

AUBURN AREA RECREATION AND PARK DISTRICT AMERICANS WITH DISABILITIES ACT TRANSITION PLAN

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AUBURN AREA RECREATION AND PARK DISTRICT ADA TRANSITION PLAN

INTRODUCTION

Executive Summary

The Auburn Area Recreation and Park District (ARD) is a California Special District governed by an elected five-member Board of Directors. ARD began working on the Americans with Disabilities Act (ADA) Transition Plan in June of 2011. The plan was adopted by the ARD Board of Directors in September, 2012. The ADA requires all public agencies to create an ADA Transition Plan (ADATP). The main purpose of the ADATP is to help guide ARD's policies and procedures for implementing physical improvements throughout the district to facilitate access for persons with disabilities and to meet the requirements of the 1992 Americans with Disabilities Act (ADA). The district's goal is to optimize the pedestrian experience, to provide safe and usable pedestrian facilities for all, and to assure compliance with all federal, state, and local regulations and standards.

The ADATP is intended to represent both the legal and functional goals and objectives of ARD to make existing pedestrian facilities within the district accessible and usable for persons with disabilities. As required by the ADA, the Transition Plan must include a schedule for implementation of improvements. The ARD Transition Plan provides a three-year timeline to implement a variety of improvements and is intended to be updated annually.

The ADATP Committee was established in June of 2011, and a physical survey of district parks and facilities was conducted to identify physical barriers or conditions that impede access to that park or facility. These barriers/conditions were cataloged and given a cost estimate (refer to Appendices A & B). Projects were prioritized based upon a four-tier criteria system in order of importance: (1) building access, (2) parking access, (3) restroom access, and (4) park amenity access. In addition to the tier ranking of 1 through 4, projects were assigned a priority number 1 through 8 (refer to "Prioritization Process" below). The rankings serve as a guideline only. Once projects were assigned a priority number, a three-year plan was created and projects were selected based upon the priority number assigned and/or as the committee determined a particular project needed to be completed based on perception of greatest need and/or was a safety concern.

For example, some projects that were ranked a 1 or 2 may appear later in the timeline because a project with a 3 or 4 ranking was deemed a more immediate need at that particular park. For example, Meadow Vista Park needed an ADA compliant restroom facility (a priority 3). This was deemed a higher need than fixing a doorway threshold problem at Regional Park Gym (a priority 1) as a person with disabilities can access the gym even though the threshold may not meet current ADA code. However, there was no compliant restroom facility at Meadow Vista and was a high intensity use with an immediate need.

Once the ADATP document was completed, the plan was presented to the public and Board of Directors for comment and approval. A public hearing was held on September 27, 2012 and was formally adopted by the Board of Directors for implementation.

Purpose

On January 26, 1992 the Federal Americans with Disabilities Act (ADA) went into effect. This law prohibits discrimination against individuals with disabilities by both public and private agencies regarding accessibility of services, programs, activities, and facilities. What this means is that all individuals with disabilities of any kind must be able to have access to the same services, programs, activities, and facilities throughout ARD that individuals without disabilities have.

The ADA is a complex act which includes steps to be taken to enable an agency such as ARD to be recognized as complying with the intent of the act. The ARD ADATP is in response to the Title II requirement of the ADA that all governments with more than 50 employees develop a transition plan that identifies all physical improvements that the entity must make to remove barriers to participation. This ADATP, along with all supplementary information, specific details, and timelines must be made available to the public. The ADA also requires that interested persons, including individuals with disabilities, have opportunity to comment on any ADA Transition Plan prior to its adoption.

What Is a Transition Plan?

As stated above, the purpose of the Transition Plan is to identify physical improvements or projects needed to remove barriers to participation in programs, activities, and services, and to identify a schedule for the completion of the needed projects.

The Transition Plan includes an inventory of physical barriers and needed changes for each of ARD's parks and major facilities. The inventory includes a description of each barrier removal required, the estimated cost of each barrier removal, and a schedule for completion of barrier removals.

