



**CITY OF WAUKESHA
PARKS, RECREATION & FORESTRY
DEPARTMENT
ADA TRANSITION PLAN**

2023 UPDATE

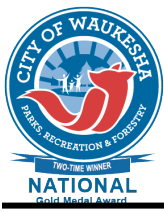


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PRFB Approval 3/19/2018



INTRODUCTION

The Americans with Disabilities Act (ADA) was enacted on July 26, 1990, and amended effective January 1, 2009. Title II of the ADA prohibits state and local governments from discriminating against people on the basis of their disability and from excluding people from participation in programs, services or activities because of their disability.

Title II requires local governments to prepare Transition Plans. The City of Waukesha prepared its first ADA Transition Plan in 1992. Per 28 CFR Part 35.150 the City of Waukesha, as a public entity that employs 50 or more persons shall develop, within six months of January 26, 1992, a transition plan setting forth the steps necessary to complete such changes. The City's Common Council passed Resolution R4-92 on January 21, 1992 to adopt the Transition plan. Our goal is to ensure program accessibility for people with disabilities in our community by meeting or exceeding the requirements of the ADA. Periodic updates help us evaluate how well we are achieving that goal.

The City of Waukesha has designated an engineer in the Engineering Department as the ADA Coordinator. The ADA Coordinator manages the City's efforts to comply with Title II of the ADA and to communicate with local businesses their responsibilities to comply with Title III of the ADA. The ADA Coordinator is responsible for investigating any alleging violations of the ADA by the City.

ADA STANDARDS AND GUIDELINES

The Department is committed to ensuring that all of its new facilities and all of its renovations, including buildings, parks, facilities, trails and sidewalks, comply with the ADA. The Department understands that its obligation under the ADA is an evolving one that changes as the ADA, technology and community needs change. The Department is committed to meeting or exceeding its obligations now and in the future. This transition plan follows the most recent revisions of the ADA, including the Title II 2010 Standards for State and Local Government Facilities.

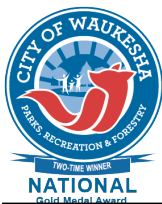
Within the ADA, specific requirements are set for the preparation of an acceptable transition plan. WPRF intends to meet these requirements in its plan, including:

- Identifying accessibility barriers for all parks and recreation sites and facilities;
- Explaining how these barriers will be removed;
- Providing a general timeline showing when the improvements may be made;
- Providing cost estimates to make the necessary improvements.

WPRF follows the established ADA grievance procedure described on page nine of this plan.

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SELF-EVALUATION

Evaluation of Facilities

In 1992, the City of Waukesha completed its first City-wide, comprehensive ADA Transition Plan. It included all City owned facilities, included parks buildings, playgrounds and parking lot. That plan is included in Appendix A. Since then, the City has removed all identified barriers noted in the plan, and continues to evaluate old and new sites and facilities for barrier removal.

In 2012, City Engineering staff surveyed the walks and other outdoor facilities, such as playgrounds and drinking fountains, in the parks to check for accessibility. The detailed survey information and site maps are in Appendix B, and this information is summarized below and within the ADA Transition Plan. The most recent updates to the survey information were completed in 2022.

The City, through various staff, regular inspections of sites and facilities, and public input, continues to earmark new projects, or change the priority of existing earmarked projects.

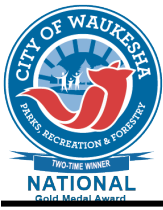
Table 1. Assessment of Outdoor Routes and Facilities in City Parks (2022).

NOTE: Completed Table is in Appendix D. Sample table is below.

Name	Estimated Linear Feet Accessible Route	Estimated Linear Feet Inaccessible Route (May Include Steps)	Accessible Restroom	Accessible Shelter	Accessible Drinking Fountain	Accessible Playground	Accessible Tennis Court (s)	Accessible Basketball Court	Accessible Pool	Accessible Miscellaneous
Banting Park										
Bethesda Park										
Buchner Park										
Cutler Park										
Davids Park										
Dopp Park										
E.B. Shurts										
Fox River Parkway North										

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IMPLEMENTATION PLAN

The City of Waukesha uses many different strategies to remove barriers to accessibility. This includes identifying and repairing barriers as identified by our audits and checklists, responding to citizen complaints, and removing barriers as part of new construction or resurfacing projects.

Prioritizing Projects

Once the inventory of existing facilities is completed, the prioritization of the recommended repairs, upgrades and replacements provides an implementation strategy for achieving the desired level of universal accessibility within a reasonable time frame based on available resources. Since the improvements exceed existing resources for immediate implementation of all recommended ADA improvements, this ADA transition plan presents a set of criteria for phasing the necessary projects in the park system with the City's expected funding resources.

