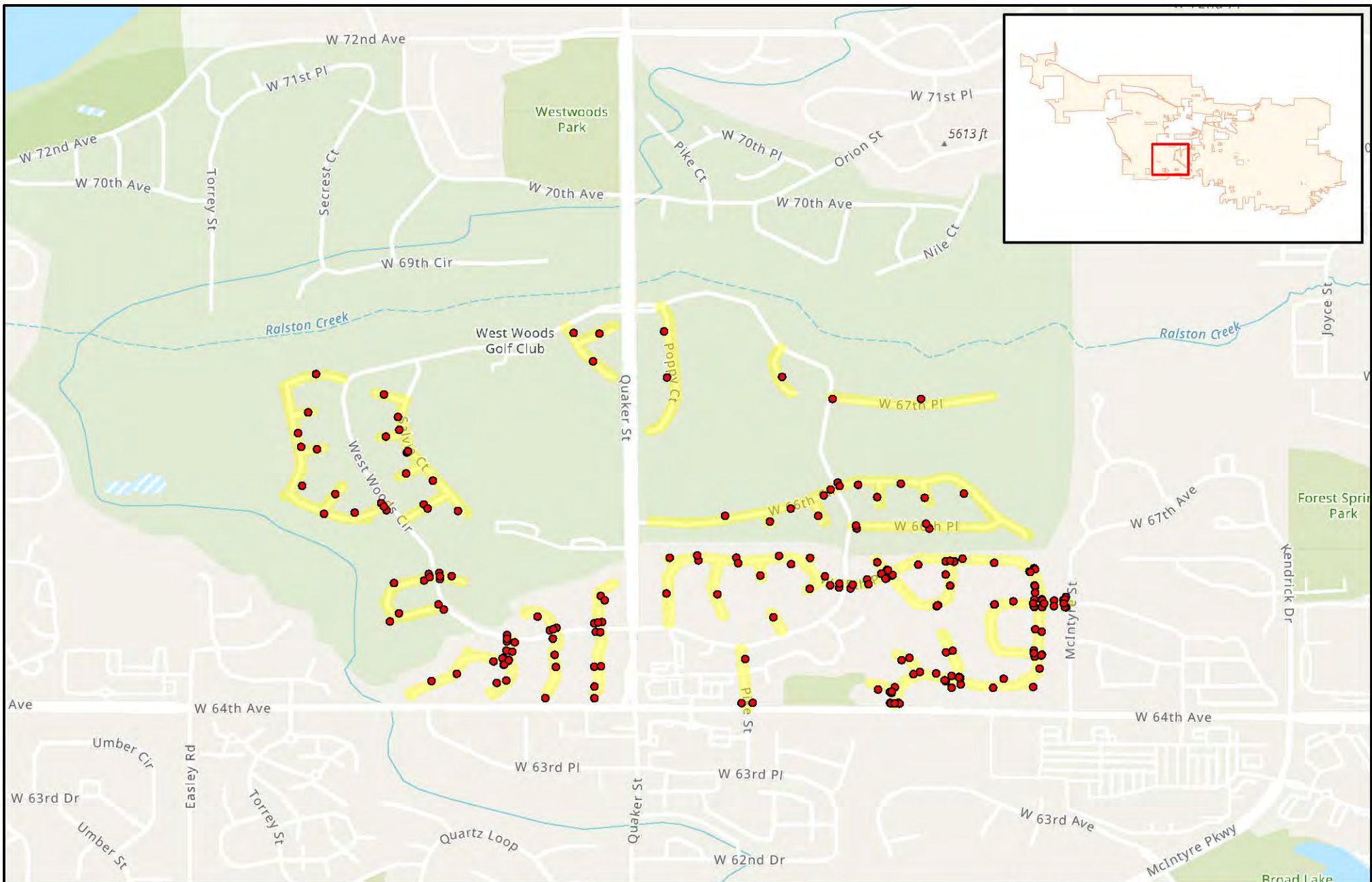


0 0.3 Miles



- Non-Compliant Elements
- Capitol Improvement Project (CIP) Area

Figure 6B
2022 Streets CIP Projects - Center
PROW Transition Plan
City of Arvada, Colorado

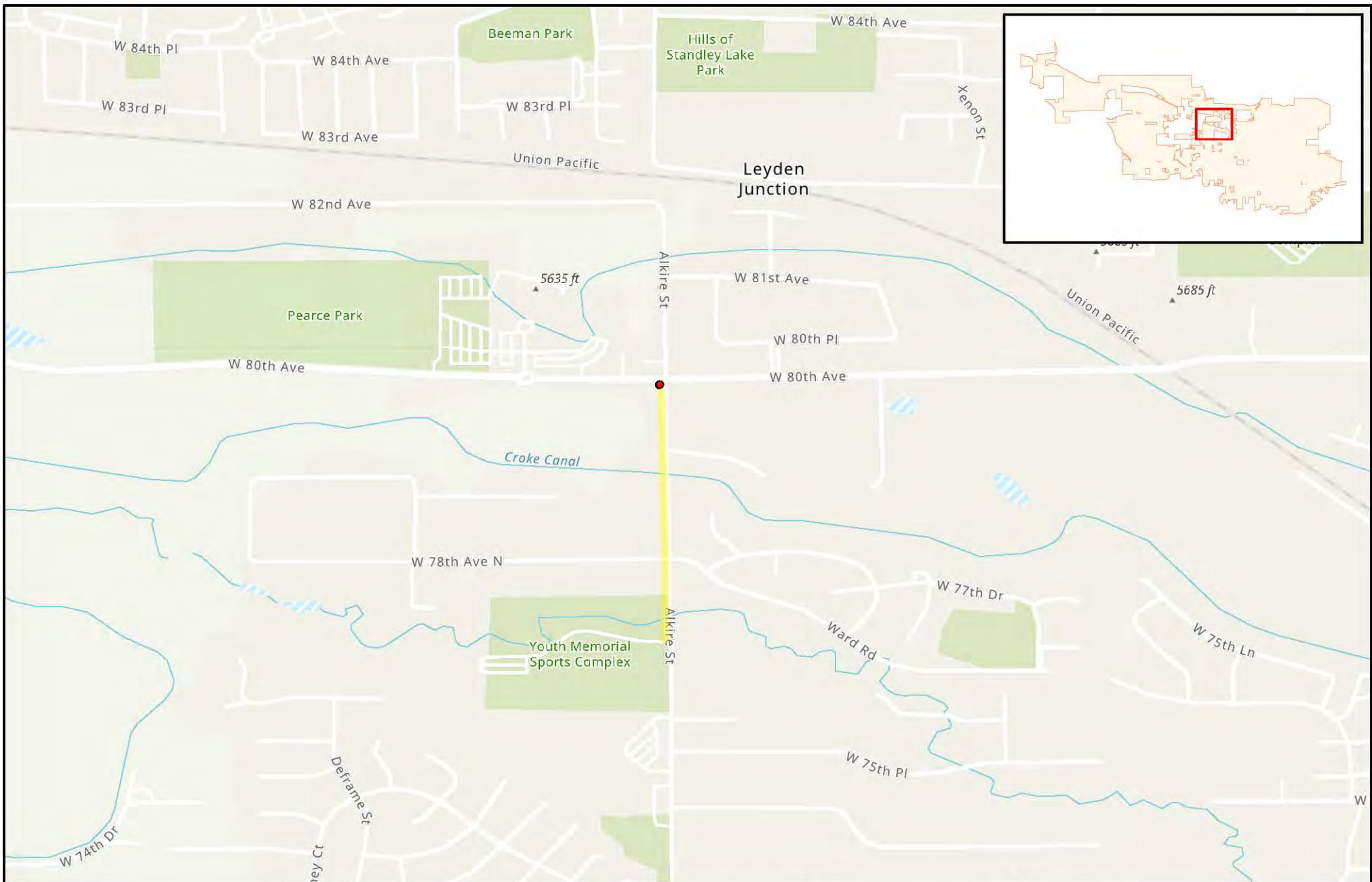


- Non-Compliant Elements
- Capitol Improvement Project (CIP) Area

0 0.4 Miles



Figure 6C
2022 Streets CIP Projects - West
PROW Transition Plan
City of Arvada, Colorado

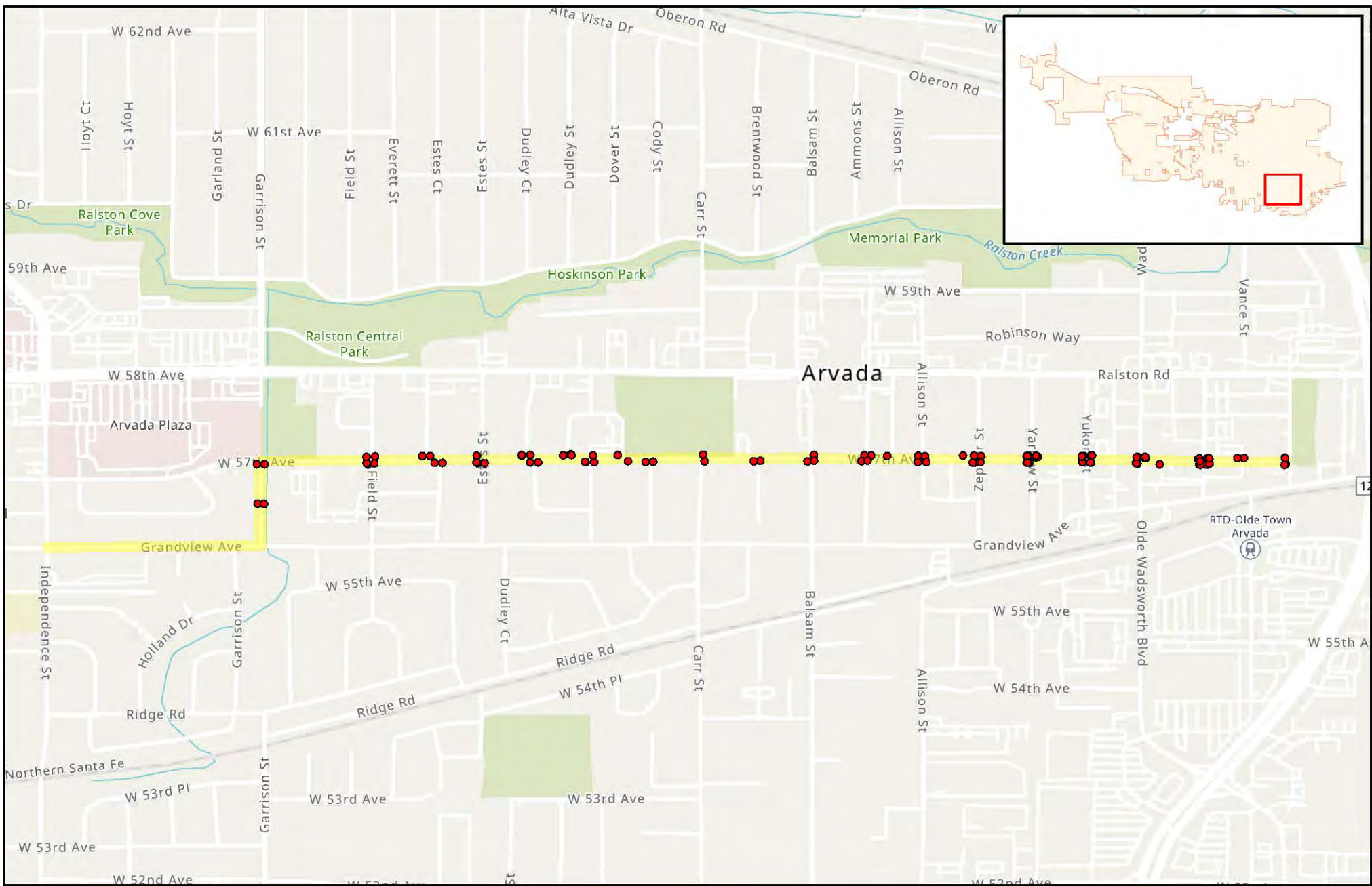


- Non-Compliant Elements
- Capitol Improvement Project (CIP) Area

0 0.4 Miles



Figure 7A
2022 MPI CIP Projects - North
PROW Transition Plan
City of Arvada, Colorado

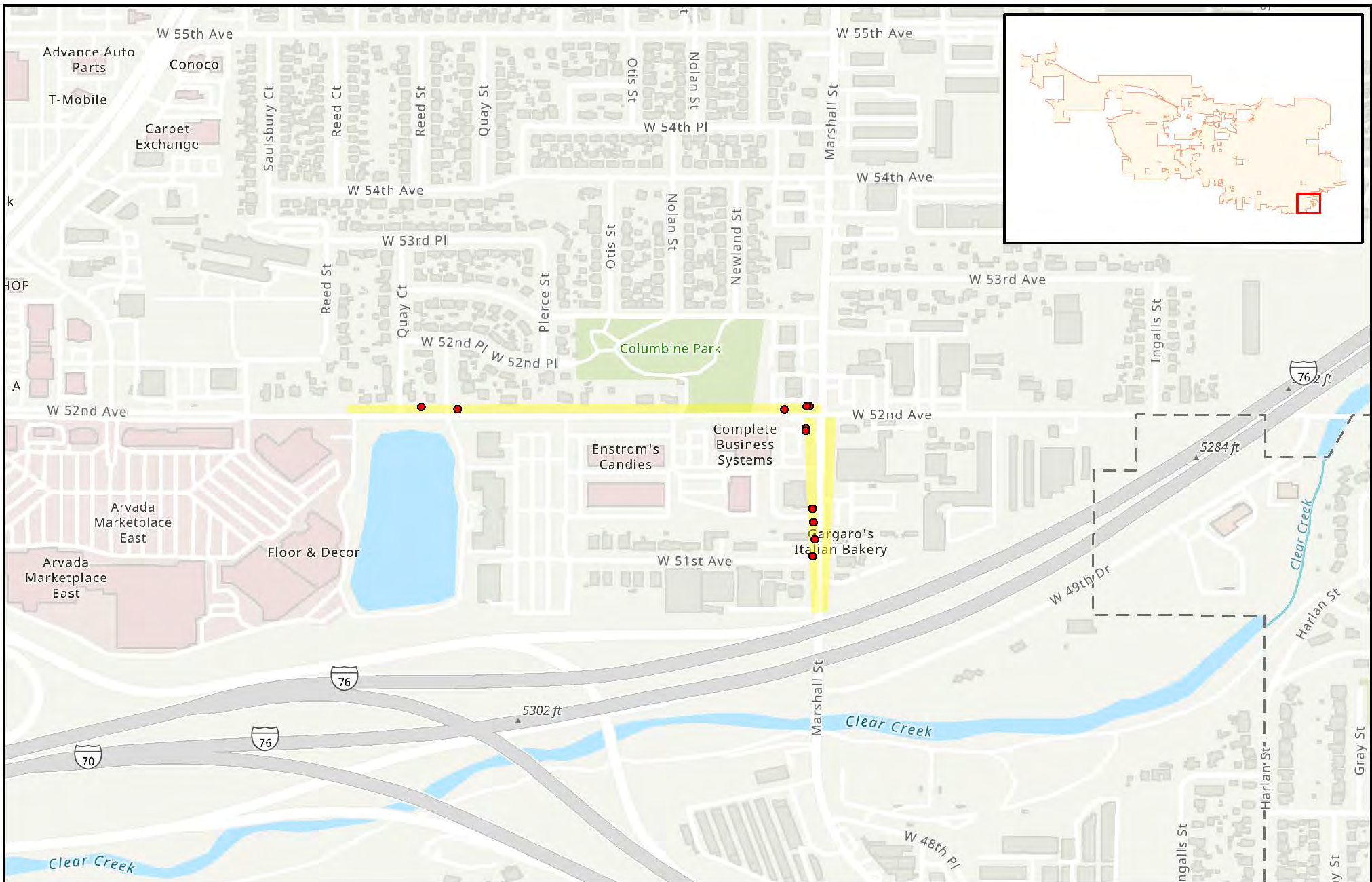


- Non-Compliant Elements
- Capitol Improvement Project (CIP) Area

0 0.4 Miles



Figure 7B
2022 MPI CIP Projects - Center
PROW Transition Plan
City of Arvada, Colorado

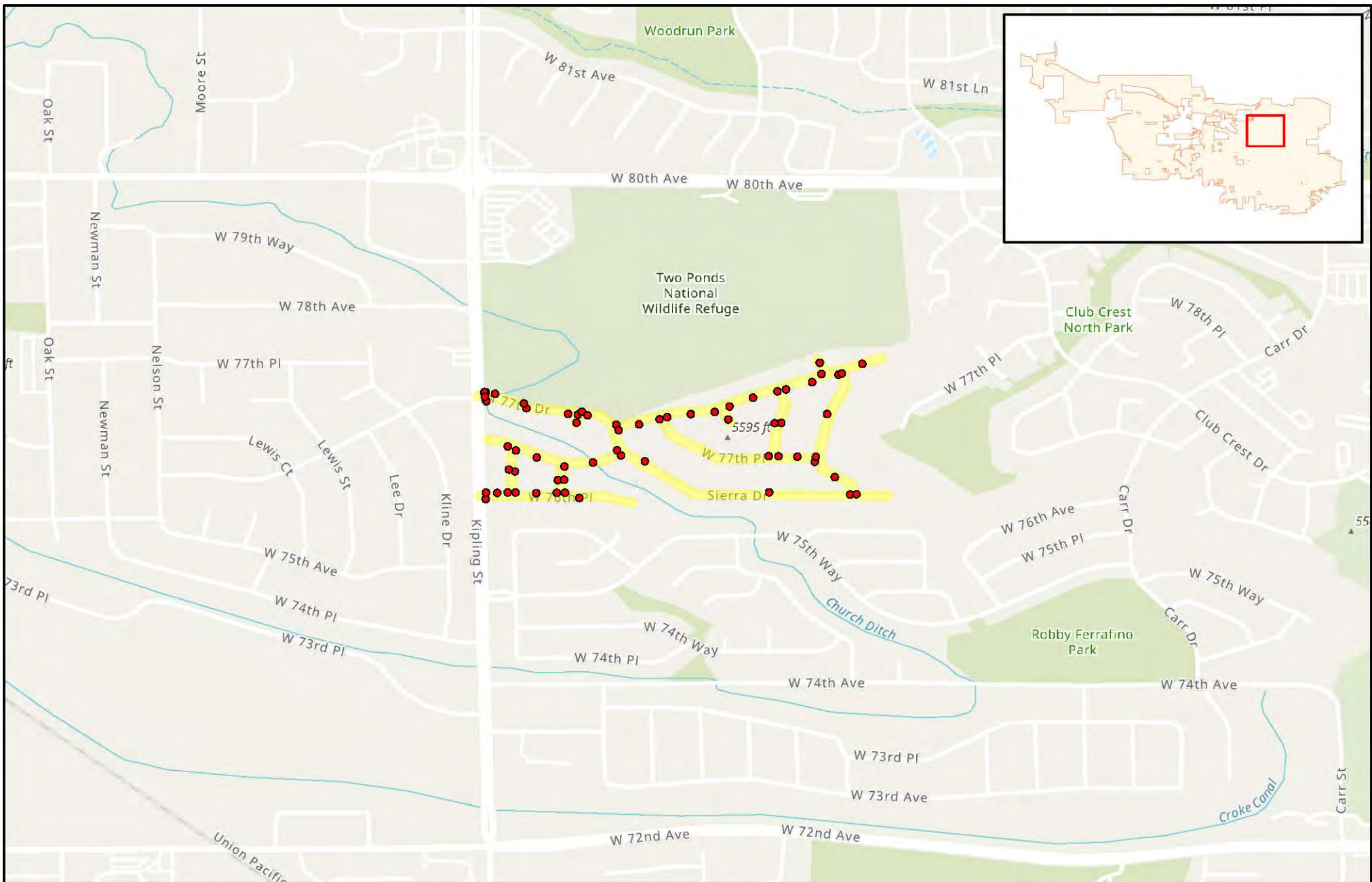


- Non-Compliant Elements
- Capitol Improvement Project (CIP) Area

0 0.3 Miles

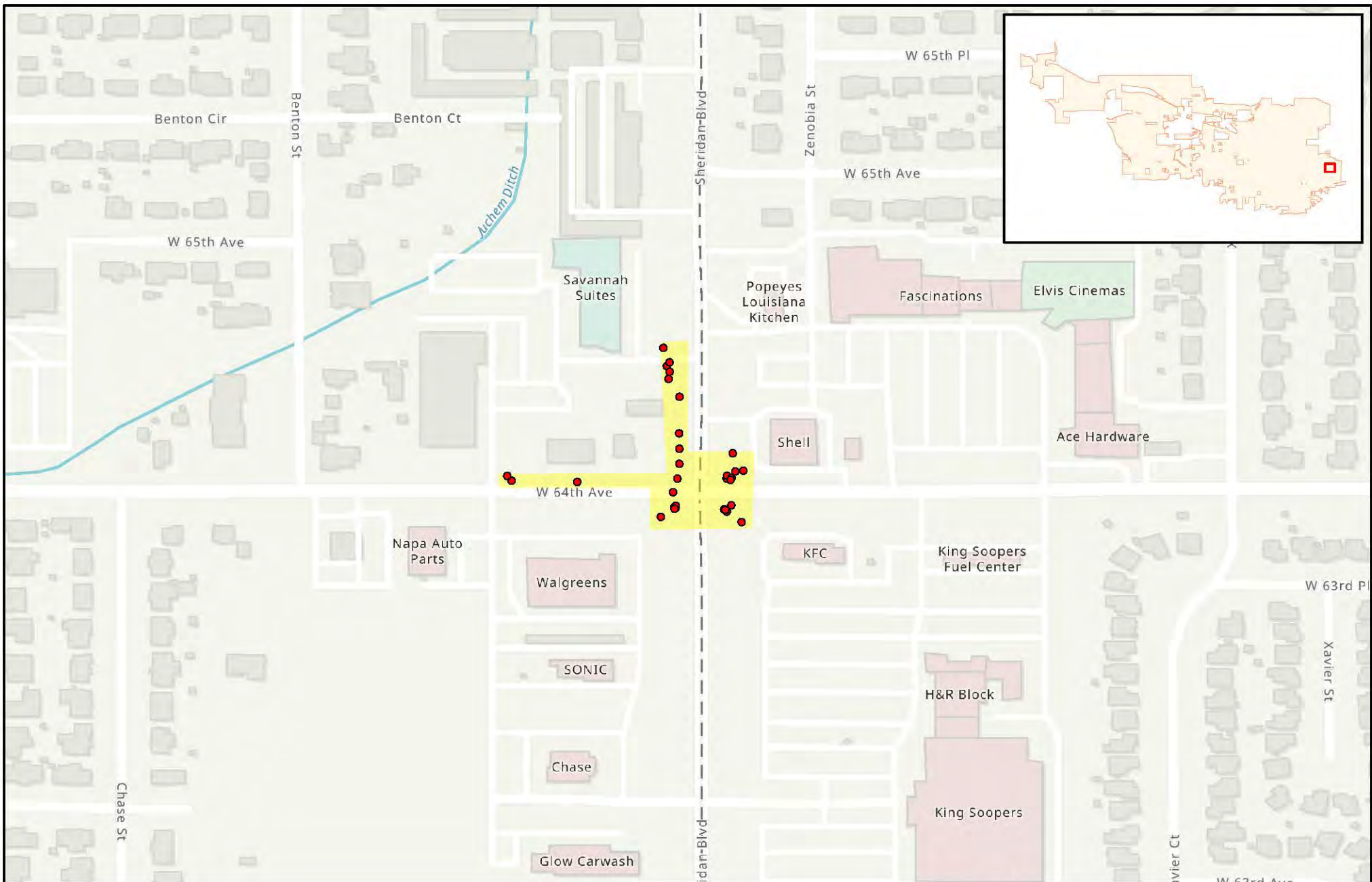


Figure 7C
2022 MPI CIP Projects - South
PROW Transition Plan
City of Arvada, Colorado



- Non-Compliant Elements
- Capitol Improvement Project (CIP) Area

Figure 8A
 2023 Streets CIP Projects - North
 PROW Transition Plan
 City of Arvada, Colorado