Inventory Needs Assessment

In September 2010, ARD established an ADA Compliance Committee (ADA Committee) that was representative of all areas of the district's operations. Chaired by the District Landscape Architect, the committee was made up of staff from various departments and interested members of the public. Site assessment surveys at individual parks were conducted by ARD staff with the assistance of Michelle Davis, Registered Architect and Certified Access Specialist. A specific list of all ADA compliance issues, by park site, was created. The park site lists were then broken down into projects "under \$1000" and projects "over \$1000". It became evident that while individual issues and barriers were identified, when improvements do occur, several individual items may need to be grouped together to form one larger project. For example, providing an ADA accessible restroom at Meadow Vista is a high priority project, but a compliant

path of travel (POT) and ADA parking will also need to be accomplished to make the restroom fully accessible. Therefore, upgrading the restroom component will need to be accompanied by providing compliant parking and a walkway to get from the parking stall to the restroom and the cost of the project is greatly increased due to the sum of the items.

Once identified projects were organized into the data sheets found in Appendices A and B, it was necessary to assign cost estimates to these projects so that the district could begin to understand the financial impact of the needed ADA improvements. Costs estimates were based upon current construction bids and given an extra 20% contingency increase to cover unforeseen conditions and possible inflationary cost increases.

When all the information had been collected, it was combined and organized so that the ADA Committee could review all the issues identified and begin the process of prioritizing projects by category, intensity of use and safety concern. Projects identified as having costs under \$1000, were intended to allow the district's maintenance staff to quickly begin making minor needed changes to bring facilities into compliance. These small projects are intended to be funded by annual park maintenance budgets as opposed to the Capitol Improvements budgets. For example, in many ADA restroom stalls, simple improvements such as properly locating paper dispensers or adjusting mirror heights is needed. This may be all that is needed to bring a specific barrier or facility into compliance. Not all minor projects can be completed in all parks within one fiscal year so they will need to be spread over time to fit within identified annual maintenance budgets. Projects estimated to be "under \$1000" are found in Appendix A, and projects "over \$1000" are found in Appendix B.

Prioritization Process

In any project of this magnitude, it is necessary not only to evaluate but also to prioritize those items that will receive the most attention, in both time and dollars. Once the needs for compliance have been determined, the appropriate actions developed, and a rough estimate of the costs prepared, it is necessary to fit the actions into a timeline for completion. A list of priority categories was developed based upon the Committee's opinion that, in general, an order of importance exists. Projects are evaluated based upon acknowledged intensity of use and/or safety concerns. The four categories identified as priority tiers are:

1. Building access
2. Parking access
3. Restroom access
4. Park amenity access (accessible paths of travel to park features such as ball fields, playgrounds etc.)

The criteria structure for identifying and prioritizing projects are:

1. Building access with high intensity of use or safety concern
2. Parking access with high intensity of use or safety concern

3. Restroom access with high intensity of use or safety concern
4. Park amenity access with high intensity of use or safety concern
5. Building access with moderate intensity of use
6. Parking access with moderate intensity of use
7. Restroom access with moderate intensity of use
8. Park amenity with moderate intensity of use

Each park was assessed for compliance based on the above priority criteria and a list of projects was developed and ranked by the committee. Projects were ranked with the intent to address the highest needs first and an attempt to evenly distribute improvements throughout the district.

Funding

ARD has established an annual minimum budget of \$5000 dedicated to making ADA improvements. This is in addition to any minor projects which may fall under a park's annual maintenance budget. Other projects, including major capital improvement renovations, are funded as the district's budget allows.

Making existing facility improvements for ADA compliance is a high priority and so a list of projects within a three-year timeline was developed to provide the district with concrete goals.