The goal for prioritization is to identify the most important ADA projects for addressing immediate non-compliance as well as the most efficient means to addressing the range of ADA compliance issues. The priorities consider the hierarchy of park access and use, the potential distribution across the City to ensure geographic equity for access, the unique or special character of the park features and their need for ADA compliance and the potential timing of maintenance improvements or other capital improvement projects.

The prioritization criteria are as follows:

Park Accessibility

The park entrance and approach (parking, curb ramps, signage, etc.) ranks the foremost for accessibility followed by pathways and restrooms. These park features provide the foundation for entering and enjoying the park. If the entrance, approach and connections in the park are non-compliant, park users with disabilities or mobility limitations will not be able to enjoy the other features or amenities in the park.

Geographic Distribution

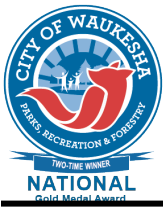
The ADA transition plan looks at the distribution of parks sites and facilities across the City to determine the basic structure for assessing a reasonable and equitable distribution of ADA compliant parks and special facilities. While the character and sizes of the sites and facilities vary, the plan seeks to ensure maximum access for all residents and considers the level of non-compliance issues within each area of the City to address any potential inequities of geographic location.

Localized Public Need

Park facilities that have been identified by residents (often within the immediate neighborhood) as needing more accessible facilities should be highlighted as a priority to address current requests for better access and accommodations.

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Park Uniqueness

The special character or uniqueness of a facility may be an indication of the importance of the facility to the community. When a park's character, natural resources, or special amenities or uses are not available in other public places, accessibility is more critical to ensure the avoidance of discriminating any sector of the population.

Level of Use by the Public

The level of actual use by the public varies between parks and outdoor recreation facilities. Parks and special use facilities that receive a high level of use should be given a higher priority to provide a broader spectrum of the population has universal access. While actual numbers of park users may not be available, community parks that support large numbers of different users would receive a higher priority for ADA improvements than a small neighborhood park serving a more local population. A relative correlation between amount and diversity of outdoor recreation amenities and level of use should be expected.

Timing of Improvements

To gain greater efficiencies, this plan considers how some ADA repairs or upgrades can be integrated into normal maintenance routines, or planned renovation projects. As upgrades or improvements are scheduled for each park, the ADA non-compliance projects within the park should be considered for incorporation to the extent possible. More significant projects that are included in the capital facilities plan should ensure that ADA compliance is part of the new or improvement project. Accessibility improvements will be achieved each year in coordination with the construction of capital facilities, street repaving projects, and other renovation projects. See Table 2 for the Transition Plan improvements completed thus far, and planned for the next 5 years.

Existing Funding Sources

Several park facilities have earmarked funds within the current proposed five-year capital improvement project and/or operating budget(s) that may have existing capacity to address ADA improvement projects within the scope of other planned capital improvements. It should be noted that these funds are planned, but not approved until the actual year for each budget. Therefore, the transition plan can change based upon the amount of funds received. The City could explore the possibility of alternative revenue sources such as grants and donations to address these improvements. These sources include, but are not limited to those listed in Table 2.

Estimated Costs

The City of Waukesha estimates the costs for the various improvements and projects based on previous and existing quotes and bids that the City has received. These are general and used for budget planning purposed. Actual costs may not be covered by the estimated funds, which are subject to variations and fluctuations, and so the transition plan changes accordingly to add another phase. See Table 2 for estimated park improvement costs.

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Table 2. Implementation Plan Based on Prioritization Criteria DRAFT

NOTE: Completed Table is available in Appendix E. Sample table is below.

Location/Park/ Facility	Project Description		Status	Estimated or Actual Costs								Funding Source
				2015	2016	2017	2018	2019	2020	2021	2022	
Banting Park			Complete									CDBG
Bethesda Park			Planning									CIP
Buchner Park			Budgeted									Operating
Cutler Park			In Progress									
Dauids Park												
Dopp Park												
E.B. Shurts												
Fox River Parkway North												

RELATIONSHIP TO OTHER PLANS

This ADA transition plan is focused specifically on the City’s parks meeting compliance with ADA. This plan can serve as a stand-alone guide for addressing park and outdoor recreation facilities. However, this ADA transition plan is also a subset to the citywide ADA transition plan, which is administered by the City’s ADA Coordinator.

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There are a number of plans that help guide improvements and development throughout the entire parks and recreation system. These plans, along with policies and plans developed by our partners, guide the priorities for improvements. In addition to other department guidelines, this updated transition plan is connected to the following WPRF plans:

- Park and Recreation System Master Plan 2018 DRAFT
- Park and Open Space Plan 2007
- Bicycle and Pedestrian Facilities Plan 2012
- Five-Year Capital Improvement Plan
- Maintenance Operations Standards

In many instances, barriers to park access could be addressed through improvements in the public right-of-way that may be part of a larger transportation improvement project. The value of coordinating needed ADA compliance projects can save both time and money by gaining greater efficiency. WPRF partners with other city departments in the development and maintenance of our facilities. An example is the Department of Public Works, that aids WPRF in hardscape maintenance, ADA signs, pavement markings, and more. Close coordination of the ADA-related efforts between these different partners and plans will be required in order to ensure consistency, avoid duplication of efforts and ensure that the limited funding available is being used in the most effective and efficient manner.