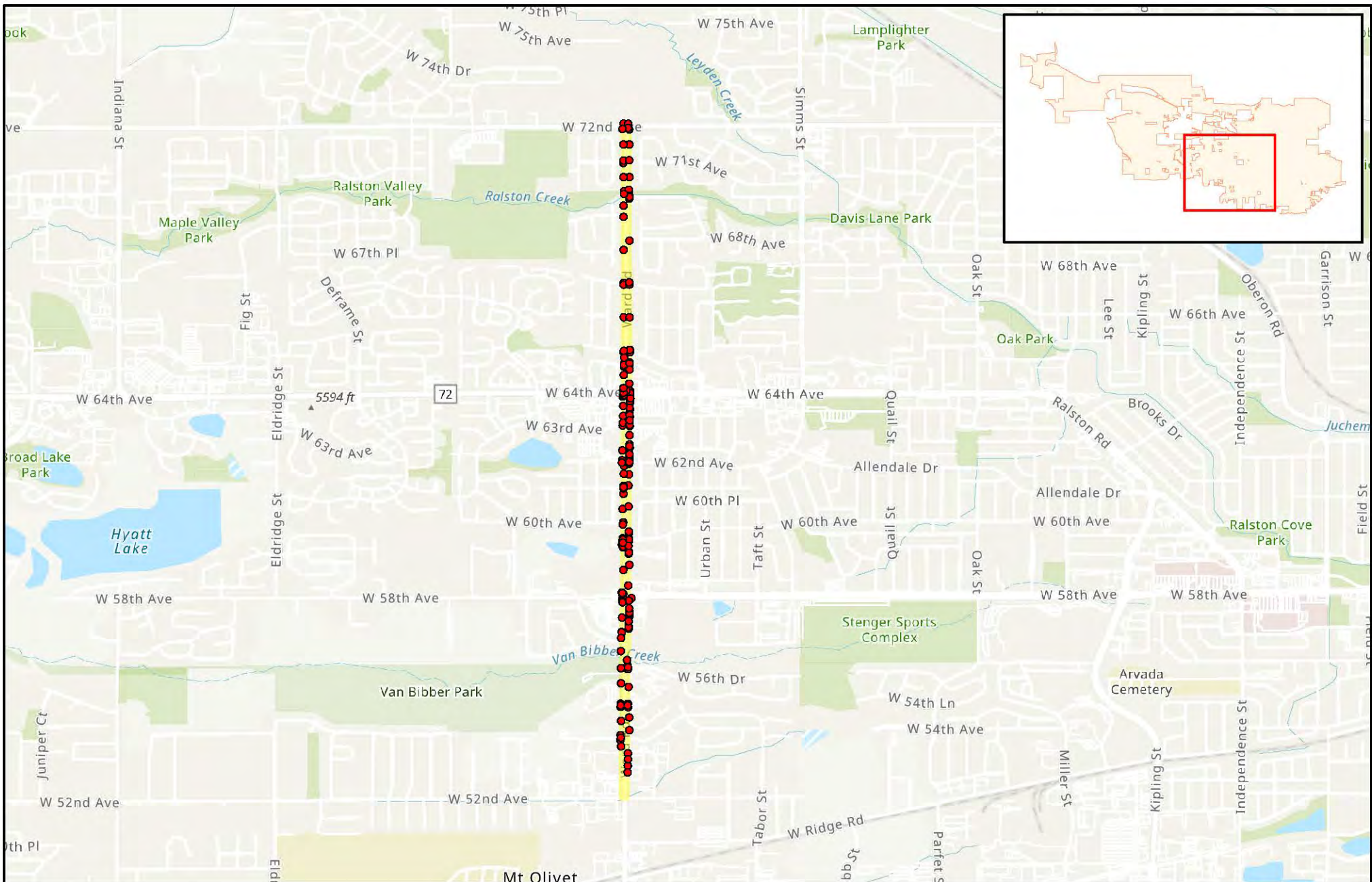


- Non-Compliant Elements
- Capitol Improvement Project (CIP) Area

0 0.1 Miles



Figure 8B
 2023 Streets CIP Projects - South
 PROW Transition Plan
 City of Arvada, Colorado

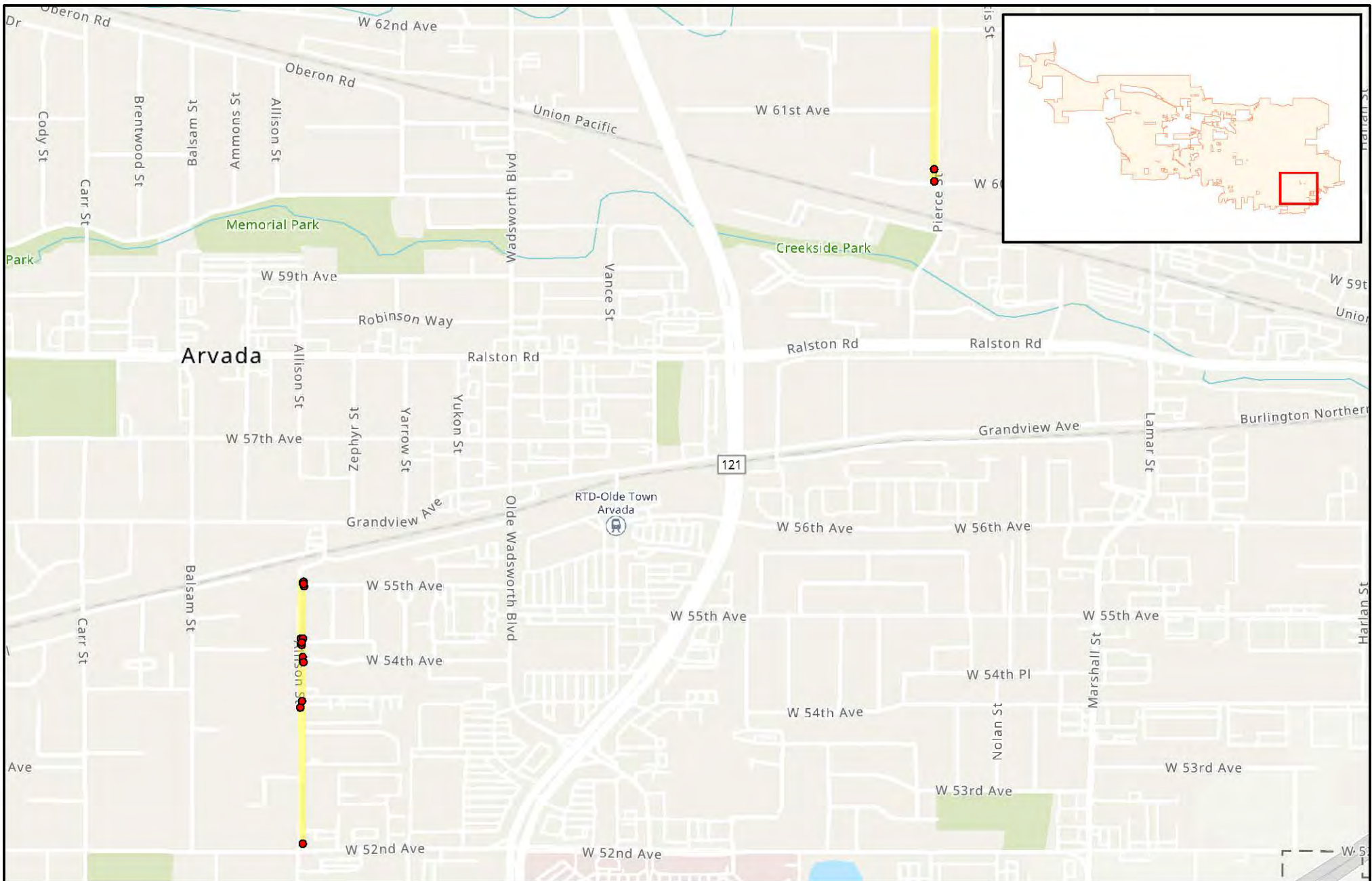


- Non-Compliant Elements
- Capitol Improvement Project (CIP) Area

0 0.5 1 Miles



Figure 9A
Future MPI CIP Projects - West
PROW Transition Plan
City of Arvada, Colorado

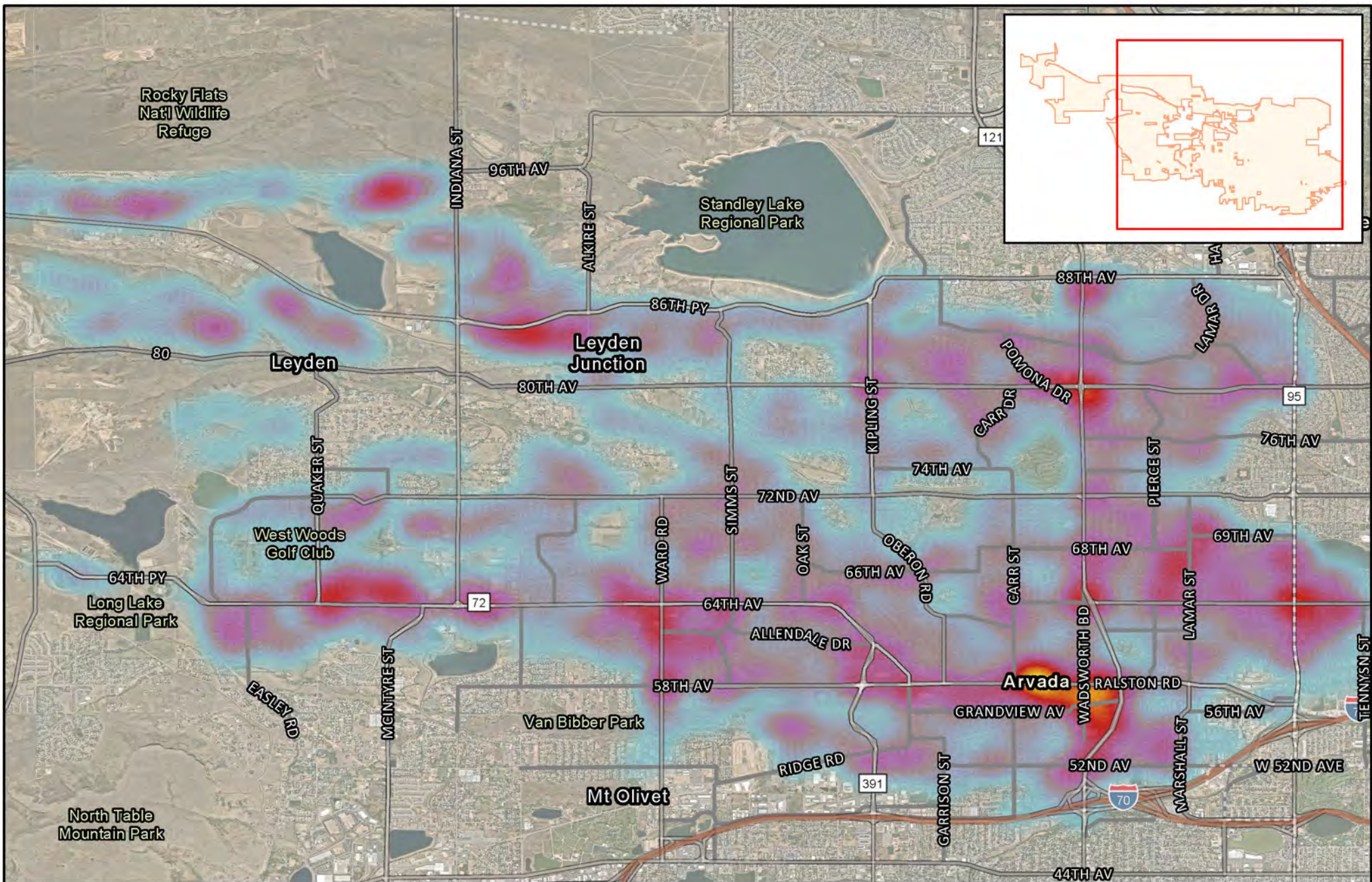


- Non-Compliant Elements
- Capitol Improvement Project (CIP) Area

0 0.5 Miles



Figure 9B
Future MPI CIP Projects - East
PROW Transition Plan
City of Arvada, Colorado



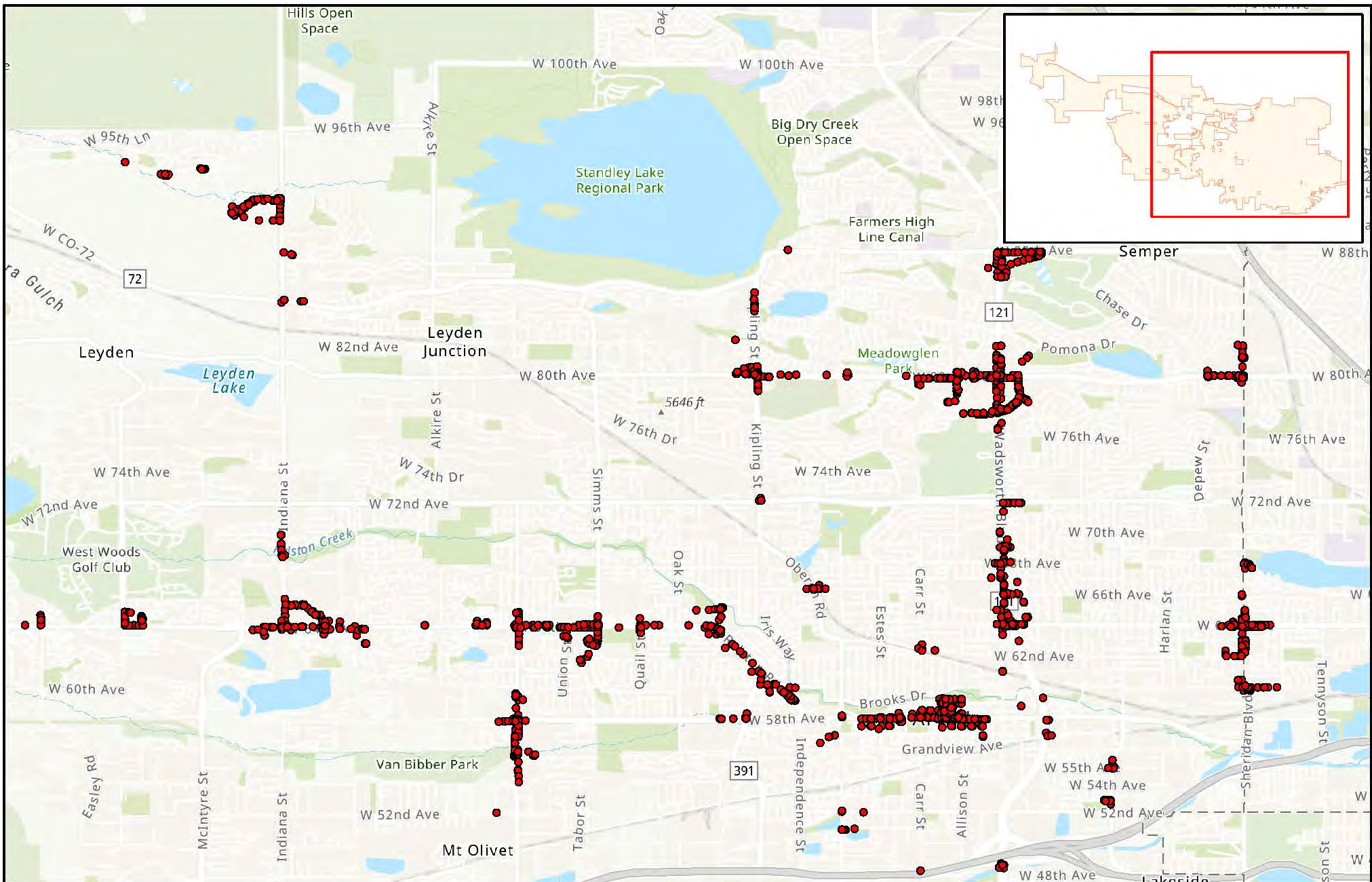
Program Score Weight (Heat Map)



0 1 3 Miles



Figure 10A
Program Score
PROW Transition Plan
City of Arvada, Colorado

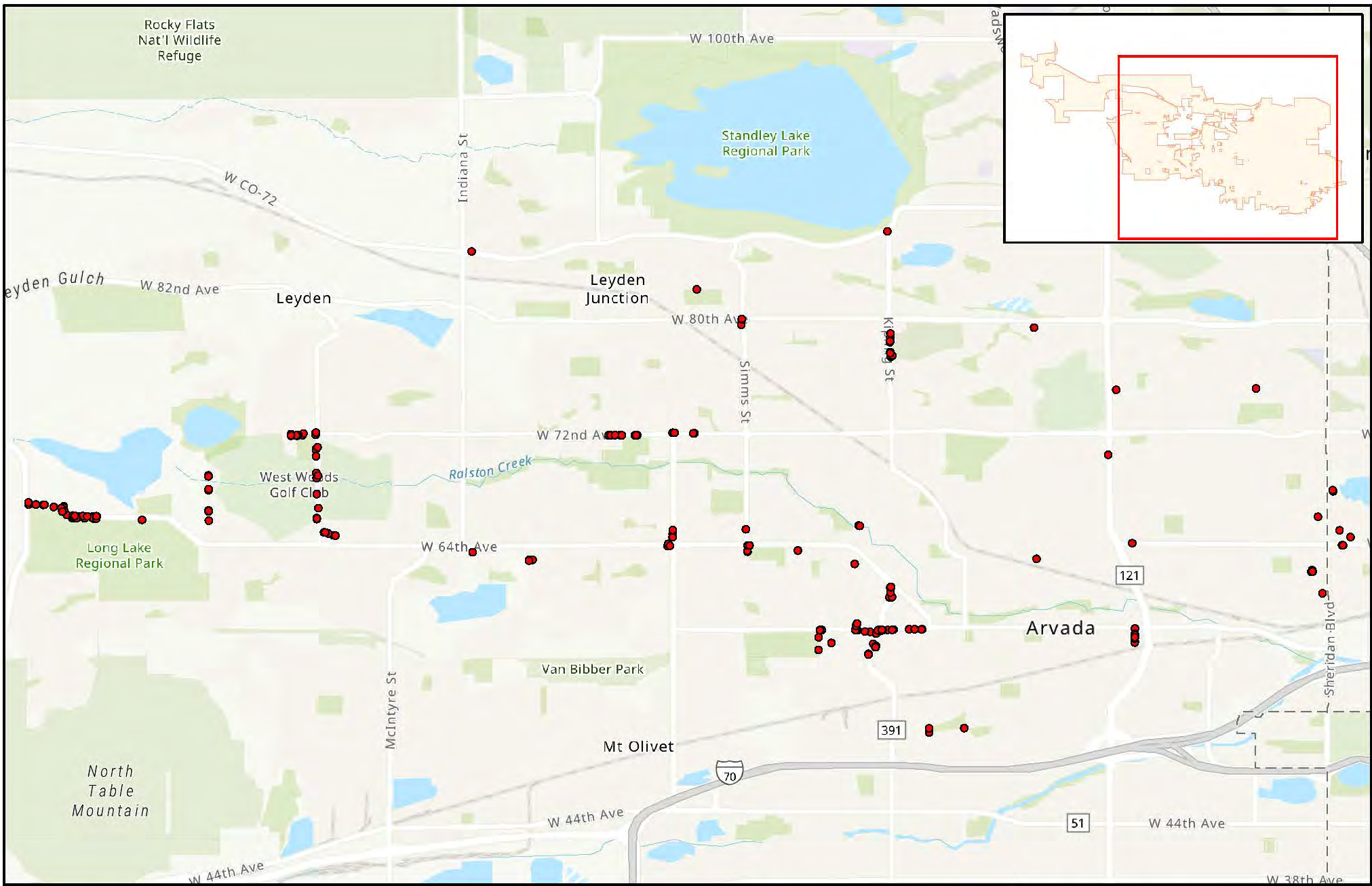


• Non-Compliant Elements

0 1 2 Miles



Figure 10B
2024 Program Score 0 Projects
PROW Transition Plan
City of Arvada, Colorado

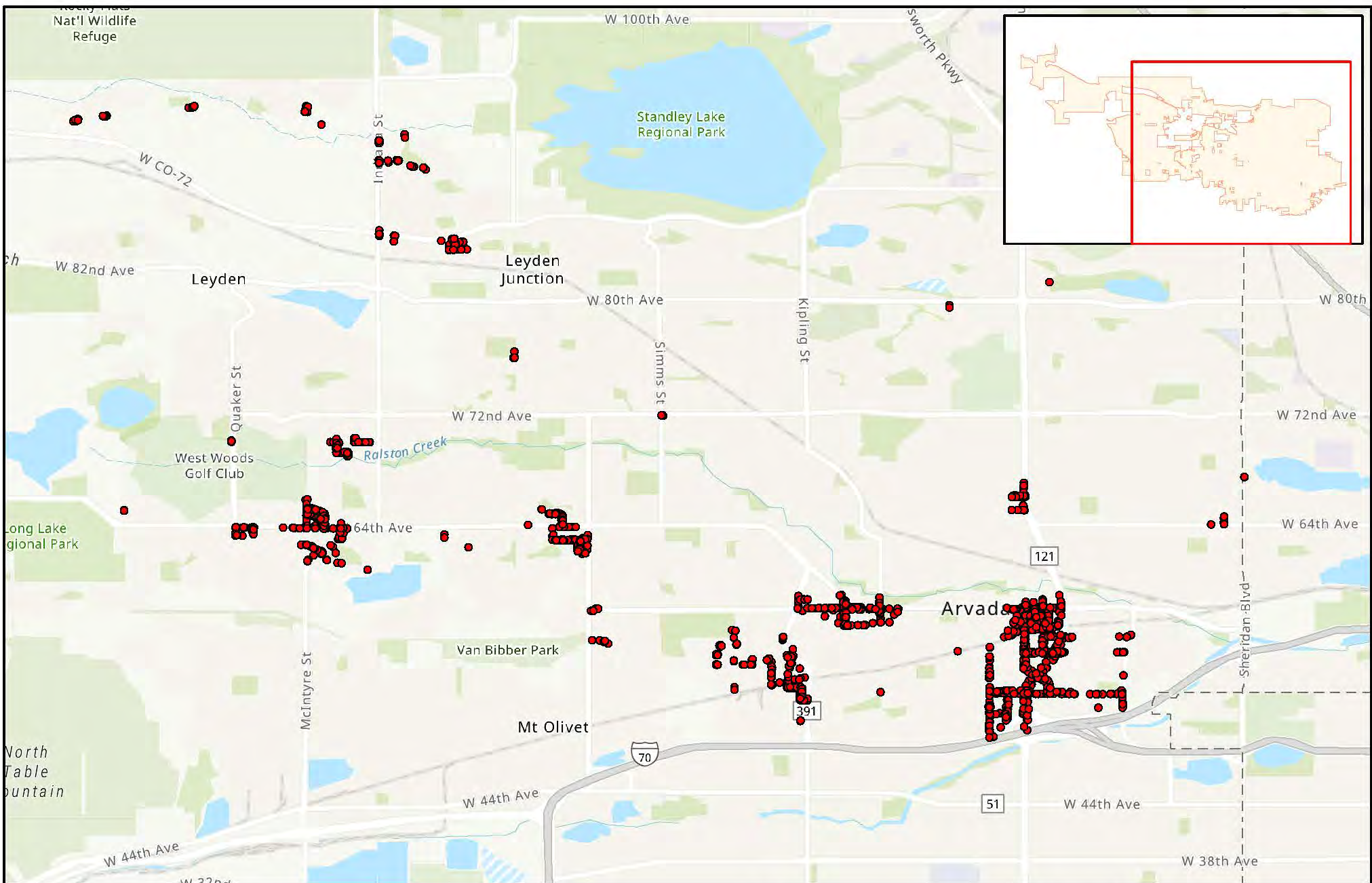


• Non-Compliant Elements

0 1 3 Miles



Figure 10C
2025 Program Score 1 Projects
PROW Transition Plan
City of Arvada, Colorado

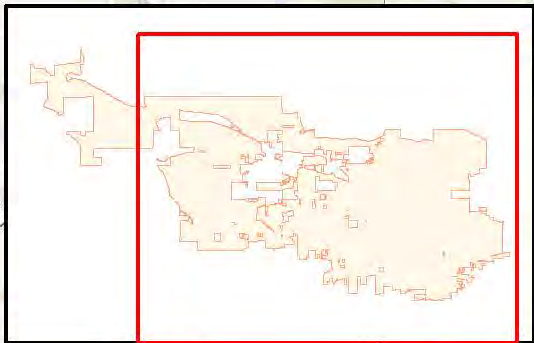


• Non-Compliant Elements

0 1 3 Miles



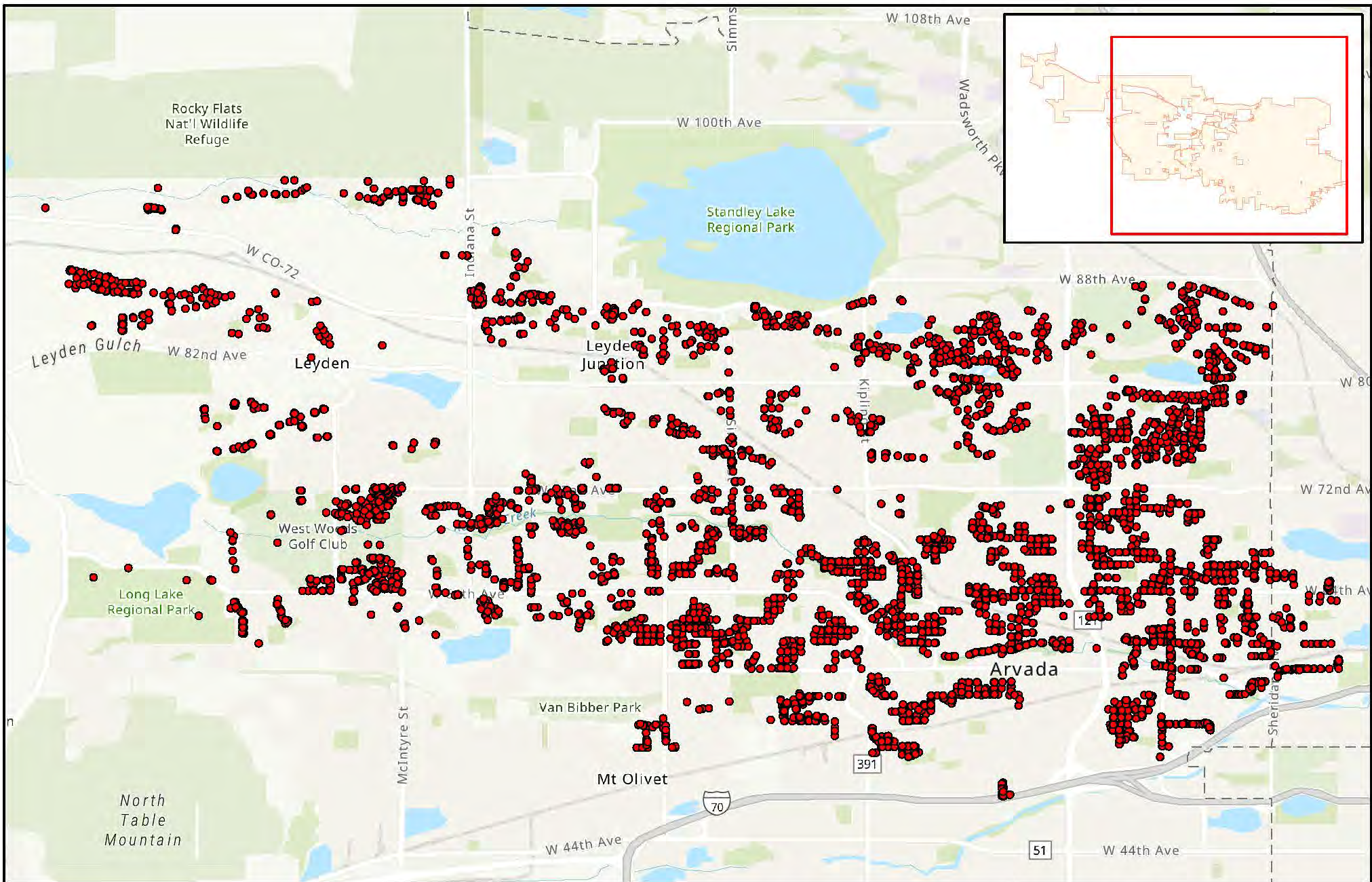
Figure 10D
2025 Program Score 2 Projects
PROW Transition Plan
City of Arvada, Colorado



-
- A horizontal number line with tick marks at 0, 2, and 3. The label "3 Miles" is placed to the right of the tick mark at 3.