It should be noted that each year the projects identified within the ADATP will need to be incorporated into the district's proposed future capital improvement project budget (CIP), and subsequently submitted for review by the Acquisition and Development Committee and the Board of Directors. The projects completed each year will be dependent upon available funding and so this Transition Plan is intended to be a working document and guide for the district. It is dynamic and subject to change and annual re-evaluation. New projects will be added and old projects may be moved or be eliminated because they have been completed using other methods or funding sources such as grants or volunteer efforts.

Public Involvement

In compliance with Section 35.150 of the Americans with Disabilities Act, in 2010 ARD staff developed a Public Service Announcement (PSA) which was published in the Auburn Journal that notified the public that the draft ADA Transition Plan was available for public comment, could be reviewed online at ARD's website, or could be picked up at two of ARD's facilities including the District Administrative offices at 471 Maidu Drive and the Customer Service office at 123 Recreation Drive.

Fiscal Year Timeline

In order to implement the ADA Transition Plan, a list of prioritized projects was created. This list includes the identification of the specific ADA compliance issue, the action(s) to be taken, the estimated cost of each action(s), and the relative priority of that specific project. The district

budgets a minimum of \$5000 per year for ADA projects. There are many projects whose estimated cost are substantially higher than \$5000. Projects whose costs exceed this basic figure will be funded based upon priority and the district's capability to dedicate additional funding in that fiscal year.

All projects were prioritized and a final list of all ADA projects under \$1000 and over \$1000 was generated. As stated earlier, projects under \$1000 will be addressed under individual park maintenance annual budgets. It is recognized that the Transition Plan is a dynamic and living document and that priorities may shift depending on a variety of factors such as: available funding, newly introduced projects, grant opportunities to complete specific projects, and community service projects that complete barrier removals. Annual review and analysis will be conducted by the ADA committee and the proposed projects will compete for funding with other capital improvement projects.

Incorporating minor ADA compliance items into the District's Annual Maintenance Activity and Budget (projects under \$1000)

ADA compliance actions may have impact on the district's annual maintenance/repair budget and obsolescence list. Each fiscal year, the district identifies an annual maintenance budget for each park. As stated earlier in this document, there are many small and simple projects on the ADA project list that can be completed as part of park maintenance. For example, this includes such tasks as correcting heights and locations of fixtures in restroom facilities. Maintenance budgets will be developed with this scenario in mind to allow a number of these small projects to be completed in any given year. Actual dollars dedicated to this will vary from fiscal year to fiscal year as the overall district budget process allows and is approved by the Board of Directors.

ADA Transition Plan Periodic Review and Update

Annual Review and Update: In order to remain valid and current from one year to the next, the ADA Transition Plan is intended to be reviewed annually by the ADA Committee. The Transition Plan will also be reviewed in concert with the update of the CIP list and projects adjusted as needed to meet current priorities, budget allowances, and demand. The annual review by the ADA Committee will provide an opportunity to make minor adjustments as needed to reflect changes in construction costs, accessibility guidelines, the district's financial situation, and other factors. It is not the intent of this plan that the annual updates need to be comprehensive, nor that they will reflect significant shifts in priorities, or be formally adopted as amendments to the Transition Plan. Changes arising from the annual review of the Transition Plan will be documented in each year's update and adoption of the district's three-year capital improvements list (CIP) budget.

Three Year Review and Update: A more comprehensive update of the Transition Plan shall be conducted every three years. This update should include the opportunity for public review and comment and should be reviewed and adopted by the Board of Directors. It is possible that

circumstances require a comprehensive update sooner than three years. This action would be recommended by the ADA Committee at their annual review and would be accomplished at the discretion of the District Administrator.