GRIEVANCE PROCEDURE

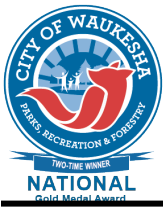
This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the City of Waukesha Parks, Recreation and Forestry. There are certain exceptions to this process. In complaints where facility accessibility is an issue, this complaint procedure is the appropriate procedure to use. In the event that there is a complaint about unfair treatment due to a disability within the Clerk of Court or City Assessor offices, complainants should contact that office directly for assistance navigating their complaint procedures. Complaints arising out of transit-related concerns are governed by special requirements from the Federal Transit Administration. These complaints should be made directly to the Transit Administration in order to comply with those requirements. Finally, the City of Waukesha's personnel policies govern employment-related complaints of disability discrimination.

Should a citizen have a complaint about access to public services, he/she should complete the attached complaint form and submit it to the City-Wide ADA Compliant officer. The complaint will be forwarded to the appropriate Departmental ADA Coordinator for review. A list of departmental ADA Coordinators is in the front of this Plan, and a copy of the complaint form is found following these procedures in this Plan.

The complaint should be in writing and contain information about the alleged discrimination

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such as name, address, phone number of complainant and location, date, and description of the problem. The attached form provides spaces for all necessary information. Alternative means of filing complaints, such as personal interviews of a tape or audio recording of the complaint, will be made available for persons with disabilities upon request.

The complaint should be submitted by the complainant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

ADA Coordinator
City of Waukesha Engineering Department
201 Delafield Street
Waukesha, WI 53188

Within 30 calendar days after receipt of the complaint, the Coordinator or his/her designee will meet with the complainant, if the complainant requests a meeting in person. to discuss the complaint and possible resolutions. Within 15 calendar days of the meeting, the Department Coordinator or his/her designee, in consultation with the Citywide ADA Coordinator and the City's Legal Office, will respond in writing and where appropriate, in a format accessible to the complainant such as large print, Braille, or audio recording. The response will explain the position of the department and other options for substantive resolution of the complaint.

If the response by the Department Coordinator or his/her designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the City's ADA Appeals Committee. The appeal should take the form of a written letter describing the initial complaint, the initial response, and the ways in which the initial response does not satisfactorily address the complaint. Alternative means of filing appeals, such as personal interviews of a tape or audio recording of the complaint, will be made available for persons with disabilities upon request. The appeal should be sent to the same address the initial complaint was delivered to.

The ADA Appeals Committee will be chaired by the City ADA Coordinator. In the event that the City Manager's Office is listed in the complaint, the Human Resources Office ADA Coordinator will replace the City ADA Coordinator as chair of the appeals committee. The chair will choose two departmental coordinators whose departments are not involved in the complaint to serve on the committee. The Legal Office will serve to advise the committee.

Within 30 calendar days after receipt of the appeal, the City's ADA Appeals Committee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the City's ADA Appeals Committee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All complaints received by the ADA Coordinator or his/her designee, appeals to City's ADA Appeals Committee, and responses from these two offices will be retained by the City Clerk's Office for at least five years.

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January 2023

Title II of the Americans with Disabilities Act Grievance Form

Instructions: Please fill out this form completely, in black ink or type. Sign and return to the address on the next page. Alternate means of filing a complaint, such as a personal interview or audio recording, will be made available upon request.

Complainant: _____

Address: _____

City, State, & Zip: _____

Home phone: _____ Mobile Phone: _____

Person Discriminated Against: _____
(if other than complainant)

Address: _____

City, State, & Zip: _____

Home phone: _____ Mobile Phone: _____

City Department/Departments you believe have discriminated.

Where did the alleged discrimination take place?

When did the alleged discrimination occur? (Date/Time) _____

Describe the acts of discrimination providing the name(s) where possible of the individuals who allegedly discriminated (if applicable) or facilities in violation of the Americans with Disabilities Act. Attach additional pages if necessary



These appendices are available upon request. Please contact 262-524-3737 for more information.

APPENDIX A: City of Waukesha 1992 Transition Plan including Checklists

APPENDIX B: ADA Park Surveys – Outdoor Routes & Facilities

APPENDIX C: Park Sites and Facilities Audits and Checklists

APPENDIX D: Table 1. Assessment of Outdoor Routes and Facilities in City Parks (2022)

APPENDIX E: Table 2. Implementation Plan Based on Prioritization Criteria