2026 - 2030 Pogram Score 3 Projects
PROW Transition Plan
City of Arvada, Colorado

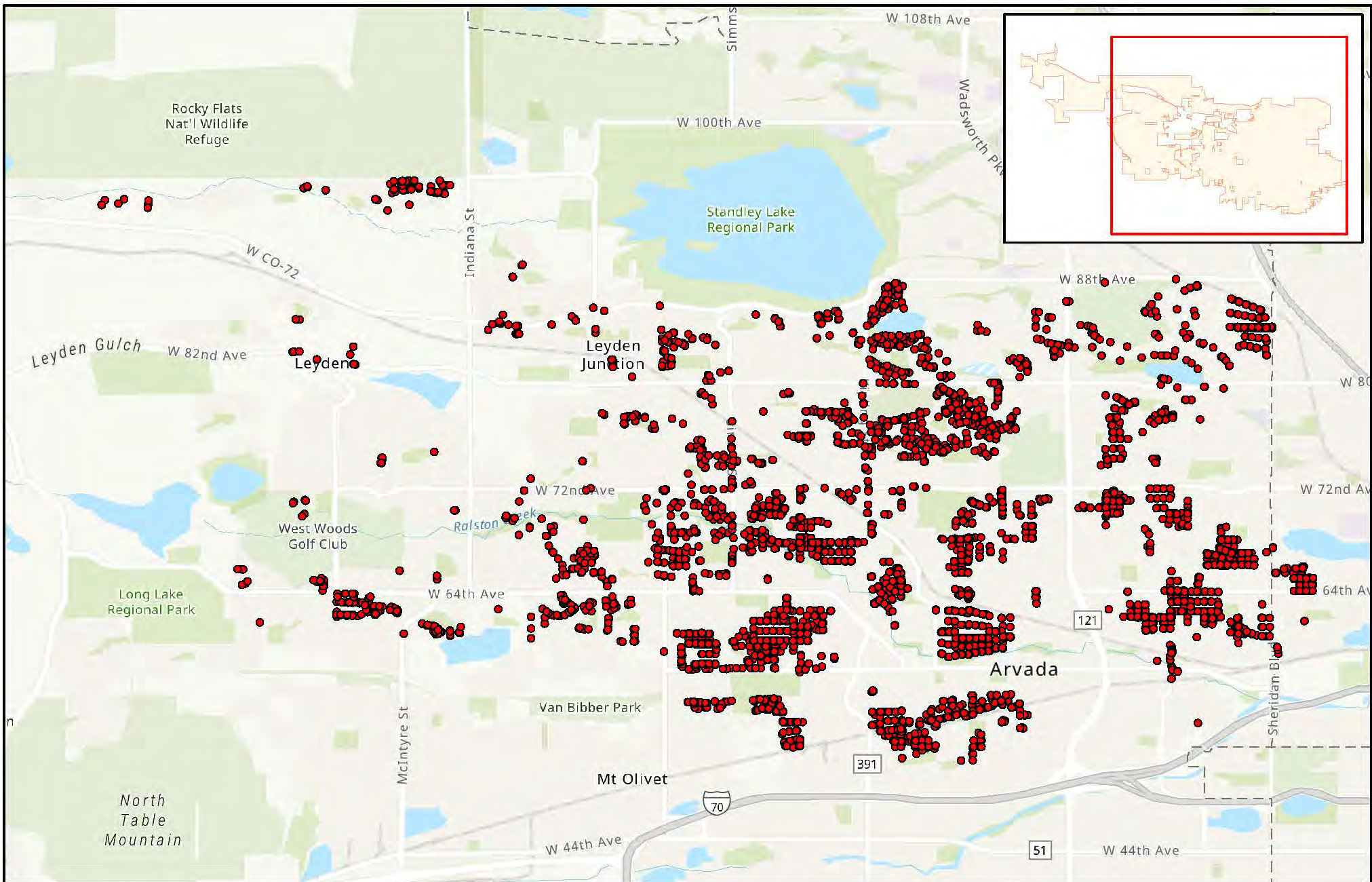


• Non-Compliant Elements

0 1 3 Miles



Figure 10F
2031 - 2034 Program Score 4 Projects
PROW Transition Plan
City of Arvada, Colorado

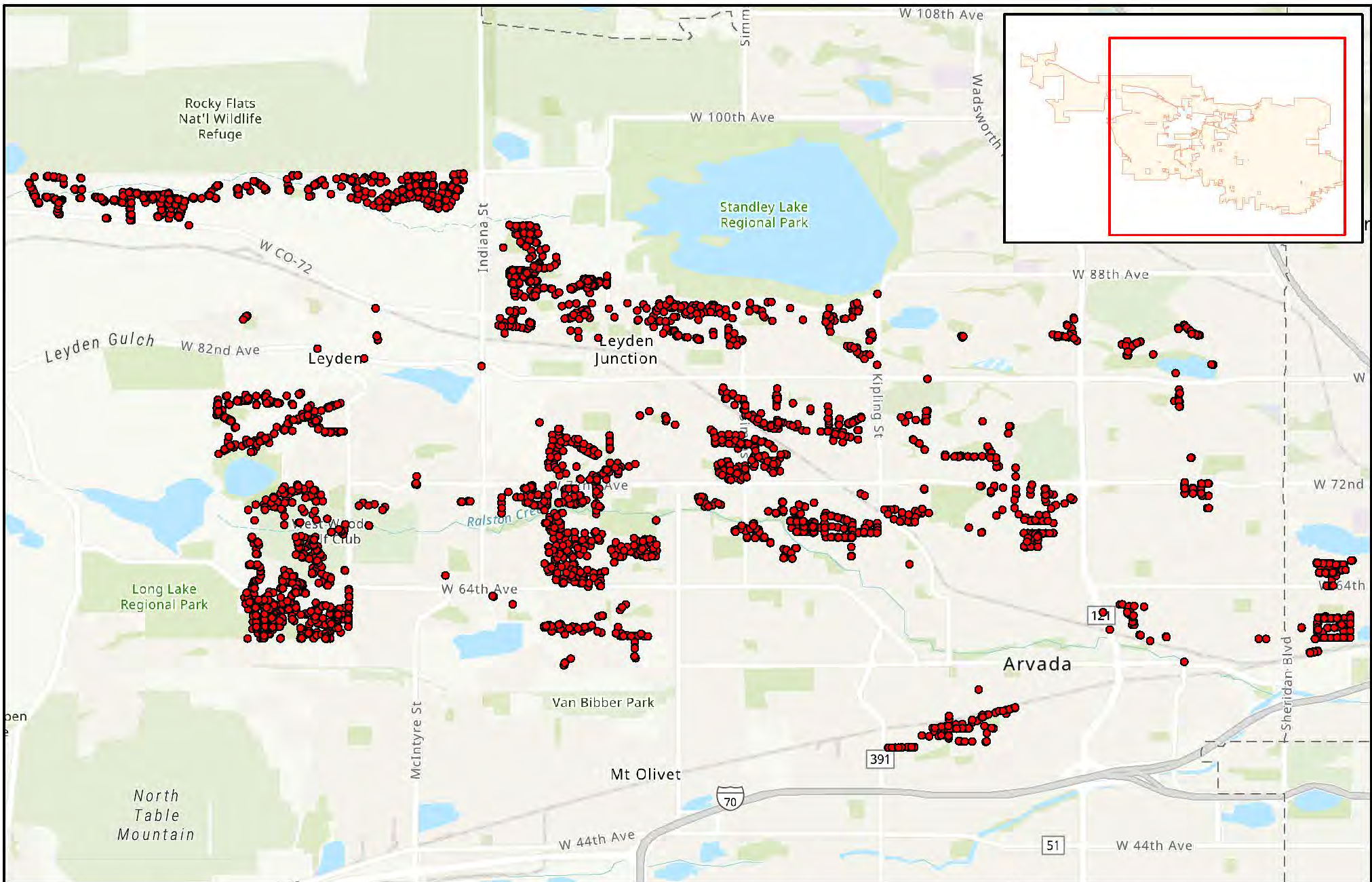


• Non-Compliant Elements

0 1 3 Miles



Figure 10G
2035 - 2037 Program Score 5 Projects
PROW Transition Plan
City of Arvada, Colorado

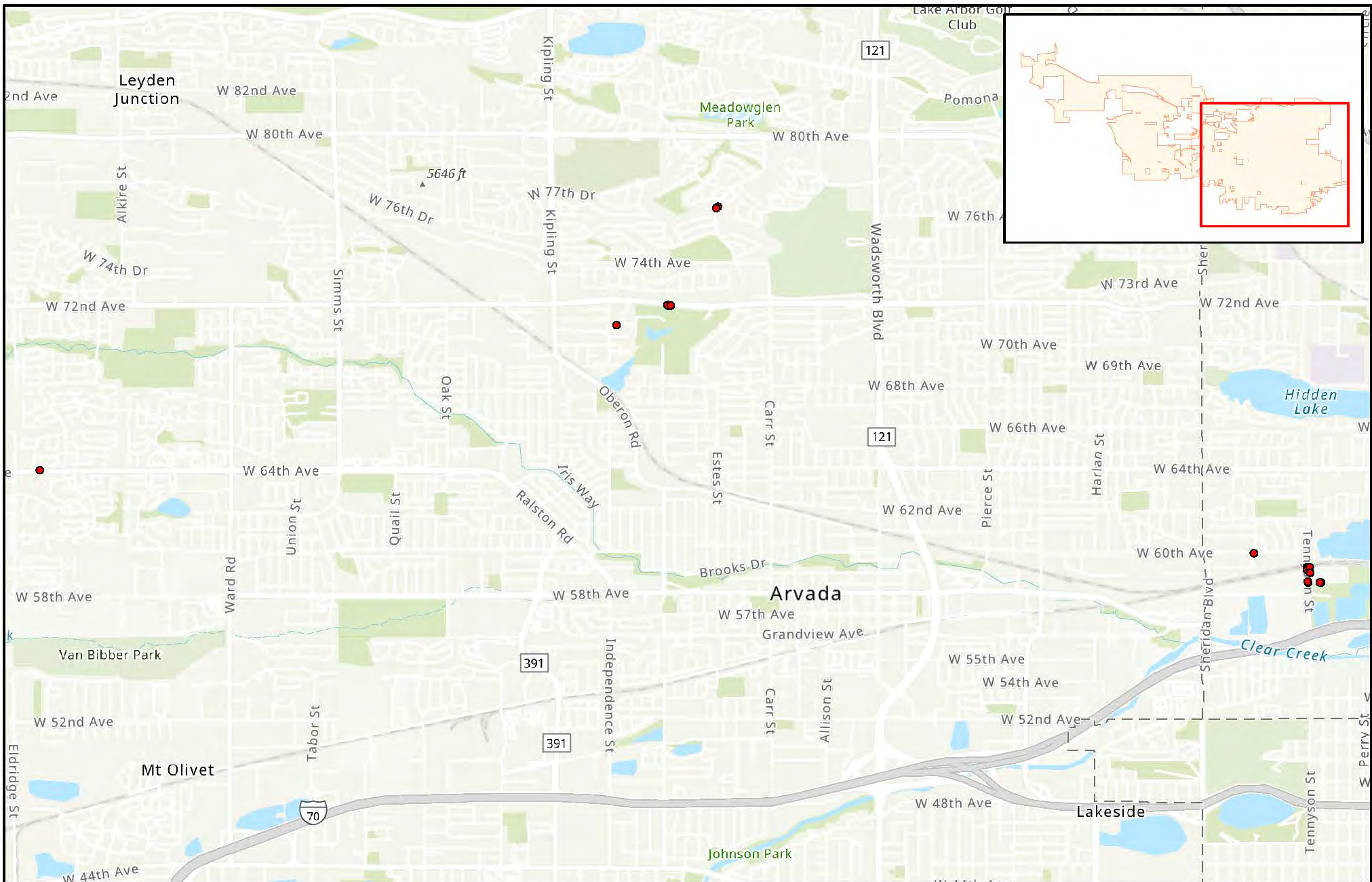


• Non-Compliant Elements

0 1 3 Miles



Figure 10H
2038 - 2040 Program Score 6 Projects
PROW Transition Plan
City of Arvada, Colorado

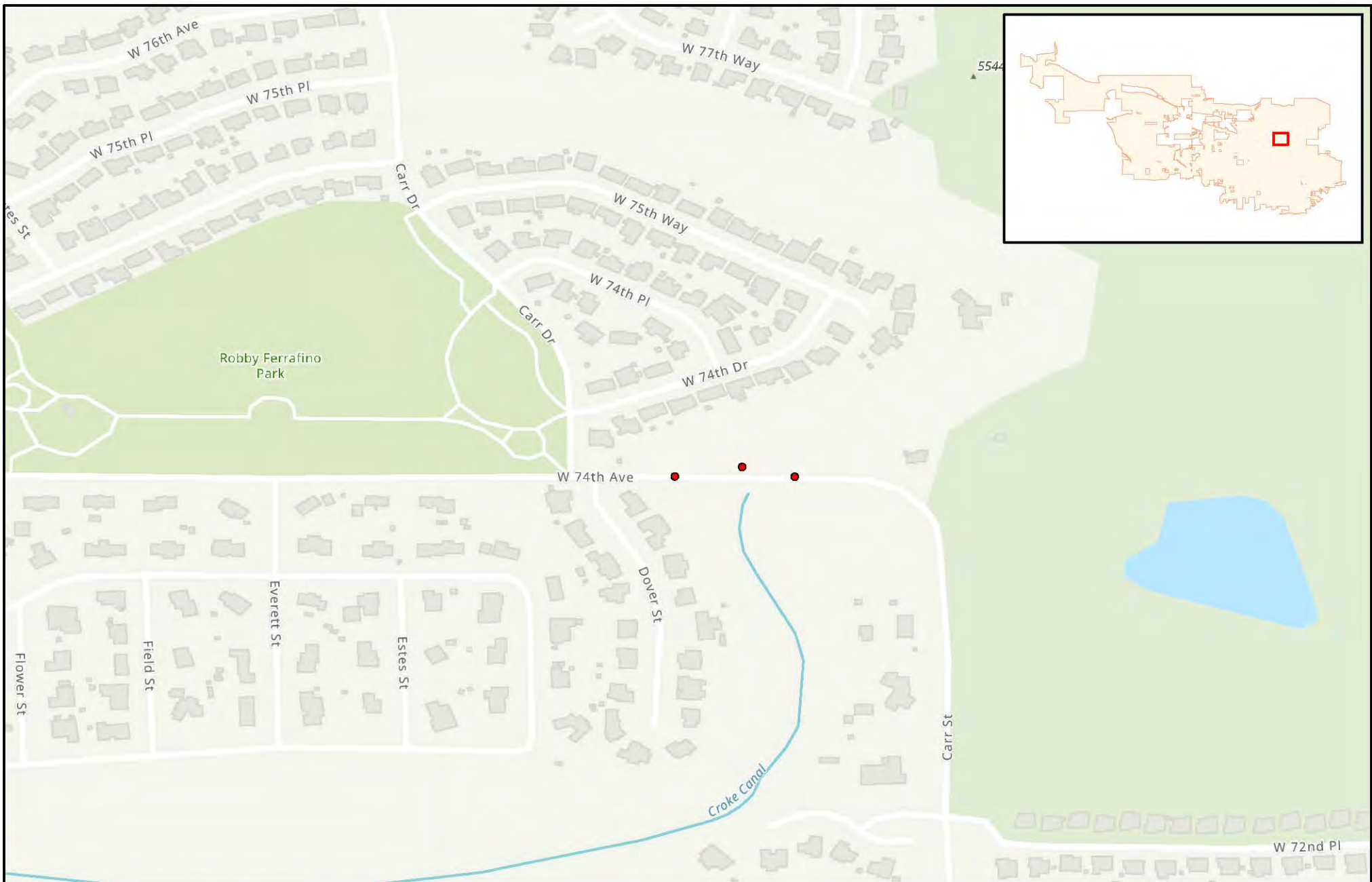


• Non-Compliant Elements

0 1 2 Miles



Figure 10I
2038 - 2040 Program Score 7 Projects
PROW Transition Plan
City of Arvada, Colorado



• Non-Compliant Elements

0 0.1 0.2 Miles



Figure 10J
2038 - 2040 Program Score 8 Projects
PROW Transition Plan
City of Arvada, Colorado

CITY OF ARVADA- WEBSITE TESTER/WCAG 2.1 AUDIT REPORT

December 16, 2019

Geoff Ames
games@mtc-inc.com

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City of Arvada- Website Tester/WCAG Audit Report

Prepared by Meeting the Challenge, Inc., A CP&Y Company – December 16, 2019

Introduction

Meeting the Challenge, Inc. (MTC) has been engaged by City of Arvada, as part of its Americans with Disabilities Act (ADA) self-evaluation process to evaluate/audit the City's compliance with WCAG (Web Content Accessibility Guidelines) digital accessibility guidelines. To assist in this audit, MTC has assigned a group of individuals (three contractors and one MTC consultant) with disabilities to access a specific set of URLs on the City of Arvada website. While individual assessment of all City webpages/URLs is not feasible, within the scope of this project, a random cross-section of webpages/URLs and interactive tasks were assigned to these testers and MTC technical sub-consultant Ron Stauffer/Lieder Digital.

The testers are not seeking specific technical issues, though they do discover some, but rather, they are tasked with evaluating the navigability, accessibility, and ease of use of the content on the City's websites. Testers were asked to access a number of webpages that require user interaction, for example, filling out forms, or requesting to be put on an email contact list. In addition, MTC asked each tester to navigate the website, beginning at the URL: <https://arvada.org>, complete a variety of functional tasks, and to find and report the ADA Coordinator's name, address, email, and phone number. The specific tasks and instructions given to each tester will be detailed in their section of this report.

The significance and relevance of actual user testing of websites presumes that, regardless of compliance with the abstract, technical guidelines (WCAG 2.0 Level AA) stipulated by DOJ in its settlement agreements, actual user experience might vary depending on the abilities of individuals and any assistive technologies (such as JAWS® or ZoomText) they use. Access to information on websites is necessary to fulfill the basic title II requirement to ensure that services, programs, and activities of state and local governments are accessible to and usable by qualified people with disabilities. Public entities must also ensure that their communication with people with disabilities is as effective as their communication with others. As the guidelines for accessible web content have expanded, Lieder Digital now assesses 17 additional success criteria found in [WCAG 2.1](#), as the best practices available.

One of MTC's testers is blind. The second has low-vision. The third has Cerebral Palsy. And the fourth is deaf. Each tester is more than a casual user of technology with average or better skill at using computers and the Internet.

MTC instructed each tester to access the URLs and complete the tasks specified below, linking directly from their task orders or by copying and pasting the URL into their browsers.

The following general directions/suggestions were given to the testers, specific to their abilities and limitations:

The Testers will complete an accessibility assessment for webpages within the scope identified by MTC. MTC will provide the URLs (see below) of third-party websites or webpages to be investigated. The Testers will, using their own equipment, assistive technology devices, and applications, navigate the web pages within the scope of the task. The Testers will navigate through the pages, test hyperlinks, and evaluate accessibility of content including but not limited to functional performance with screen-reading software. Specifically, the Testers will determine whether any features or web content in the

task scope are inaccessible to them, personally, or, in general, to individuals who are blind or have other limitations that prevent visual interaction with web content; and/or require the use of a mouse. The Testers will document any barriers to navigation or lack of functional accessibility, indicating the URL of any pages where such barriers are encountered.

Site URL to be Evaluated and Tested

Begin assessment with the City of Arvada's homepage URL, <https://arvada.org>. Complete a general assessment of navigational links on the homepage. Complete additional assigned functional tasks. Including the following:

- Find the City's ADA Notice of non-discrimination on the basis of disability and Grievance procedure. Can you complete a Grievance form? Report the URL where you find any of this information.
- Find the ADA Coordinator's name, address, phone number, and email. Report the URL where you find any of this information.

See attached, *Work Order URLs and Task Detail for Arvada Website Testing*, for detailed instructions.

Editor's Note

In this report, aside from some minor edits for punctuation and spelling, each tester's report will be presented in his or her own words, to ensure the most candid expression of the experience each tester had in exploring the City's website.

Summary Comments

As will be noticed in the reports from our testers, this is not a technical report. Specific coding changes are not suggested or dictated by the testers. Each tester finds different barriers or hurdles to overcome. For example, a page that presents no barriers for our tester who is deaf may present numerous issues for our tester who is blind or our tester who has low-vision. The absence of alternative text on images will not impede our user who is deaf or our user who has Cerebral Palsy. Conversely, the absence of captions on audible content does not impact our users who are blind and have low-vision, as their ability to hear is not an issue. Navigation that is facile for a user who is blind, using JAWS® (Job Access With Speech), may be extremely difficult to access for someone who has limited muscular coordination.

The City's website provides consistent navigation, design, and structure that enhances continuity of branding across the City's web presence, as well as improving accessibility for users of all abilities.

Many of the issues that are identified in this report can be resolved globally for those pages that source the same templates and/or cascading style sheets. When different areas of websites rely on different sources of design code, resolving accessibility design issues will require separate efforts to resolve similar problems. For example, contrast deficiencies ([SC 1.4.3](#)) (i.e., between text and background) that present access barriers to individuals who are color-blind or have low-vision, can typically be resolved by correcting those color values in one template. However, when different areas of a website depend on different templates to standardize text colors (as well as font and size) and background colors, every template will need to be corrected.

