



STAFF REPORT

TO: Mayor and City Council
FROM: Kathy Toohey, Building Official
VIA: Alan Piombo, City Manager
SUBJECT: Americans with Disabilities Act (ADA) Self Evaluation and Transition Plan Update
DATE: July 8, 2021

Approved for Forwarding:

Alan E. Piombo, Jr., City Manager

1 **Issue:** Resolution adopting the City of Mill Valley Americans with Disabilities Act (ADA) Self
2 Evaluation and Transition Plan Update.

3
4 **Recommendation:** Adopt the Resolution (Attachment 2).

5
6 **Background:** The City is committed to complying with the requirements of the Americans with
7 Disabilities Act of 1990 (ADA) Title II which prohibits discrimination on the basis of disability
8 by public entities, and that no qualified individual shall be excluded from participation in or be
9 denied the benefits of services, programs, or activities, or be subject to discrimination by the City
10 of Mill Valley. The City is mandated by ADA Title II, to evaluate each service, program, or
11 activity provided, when viewed in its entirety, to be readily accessible to and usable by
12 individuals with disabilities.

13
14 In 1992 the City completed a limited assessment of programs and facilities for ADA compliance.
15 The City subsequently hired Margen and Associates of Walnut Creek, to prepare the City of Mill
16 Valley draft ADA Self-Evaluation and Transition Plan Update dated December 10, 2013. The
17 draft plan was never formally adopted by City Council (attached: ADA Self-Evaluation &
18 Transition Plan Update). In 2019, the City retained the consulting firm, Access Services Plus, to
19 review and update the draft ADA Transition plan as needed.

City Council Staff Report
Subject: ADA Transition Plan Update
Council Meeting Date July 8, 2021

20
21 **Discussion:** The evaluation consists of three parts: evaluation of City policies, procedures, and
22 practices; evaluation of City facilities; and public outreach and input.

23
24 City policies and procedures identified as deficient have been addressed by each respective City
25 Department. Modifications have been made, and these corrective measures will be an on-going
26 practice over time to effectively accommodate the needs of persons with disabilities. The
27 evaluation of city facilities identified barriers to providing access to the disabled in participating
28 in city programs and services. The systematic alterations of city facilities to accommodate the
29 needs of the disabled is the major component of the “ADA Transition Plan” (Attachment 2).

30
31 In order to assist City Staff in creating the ADA Transition Plan (i.e. the prioritization of
32 alterations necessary), public outreach was performed as part of the self-evaluation process by
33 Margen & Associates and again by staff in 2020. (Attachments 3&4).

34
35 The City’s updated ADA Transition Plan is a living document that is regularly reviewed and
36 updated. The City’s ADA Coordinator will serve as the primary point of contact for ADA
37 compliance and will coordinate with all City departments and members of the community. As
38 facilities, programs, services and activities are brought into compliance, the results of those
39 efforts will be incorporated into a future update.

40
41 **Fiscal Impact:** Costs to implement the proposed plan are currently unknown. Staff plans to
42 propose regular ADA upgrades through the City’s biannual budgeting process. During the two-
43 year budget cycles, it is anticipated staff will have a better understanding of which specific
44 Capital Improvements will be proposed and the associated costs. Programmatic items will
45 typically be implemented through the various departmental operational budgets. Recommended
46 appropriations to fund ADA improvements will be submitted to City Council via the regular
47 budget processes.

48
49 **Attachments:**

- 50 1. Draft Resolution
51 2. City of Mill Valley ADA Transition Plan Updated Draft
52 3. Outline of public outreach
53 4. Outline of public response

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44

RESOLUTION NO. 21-___

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
MILL VALLEY TO ADOPT THE MILL VALLEY
AMERICANS WITH DISABILITIES ACT (ADA), TITLE II,
SELF-EVALUATION AND TRANSITION PLAN**

**THE CITY COUNCIL OF THE CITY OF MILL VALLEY HEREBY FINDS AND
RESOLVES AS FOLLOWS:**

SECTION 1. To comply with the requirements of the Americans with Disabilities Act (ADA), Title II, Self-Evaluation and Transition Plan and limit liability as a property owner, cities must prepare and regularly update an ADA Transition Plan (Plan).

SECTION 2. In 2010, the U.S. Department of Justice updated Title II of the Americans with Disabilities Act (ADA) relating specifically to the accessibility of state and local government programs and services.

SECTION 3. To reflect these changes, the City of Mill Valley has updated its Americans with Disability Act (ADA) Self-Evaluation and Transition Plan.

SECTION 4. the City has solicited input and comments regarding the updated Plan by members of the public as outlined by Title II of the ADA.

SECTION 6. The City Council hereby adopts the update to the City of Mill Valley's Americans with Disabilities Act, Title II, Self-Evaluation and Transition Plan dated July 8, 2021 and presented with accompanying staff report.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Mill Valley on the 8th day of July 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

John McCauley, Mayor

ATTEST:

Kelsey Rogers, City Clerk/Administrative Analyst