Operational and Programmatic ADA Compliance Evaluation

Once the initial ADA Transition Plan is adopted addressing the various *physical* ADA compliance issues, the district will begin the process of conducting an evaluation of the non-physical programmatic and operational aspects district-wide. This evaluation would be a review of the district's programs, services, and facilities to determine where programmatic or operational compliance issues exist and how they can be overcome. The evaluation will include a review of the programs and services that could impact persons with disabilities. Examples of needs that may be identified through this process may include but are not limited to:

- Specialized communications/listening devices
- Technical assistance
- Transportation assistance
- Interpreters/sign language assistance
- Availability of printed matter in braille, large type or on audio recording
- Website accessibility

Completing this evaluation will take a substantial amount of time, inventory, research, analysis, and documentation. When complete, the evaluation results will be forwarded to the Board of Directors for review and approval. Subsequently, the results will be incorporated into this overall ADA Transition Plan document and required actions will be included in the priority project three-year plan.

SUMMARY OF COMPLETED ADA PROJECTS

Past Improvements (2008-2012)

Recreation Park

- Added ADA parking stalls to provide access to shade structures and playground.
- Added ADA parking stalls at James and Recreation field with access to compliant porta-potty facility.
- Constructed $\frac{3}{4}$ mile ADA compliant walking pathway around park.
- Renovated locker room with the facility now ADA compliant.
- Improved ADA parking lot at building and made improvements to path of travel from parking to pool, new locker rooms, and gym.
- Installed ADA ramp in main building lobby and completed compliant path of travel from parking to gym and interior facilities.
- Installed new ADA compliant playground facility with path of travel from parking to new walking pathway to playground.

- Remodel of lifeguard facility including ADA accessibility.
- Installed ADA compliant drinking fountain at Sierra Pool.
- Installed two ADA picnic tables accessed from ADA walking pathway.

Regional Park

- Remodel of restrooms at shop maintenance building to bring into ADA compliance.
- Added two rest landings on pathway from tennis courts into lower park area.

Ashford Park

- Installed two ADA picnic tables to shade shelter and made path of travel improvements to main roadway.
- Improved the road that bi-sects the park, providing access to the dog park.
- Created ADA pathways within the dog park.

Overlook Park

- Added four curb cuts to create better access to the sidewalks.

Past Improvements (2012-2015)
(needs to be updated)

Past Improvements (2015-2018)
(needs to be updated)

Past Improvements (2018-2021)
(needs to be updated)

Past Improvements (2021-2024)
(needs to be updated)

PRIORITY PROJECTS-CURRENT 3 YEAR PLAN

BUDGET YEAR ONE: 2025/2026

• Regional Park Dry Creek Playground Replacement	\$125,000
• Recreation Park North Playground Replacement	\$120,000
• <u>Rec Park POT from parking ramp to playground</u>	<u>\$ 30,000</u>
Total:	\$275,000

BUDGET YEAR TWO: 2026/2027

• <u>Regional Park Tennis Court Path of Travel (POT)</u>	<u>\$41,000</u>
Total:	\$41,000

BUDGET YEAR THREE: 2027/2028

• <u>None currently on project list</u>	<u>\$0</u>
Total:	\$0

<u>Total Three Year Budget 2025/26 to 2027/28</u>	<u>\$316,000</u>
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DISTRICT ADA/DISCRIMINATION POLICY AND PROCEDURES

AMERICANS WITH DISABILITIES ACT POLICY

Adopted September 27, 2012

It is the policy of the Auburn Area Recreation and Park District (“ARD” or “district”) to comply with all laws governing the responsibility of public agencies regarding the Americans with Disabilities Act (ADA). To that end, the district states the following:

1. The district shall not discriminate against, exclude from participation in, or deny the benefits of the services, programs, activities, or facilities of the district to qualified individuals with a disability, because of the disability. The district shall make reasonable accommodations in policies, practices, or procedures necessary to avoid discrimination on the basis of disability, unless the modifications would fundamentally alter the nature of the service, program, or activity. The district shall furnish appropriate auxiliary aids and services where necessary to afford an individual with a disability an equal opportunity to participate in, and enjoy the benefits of, the District’s services, programs, or activities.
2. The district is an equal opportunity employer and makes employment decisions based on merit. The district desires to have the best available persons in every job category. District policy prohibits unlawful discrimination based on race, color, creed, gender, religion, marital status, age, national origin, or ancestry, physical or mental disability, sexual orientation, or any other consideration made unlawful by federal, state, or local laws. District policy also prohibits discrimination based on a perception that a person has any of those characteristics, or associates with a person who has, or is perceived as having, any of those characteristics. All such discrimination is unlawful.
3. To comply with all applicable laws ensuring equal employment opportunities to qualified individuals with a disability, the district will make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant, an employee or member of the public, unless it would result in undue hardship to the district.
4. Any applicant, employee or member of the public who requires an accommodation in order to perform the essential functions of the job or access a district facility or program should contact a Department Manager and request such an accommodation. The individual with the disability should specify what accommodation he or she needs. The district will then bring together a team which includes the employee or member of the public and provide an interactive process through which the team will identify the situation(s) that interfere with the ability of the applicant, employee, or member of the public to perform his or her

job or access a district facility or program. The team will identify what possible accommodations, if any, will help eliminate the limitation. If the accommodation is reasonable and will not impose undue hardship, the district will make the accommodation.

5. If an employee believes they have been subjected to any form of unlawful discrimination, the employee shall submit a written complaint to their Department Manager, the Administrative Services Manager or the District Administrator. Complaints should be specific as to act, time, and place, and should include the names of the individuals involved and the names of any witnesses. The district will immediately undertake an effective, thorough, and objective investigation and attempt to resolve the situation.
6. If the district determines that unlawful discrimination has occurred, effective remedial action will be taken commensurate to the severity of the offense. Appropriate action also will be taken to attempt to deter any future discrimination. The district will not retaliate against any employee or member of the public for filing a complaint and will not knowingly permit retaliation by management employees or co-workers.

Procedures

1. The district employee designated to coordinate compliance with the ADA, including any investigations of any complaint communicated to the District alleging noncompliance with, or actions prohibited by, the ADA or federal regulations promulgated thereunder, shall be known as the ADA Coordinator. The district will make available to all interested individuals the name, office address, and office telephone number of the ADA Coordinator.
2. The ADA Coordinator is the official contact person for the district concerning ADA issues. Their name, address, and phone number will be listed on all district public notices as required by law.
 - The ADA Coordinator works with various district staff designated as “Responsible Persons” to resolve conflicts/issues/grievances concerning access, programs, and services and to provide training to all existing and new district staff.
 - The ADA Coordinator works with the District Administrator to resolve employment and employee concerns.
 - The ADA Coordinator is responsible for maintaining and updating the district’s ADA policies and procedures and the ADA Transition Plan.
 - The ADA Coordinator convenes and chairs the district’s ADA Committee meetings.

3. ARD has created an ADA compliance Restricted Reserve Fund. Contribution to this fund may occur at any time but will be included in the budget each fiscal year at a minimum amount of \$5,000 per year. The money in this reserve account will be used to fund costs and improvements related to ADA improvements.
4. The ADA Coordinator will make requests for accommodations requiring capital expenditures based on recommendations from the ADA Committee which shall be comprised of staff members from Administrative Services, Facilities Maintenance, Board of Directors, and member(s) of the public. Applicable expenditure requests will be made through the district's annual budget process.
5. The district is not required to permit an individual to participate in or benefit from the goods, services, facilities, privileges, advantages and accommodations of the district if that individual poses a direct threat to the health or safety of staff, participants, or themselves. The determination that a person poses a direct threat to the health or safety of others may not be based on generalizations or stereotypes about the effects of a particular disability. It must be based upon the following:

“Individualized assessment, based on reasonable judgment that relies on current medical evidence or on the best available objective evidence, to determine: the nature, duration, and severity of risk; the probability that the potential injury will actually occur; and whether reasonable modifications of policies, practices, or procedures will mitigate the risk.”