Notably, none of our testers was totally excluded from investigating the City's website. Each of them found features that they liked and of which they encouraged the use. This report should be used in conjunction with the technical report to be provided by MTC's sub-consultant, Ron Stauffer. Our testers can also provide answers to specific questions regarding their observations, upon request.

Observations by Tester Who Is Blind

Our first tester, who is blind and uses JAWS® (Job Access With Speech), a screen-reading application, was given the general instructions in the *Introduction* above, as well as the those in the attached, *Work Order URLs and Task Detail for Arvada Website Testing*.

Please test using more than one of the following browsers and indicate instances where accessibility or usability varied noticeably between browsers:

TASK 1. <https://arvada.org>

Are there any navigation difficulties on this page?

Noticing the difference between Firefox and Internet Explorer; Explorer has more details i.e. social media links at the bottom of the page, and there is a distinct beginning and end of the page. Firefox wraps around from bottom to top and does not show the social media links.

Google Chrome: got into the search bar for wanting my email and couldn't get out.

Microsoft Edge: Don't remember a survey on the other URL's; however, I'll check that out. Also found address to the city at the bottom; don't remember seeing that on the other URL's.

Explorer: After the survey, says list box three times while down arrowing before getting to "speak up Arvada." That's annoying. Did have address and social media contact information at the bottom.

All links on the home page appear to work.

Using Internet Explorer until issues arise.

TASK 2. Check out the "RTD Olde Town Train Wrap Video." (Hint: look under "News & Video.")

Can you name the City's Community and Economic Development Director or another narrator on this video?

I had trouble linking into the video on YouTube. I had to go out of the page then return.

Community and Economic Development Director is Ryan Stachelski.

I found that information in an article where the link to the video was.

The narrator of the video was not announced.

Technical Reviewer's Note: this is a failure of both "captions" ([SC 1.2.2](#)) and "audio description or media alternative" ([SC 1.2.3](#)). According to the WCAG 2.0 guidelines, captions "not only include dialogue, but identify who is speaking and include non-speech information conveyed through sound, including meaningful sound effects."

TASK 3. Following the link to "Events" on the homepage, can you find the date, time, and location for Adventures in the Rainforest-Art Club?

Yes, November 6, 2019; 4:00 p.m. Arvada Library.

TASK 4. Can you find the and complete an application for a pet license? (Hint: "Browse All Online Services.")

I found a link to: "Complete Registration form"; however, I couldn't download it.

Foot Hills Animal Shelter: License Your pet; I could fill out username, password, email, etc. Didn't go any farther. Their graphics were unlabeled!!

Oh, finally found the online services and entered dog services and got connected to subscribing to their email. Upon searching again, ended up at the Foothill Animal shelter.

Technical Reviewer's Note: while the comments presented here are helpful, the section referred to is hosted using a third-party platform, petdata.com, and, unfortunately, the City of Arvada will likely not be able to make any changes to it.

TASK 5. *Can you apply for a business license?*

Yes, and all fields were accessible and easy to fill out.

TASK 6. *Is the Arvada Housing Authority accepting applications for Section 8 housing vouchers?*
(Hint: goto –

<https://arvada.org/residents/city-neighborhoods/housing-programs/section-8-housing-choice-voucher-program>)

No Arvada is not accepting Section 8 at the moment; of course, their website says information has not been updated in four years. Too bad for people who have disabilities; pretty unacceptable, if you ask me.

TASK 7. <https://arvada.org/city-hall/government/boards-and-commissions>

Can you find a committee with a vacancy?

Using Firefox:

Arts and Culture Commission: no

Arvada Festivals Commission: no

Arvada Golf Advisory Committee: no

Arvada Liquor Licensing Authority: no

Arvada Park Advisory Committee: no

Arvada Police Pension Board: no

Arvada Sustainability Advisory Committee: no

Arvada Urban Renewal Authority (AURA): no

Board of Adjustment: no

Building Code Advisory Board: no

Citizens Capital Improvement Plan Committee 2014-15: can't find.

City of Arvada Retirement Plan Board: no

Design Review Committee: yes, one vacancy.

Where and when (time of day) was the September 19, 2019 meeting of the Design Review Committee held?

Most meetings are the third Thursday of the month. Using that deduction (since September 19 was the third Thursday) that meeting most likely was at: 8:30 a.m., in Arvada City Hall. October 17 (third Thursday) was at that time and location.

TASK 8. Does the City have any current job openings? (Hint: use the “Apply for a City Job” link on the homepage.)

I used the home page link; however, didn’t go anywhere helpful. Now using the searching button. That wasn’t helpful either. I’m going back to the home page again. Kept looping me to a search bar and wanted my email. Annoying!

Technical Reviewer's Note: I was unable to replicate this issue, but I suspect it may be due to the footer bar containing an unlabeled field for the newsletter subscription. Due to a failure of "labels or instructions" (SC 3.3.2), screen readers may mistakenly interpret this field as a search bar rather than a newsletter signup form. I suspect this may be what happened in this case.

Going to try Internet Explorer.

Yay, success here. I found the following under Police Jobs: “next hiring process will open in mid-December, to test in February for the Fall 2020 academy.” Looks like they are up to date and hiring!

TASK 9. <https://arvada.org/city-hall/city-council/attend-or-view-a-city-council-meeting>

Find the current City Council Meeting Packet (Hint: find the link to “Meetings and Agendas” under the City Hall dropdown menu on the home page) – in the packet find out who will provide a brief overview of the project scope and an update on project progress?

I first went to meetings and agendas.

Then: City Council Agenda Packets and Minutes

I’m not sure who will provide a brief overview of the project scope and an update on project progress. The packets are 1,200 plus pages long. I tried to download and got stuck after 800 plus pages. I went back to try again; to find the person who will provide a brief overview of the project scope and an update on project progress. I did find that: All City Council Meeting Minutes and Packets are now available through Arvada's public document portal: MuniDocs. Once there, I went to:

Agendas

Minutes

City council

October 7, 2019

City Council meetings

Once there, the link never went into the agenda nor minutes. After five or so attempts, I couldn’t find the answer. Also had to sign in, this could be part of the issue.

Technical Reviewer's Note: while the comments presented here are helpful, the section referred to is hosted using a third-party platform, MuniDocs, and, unfortunately, the City of Arvada will likely not be able to make any changes to it.

For questions contact the city clerk: Kristen Rush, at 720-898-7546.

[Editor’s comment: The current meeting at the time the instructions were given was the November 25 meeting. At the time that Gail accessed this the current meeting was the December 9 meeting. Regardless, these documents prove to present considerable difficulty for access by our tester using JAWS. As the City is required to provide access to these documents, it is responsible for either persuading

MuniDocs to make this content accessible or providing the content via an alternative accessible platform.]

TASK 10. *Following the Ask Arvada link, on the homepage, can you find the online form to submit an “Other (Miscellaneous)” request? Are you able to indicate on the map where the issue is located? If you are able to submit a request, please enter the following text: This submission is a test of Arvada’s website accessibility being completed on behalf of the City, by Meeting the Challenge, Inc. Contact Kim Vagher at (720) 898-7681 for verification.*

I’ve seen this before: when I have accessed this page, previously: “Ask Arvada

Report an Issue or Request Service

"To browse all Ask Arvada request categories, use the menu to your left" ... (as if there is a left).

I saw where it said “Enter issue location or drag red marker on map”; however, pressing enter didn’t do anything. I’m not sure where the issue could be located; didn’t see anything apparent.

I did try pressing zoom-in and zoom-out buttons on the map and nothing happened.

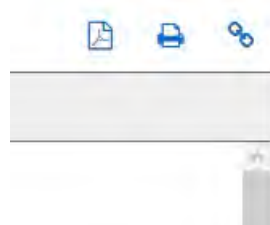
I submitted a request, using the text from above and have received an email.

Technical Reviewer's Note: unfortunately, visual maps are notoriously difficult for users with visual disabilities to use, and, due to their exceptionally complicated nature, there is no simple solution for fixing this. According to the W3C, "no standard does exist, which describes how to make a visual map accessible to people with visual disabilities" ([source](#)). For this particular situation, it may be advisable for the City of Arvada to provide a section that will allow users to report an issue or request service *without* requiring the use of a map.

TASK 11. *Are you able to find and download a copy of Arvada City Council Meeting Minutes of August 26, 2019? (Hint: Under the City Hall drop down menu use the “Records and Requests” link and “Visit MuniDocs Now.”)*

They don’t make it easy. They seem so focused on wanting me to share their information on social media that, that is in the foreground and trying to find the needed information is a challenge. Only because I’ve been to MuniDocs before, I had some familiarity with this task. Even so, the August 26 minutes link, (like before) does not work.

[Editor’s comment: The link does work, however, the minutes open in a frame, and the document is a PDF file that is not fully accessible. Downloading the document requires clicking on the PDF icon above the upper right hand corner of the frame.]



TASK 12. *Are you able to confirm compliance with the three basic administrative requirements of title II of the ADA listed below:*

#1: Find ADA coordinator name, address, email, phone number

Used Firefox and was a disaster. The search buttons didn't work. And kept auto populating with my bogus and real emails.

Trying Google Chrome:

Still stupid. Have to go through three search bars and still didn't get anywhere.

I tried, "Ask Arvada" and that still didn't yield any results.

Really ADA compliant.

Internet Explorer: Tried, "I want to find" got locked up there.

Crazy!

Not under government; however, found current council meetings! Go figure, when I don't want to find them, there they are! I'm getting less and less impressed with their format no matter the browser.

Under City Hall: not there!

Not under transparency (found records and request finally; again stupid)

Guess I'm giving up!!!! Sorry about that! One would think I could find this!

#2: Find notice of nondiscrimination on the basis of disability

#3: Find ADA grievance procedure

Not even going to try for #2 or #3 since I couldn't find #1.

[Editor's comment: The documents fulfilling the three basic administrative requirements of title II of the ADA are not discoverable on the City's website.]

Observations by Tester Who Has Low-Vision

Our tester, who has low-vision, completed the following evaluation using 2019 ZoomText and the most current Chrome, Firefox, and Internet Explorer 11 browsers. She was given the general instructions in the *Introduction* above, as well as the those in the attached, *Work Order URLs and Task Detail for Arvada Website Testing*.

General Observations

Investigator Introduction

The websites were examined from a laptop PC running ZoomText Magnifier-Reader version 2019 While the speech feature was on, it does not always run. ZoomText defaults to "Speak It" tool which worked erratically whether the pages opened as pdf files or within the webpages themselves. App Reader does run when items are alt-tagged, but only reads the tag, no surrounding text.

Overall Effective Accessibility Features

The City of Arvada, Colorado website has four features across the website, which enhance accessibility.

1. The layout of the pages is clear, consistent, and focused on the information. There are "pretty" borders on many pages to attract attention, but the use of colorful graphics and photographs or videos is limited to those necessary to convey the information. Thanks for focusing on information, not the presentation.

2. Text is carefully edited to be succinct and clear. Excess words have been minimized which is a strong asset for those relying on audible or enlarged methods of reading. It is also an asset for anyone less familiar with English.
3. The “City of Arvada” page identifier and logo act as a “return home” button, which enables quick movement between topics. An alt-tag on this might help users who are not familiar with what is seemingly a common feature of government-related websites.
4. Links through social media are specific. One can link to not only Arvada on Facebook, LinkedIn or Twitter, but all of the subsidiary departments like Police can be reached directly, saving time for those whose visual abilities make using the social media very time-consuming.

Overall Accessibility Problems

1. The single serious accessibility issue is contrast. On most pages contrast between text and background is quite low. Use of a darker, thicker serif font in black or the darkest tone of any colored text would help visibility, as would larger font. This larger font is possible as most pages have, quite usefully, minimal text.

Technical Reviewer's Note: as is fairly typical for most websites, the City of Arvada's website is riddled with contrast issues. This is a failure of [SC 1.4.3](#) and is relatively easy to remedy—a higher contrast ratio for text, graphics, and buttons can be changed via CSS files. Many comments in this document will refer to this accessibility challenge—so many that I will only mention it here, otherwise it will become extremely repetitive.

2. Few of the photographs are alt-tagged. Only those on the News and Events listing on the home page seem to be tagged. As there are few photos and they are rarely essential to the information being conveyed, this is not a major problem.

Technical Reviewer's Note: the second-most commonly-occurring accessibility issue is having images that do not also have text alternatives. This is a failure of “non-text alternatives” ([SC 1.1.1](#)) and is also easy to remedy. Many comments in this document will refer to this accessibility challenge—so many that I will only mention it here, otherwise it will become extremely repetitive.

3. The required use of an address/location on the Ask Arvada message pages is difficult for low vision users. One can enter an address, but the directions seem to emphasize use of the too-small map. Just rewording the instructions to emphasize the ability to type in the relevant address might make entering the data easier for those unfamiliar with the use of the maps, as well as those with vision issues.

TASK 1. <https://arvada.org>

Are there any navigation difficulties on this page?

Chrome and IE11: Headers and many article titles are alt-tagged, making it easy to find specific topics either audibly or visually. Text below titles/headers is not alt-tagged and reads oddly with the SpeakIt tool. For example, when looking at the “Trees across Arvada” news note, the text whether light green or light grey blue reads until the cursor moves to a highlighted or numerical text (i.e., at “\$35 to \$70”) reading just stopped.

Technical Reviewer's Note: this specific complaint appears to be caused by a failure of “pause/stop/hide” ([SC 2.2.2](#)). While it is *technically* possible to stop the auto-scrolling slider on the homepage if you hover over it using a mouse, if a website visitor is using a keyboard or other assistive device, it's not clear how to pause this auto-scroll feature. When a screen reader attempts to read this text, the auto-advance

feature can create a jumble of confusing words that stop and start erratically. It's recommended to add a clearly marked "pause" button to prevent this from happening.

The home page is alt-tagged, so the main headers and many subtopics are read aloud. It has the option of reading all the tags or skipping to the content of what is being chosen. Enlarged, the text is often difficult to read because of low contrast.

Firefox: The Arvada City logo and its home page link are not visible on the Firefox platform, though one can tab down the page and it reads. It is also possible to click on the space where the logo displays and, thus, go to the home page. Boxes that surround Chrome and IE11 images for major dividers (Residents, Business, City Hall, etc.) are only showing the image, which makes it harder to delimit the borders of where to click, if moving with the mouse.

Did you notice any contrast problems on this page?

Chrome and IE11: Yes, the boxes go lighter when the mouse rolls over them, so it gets harder to see the difference between the background and the white lettering. Reversing it so the highlighted item darkens would be more helpful. The text headers are a light blue that does not contrast well with the white background, especially as they are not a very large point size to begin with, and are a thin, sans serif font that does not make much of an impact on the overwhelming amount of white space. Less white and more "ink" on the page would be much easier for all to read. It would give an impression of more information reaching the user. Now one gets the impression on many pages of a paucity of information to share. Use of a serif face, which is what children are still taught to read with—makes "guessing" at words (a common low-vision necessity) much easier. For an extreme example, "l and 1" or "o and 0" are different in this serif face (Georgia), but less so in sans serif, *Agency FB*, for example (l and l, o and 0).

Firefox: Yes, more contrast problems than Chrome and IE11. Major headings were not boxed; almost all the text is a small font medium blue sans serif face, which is very difficult to read against the white background. Buttons are surrounded by a light grey box, making them hard to see. Very little use of color keeps headers, buttons, and other "note this" features hard to identify.

TASK 2. Check out the "RTD Olde Town Train Wrap Video." (Hint: look under "News & Video.")

Are there closed captions on the video?

All browsers: No. Searching the entire website for "caption", "captions" or "captioning" gave no hits at all.

[Editor's comment: As activating closed captions requires clicking on the "CC" icon within the video screen, this feature is not apparent to users who are blind or have low-vision.]

Can you name the City's Community and Economic Development Director or another narrator on this video?

Yes, Allison Trembly.

Chrome and IE11: The time the identification was on the screen was very short and it took six rewinds to be able to read the whole name. When the video was stopped a partial view of the screen showed and several small boxes below (too small for me to identify). This removed the identifying text from the stopped video.

Finding the video was also difficult as tabbing did not take one to the far right column where videos were and these were totally off screen with my 20-x enlargement. Wasted a lot of time searching, then accidentally saw the Videos column. Pulled up the video through the website.

Technical Reviewer's Note: it would appear that this specific complaint is due to two main failures: "resize text," [SC 1.4.4](#) (WCAG 2.0) and "reflow," [SC 1.4.10](#) (WCAG 2.1).

Firefox: I accessed the video through YouTube where it was much simpler to stop it in order to read Trembly's identification. I do not know if this is a difference between the Arvada and YouTube websites or the browsers.

TASK 3. Following the link to "Events" on the homepage, can you find the date, time, and location for Adventures in the Rainforest-Art Club?

All browsers: Yes, locating this was quite direct. It is on Wednesdays, September 11 - November 13, 4 - 5:30 p.m. at the Majestic View Nature Center 7030 Garrison St. in Arvada.

TASK 4. Can you find and complete an application for a pet license? (Hint: "Browse All Online Services.")

All browsers: Find the form, yes. Having "misplaced" the "Browse All Online Services" link temporarily, first, I clicked on Residents, see the Pets and Wildlife section on the top of the right-hand column, and click on it. It takes you to:

https://www.petdata.com/assets/pdf/FAS_application.pdf This cannot be filled out online, but there is a notice at the bottom to go to the Foothills Animal Shelter website where one can tab far enough to get to the online site at <https://secure.petdata.com/petlicense/muni/fas/>. It works well visually and each data point is alt-tagged, though the drop down menus do not read, nor is the question read aloud. This works as expected, including uploading a bogus file, until I cancelled it rather than submitting the data.

I did find the "Browse all Services" link on a second look and was able to tab through all the links to "Get a dog license" where the process was as above.

TASK 5. Can you apply for a business license?

All browsers: Finding the webpage was simple. Clicking on the Arvada Logo then tabbing to Business, entering that dropdown took me directly to "Business Licenses." Audibly, it was then impossible, as only the "go to X" buttons were read, without the necessary accompanying text. Clicking on the presumed box (register to submit tax forms online—required"), caught me up in a circular operation, needing an account number to get a new account number". Visually it worked fine initially. I could read that it would take "1 business day" to get the account number, but I was able to fill in the form. I stopped before submitting that, however. When I tabbed down another entry on the "business licenses" menu, I found the New Business button and it worked as expected.

IE11: When I clicked on the "I am not a robot" button on the reCaptcha box, it spoke "checked", but did nothing visually. Additionally, this was the only browser that went on to test both visually (a completely inaccessible "mark the photos with a bus" operation) and a reasonable audio alternative. I do not know if the higher security is part of the browser, or if asking to verify the checked button is random and just did not appear on Chrome or Firefox.

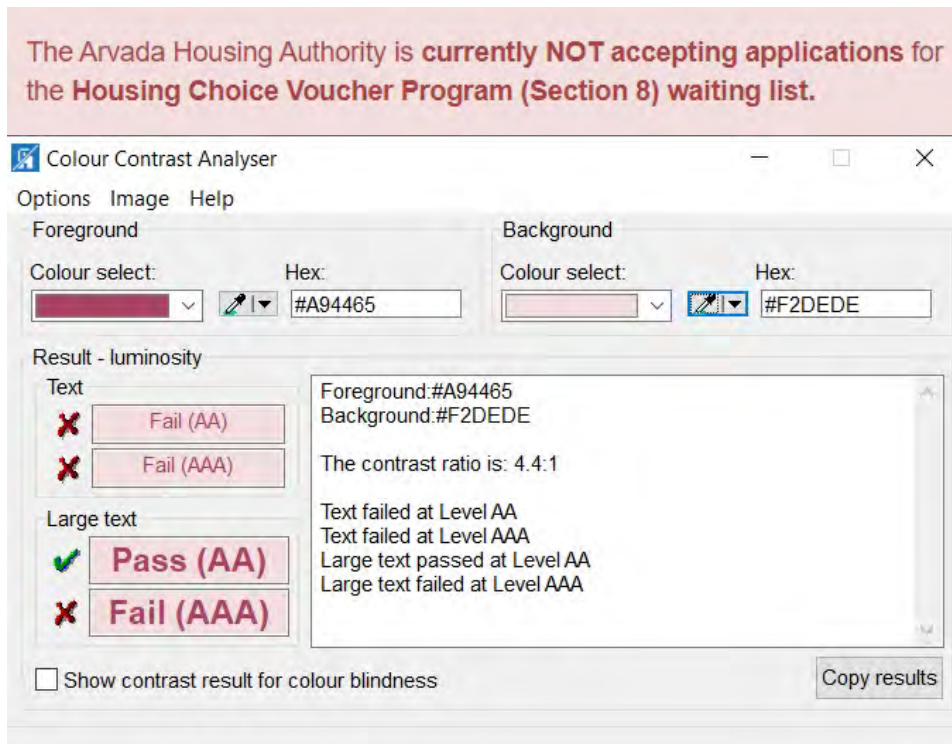
Technical Reviewer's Note: Google's reCAPTCHA tool uses sophisticated algorithms and user behavior detection in order to determine when (and when not) to require certain actions to validate the user as a human, so the City of Arvada has no control over choosing when a reCAPTCHA challenge appears or not.

TASK 6. Is the Arvada Housing Authority accepting applications for Section 8 housing vouchers? (Hint: go to - <https://arvada.org/residents/city-neighborhoods/housing-programs/section-8-housing-choice-voucher-program>)

By simply searching “Section 8 applications” on the home page, the text below the title on the results list answered the question—no, no applications are being currently accepted.

Did you notice any contrast problems on this page?

Chrome and IE11: When using the “hint” URL (which uses some less-than-obvious subheadings to get to the housing programs), the information about no applications was prominent just below the division title. It was in a light red, sans serif face placed on a pink highlighted background. This was very difficult to see, though the location at the top of the page was convenient, as it was most probably the most asked about detail of all the housing programs. Audibly, the same notice was not alt-tagged so it was skipped over entirely.



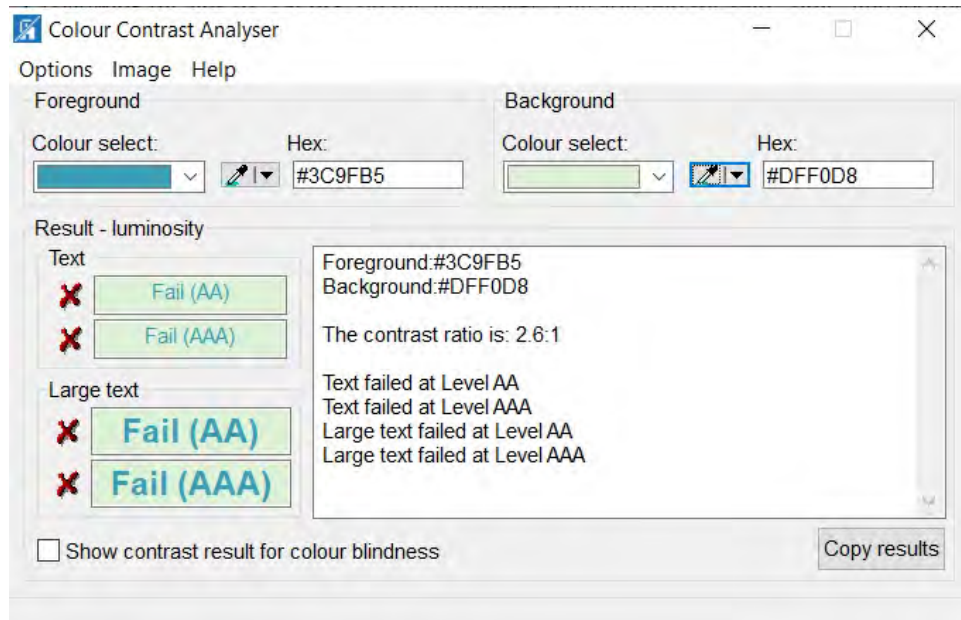
Firefox: The same notice box here was in black letters (some bold) on a white background surrounded by a simple line box. It is more visible, but does not stand out, as the entire page is the same black lettering on the white background.

TASK 7. <https://arvada.org/city-hall/government/boards-and-commissions>

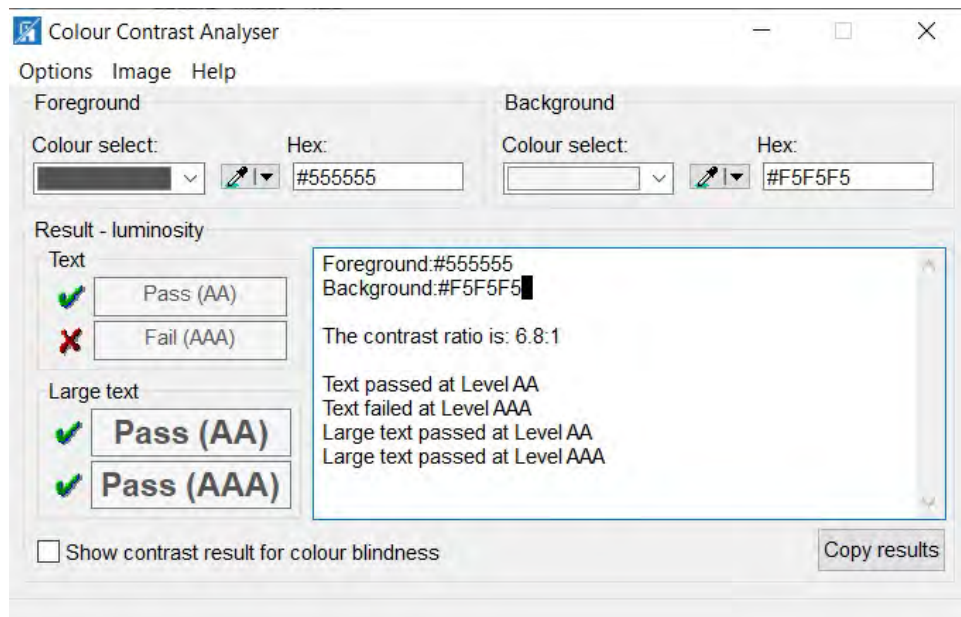
Did you notice any contrast problems on this page?

Chrome and IE11: Definitely, before I read the title, I could see the light green text in a slightly lighter green highlighted box and knew it was not going to be read easily. Its location, however, at the top of the section is great. Again, this is probably the most asked question about this topic.

If you are interested in applying, [visit the application page](#) to learn which boards and commissions have vacancies and how to apply. The recruitment period for Boards and Commissions goes through Jan. 13, 2020.



The listing of Boards etc. is another problem. They are a pale grey on white along the left margin.



This is even harder to read than the green on green of the general vacancy notice.

[Editor's comment: While the Colour Contrast Analyser indicates that the contrast passes at the AA level, Paulette identifies a perceived contrast issue with the above grey-on-grey. The message here is that technical compliance does not always equal easy access for individuals with disabilities.]

Firefox: There is no colored text, only the usual line box around black text advising about the December application period for vacancies. The list of the various boards on the left is in a middle blue that turns purple after being look at. While the colors are still quite light, it is much easier to use this platform.

Can you find a committee with a vacancy?

All browsers: Randomly checking board links (without even reading which board), I found a vacancy on the Design Review Committee. Nearly every committees had a subtitle of "Vacancies" listed immediately below the first header, "Upcoming Meetings." The Arts Festival committee did not. Despite the warning that vacancies would not be posted until "early December" apparently those of longer standing continue to be listed until filled.

Where and when (time of day) was the September 19, 2019 meeting of the Design Review Committee held?

All browsers: Found as expected: 8:30 a.m. in the Arvada City Hall, Anne Campbell Conference Room (first floor).

TASK 8. *Does the City have any current job openings? (Hint: use the "Apply for a City Job" link on the homepage.)* <https://arvada.org/about/jobs/city-jobs>

All browsers: Using the hint, it was possible to tab to the City Openings page where one could continue to tab through all eleven openings on tabs that took one to the job description and applicant requirements. Unfortunately, none of that text was tagged to read audibly.

Technical Reviewer's Note: the jobs listed on this page were available to be read aloud by the screen reader I used during testing, however, this page is hosted on governmentjobs.com and is therefore outside the City of Arvada's domain and likely cannot be modified.

Did you notice any contrast problems on this page?

Chrome and IE11: Yes, the text is a very small, light grey almost invisible as I looked at it unenlarged. Same problems as enumerated above regarding contrast issues.

TASK 9. <https://arvada.org/city-hall/city-council/attend-or-view-a-city-council-meeting>

Find the current City Council Meeting Packet (hint: find the link to "Meetings and Agendas" under the City Hall dropdown menu on the home page) – in the packet find out who will provide a brief overview of the project scope and an update on project progress?

All browsers: The City Council Meeting Packet was found as expected. Trying to answer the question about who does overviews, I clicked on the link to the current packet and started a pdf download of 1284 pages! I did not wait to get all that information. I tried finding the answer in the "City Council Regulations" listings, to no avail. In the suggested "View a City Council meeting" hint, I tried to watch a Council meeting and concluded from bits and pieces of the video that Council members introduce the projects and the head of the project does a brief overview/update with subordinates who are responsible for specific items providing details. This is not a clear nor probably accurate answer, but was all I could deduce from what I could find. I would telephone the City Council contact and ask the answer, if I really needed it. Telephone numbers are readily available on the website.

[Editor's comment: The current meeting at the time the instructions were given was the November 25 meeting. At the time that Paulette accessed this the current meeting was the December 9 meeting. Regardless, these documents prove to present considerable difficulty for access by our tester.]

TASK 10. *Following the Ask Arvada link, on the homepage, can you find the online form to submit an "Other (Miscellaneous)" request? Are you able to indicate on the map where the issue is located? If you are able to submit a request, please enter the following text: This submission is a test of Arvada's website accessibility being completed on behalf of the City, by Meeting the Challenge, Inc. Contact Kim Vagher at (720) 898-7681 for verification.*

All browsers: Form found as expected, but only visually. No access audibly. Map not visible without magnification, too pixelated with it. I could move the marker around, but not know where. Settled on a random address, when "Arvada City Hall" was not recognized (I thought that and maybe the police stations would convert to street addresses if entered there.)

Technical Reviewer's Note: unfortunately, visual maps are notoriously difficult for users with visual disabilities to use, and, due to their exceptionally complicated nature, there is no simple solution for fixing this. According to the W3C, "no standard does exist, which describes how to make a visual map accessible to people with visual disabilities" ([source](#)). For this particular situation, it may be advisable for the City of Arvada to provide a section that will allow users to report an issue or request service *without* requiring the use of a map.

The message as asked was sent and I was given an account and a follow-up number. The message that did that was very low contrast and hard to read. It could not be accessed by tabbing or SpeakIt—perhaps it should be alt-tagged.

Technical Reviewer's Note: this complaint likely stems from a failure of the "status messages" function ([SC 4.1.3](#)) that would instruct a screen reader to read the alert given when the form is submitted. Further testing should be performed if the City of Arvada desires to comply with the new WCAG 2.1 guidelines.

TASK 11. *Are you able to find and download a copy of Arvada City Council Meeting Minutes of August 26, 2019? (Hint: Under the City Hall drop down menu, use the "Records and Requests" link and "Visit MuniDocs Now.")*

To find it and read the three pages on screen (not audibly) was straightforward.

Chrome: There were too many unknown icons to know how to download it. However, after trying all of them, I discovered I did download them as pdf documents-twice.

(The little black identifier boxes are too small and use a low quality font so even with a 25x magnifier, I cannot read them, and they disappear before I can move my enlarged part of the screen over them.)

Technical Reviewer's Note: it would appear that this specific complaint is due to two main failures in the WCAG Success Criteria: "resize text," [SC 1.4.4](#) (WCAG 2.0) and "reflow," [SC 1.4.10](#) (WCAG 2.1).

Firefox: The finding was as expected. The icons were so faint as to be invisible. Downloaded as on Chrome by random button pushing.

IE11: Has the best view of pdf documents among the browsers. The print was readable, not shadowed b-pixels as on the other two. The download button was clear at the bottom of the screen. It downloaded and opened the last file used in which to file it.

TASK 12. *Are you able to confirm compliance with the three basic administrative requirements of title II of the ADA listed below:*

1. ***Find ADA coordinator name, address, email, phone number***
2. ***Find notice of nondiscrimination on the basis of disability***
3. ***Find ADA grievance procedure***

All browsers: None of the ADA information was found. By searching in the entire website, carefully twice tabbing through all the header and footer links, I cannot identify any ADA administrative requirements. In looking through all items found when searching “ADA” (10 items) or “Americans with Disabilities Act” (134 entries) there was one reference to the ADA related to a housing project and none related to the Act itself. (in fairness, there were many references to the disabled and a note that anyone who needed special assistance to access the City Council meetings should contact someone in Facilities Management.)

Chrome and IE11: It appears the search engine is designed with an embedded Boolean OR between multiple words and placing a phrase in quotation marks made no difference to the search. Is such a simple search engine necessary? It is definitely not efficient. If the search for words were not highlighted, it would be impossible to scan the multiple irrelevant “results”.

Firefox: While Firefox searched identically to the other two browsers, it does not highlight the found terms, thus making it extremely difficult to visually scan the search results. Anyone searching very much on the Arvada websites would be much better served by the other platforms.

Technical Reviewer's Note: during my test, the "highlight" function on the search results page worked on all browsers I tried, including Firefox. This may be a quirk unique to the user's platform (i.e. Firefox for Windows can render website differently than Firefox for Mac, etc.), a setting in the user's preferences, or due to an outdated version. What's more helpful to focus on, however, is that it appears the website fails "status messages" ([SC 4.1.3](#)) that would have a screen reader read the "10 results found for 'ada'" message at the top of the screen. Further testing should be performed if the City of Arvada desires to comply with WCAG 2.1.

[Editor's comment: The documents fulfilling the three basic administrative requirements of title II of the ADA are not discoverable on the City's website.]

Observation on the Browsers

Chrome and Internet Explorer 11 are virtually identical. Their use of color, though often low in contrast, make both much easier to use with impaired vision. Firefox has much better text contrast with its use of black rather than grey fonts, but the color lack makes spotting the different elements on the pages. It might be better for use with JAWS or other complete screen readers.

This is the end of my assigned investigations into the City of Arvada websites. If there are any questions about these comments and suggestions, you are welcome to contact me by telephone at 303-443-1665 or by e-mail at pdfoss@gmail.com. Thank you for the opportunity to examine these websites. It is a fascinating and engaging activity. The design of this website makes it overall acceptably accessible for visual low-vision users. Color contrast is the primary accessibility issue.

Observations by Tester Who Has Cerebral Palsy

Our third tester has Cerebral Palsy and uses no assistive technology to access websites. He was given the general instructions in the *Introduction* above, as well as the those in the attached, *Work Order URLs and Task Detail for Arvada Website Testing*.

Introductory Remarks:

For clarity, it should be noted that I live with a mild case of cerebral palsy, which limits my muscular coordination. Individuals with more severe cases will experience greater difficulty accessing this site than I did. Those with less severe cases will experience less difficulty. The challenge to make this website accessible to as many as possible should be taken into account when reading this report. These findings reflect only my experience with this website.

Most specifically, I am quite skilled at using a computer mouse. When using a mouse, my arm is generally resting on the table or desk I am sitting at. This provides great stability for my hand while using a mouse. By contrast, when touching the screen on my computer, my arm is in the air, and I have nothing to stabilize my hand. Because my hand is, for lack of a better term, shaky, touching a specific location on the screen can be more difficult. Therefore, I generally prefer to use a mouse, rather than touching the screen on my computer.

With that said, I realize that the use of touchscreens is increasing in popularity. I am also aware that the WCAG recommends the use of touchscreen as an alternative to using a mouse. Therefore, in testing this website for accessibility, I alternately used both techniques for browsing the website.

In using the touchscreen, I have been mindful of the fact that people with more steady hands will have an easier time with using a touchscreen than I do. Therefore, in my assessment of how the client's website incorporates touchscreen technology into its ADA compliance, I have sought to effectively ignore how unsteady my own hand can be. Instead, I have sought to assess how well someone with a steadier hand will be able to use this technology.

I draw attention to this because, on one hand, if the hyperlinks on a web page are too small, with little or no spacing between them, they will be difficult for users to access, no matter how steady their hand. On the other hand, if a user's hand is excessively shaky (as mine can sometimes be), it does not matter how well certain techniques are incorporated by the client. That user will have difficulty using touchscreen technology.

Other specific tasks I've been asked to perform will be addressed throughout this report.

Specifics:

I was asked to do accessibility testing on several specific URLs within the web domain owned by the client. This report will reflect my experience with each, in turn. The client should be aware that I am not assessing either the content or aesthetics of their website. I am only reflecting the ease with which I can navigate the site, using the links contained therein.

TASK 1. <https://arvada.org>

Are there any navigation difficulties on this page?

Via Google Chrome, I do not detect any navigation difficulties on this page.

Via Internet Explorer, I do not detect any navigation difficulties on this page.

Via Microsoft Edge, I do not detect any navigation difficulties on this page.

Via Firefox, I do not detect any navigation difficulties on this page. However, I do notice a difference in the menu bar at the top of the page. This bar features 6 drop-down menus, the last of which is, "I Want To." In Google Chrome, Internet Explorer, and Microsoft Edge, all six menus are featured one line below that which features the City of Arvada logo and the "Search" text field. In Firefox, they appear on the same line. The first five menus appear between the logo and the "Search" text field. The "I Want To" menu appears in the corner, to the right of the "Search" text field. The menus are no more difficult to access. But there is the inconsistency in where they are featured on the screen. Whether this will confuse users who are accustomed to accessing the site with other browsers, I cannot determine.

Technical Reviewer's Note: I was unable to replicate this issue, but it is likely due to the tester's specific screen resolution or other settings on the particular computer used. Regardless, it doesn't appear to cause the website to fail any WCAG success criteria.

Did you notice any contrast problems on this page?

Regardless of the browser, I do not notice any contrast problems on this page.

TASK 2. Check out the "RTD Olde Town Train Wrap Video." (Hint: look under "News & Video.")

Are there closed captions on the video?

This is a YouTube video. Within the menu bar at the bottom, users can turn closed captioning on and off. When turned on, the video does contain closed captions. However, these may be generated by YouTube. Closed captioning does not appear to be inherent to the video content. This is true in all four browsers.

Technical Reviewer's Note: as noted in the audit report, some videos embedded on the site have captions ([SC 1.2.2](#)), while others don't. None of the videos encountered during the audit contained prerecorded audio descriptions ([SC 1.2.5](#)) or media alternatives ([SC 1.2.3](#)).

Can you name the City's Community and Economic Development Director or another narrator on this video?

The City's Community and Economic Development Director is Allison Trembly. Joe Hengstler is the Olde Town Arvada Business Improvement Director.

TASK 3. Following the link to "Events" on the homepage, can you find the date, time, and location for Adventures in the Rainforest-Art Club?

As of Nov. 9, the next *Adventures in the Rainforest-Art Club* event is on Wednesday, November 13, at 4:00 pm. Its location is the Majestic View Nature Center, 7030 Garrison St.

TASK 4. Can you find the and complete an application for a pet license? (Hint: "Browse All Online Services".)

The application for a pet license is located at https://www.petdata.com/assets/pdf/FAS_application.pdf. It features text fields which are easily accessible. The completed form must be printed to hard copy, then submitted to a local animal shelter, the Police Station, or a veterinarian's office. It cannot be submitted online. For users who are immobile, the client may want to implement a process by which this application can be submitted to the city online.

Technical Reviewer's Note: unlike a few other examples (the business license section as noted below, for example), this PDF is actually fillable, which is good. However, the point is well-taken that *only* allowing users the option to print this document and submit it in an offline manner is limiting for users with mobility challenges.

TASK 5. Can you apply for a business license?

The city's online application for a business license is located at <https://arvada.org/business/business-licensing-resources/apply-for-a-new-business-license>. All of the text fields, drop-down menus, and radio buttons on this page are easily accessed by using the mouse. The drop-down menus and radio buttons are slightly more difficult to access via touchscreen, due to size and spacing. A slight increase in the size of these features, and/or the spacing between them, is advised for the sake of disabled individuals using touchscreen technology.

The appearance and functionality of this page were the same in all 4 browsers.

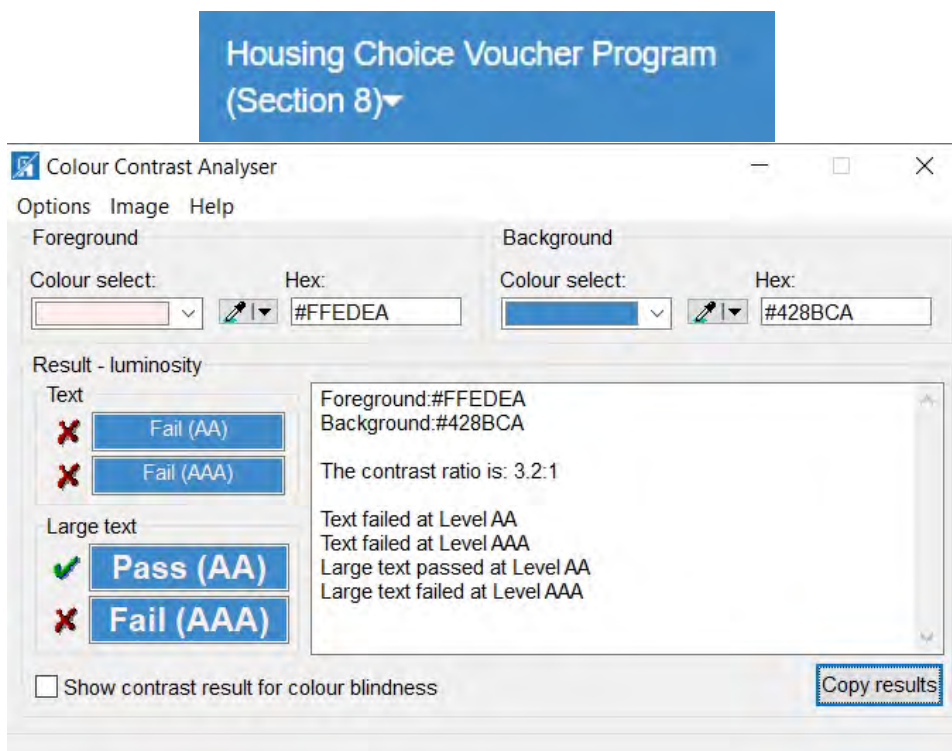
TASK 6. Is the Arvada Housing Authority accepting applications for Section 8 housing vouchers?

(Hint: go to - <https://arvada.org/residents/city-neighborhoods/housing-programs/section-8-housing-choice-voucher-program>.)

At present, the Arvada Housing Authority is NOT accepting applications for Section 8 housing vouchers.

Did you notice any contrast problems on this page?

The left-hand column on this page does contain two incidents of a contrast problem. The first is located with the list of buttons under the heading, "Neighborhoods and Community Services." Unselected buttons in this list feature white text on a dark blue background. This presents no contrast problem. However, the last button on the list is "selected," because it links to this page. Its background is, therefore, a lighter shade of blue, creating somewhat of a contrast problem. White text over light blue is slightly more difficult to read than white text over dark blue.



Immediately below this list of buttons is a section entitled, "In This Topic." The heading appears as a light gray font over a white background, creating a serious contrast problem.

These comments apply to this page when opened in all 4 browsers

TASK 7. <https://arvada.org/city-hall/government/boards-and-commissions>

Did you notice any contrast problems on this page?

The first paragraph on this page features green text over a light bluish gray background. This, I believe, creates a contrast problem. Within the list of Boards & Committees, I find the same dark blue vs. light blue issue as mentioned in the previous section.

Can you find a committee with a vacancy?

The Design Review Advisory Committee currently has one vacancy.

Where and when (time of day) was the September 19, 2019 meeting of the Design Review Committee held?

This meeting was held between 8:30 A.M. and 11:00 A.M., at the City of Arvada's CCR, 3rd Floor Conference Room. The building's address is 8101 Ralston Road.

TASK 8. *Does the City have any current job openings? (Hint: use the "Apply for a City Job" link on the homepage.)*

<https://arvada.org/about/jobs/city-jobs>

The city currently has several job openings.

Did you notice any contrast problems on this page?

Within the left-hand column on this page, I find the same dark blue vs. light blue issue as mentioned in the previous section.

TASK 9. <https://arvada.org/city-hall/city-council/attend-or-view-a-city-council-meeting>

Find the current City Council Meeting Packet (hint: find the link to "Meetings and Agendas" under the City Hall dropdown menu on the home page) – in the packet find out who will provide a brief overview of the project scope and an update on project progress?

Within this packet, I see no reference to any specific project, its scope, or who will give an update on any specific project. The only Councilmembers named within the agenda are Councilmember Jones, who will conduct the Moment of Reflection and Pledge of Allegiance, Councilmember Fifer, who will present a Proclamation for Small Business Saturday, and Councilmember Ford, who will present a Proclamation for Hunger and Homelessness Awareness Week.

[Editor's comment: The current meeting at the time the instructions were given was the November 25 meeting. At the time that Daniel accessed this the current meeting was the December 9 meeting. Regardless, these documents prove to present considerable difficulty for access by our tester.]

TASK 10. *Following the Ask Arvada link, on the homepage, can you find the online form to submit an "Other (Miscellaneous)" request? Are you able to indicate on the map where the issue is located? If you are able to submit a request, please enter the following text: This submission is a test of Arvada's website accessibility being completed on behalf of the City, by Meeting the Challenge, Inc. Contact Kim Vagher at (720) 898-7681 for verification.*

The field presumably containing a map is present on the page, as well as a red marker, to be used for indicating where an issue is present. However, the map is NOT there. The field where it should be contained is empty. And the function of dragging the red marker to a specific location within this field is inoperative.

[Editor's comment: it is not clear why Daniel was not able to access the map feature at <https://user.govoutreach.com/arvada/support.php?cmd=shell&goparms=classificationId=5070>.]

TASK 11. *Are you able to find and download a copy of Arvada City Council Meeting Minutes of August 26, 2019? (Hint: Under the City Hall drop down menu use the "Records and Requests" link and "Visit MuniDocs Now.")*

The left-hand column of the MuniDocs page features a menu in which each item can be expanded by clicking it. Each menu is accompanied by a right-facing arrow (>), which becomes a down arrow when it is expanded. Within each expanded section are sub-sections which can be expanded in the same way, and are accompanied by the same arrow(s). While a menu can be expanded simply by clicking or touching the item's text (i.e. "Minutes"), the expanded menu must be collapsed by touching the down arrow. Touching the text multiple times does not toggle between the expanded and collapsed menu.

Via the mouse, this is easily accomplished. However, I found using the touchscreen more difficult. I would advise converting the arrow and the text into a single link/button that toggles between expanding and collapsing these menus.

Technical Reviewer's Note: while the comments presented here are helpful, the section referred to is hosted using a third-party platform, MuniDocs, and, unfortunately, the City of Arvada will likely not be able to make any changes to it.

Beyond that, I encountered no difficulty with finding and downloading the Minutes of the City Council Meeting on August 26.

[Editor's comment: As the City is required to provide access to these documents, it is responsible for either persuading MuniDocs to make this content accessible or providing the content via an alternative accessible platform.]

TASK 12. *Are you able to confirm compliance with the three basic administrative requirements of title II of the ADA listed below:*

1. *Find ADA coordinator name, address, email, phone number*
2. *Find notice of nondiscrimination on the basis of disability*
3. *Find ADA grievance procedure*

I was NOT able to find any of this information.

[Editor's comment: The documents fulfilling the three basic administrative requirements of title II of the ADA are not discoverable on the City's website.]

Observations by Tester Who Is Deaf

Our fourth tester, who is deaf and uses no assistive technology to access websites. He was given the general instructions in the *Introduction* above, as well as the those in the attached, *Work Order URLs and Task Detail for Arvada Website Testing*.