GRIEVANCE PROCEDURE UNDER THE AMERICANS WITH DISABILITIES ACT

This Grievance Procedure was established to help meet the requirements of the Americans with Disabilities Act. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the Auburn Area Recreation and Park District (ARD).

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

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than fifteen (15) calendar days after the alleged violation to:

Auburn Area Recreation and Park District
ADA Coordinator Attn; Michael Scheele
471 Maidu Drive #200
Auburn, CA 95603

Within fifteen (15) calendar days after receipt of the complaint, the District ADA Coordinator or designee will meet with the complainant to discuss the complaint and the possible resolution. Within fifteen (15) calendar days of the meeting, the District ADA Coordinator or designee will respond in writing, and as applicable, in a format accessible to the complainant, such as large print, braille, or audio tape. The response will explain the district's position and offer options for substantive resolution of the complaint.

If the response by the District ADA Coordinator or designee does not satisfactorily resolve the issue, the complainant and/or complainant's designee may appeal the decision to the District Administrator or designee within fifteen (15) calendar days after the receipt of the response.

Within fifteen (15) calendar days after receipt of the appeal, the District Administrator or designee will meet with the complainant to discuss the complaint and possible resolutions. Within fifteen (15) calendar days after the meeting, the District Administrator or designee will respond in writing, and as applicable, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by the District ADA Coordinator or designee, appeals to the District Administrator or designee, and responses from these two offices shall be retained by ARD for at least three (3) years.

GLOSSARY OF TERMS

Accessible

Describes a site, building or facility, or portion thereof that is approachable and usable by persons with disabilities and complies with ADA guidelines.

ADA

American with Disabilities Act adopted into law on January 26, 1992

Barrier

Physical constraint that inhibits access by a disabled person.

Building Entrance On An Accessible Route:

Is an accessible entrance to a building that is connected by an accessible route to public transportation stops, to parking or passenger loading zones, or to public streets or sidewalks, if available.

CIP

Capital Improvement Plan. A 5 year plan of new features/facilities and major infrastructure repairs costing more than \$25,000.

Compliance

Conformity with the ADA Act and/or local codes

Directional Signage

Is a publicly displayed notice which indicates by use of words or symbols a recommended direction or route of travel.

Disability

Is (1) a physical or mental impairment that limits one or more of the major life activities of an individual, or (2) a record of such an impairment, or (3) being regarded as having such an impairment.

Grab Bar

Is a bar for the purpose of be grasped by the hand for support.

High Intensity Use

Park or facility that receives intense daily and/or seasonal use.

Kick Plate

Is an abrasion-resistant plate affixed to the bottom portion of a door to prevent a trip condition and protect its surface.

Moderate Intensity Use

Park or facility that receives weekly and/or seasonal use.

POT: Path of Travel

An accessible passage consisted of walks and sidewalks, curb ramps and pedestrian ramps, lobbies and corridors, elevators etc., or other improved access to and egress from a particular area or location for pedestrians and/or wheelchair users. A “path of travel” includes a continuous, unobstructed way of pedestrian passage by means of which a particular area may be approached, entered and exited, and which connects a particular area with an exterior approach, an entrance to the facility, and other parts of the facility or site.

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.

Ramp

A walking surface which has a running slope greater than 1:20 gradient (5%). A sloping accessible route intended for pedestrian traffic and as differentiated from a curb ramp.

Transition Plan

A plan required by the Americans with Disabilities Act (ADA) which describes how a public agency intends to transition to ADA compliant facilities.

Unreasonable Hardship

Exists when the enforcing agency finds that ADA compliance would make the specific work of the project affected by the ADA compliance standard unfeasible, based upon an overall evaluation of the following factors:

1. The cost of providing access
2. The cost of all construction contemplated
3. The impact of proposed improvements on financial feasibility of the project
4. The nature of the accessibility which would be gained or lost
5. The nature of the use of the facility under construction and its availability to persons with disabilities