This website test will use each of the following browsers to ensure accessibility or usability across browsers:

- Internet Explorer
- Firefox
- Chrome
- Edge

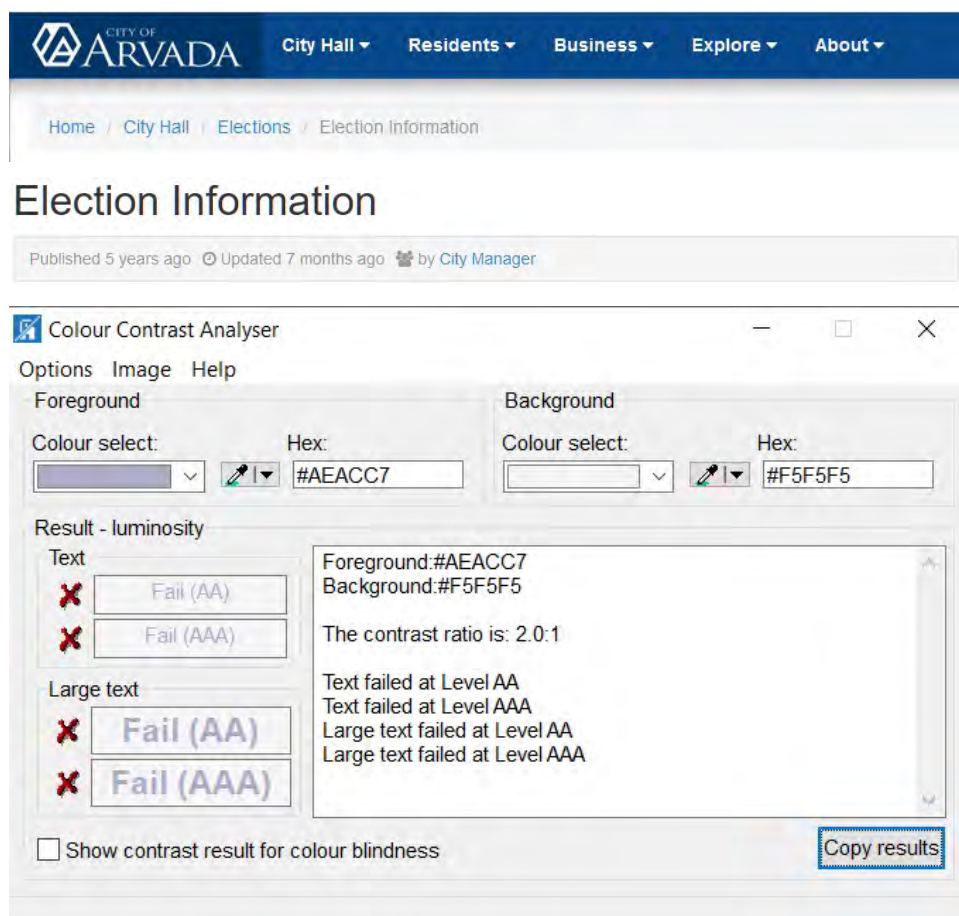
TASK 1. <https://arvada.org>

Are there any navigation difficulties on this page?

None across all 4 browsers.

Did you notice any contrast problems on this page?

On all 4 browsers, I noticed gray letterings against lighter gray background which does not provide enough contrast:



TASK 2. Check out the “RTD Olde Town Train Wrap Video.” Are there closed captions on the video?

2:43 YouTube HD video with high quality auto-generated closed captioning.

Can you name the City's Community and Economic Development Director or another narrator on this video?

Alison Trembley – Comm. & Mktg. Mgr, Community and Economic Development, Arvada.

Joe Hengstler – Executive Director, Olde Town Arvada Business Improvement District .

TASK 3. *Following the link to “Events” on the homepage, can you find the date, time, and location for Adventures in the Rainforest-Art Club?*

Clicked on Events Icon, then See All Community Events, then I was able to locate Adventures in the Rainforest-Art Club on the calendar.

Details are:

Location – Majestic View Nature Center 7030 Garrison St

Date – Wed, Nov 13, 2019

Time – 4:00pm-5:30pm MDT

TASK 4. *Can you find the and complete an application for a pet license? (Hint: “Browse All Online Services.”)*

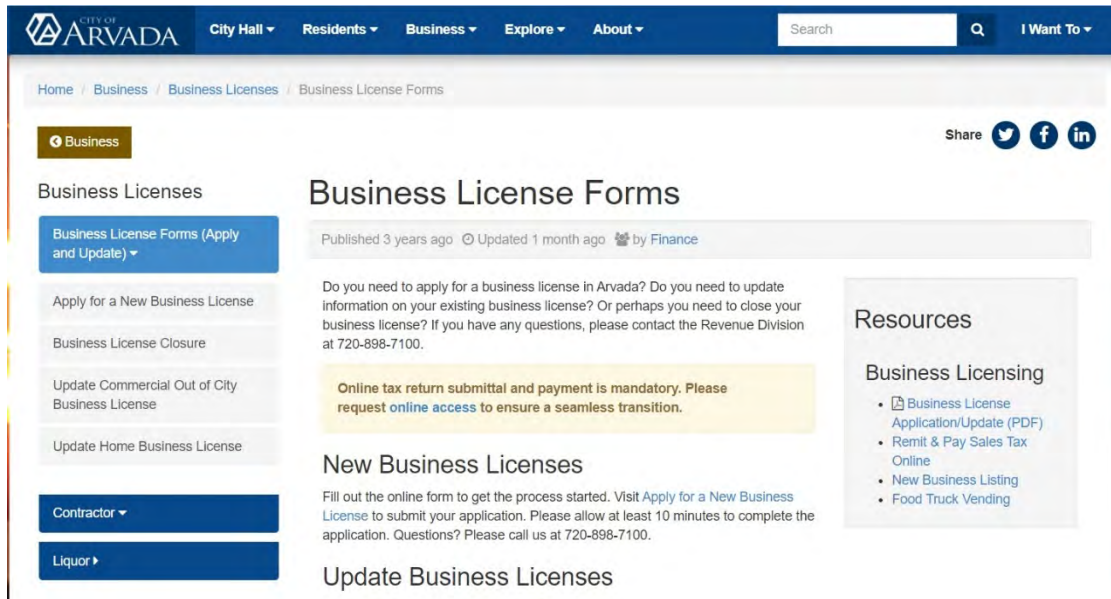
Clicked on Apply for a Dog License which opened a webpage for Pet and Dog Licenses, which then opens a static .pdf copy of Foothills Animal Shelter Pet License Application, which does not have a form filling feature.

Technical Reviewer's Note: This is an example of a link pointing to a non-fillable PDF file. While the link does indicate that it's a PDF (which is good), I don't believe that people with visual impairments will be able to fill this form out at all.

TASK 5. *Can you apply for a business license?*

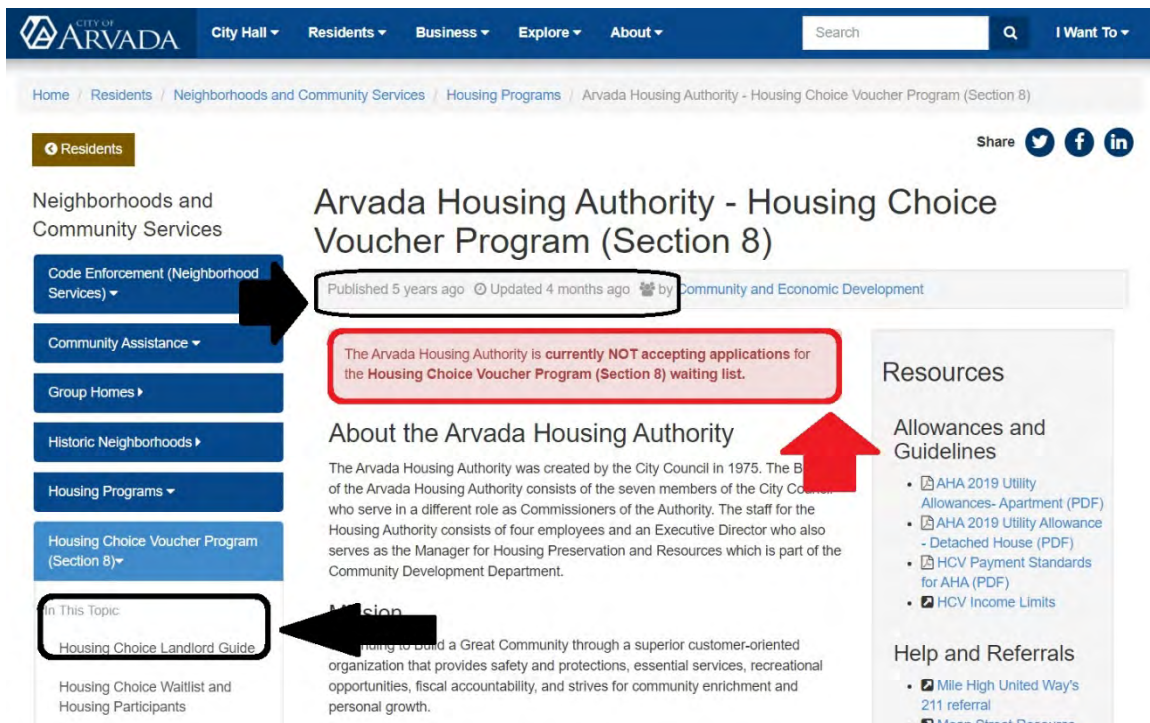
Clicked on Business on top of the arvada.org webpage which opened a dropdown menu where I selected Business License Forms webpage. I clicked on Business License Forms (Apply and Update), on the left side which opens an online filing form; Under Resources on the right side, I clicked on Business License Application/Update (PDF), which then opens a static .pdf copy of Business License Application, which does not have a form filling feature.

Technical Reviewer's Note: Similar to above, this is a link pointing to a non-fillable PDF file. Confusingly, it appears that this PDF is essentially the same as the online form here: [Apply for a New Business License](#), so I'm not sure why there would be two options, and the online form option contains accessibility errors.



TASK 6. Is the Arvada Housing Authority accepting applications for Section 8 housing vouchers? (Hint: go to - <https://arvada.org/residents/city-neighborhoods/housing-programs/section-8-housing-choice-voucher-program>.)

No, as shown with red outline with red arrow in figure below.



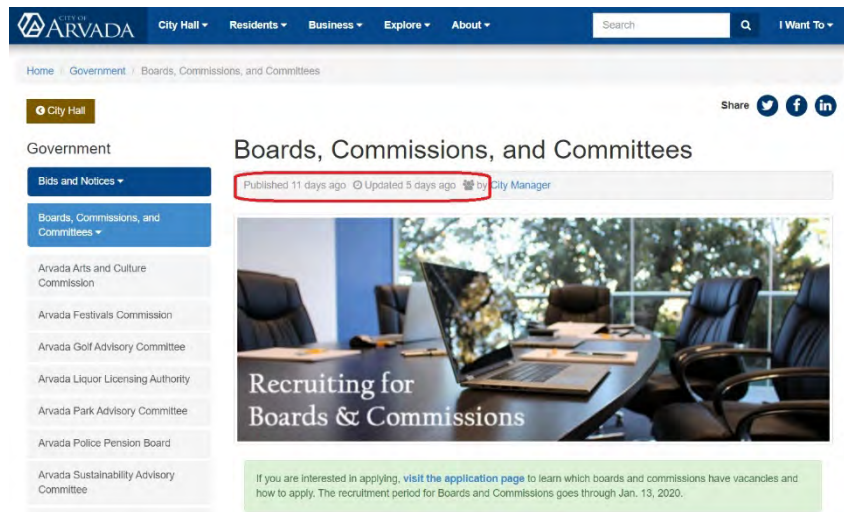
Did you notice any contrast problems on this page?

Yes, poor contrast with gray letterings against lighter gray background as shown in black outline with black arrows in figure above.

TASK 7. <https://arvada.org/city-hall/government/boards-and-commissions>

Did you notice any contrast problems on this page?

Light gray letterings against lighter gray background which does not provide enough contrast:



Can you find a committee with a vacancy?

As per above green block, the recruitment period for Boards and Commissions occurs each December through January. Upon visiting each of the Boards, Commissions, and Committee pages on the left side of the Boards, Commissions, and Committees webpage, I saw that the Design Review Committee was the only one with a vacancy. To apply, one would need to contact the City Clerk's office at 720-898-7550.

[Editor's comment: The general consensus of the courts and the U.S. Department of Justice is that websites must be accessible (virtual) facilities. While the City is offering an accommodation by calling the City Clerk's office, accommodation does not equal accessibility. However, as all interested parties must call to apply, this practice is not necessarily discriminatory unless the phone number provided provides access for text-based communication – i.e., TTY of alternative means.]

Where and when (time of day) was the September 19, 2019 meeting of the Design Review Committee held?

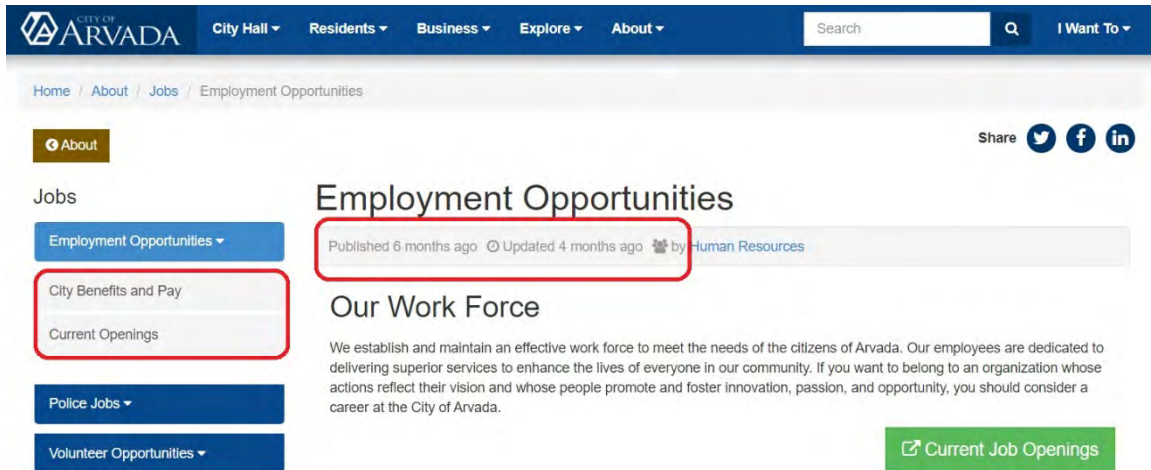
Design Review Committee met on Thursday, September 19, 2019 at 8:30 a.m. at CCR, 3rd floor conference room at City of Arvada, 8101 Ralston Road from 8:30 a.m. to 11:30a.m.

TASK 8. Does the City have any current job openings? (Hint: use the "Apply for a City Job" link on the homepage.) <https://arvada.org/about/jobs/city-jobs>

There were 9 job openings as of Thursday, November 14, 2019

Did you notice any contrast problems on this page?

Light gray letterings against lighter gray background which does not provide enough contrast:



TASK 9. <https://arvada.org/city-hall/city-council/attend-or-view-a-city-council-meeting>

Find the current City Council Meeting Packet (hint: find the link to “Meetings and Agendas” under the City Hall dropdown menu on the home page) – in the packet find out who will provide a brief overview of the project scope and an update on project progress?

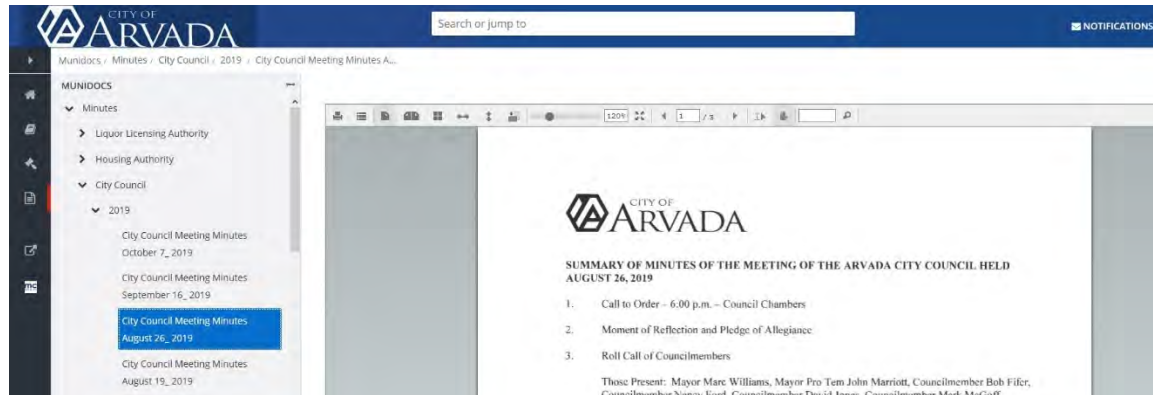
For the meeting on October 28, 2019 - Root Policy Research will provide a brief overview of the project scope and an update on project progress. I was able to find this by downloading the [2019....10-28-2019, City Council Packet](#) and then using Ctrl-F to find the term “overview”

TASK 10. Following the Ask Arvada link, on the homepage, can you find the online form to submit an “Other (Miscellaneous)” request? Are you able to indicate on the map where the issue is located? If you are able to submit a request, please enter the following text: This submission is a test of Arvada’s website accessibility being completed on behalf of the City, by Meeting the Challenge, Inc. Contact Kim Vagher at (720) 898-7681 for verification.

Located map and was able to submit request.

TASK 11. Are you able to find and download a copy of Arvada City Council Meeting Minutes of August 26, 2019? (Hint: Under the City Hall drop down menu use the “Records and Requests” link and “Visit MuniDocs Now.”)

With directions. It was easy to locate and download the Arvada City Council Meeting Minutes of August 26, 2019



TASK 12. Are you able to confirm compliance with the three basic administrative requirements of title II of the ADA listed below:

1. Find Ada Coordinator name, address, email, phone number
2. Find notice of nondiscrimination on the basis of disability
3. Find ADA grievance procedure

I spent quite some time searching for the following 3 items using different iterations and was unable to locate them

Sec. 70-168.2. - Grievance procedure (NOT ADA) under:

Arvada, Colorado - Code of Ordinances / Chapter 70 - PERSONNEL RULES / ARTICLE VI. - EMPLOYER-EMPLOYEE RELATIONS / Sec. 70-168.2. - Grievance procedure.

[Editor's comment: The documents fulfilling the three basic administrative requirements of title II of the ADA are not discoverable on the City's website.]

Comments

- As a Deaf person, I found the overall look and content to be consistent, visually pleasing, and fairly easy to navigate. Another thing of note is that the Google-owned video giant, YouTube claims that although 1 billion of their videos are captioned, they have boosted accuracy by about 50% since the inception of automated closed captioning in 2009 (Spangler, 2017);
- The City of Arvada's website is visually pleasing and generally easy to navigate. However, it is not easy to find specific things as the search function may need some upgrading.
- The link to any documents related to ADA Grievance Procedures, ADA Public Notice, and/or any notice of nondiscrimination is not easy to find and leads me to wonder if they exist.

- As it is not easy to find the ADA Coordinator and this makes leads me wonder if such information is within the City of Arvada's website, I am unable to find details related to the ADA coordinator's name, address, email, phone number
-

Sources:

Spangler, T. (2017-Feb. 16). YouTube Has 1 Billion Videos With Closed-Captioning, but Not All of Them Are Accurate. In Variety. Retrieved from <http://variety.com/2017/digital/news/youtube-1-billion-videos-closed-captioning-accuracy-1201990083/>

City of Arvada – Website WCAG 2.1 Audit Report

(<https://arvada.org/>)

Report Creator: Ron Stauffer, December 13, 2019

Evaluation Commissioner: Geoff Ames

Summary of the Evaluation Findings

Please see accompanying user test report for more information on specific challenges encountered by human testers.

Scope of the Evaluation

Website name	City of Arvada
Scope of website	https://arvada.org/
WCAG Version	WCAG 2.1
Conformance target	Level AA
Relied upon technologies	• CSS • WAI-ARIA • DOM • HTML5

Overview of Audit Results

Principle	Level A	Level AA
1. Perceivable	5/9	7/11
2. Operable	8/14	3/3
3. Understandable	2/5	4/5
4. Robust	0/2	0/1
Total	15/30	4/20

Detailed Audit Results

Principle 1 Perceivable

1.1 Text Alternatives

1.1.1 Non-text Content: (Level A) [success criterion 1.1.1](#)

Results for the entire sample:

Outcome: Failed

Findings: Footer "Subscribe to our E-Newsletter"! feature is missing form label, in addition to notes below.

Results for: (<https://arvada.org/residents/police-services/submit-an-anonymous-tip>)

Outcome: Failed

Findings: 2 X Missing form label

1.2 Time-based Media

1.2.1 Audio-only and Video-only (Prerecorded): (Level A) [success criterion 1.2.1](#)

Results for the entire sample:

Outcome: Not present

Findings: None encountered in sample during audit; however, live media player at http://katv.arvada.org/cablecastapi/live?channel_id=1 contains multiple accessibility issues.

1.2.2 Captions (Prerecorded): (Level A) [success criterion 1.2.2](#)

Results for the entire sample:

Outcome: Failed

Findings: Auto-generated captions provided on most but not all videos encountered during audit have them. For example, multiple videos in the video gallery lack

captions: <https://arvada.org/about/gallery?cat=Community+Videos>

Results for: (<https://arvada.org/>)

Outcome: Failed

Findings: "Neighborhood of the Year - 2019" video contains no captions

1.2.3 Audio Description or Media Alternative (Prerecorded): (Level A) [success criterion 1.2.3](#)

Results for the entire sample:

Outcome: Failed

Findings: No audio descriptions or complete transcripts provided for videos embedded in web pages.

1.2.4 Captions (Live): (Level AA) [success criterion 1.2.4](#)

Results for the entire sample:

Outcome: Not present

Findings: No live media encountered during audit—verification is needed to ensure conformance with this criterion when live media is shared.

1.2.5 Audio Description (Prerecorded): (Level AA) [success criterion 1.2.5](#)

Results for the entire sample:

Outcome: Failed

Findings: No audio descriptions provided for videos embedded in web pages.

Results for: (<https://arvada.org/>)

Outcome: Failed

Findings: —

1.3 Adaptable

1.3.1 Info and Relationships: (Level A) [success criterion 1.3.1](#)

Results for the entire sample:

Outcome: Failed

Findings: Website footer contains form <input> element missing label, in addition to notes below.

Results for: (<https://arvada.org/business/permits-and-applications/right-of-way>)

Outcome: Failed

Findings: Presentational markup used that has become obsolete in HTML5

Results for: (<https://arvada.org/about/our-organization/contact-the-city-of-arvada>)

Outcome: Failed

Findings: Certain ARIA roles must contain particular children

Results for: (<https://arvada.org/residents/police-services/submit-an-anonymous-tip>)

Outcome: Failed

Findings: This form field should be labelled in some way. Use the label element (either with a "for" attribute or wrapped around the form field), or "title", "aria-label" or "aria-labelledby" attributes as appropriate.

Results for: (<https://arvada.org/city-hall/government/payment-of-fines>)

Outcome: Failed

Findings: 2 X Improper align attributes

1.3.2 Meaningful Sequence: (Level A)

Results for the entire sample:

Outcome: Passes

Findings: –

1.3.3 Sensory Characteristics: (Level A)

Results for the entire sample:

Outcome: Passed

Findings: –

1.3.4 Orientation: (Level AA)

Results for the entire sample:

Outcome: Passed

Findings: –

1.3.5 Identify Input Purpose: (Level AA)

Results for the entire sample:

Outcome: Passed

Findings: –

1.4 Distinguishable

1.4.1 Use of Color: (Level A)

Results for the entire sample:

Outcome: Passed

Findings: –

1.4.2 Audio Control: (Level A)

Results for the entire sample:

Outcome: Passed

Findings: Not auto-playing audio encountered during audit.

1.4.3 Contrast (Minimum): (Level AA) [success criterion 1.4.3](#)

Results for the entire sample:

Outcome: Failed

Findings: Multiple contrast errors on all pages.

1.4.4 Resize text: (Level AA) [success criterion 1.4.4](#)

Results for the entire sample:

Outcome: Failed

Findings: Zooming text 200% causes loss of content and functionality.

1.4.5 Images of Text: (Level AA)

Results for the entire sample:

Outcome: Passed

Findings: Images of text exist but accompanying text is used to convey meaning.

1.4.10 Reflow: (Level AA)

Results for the entire sample:

Outcome: Passed

Findings: Web pages are built with responsive design, allowing proper reflow.

1.4.11 Non-text Contrast: (Level AA) [success criterion 1.4.11](#)

Results for the entire sample:

Outcome: Failed

Findings: –

1.4.12 Text Spacing: (Level AA)

Results for the entire sample:

Outcome: Passed

Findings: –

1.4.13 Content on Hover or Focus: (Level AA)

Results for the entire sample:

Outcome: Passed

Findings: –

Principle 2 Operable

2.1 Keyboard Accessible

2.1.1 Keyboard: (Level A) [success criterion 2.1.1](#)

Results for the entire sample:

Outcome: Failed

Findings: Skip links broken; footer contains empty links which treat links as blank internal link, refreshing page rather than expanding menu for list items; main internal "specialInner" menu items not accessible via keyboard; contact forms hosted on govoutreach.com such as "Ask Arvada Official City of Arvada CRM" are not keyboard accessible.

Results for: (<https://arvada.org/>)

Outcome: Failed

Findings: 1 X Broken skip link

2.1.2 No Keyboard Trap: (Level A)

Results for the entire sample:

Outcome: Passed

Findings: –

2.1.4 Character Key Shortcuts: (Level A)

Results for the entire sample:

Outcome: Passed

Findings: No character key shortcuts encountered during audit.

2.2 Enough Time

2.2.1 Timing Adjustable: (Level A)

Results for the entire sample:

Outcome: Passed

Findings: No time limits encountered during audit.

2.2.2 Pause, Stop, Hide: (Level A) [success criterion 2.2.2](#)

Results for the entire sample:

Outcome: Failed

Findings: –

Results for: (<https://arvada.org/>)

Outcome: Failed

Findings: Auto-scrolling slider causes issues with screen readers.

2.3 Seizures and Physical Reactions

2.3.1 Three Flashes or Below Threshold: (Level A)

Results for the entire sample:

Outcome: Passed

Findings: No flashes encountered during audit.

2.4 Navigable

2.4.1 Bypass Blocks: (Level A) [success criterion 2.4.1](#)

Results for the entire sample:

Outcome: Failed

Findings: Bypass blocks mechanism is built-in, but skip links are broken. Link points to a named anchor "page-content" within the document, but no anchor exists with that name, in addition to notes below.

Results for: (<https://arvada.org/>)

Outcome: Failed

Findings: 1 X Broken skip link (This link points to a named anchor "page-content" within the document, but no anchor exists with that name.)

Results for: (<https://arvada.org/about/publications/sign-up-for-the-city-of-arvada-electronic-newsletter>)

Outcome: Failed

Findings: Iframe element requires a non-empty title attribute that identifies the frame.

2.4.2 Page Titled: (Level A) [success criterion 2.4.2](#)

Results for the entire sample:

Outcome: Failed

Findings: –

Results for: (<https://arvada.org/about/publications/sign-up-for-the-city-of-arvada-electronic-newsletter>)

Outcome: Failed

Findings: Iframe element requires a non-empty title attribute that identifies the frame.

2.4.3 Focus Order: (Level A)

Results for the entire sample:

Outcome: Passed

Findings: –

2.4.4 Link Purpose (In Context): (Level A) [success criterion 2.4.4](#)

Results for the entire sample:

Outcome: Failed

Findings: Empty footer links do

2.4.5 Multiple Ways: (Level AA)

Results for the entire sample:

Outcome: Passed

Findings: –

2.4.6 Headings and Labels: (Level AA)

Results for the entire sample:

Outcome: Passed

Findings: –

2.4.7 Focus Visible: (Level AA)

Results for the entire sample:

Outcome: Passed

Findings: –

2.5 Input Modalities

2.5.1 Pointer Gestures: (Level A)

Results for the entire sample:

Outcome: Passed

Findings: No pointer gestures encountered during audit.

2.5.2 Pointer Cancellation: (Level A)

Results for the entire sample:

Outcome: Passed

Findings: –

2.5.3 Label in Name: (Level A) [success criterion 2.5.3](#)

Results for the entire sample:

Outcome: Failed

Findings: – Accessible name in search bar at top of website ("q") does not match visible label ("search").

2.5.4 Motion Actuation: (Level A)

Results for the entire sample:

Outcome: Passed

Findings: – No motion actuation encountered during audit.

Principle 3 Understandable

3.1 Readable

3.1.1 Language of Page: (Level A) [success criterion 3.1.1](#)

Results for the entire sample:

Outcome: Failed

Findings: –

Results for: (<https://arvada.org/about/publications/sign-up-for-the-city-of-arvada-electronic-newsletter>)

Outcome: Failed

Findings: The html element should have a lang or xml:lang attribute which describes the language of the document.

3.1.2 Language of Parts: (Level AA)

Results for the entire sample:

Outcome: Passed

Findings: No additional languages encountered during audit.

3.2 Predictable

3.2.1 On Focus: (Level A)

Results for the entire sample:

Outcome: Passed

Findings: –

3.2.2 On Input: (Level A)

Results for the entire sample:

Outcome: Passed

Findings: –

3.2.3 Consistent Navigation: (Level AA)

Results for the entire sample:

Outcome: Passed

Findings: –

3.2.4 Consistent Identification: (Level AA)

Results for the entire sample:

Outcome: Passed

Findings: –

3.3 Input Assistance

3.3.1 Error Identification: (Level A) [success criterion 3.3.1](#)

Results for the entire sample:

Outcome: Failed

Findings: –

Results for: (<https://arvada.org/residents/police-services/submit-an-anonymous-tip>)

Outcome: Failed

Findings: Form states that required fields are marked with red asterisk—one required field has asterisk but it is not red.

3.3.2 Labels or Instructions: (Level A) [success criterion 3.3.2](#)

Results for the entire sample:

Outcome: Failed

Findings: Form <input> elements must have labels: newsletter subscription form is missing label on all pages.

3.3.3 Error Suggestion: (Level AA) [success criterion 3.3.3](#)

Results for the entire sample:

Outcome: Failed

Findings: –

Results for: (<https://arvada.org/residents/police-services/submit-an-anonymous-tip>)

Outcome: Failed

Findings: Form submitted with error does not explain which field contains error.

3.3.4 Error Prevention (Legal, Financial, Data): (Level AA)

Results for the entire sample:

Outcome: Passed

Findings: –

Results for: (<https://arvada.org/city-hall/government/payment-of-fines>)

Outcome: Passed

Findings: Content passes criteria on page; however, actual payment page hosted on citepayusa.com contains multiple accessibility issues

Principle 4 Robust

4.1 Compatible

4.1.1 Parsing: (Level A) [success criterion 4.1.1](#)

Results for the entire sample:

Outcome: Failed

Findings: Multiple errors encountered using W3 validator. Please see <https://validator.w3.org/> for more information.

Results for: (<https://arvada.org/business/permits-and-applications/right-of-way>)

Outcome: Failed

Findings: Duplicate id attribute value "docs-internal-guid-f46c5613-7fff-ec59-032e-339936d698d5" found on the web page. / Duplicate id attribute value "docs-internal-guid-f46c5613-7fff-ec59-032e-339936d698d5" found on the web page. / ID attribute values must be unique

4.1.2 Name, Role, Value: (Level A) [success criterion 4.1.2](#)

Results for the entire sample:

Outcome: Failed

Findings: Footer contains element that does not have a name available to an accessibility API.

Results for: (<https://arvada.org/>)

Outcome: Failed

Findings: This emailinput element does not have a name available to an accessibility API. Valid names are: label element, title undefined, aria-label undefined, aria-labelledby undefined.

Results for: (<https://arvada.org/about/news-events/calendar>)

Outcome: Failed

Findings: This emailinput element does not have a name available to an accessibility API. Valid names are: label element, title undefined, aria-label undefined, aria-labelledby undefined.

4.1.3 Status Messages: (Level AA) [success criterion 4.1.3](#)

Results for the entire sample:

Outcome: Cannot tell

Findings: – It appears that certain status messages (such as errors on forms) are not properly presented by screen readers. Further testing is recommended.

Sample of audited web pages

Home <https://arvada.org/>

Calendar <https://arvada.org/about/news-events/calendar>

Right of Way <https://arvada.org/business/permits-and-applications/right-of-way>

Meetings & Agendas <https://arvada.org/city-hall/city-council/city-council-meetings-and-agendas>

Marc Williams, Mayor <https://arvada.org/city-hall/arvada-city-council-contacts/marc-williams-mayor>

Boards, Commissions, and Committees <https://arvada.org/city-hall/government/boards-and-commissions>

Contact Us <https://arvada.org/about/our-organization/contact-the-city-of-arvada>

City Newsletter <https://arvada.org/about/publications/sign-up-for-the-city-of-arvada-electronic-newsletter>

Submit a Crime Tip <https://arvada.org/residents/police-services/submit-an-anonymous-tip>

Pay Fines <https://arvada.org/city-hall/government/payment-of-fines>

Recording of evaluation specifics

Browsers:

- Safari
- Chrome
- Firefox

Tools:

- WebAIM WAVE
- Deque aXe
- HTML CodeSniffer
- Chromevox
- Colour Contrast Analyser
- W3 Validator (Nu Html Checker)

Related WCAG 2 resources

- [Web Content Accessibility Guidelines \(WCAG\)](#)
Overview: www.w3.org/WAI/intro/wcag
- [How to Meet WCAG 2.1 Quick Reference](#)
www.w3.org/WAI/WCAG21/quickref/
- [WCAG Evaluation Methodology \(WCAG-EM\)](#)
Overview: www.w3.org/WAI/eval/conformance



ADA Transition Plan
Presentation to City Council
April 12, 2021





Agenda

- ☐ Introduction of MTC
- ☐ ADA Self-evaluation and Transition Plan
- ☐ Project Scope
- ☐ Overview of Findings
 - Programs, Policies and Procedures
 - Buildings
 - Parks and Facilities
 - Public Right-of-Way
- ☐ Public Outreach
- ☐ Next Steps



Introductions – Project Team

- ❑ Kim Vagher, Manager of City Facilities and ADA Coordinator
- ❑ Patty Carrico, Project Manager
- ❑ Dana Barton, Director
- ❑ Geoff Ames, Senior Project Manager



Meeting the Challenge, Inc.

- ☐ Located in Colorado Springs, CO
- ☐ Accessibility audits
- ☐ Disability compliance consulting
- ☐ Self-evaluation and Transition Plans for title II entities
- ☐ Operate the Rocky Mountain ADA Center
- ☐ Parent Company is CP&Y



What is the Americans with Disabilities Act?

The ADA is a civil rights law. It prohibits discrimination against individuals with disabilities in all areas of public life, including jobs, schools, transportation, and all public and private places that are open to the general public. The purpose of the law is to make sure that people with disabilities have the same rights and opportunities as everyone else.



Regulations

- ❑ [2010 ADA Standards for Accessible Design](#) (ADA Standards)
- ❑ U.S. Access Board's [Proposed Guidelines for Pedestrian Facilities in the Public Right-of-Way](#) (PROWAG)
- ❑ [Outdoor Developed Areas](#) sections of the [Architectural Barriers Act Accessibility Standards](#) (ODA/ABAAS)
- ❑ U.S. Department of Justice (DOJ) [Part 35](#) regulations enforcing title II of the ADA



What is a Self-evaluation and Transition Plan

- Identify areas of non-compliance and develop specific strategies to bring all policies and practices into compliance.
 - Structural changes needed to provide access to programs, activities, and services;
 - Policy modifications to ensure nondiscrimination;
 - Providing public notice that includes:
 - (i) explanation of the application of the ADA to the state and local governments programs, activities, and services;
 - (ii) contact information for the employee who is designated to address ADA compliance issues; and
 - (iii) information on the grievance procedure.



ADA Coordinator

☐ Required by title II of the ADA

The ADA Coordinator should have the time and expertise to coordinate the government's efforts to comply with and carry out its responsibilities under the ADA.

- Credibility
- Knowledge
- Resources for Support
- Training
- Networking
- Building Relationships



Self-evaluation Process

- ☐ Evaluation of policies and practices
- ☐ Facility data collection
- ☐ Compliance analysis
- ☐ Draft Transition Plan development
- ☐ Finalize Transition Plan



ADA Requirements: Self-Evaluation

- ☐ Public entities are required to evaluate current services, policies, and practices to determine if they meet the requirements of the ADA
- ☐ Must provide an opportunity to interested people, people with disabilities, and organizations that represent people with disabilities, to take part in the Self-evaluation process by submitting comments
- ☐ Maintain the Self-evaluation on file and make it available for public inspection



Policy Review & Training

- ☐ Two new City of Arvada Policies forthcoming
 - Title II ADA Umbrella Policy
 - Title II ADA Accessibility, Effective Communication, & Service Animals

- ☐ Staff Training on Policies and ADA
 - Disability Awareness and Etiquette
 - Effective Communication
 - Title II Overview



ADA Requirements: Transition Plan

1. Identify architectural barriers that limit accessibility in the public entity's facilities
2. Describe in detail the methods that will be used to make the facility accessible
3. Specify the schedule for taking necessary steps to achieve compliance
4. Indicate the official responsible for implementation of the plan



Assessing Barriers in Facilities and Parks

1. Barriers that prevent access to services, programs, and activities, when viewed in their entirety.
2. Barriers that were created by new construction and/or alterations must be identified.
3. Barriers that exist, and have existed since prior to the ADA, that currently present no barrier to program access, must be listed in the transition plan even when there is no current requirement for their removal.



Facilities Assessed

26 Buildings

- Allen House
- Arvada Center
- Arvada Police West Woods Station
- Arvada Police Lake Arbor Community Station
- Arvada Tennis Center (APEX)
- AURA Office
- Arvada Visitors Center (Chamber of Commerce)
- Central Stores
- Ralston House – Arvada
- Ralston House - Lakewood
- Churches Ranch
- City Hall
- City Hall Annex
- Food Bank (Community Table)
- Lake Arbor Golf Course (Club House only)
- Maintenance Building Indiana Shops
- Majestic View Nature Center
- McIlvoy House (Historic Society)
- Moore Brother Property
- Print Shop
- Ralston Treatment Plant
- Ron Culbertson Building
- TV Station KATV
- US Post Office (5885 Allison)
- West Woods Golf Club (Club House only)

Table 1 – Summary of Findings: City Buildings

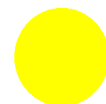
Intrinsic Priority	Mitigation Difficulty			Total	
	3-Low	2-Moderate	1-High		
1-Entry	109	26	237	372	21%
2-Services	581	64	122	767	44%
3-Restrooms	429	53	103	585	34%
4-Other	10	4	6	20	1%
Total	1,129	147	468		100%
	65%	8%	27%	100%	
Color Zone Totals	1,209	63	462	10	1,744
Color Zone Percentages	69%	4%	26%	1%	100%



First Priority



Second Priority



Third Priority



Fourth Priority

Facility Assessment Examples



Difficulty in Barrier Removal

Typical Low Mitigation Difficulty Barriers



Difficulty in Barrier Removal

Typical Moderate Mitigation Difficulty Barrier



Difficulty in Barrier Removal

Typical High Mitigation Difficulty Barriers





Facilities Assessed

113 Outdoor Recreation Facilities

- Arvada Volunteer Firefighters Park
- Britton Park
- Club Crest Park North
- Club Crest Park South
- Columbine Park
- Creekside Park
- Emil Schneider Park
- Far Horizons Park
- Gold Strike Bridge
- Gold Strike Park
- Hackberry Hill Park
- Hillside Park
- Homestead Park
- Ladybug Park
- Lake Arbor Community Center & Park
- Lake Arbor Community Park
- Lew Walsh Park
- Little Dry Creek Park
- Majestic View Community Park
- Majestic View Nature Center
- McIlvoy Park
- Olde Town Square
- Rainbow Park 2
- Rainbow Park 3
- Robby Ferrufina Park
- Secrest Park
- Stocke-Walter Park
- Sunrise Park
- Tennyson Knolls Park
- Thundercloud Park
- Wadsworth Park
- Westree Park



Facilities Assessed

113 Outdoor Recreation Facilities

- Alice Sweet Thomas Park
- Allendale Park
- Bridgeside Park
- Danny Kendrick Park East
- Davis Lane Park
- Fitzmorris Park
- Four Acre Lake Park
- Griffith Station Park
- Harry S. Truman Park
- Hoskinson Park
- Independence Park
- Jack B. Tomlinson Park
- Johnny Roberts Disk Golf Course
- Lakecrest Park
- Lamplighter Park
- Leyden Creek Park
- MacArthur Park
- Marge Roberts Park
- Meadowglen Park
- Memorial Community Park
- Michael Northey Park
- Oak Park
- Ralston Central Park
- Ralston Cove Park
- Sierra Park
- Skyline Park
- Terrace Park
- Westlake Park
- Wolff Park
- Woodrun Park



Facilities Assessed

113 Outdoor Recreation Facilities

- Apple Meadows Park
- Arvada Blunn Reservoir
- Arvada Indoor Equestrian Center
- Arvada Modelers Airpark
- Arvada Skate Park
- Beeman Park
- Bird's Nest Disk Park
- Broad Lake Park
- Church's Crossing Park
- Cimarron Park
- Danny Kendrick Park West
- Daybreak Park
- Double E Park
- Farmstead Park
- Forest Springs Park
- Haystack Plateau Park
- Hills at Standley Lake Park
- Indiana Equestrian Park
- Lookout Park
- Maple Valley Park
- Maverick Mesa Park
- Meadowbrook Village Park
- Meadowlake Park
- Meadows at West Woods Park
- Moon Gulch Park
- North Table Mountain Park
- Panorama Park
- Quaker Acres Park
- Ralston Valley Park
- Russell Park
- Saddle Brook Park
- Sarah George Park
- Shadow Mountain Park
- Spring Mesa Park
- Sunrise Ridge Park
- West Arvada Dog Park
- Westridge Park
- Westwoods Park
- Whisper Creek Park
- Wyndham Park
- Yankee Doodle Park



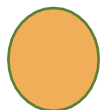
Facilities Assessed

113 Outdoor Recreation Facilities – Athletic Complexes and Golf Courses

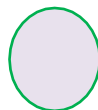
- Foster Ballfields
- Harold D. Lutz Sports Complex
- Long Lake Regional Park
- Pioneer Sports Complex
- Ralston Park Addition
- Stenger Sports Complex
- Youth Memorial Sports Complex
- Lake Arbor Golf Course
- West Woods Golf Course
- Apex Field House

Table 2 – Summary of Findings: Parks and Shared Use Paths

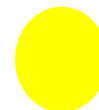
Intrinsic Priority	Mitigation Difficulty			Total	
	3-Low	2-Moderate	1-High		
1-Entry	66	209	268	543	13.7%
2-Services	728	672	1,505	2,905	73.2%
3-Restrooms	318	74	107	499	12.6%
4-Other	5	-	16	21	0.5%
Total	1,117	955	1,896	3,968	100%
	28.2%	24.0%	47.8%	100%	
Color Zone Totals	1,993	79	1,880	16	3,968
Color Zone Percentages	50.2%	2.0%	47.4%	0.4%	100%



First Priority



Second Priority



Third Priority



Fourth Priority

Parks and Golf Course Assessment Examples



Difficulty in Barrier Removal

Typical Low Mitigation Difficulty Barriers



Difficulty in Barrier Removal

Typical Moderate Mitigation Difficulty Barrier



Difficulty in Barrier Removal

Typical High Mitigation Difficulty Barriers





Public Right-of-Way Evaluation

Public Right-of-Way Accessibility Guidelines (PROWAG)

The Department Of Justice has yet to formally issue the PROWAG as regulatory standards for pedestrian facilities in public rights-of-way.

However, the title II regulations clearly indicate that local governments with responsibility or authority over streets, roads, or walkways, must include in their transition plans *a schedule for providing curb ramps or other sloped areas where pedestrian walks cross curbs, giving priority to walkways* public facilities and places of public accommodation.



Public Right-of-Way Evaluation

Data Collection

- MTC collected 248,662 attributes in the field
 - This data identified 32,001 elements of pedestrian facilities for which one or more attributes were not consistent with PROWAG
- Sidewalks less than 36” were not collected in the field

Table 3 – Pedestrian Facilities: Findings by Program Score

Program Score	Number of Findings					
	Not in CIP	CIP 2021	CIP 2022	CIP 2023	CIP Future	Total
0	1,657	184	54	33	104	2,032
1	259	21	0	7	7	294
2	1,677	156	48	0	19	1,900
3	9,148	634	261	2	77	10,122
4	6,582	489	222	11	17	7,321
5	4,489	530	53	45	6	5,123
6	4,996	91	88	9	0	5,184
7	20	2	0	0	0	22
8	3	0	0	0	0	3
Total	28,831	2,107	726	107	230	32,001



Assessing Barriers in the Public Right-of-Way

Typical Barriers

- Vertical discontinuities in walking surfaces
- Organic protrusions within pedestrian circulation paths
- Built protrusions within pedestrian circulation paths
- Horizontal openings (gaps) in walking surfaces
- Walking surfaces that are not firm and stable
- Pedestrian access routes (sidewalks) less than 48 inches wide, cross slopes too steep, or running slopes too steep
- Curb ramps – missing where required, diagonal, or with one or more critical slopes too steep
- Curb ramps missing a top/bottom turning space
- Curb ramps/blended transitions missing/noncompliant detectable warnings
- Turning spaces (top/bottom) too small
- Pedestrian signals – walk interval too short
- Pedestrian signal controls not within reach ranges (too high/too far from clear space)
- Pedestrian signal controls (or other operable parts) missing clear spaces
- Pedestrian street crossings cross/running slopes too steep
- Detectable warnings missing/damaged/buried
- Street furniture, utility poles, etc. blocking pedestrian access route

PROW Assessment Examples



Difficulty in Barrier Removal

Typical Low Mitigation Difficulty Barriers



Difficulty in Barrier Removal

Typical Moderate Mitigation Difficulty Barrier



Difficulty in Barrier Removal

Typical High Mitigation Difficulty Barriers

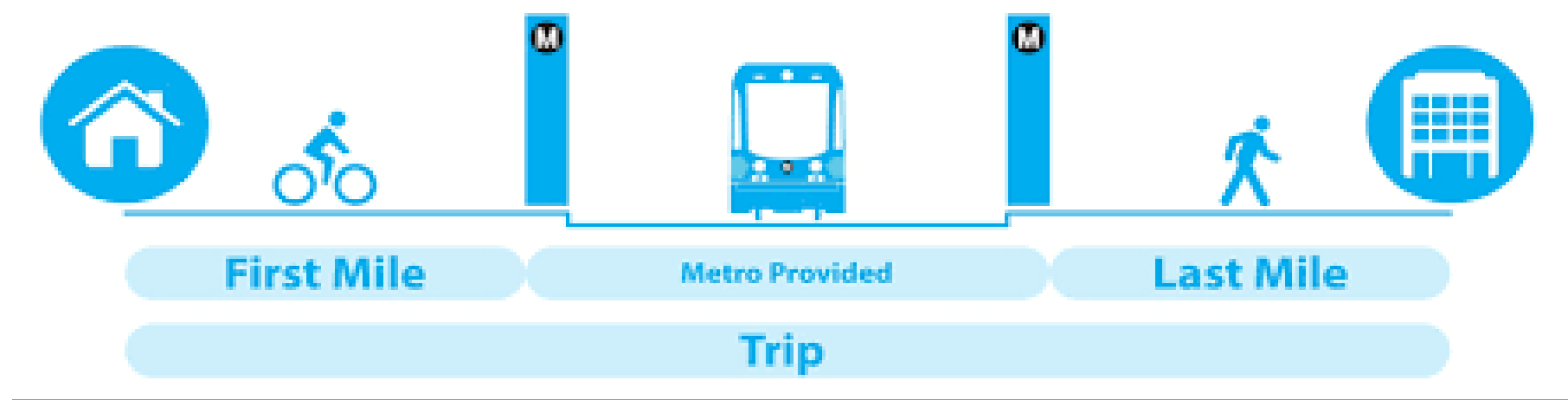




Public Right-of-Way Prioritization

- Priority by location
- City's Planning and Use Zones
- Nearness to facilities covered by the ADA & other “drivers” of pedestrian traffic
- Degree of deficiency is not a major factor
- Public request or complaint elevates priority

First Mile/Last Mile Prioritization





City of Arvada DRAFT Transition Plan

- ☐ Facility, park and right-of-way prioritization
- ☐ Review of departmental budgets
- ☐ Review of public feedback
- ☐ Adoption of Transition Plan by City



Highest Priority Facility Projects (2021-2024)

- Arvada Center (2021-22)
- Majestic View Nature Center (2021)
- City Hall (2021-22)
- Food Bank (Community Table) (2022-23)
- Lake Arbor Golf Course Clubhouse (2023-24)
- West Woods Golf Course Clubhouse (2023-24)
- City Hall Annex (2023-24)



2025 - 2030 Facility Projects (suggested)

2025

- Allen House
- Arvada Police West Woods Station
- Arvada Tennis Center
- AURA Offices

2026

- Chamber of Commerce
- Child Advocacy Center

2027

- Child Advocacy Office
- Churches Ranch

2028

- Lake Arbor Community Police Station
- Maintenance Building Indiana Shops
- McIlvoy House
- Print Shop

2029

- Ralston Treatment Plant
- Ron Culbertson Building (Wastewater)
- TV Station KATV

2030

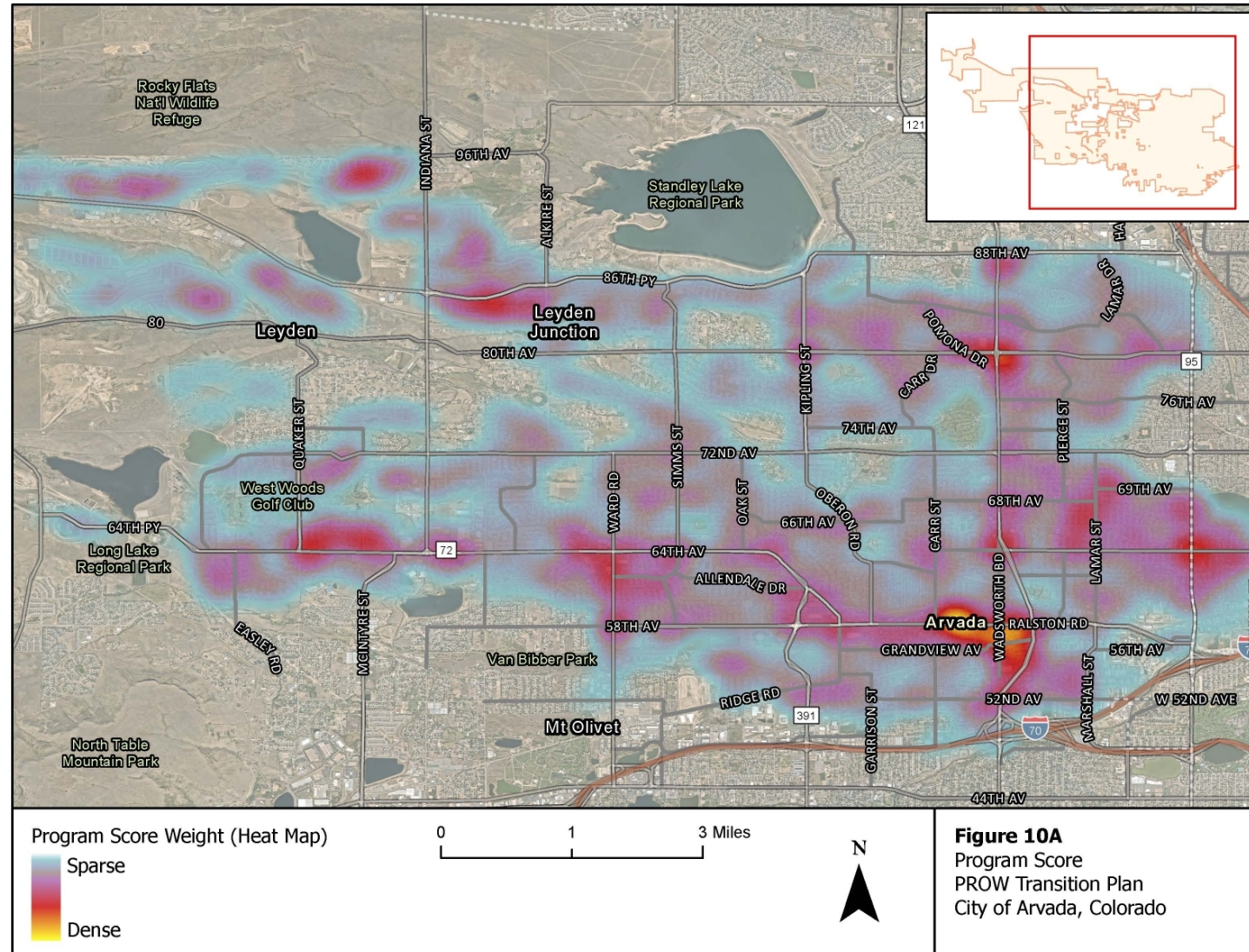
- U.S. Post Office



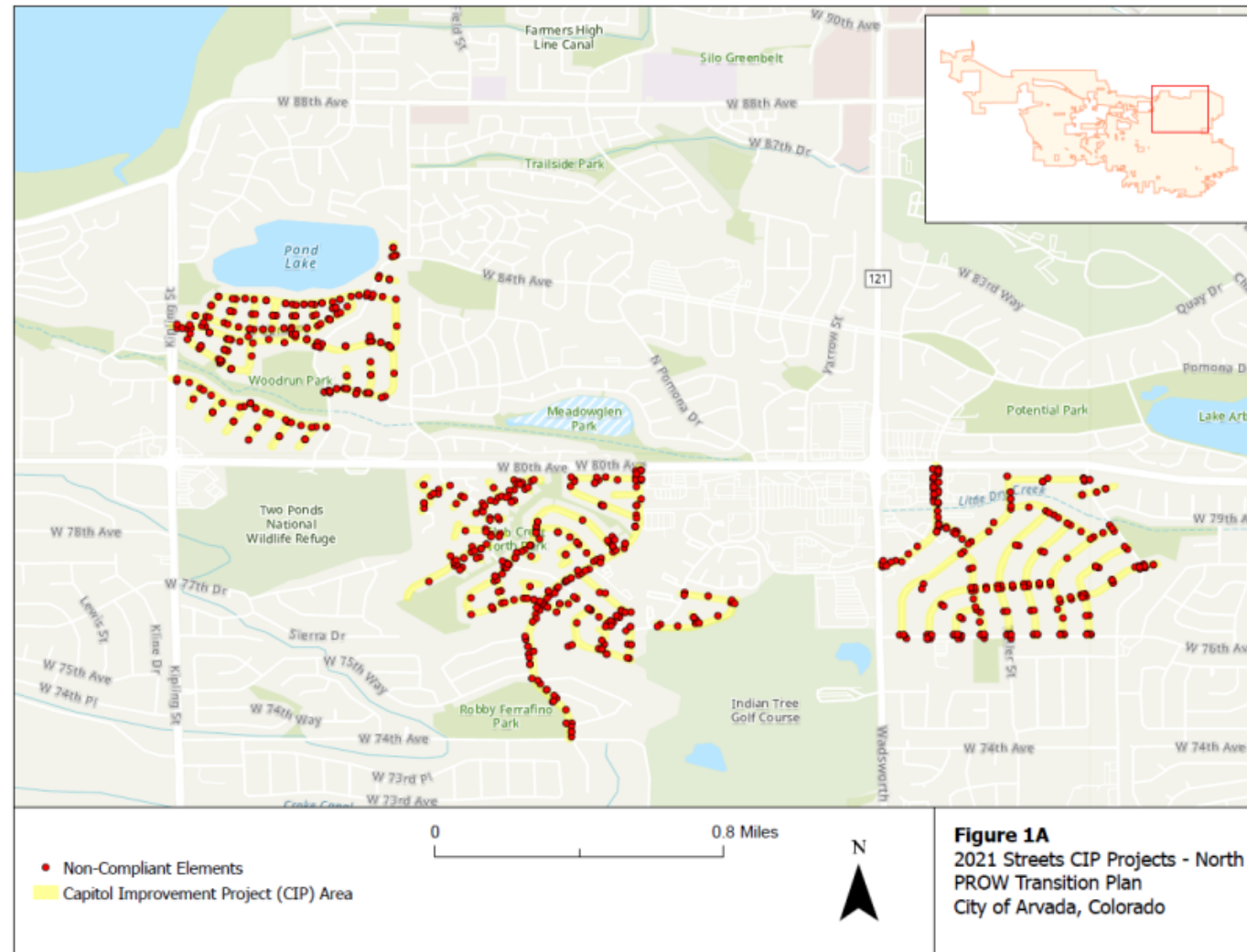
2021 – 2031 Parks and Golf Course Projects (suggested)

- 80 percent of all identified maintenance items in 1-3 years
- 100 percent maintenance items done in 5 years
- Entry items at Athletic fields in 1-2 years
- Entry items at other Parks Districts in 2-5 years
- Service and Restroom items across all Parks and Athletic fields in 5-10 years

City of Arvada Public Right-of-Way



Public Right-of-Way Projects





Summary Budgets

- ❑ Parks and Golf - \$16,391,661
- ❑ Facilities - \$2,068,130
- ❑ PROW - \$197,055,630

Total Cost to the City = \$215,515,421



Funding Recommendations

- ☐ Continue to connect ADA projects with CIP projects
- ☐ Consider sales tax increase
 - Successful 2C project in Colorado Springs
- ☐ Small Business Tax Credits/Deductions
 - Section 44 of the IRS Code, Section 190



Public Outreach

- ☐ Speak Up Arvada newsletter to registered users
- ☐ Press release
- ☐ Announcement in ArvadaNews (enewsletter)
- ☐ Notice in Arvada Press
- ☐ Newsletter blurb sent to community partners and organizations that serve the community
- ☐ Social media posts throughout the comment period
- ☐ Virtual meeting via Zoom (March 9)
- ☐ In-person meeting (March 11)



Public Comment Results

- ☐ 26 Responses over three weeks
- ☐ Over 65% of respondents live in 80004 and 80005
- ☐ 54% were community members without a disability
- ☐ Average age was 49.3 years
- ☐ 73% participate in programs, services, or activities offered
- ☐ Top locations visited:
 - Arvada Center
 - Majestic View Community Park
 - Ladybug Park
 - McIlvoy Park



Public Comment Results

☐ 61.5% reviewed the Transition Plan

☐ 15.4% did not agree with the draft prioritization

- “What is the point of getting people into parks if then cannot safely navigate the rest of the city?”
- “You appear to be checking boxes to pass an audit - think about the constituents and not the boxes.”

☐ 27% have concerns about the draft plan

- “The large costs associated with the updates. I hope the estimates are over estimations.”
- “36 inches for sidewalks is NOT reasonable. It is the bare minimum and that sucks for a person in a wheelchair, a person with a disability, a person with a child. There is a MAJOR over prioritization of parking and room for cars vs room for people... These tiny sidewalks are almost worse than no sidewalks.”
- “I think sidewalks around the city, and especially the little half-sidewalk/curbs in older neighborhoods, should be a top priority. I walk on them every day and find that many times it is just easier to walk in the street...”

Public Feedback: Do you know of a barrier of which we should be aware?

“Yes. Entrances for pwd at city hall - while those in chairs [c]an roll to the elevator, it's not accessible for th[e] pwd with other mobility issues. It's too far to walk.”

“I live a block from Majestic View Park. There is a cu[r]b cut at W 70th Way and Estes Drive. The problem is the sidewalk which leads from the curb cut into the park is narrow. It's a challenge for my scooter to navigate.”

“One thing in general that I am concerned with and feel like the solution is out of reach, but as a long time resident in in Olde Town, the sidewalks and curb cut-out are very difficult to maneuver due to the unevenness and narrow sidewalks. It is hard if not impossible for a child to ride on or a stroller let alone a wheelchair. Most wheelchair choose to use the street even though you spent all of the money years ago to add ramps to all of the corners. Also, with some of the trash services demanding that their patrons place their garbage cans in the gutter is not helping sidewalk accessib[i]lity.”



Public Feedback: How important is a Transition Plan to you?

“Quite important as it only improves better access for all. I do believe increased public education is needed regarding ADA compliance especially related to ADA parking spaces utilized as drop off/pick up zones, and confusion as to what the slanted strips next to these parking spaces are for.”

“Very important. It allows us to be more mobile without using our vehicles.”

“It is very important as many seniors begin to experience disabilities as they age but still want access to community facilities and parks.”



Questions and Comments

Thank you!



REPORT TO CITY COUNCIL WORKSHOP

**AGENDA ITEM
2.B.**

TO: THE HONORABLE CITY COUNCIL

DATE: April 12, 2021

SUBJECT: Waste Hauling Update

Report in Brief

Implementation of Council direction for organized waste hauling is well underway. Efforts over the past month have included ongoing communications, high volume of resident inquiry and response, support of resident service level selections, meetings with representatives from Republic (Waste Hauler) and Schaeffer (cart provider), along with daily internal planning/logistics meetings. In order to keep Council updated on the ongoing work, and to address Council questions and feedback, the City team will present current information regarding service selections, customer service, communications with residents, Frequently Asked Questions, and high level project logistics.

The Arvada team believes it is important to provide regular updates to the City Council regarding organized waste hauling to ensure Council is informed and so the City team may receive your feedback in the course implementing this new initiative.

Background

Council Action

In June 2020, Arvada City Council voted to adopt a new organized waste hauling ordinance with service to begin in July 2021. The City team and City Council had a robust discussion about organized waste hauling over 18 months that included many opportunities for community input.

- Outreach opportunities leading up to the Council vote in June 2020 included a remote public forum, in-person engagement events and interactions through the City's online engagement platform, Speak Up Arvada.
- The City team shared updates across all City communication channels, including the City's website, Arvada Report, Facebook and other social media.
- After the City Council voted to adopt the ordinance, our communication with the community continued and expanded to include information about service levels, important dates, customer service and other key elements of the upcoming program. This has been done using all of the City's communication channels.

Benefits of Organized Waste Hauling

As shared and discussed throughout community engagement process and as discussed at the time Council provided the direction, the benefits of Organized Waste Hauling include:

- Improving Arvada's low recycling rates
- Decrease truck traffic
- Decrease noise nuisance and air pollution
- Provide additional services (recycle collection, bulk item drop-off events)
- Increase safety within communities and neighborhoods
- Lower costs to residents and/or provide additional services

- Consistent waste hauling services within Arvada

Strategic Alignment

Residential Waste and Recycling Collection aligns with the Vibrant Communities and Neighborhoods, Infrastructure, and Organizational and Service Effectiveness Priority Areas of the City Council Strategic Plan.

Specifically, providing these updates is consistent with the following Strategic Result: **By 12/21, complete full implementation of waste hauling options.**

Next Steps

Receive feedback from the City Council regarding the implementation of organized waste hauling.

Prepared by:

Michele Broski, Executive Assistant

Reviewed by:

Gail Walker, Legal Specialist-Contracts 3/31/2021

Approved by:

Lorie Gillis, Deputy City Manager 3/31/2021

Rachel Morris, City Attorney 3/31/2021

Mark Deven, City Manager 4/1/2021

Enclosure, exhibits & attachments required to support the report

Residential Waste & Recycling Collection

April 12, 2021



Benefits of Organized Waste Hauling

- Improve Arvada's low recycling rates
- Decrease truck traffic
- Decrease noise nuisance and air pollution
- Provide additional services (recycle collection, bulk item drop-off events)
- Increase safety within communities and neighborhoods
- Lower costs to residents and/or provide additional services
- Consistent waste hauling services within Arvada



Project Milestones - Residents

Key 2021 Program Milestones



March: Choose cart size or to not participate (pay minimum service).



June: Receive your cart if you choose to participate.



July: Service Begins



September: Waste hauling charges appear on utility bill

Service Level Selection - March 8 - April 25 (extended)

Service Levels

Level 1	Level 2	Level 3	Min. Service
Small Cart \$11.50/mo	Med Cart \$15.63/mo	Lg Cart \$19.76/mo	No Cart \$5.13/mo
35 gallon trash cart 95 gallon recycling cart Weekly trash pick up Bi-weekly recycling pick up On demand bulk pick up Leaf recycling events Bulk drop off events Add additional recycling carts	65 gallon trash cart 95 gallon recycling cart Weekly trash pick up Bi-weekly recycling pick up On demand bulk pick up Leaf recycling events Bulk drop off events Add additional recycling carts	95 gallon trash cart 95 gallon recycling cart Weekly trash pick up Bi-weekly recycling pick up On demand bulk pick up Leaf recycling events Bulk drop off events Add additional trash or recycling carts	Choose your own hauler Leaf recycling events Bulk drop off events

All prices listed are monthly charges. Waste hauling fees will be charged on utility bills which are on bimonthly cycles.



Project Implementation Milestones

- 3/8/21 - 4/25/21 - Cart selection by residents
- 1/19/21 - 4/30/21 - CIS System Update (Utility Billing System)
- 6/1/21 - Begin receiving/staging new carts
- 6/7 - 6/26 - Assembly and delivery of new carts
- 6/28 - 7/3 - Address outstanding items from A&D
- 7/5/21 - Begin service



Communication Updates

- Communication Update
 - ◆ Service Level Selection
Call to Action
 - ◆ Next phase: How to use
the service

Service Level Selection - Call to Action

— — —

Communication Tactics

- Social media - 22 posts
- Service level selection press release
- ArvadaNews - each edition
- Arvada Report - each edition
- Mailings to eligible households
 - Waste Hauling newsletter
 - Service level selection mailer
 - Service level selection reminder postcard
- Water bill inserts - updates for each cycle
- Channel 8 - cart size video
- Customer service line + email
- Waste.arvada.org - FAQs, Trash service map

**City of Arvada Government**



Residents are selecting their service levels now! Check out this short video to learn more about the different cart sizes available in the City's new Residential Waste and Recycling Program. Then, make your selection by 4/16. Program information available at http://bit.ly/*****/

March 31st, 2021 • 9:11 AM

110 Likes	51 Comments	21 Shares	 15k Impressions
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Service Level Selection - Call to Action Reminder

Service Level Selection Ends April 25, 2021

Respond now to receive your desired service level.

The City of Arvada's new waste and recycling service is here! At the time of this mailing, we had not heard from your household. If we do not hear from you by April 25, your household will receive a 95-gallon waste cart and a 95-gallon recycling cart in June (Level 3 service). You can review your choices below and follow the instructions on the reverse side to make your selection.



Final reminder

Service Level Choices

Level 1

Small cart

\$11.50/month

35-gallon trash cart

95-gallon recycling cart

Weekly trash pickup

Biweekly recycling pickup

On-demand bulk pickup

(\$15/per item)

Leaf recycling events

Bulk drop-off events

Add additional recycling

carts (additional fee)

Extra Recycling Cart*

\$3.00/Month

Level 2

Medium cart

\$15.63/month

65-gallon trash cart

95-gallon recycling cart

Weekly trash pickup

Biweekly recycling pickup

On-demand bulk pickup

(\$15/per item)

Leaf recycling events

Bulk drop-off events

Add additional recycling

carts (additional fee)

Extra Waste Cart*

\$4.15/Month

Level 3

Large cart

\$19.76/month

95-gallon trash cart

95-gallon recycling cart

Weekly trash pickup

Biweekly recycling pickup

On-demand bulk pickup

(\$15/per item)

Leaf recycling events

Bulk drop-off events

Add additional recycling &

waste carts (additional fee)

**To select this, you must also select Level 3 service.*

Minimum Service

\$5.13/month

Hire your own

licensed hauler

Leaf recycling events

Bulk drop-off events



Residential Waste &
Recycling Program

Through a contract with



We'll handle it from here.*

- Reminder postcard sent to eligible households that had not responded as of March 29th.
- Extended deadline to April 25th to ensure residents receive the mailing and have an opportunity to respond.

Transition of Existing Republic Customers - Republic Card

THE CITY OF ARVADA WASTE & RECYCLING PROGRAM BEGINS THE WEEK OF JULY 5, 2021

Thank you for being a valued Republic Services® customer! The below information will help you effortlessly transition from Republic Services to the City of Arvada's Waste and Recycling Program.

The City of Arvada Waste & Recycling Program, in partnership with Republic Services, will begin on Monday, July 5, 2021. Your individual account with Republic Services will end on June 30, 2021. Any credits due to you for overpayment will be processed after June 30. Republic Services will send a statement showing any credited amounts, if applicable. Beginning in September, waste hauling fees will appear on your City of Arvada water utility bill.

Delivery of New Waste and Recycling Carts

If you made a cart selection for the City of Arvada Waste & Recycling Program, the waste cart you selected, along with the standard 95-gallon recycling cart, will be delivered in June. **If you did not make a selection**, a default 95-gallon waste cart, along with the standard 95-gallon recycling cart, will be delivered in June. After service begins in July, you can make cart size changes by calling 720.898.7575. **If you do not wish to participate** in the City of Arvada's program, **you will need to select a different hauler.**

Removal of Previously Used Waste and Recycle Carts

If you have been using Republic Services-provided waste and recycling carts, they will remove them after trash has been collected on your last scheduled service day which is _____. This includes your recycling cart, even if your recycling collection week does not fall on that day. Simply leave both carts at the curb after service, and they will be removed the same day. There are no fees for the cart removal.

This cart removal service ONLY applies to customers who use Republic Services-provided carts. No other carts will be removed.

Please begin using your City of Arvada waste carts beginning the week of July 5, 2021. The first recycling week is the week of July 12, 2021. Please Note: your service day may change. Look for a service calendar in the mail before July.

- Republic mailing (equal branding)
- Informing current subscription customers about when their carts will be removed
- No charge for removal
- No subscription service after June 30, 2021



We'll handle it from here.*



Cart & Service Roll Out Outreach

— — —



Cart & Service Roll Out Outreach

 **RECYCLE** THANK YOU FOR RECYCLING THESE:

 **Paper**



Paper, Cardboard
and Cartons
(empty and dry)

 **Metal**



Aluminum and
Steel Cans
(empty and dry)

 **Plastic**



Plastic Bottles,
Jars and Jugs
(empty and dry)

 **Glass**



Glass Bottles
and Jars
(empty and dry)

NO!



No Plastic
Bags



No Household
Hazardous Waste



No Yard
Waste



No Shredded
Paper



No Hoses,
Cords or Wires



No Food
or Liquid
(empty all containers)



To learn more: visit recycling.arvada.org
or call **720-898-7575**.

2-42 MAR21

Hey Arvada, **CARTS ARE COMING** June 2021



To learn more:
visit recycling.arvada.org
or email wastehauling@arvada.org
or call **720-898-7575**.



"We'll handle it from here™"



Para consultar la versión en español de este material, visite: recycle.arvada.org/translations
Версия на русском языке доступна здесь: recycle.arvada.org/translations
한국어 버전의 경우 다음 사이트를 방문하십시오. recycle.arvada.org/translations

Some #'s

Base data as we move forward -

Residential Hauler Licenses

- 9 Haulers in 2020
- 9 Licensed 2021
- Reminder Letter June
 - Code changes
 - Reporting
 - Risk

Customer Service

- Calls
- Emails
- Social Media

Customer Service Update

- ● City Team managing x7575
- 18 City Team members on the phones
- The Utility Billing Team has filled the two new positions. One new employee starting April 12th and the other starting April 19th.



Customer Service Update

- City Team managing 7000,7500,7070 and 7575
- 18 City Team members on the phones



What are we hearing & how are we responding?



Change management - Routine Questions

- **Resident contact**

- How will this program work for me?
- How to make a service level selection.
- Confirm their selection.
- Express opinions.

- **City team response**

- Daily huddles to share top questions + ensure City team member consistency.
- Updating FAQs as needed.
- When issues arise, the team reviews possible communication strategies to address.

Customer Service Update

— — —

- Elevated Calls (35%) - Themes
 - *I haven't received my cart selection postcard?*
 - *Can you verify my selection?*
 - *I want to sign up for service.*
 - *I threw my cart selection postcard in the trash thinking it was junk mail?*
 - *How do I make my selections?*
 - *I am NOT going to pay the minimum service fee?*
 - *I want to opt out.*

Cart Orders #'S Opportunities & Risks

- Where are we?
- Default Cart Size 95 gal
- Build in flexibility for adjustment

— — —

Cart Selection Update

— — — *Metrics as of 4/6/21*

Cart Selection	Approx Count/%
Overall Total	
Total Cart Selection Postcards Sent	26,500
Cart Selection received to-date	30%
Total % Service Level 1/2/3 - New Measurement	17%
Total % Minimum Service Level - New Measurement	13%
Total Received To-Date	
Service Level 1 - 35 gal received to-date	14%
Service Level 2 - 65 gal received to-date	19%
Service Level 3 - 95 gal received to-date	24%
Total Service Level received 1/2/3 to-date	57%
Minimum Service received to-date	43%

New Cart Assembly & Delivery

- 6/1 - Pre-Deployment and Staging
- 6/7 - 6/26 Assembly and Delivery
- Service Delivery Begins July 5th

Arvada High School

— — —

Some Navigating & Council Feedback

Not all questions related to the program have been answered.

With implementation comes new challenges.

- **Recycling Carts**
- **Drop Off Events**

Recycling Carts

— — —
Every resident will receive a 95 Gallon recycle cart as part of the June Assembly and Delivery phase of the project.

Why?	Challenges/Questions?
• Program Goal - Increase recycling rates. • Inform & Educate residents and reduce waste going to the landfill. • Residents will be able to shift to a smaller waste cart when they recycle more- reducing their monthly cost. • Simplicity and effective implementation (CC direction).	• Residents may not have space for a 95 gallon cart. • I want in the program, but I don't want to recycle. • Other licensed haulers. • Counter-productive with program goals.

Drop Off Events - Under Construction

— — —

Bulky items: 2 drop-off events (east & west) at no charge; in addition, on-demand curbside pickup for \$15/item

Yard debris drop-off events: spring event & 3 fall leaf weekend collections



Drop Off Events - Under Construction

— — —

Bulky Item Drop Off	Aug-September East - West 2-4 Weekends Narrowing down site options
Yard Debris - Leaf Drop Off	Fall - Consistent w/ Past Program - success

Planning to mitigate risks and set reasonable expectations

Resident Owned Carts Drop Off/Recycle

**Working with Providers
Plan Under Construction**

Next Steps

- Communicate & Call to Action
- Cart Selection 3/8-4/25
- Customer Support
- Monitor & Manage
- Implement & Educate
- Regular Council Updates

— — —



REPORT TO CITY COUNCIL

AGENDA ITEM
2.C.

TO: THE HONORABLE CITY COUNCIL

DATE: April 12, 2021

SUBJECT: Staff Updates

Report in Brief

The purpose of this workshop is for staff to provide City Council with brief updates on projects and issues that do not require a full workshop.

Prepared by:

Janet Newman, Administrative Specialist

Reviewed by:

Approved by:

Enclosure, exhibits & attachments required to support the report