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***CITY OF ST. PETERSBURG***

**ADA SELF-EVALUATION AND  
TRANSITION PLAN ANNUAL REPORT**

**2017**



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## **2017 ADA COMPLIANCE ANNUAL REPORT**

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## **SUMMARY**

The Americans with Disabilities Act of 1990 (ADA) is a comprehensive civil rights law enacted to prohibit discrimination and ensure equal opportunities for individuals with disabilities in employment, state and local government services, public accommodations, commercial facilities and transportation. This Self-Evaluation and Transition Plan (Plan) was prepared in accordance with Title II of the ADA, which prohibits discrimination against individuals with disabilities in the provision of state and local government programs, services and facilities.

Title II requires that public entities identify and evaluate all programs, activities, and services and review all policies, practices and procedures governing their administration.

This annual compliance report describes the progress of the City of St. Petersburg (City) Self-Evaluation and Transition Plan (Plan), approved on January 5, 2017. The City has and will experience changes in population, physical size, streets, sidewalks, curb cuts as well as adding or improving city facilities, programs and services.

This annual compliance report is intended to:

1. Show the progress of the City of St Petersburg's approved 2016 ADA Transition Plan.
2. Identify physical obstacles that limit the accessibility of facilities, programs and services to individuals with disabilities.
3. Describes the methods to be used to make facilities, programs and services accessible.
4. Provide a schedule for making access modifications if needed.
5. Identify the public officials responsible for implementation of the Transition Plan and annual compliance reports.

The City will continue identifying policy, programmatic, and physical barriers to accessibility and developing solutions for their removal.

The Main Goal can be identified by the letter **"A"**. Using the concept of **Accessibility** in planning and operations of all City facilities, programs and services.

Using these five (5) supporting points: Equal Access, Equal Participation, Equal Enjoyment, Inclusion and Equality whenever possible.

The City's additional goals:

1. Improve accessibility as much as possible for residents and visitors.
2. Encourage participation from the public and disability community.
3. Educate City staff and the public on the requirements of the ADA.
4. Develop a comprehensive list of barriers.
5. Provide detailed outline of methods to remove barriers.
6. Provide a realistic schedule with cost projections for the removal of barriers.
7. Identify funding sources and opportunities to implement a barrier removal program.

## **SECTION I. A. CITY OF ST. PETERSBURG AND THE ADA**

### **LEGISLATIVE MANDATE**

#### **TITLE II: STATE & LOCAL GOVERNMENT PROGRAMS & SERVICES**

***Requires full access to state and local government services and activities for individuals with disabilities.***

The goal of providing equal opportunities to all individuals underlies the requirements of the ADA. The ADA does not require equal treatment, which can in fact lead to discrimination against individuals with disabilities, but instead requires modifications to ensure individuals with disabilities enjoy equal access to programs, services and facilities.

Title II is based on four principles:

- 1. Policy and Operations** - Make reasonable modifications and accommodations to policies and practices.
- 2. Communication** - Ensure effective communication with individuals with disabilities affecting hearing, vision, or speech, through the provision of auxiliary aids and services.
- 3. Integration** - Offer services in the most integrated setting appropriate to meet the needs of individuals with disabilities.
- 4. Physical Access** - Meet accessibility standards for new and altered buildings and ensure that programs are accessible as a whole.

Title II provides that the City may not, either directly or through contractual arrangements, do any of the following:

- 1.** Deny individuals with disabilities the opportunity to participate as members of advisory boards and commissions.
- 2.** Deny individuals with disabilities the opportunity to participate in services, programs, or activities that are offered to others, even if the City offers permissibly separate or different activities.
- 3.** In determining the location of facilities, make selections that have the effect of excluding or discriminating against individuals with disabilities.

## **SECTION I. B. CITY OF ST. PETERSBURG AND THE ADA**

### **ADA DEFINITIONS**

The following is a summary of definitions found in the ADA and implementing regulations. Please refer to the Americans with Disabilities Act for the full text of definitions and explanations.

#### **DISABILITY**

The term *disability* means, with respect to an individual:

1. A physical or mental impairment that substantially limits one or more of the major life activities.
2. A record of such impairment.
3. Being regarded as having such impairment.

#### **QUALIFIED INDIVIDUAL WITH A DISABILITY**

A *qualified individual with a disability* means an individual with a disability who, with or without reasonable modification 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 the City.

#### **DISCRIMINATION ON THE BASIS OF DISABILITY**

*Discrimination on the basis of disability* means to:

- Limit, segregate, or classify an individual in a way that may adversely affect opportunities or status because of the individual's disability.
- Limit, segregate, or classify a participant in a program or activity offered to the public in a way that may adversely affect opportunities or status because of the participant's disability.
- Participate in a contract that could subject a qualified individual with a disability to discrimination.
- Use standards, criteria, or methods of administration that have the effect of discriminating on the basis of disability.
- Deny equal benefits because of a disability.
- Fail to make reasonable accommodations to known physical or mental limitations of an otherwise qualified individual unless it can be shown that the accommodation would impose an undue burden on the City's operations.
- Use selection criteria that exclude otherwise qualified individuals with disabilities from participating in the programs or activities offered to the public.
- Fail to use tests, including eligibility tests, in a manner that ensures the test results accurately reflect the qualified applicants skills or aptitude to participate in a program or activity.

## **PHYSICAL OR MENTAL IMPAIRMENTS**

*Physical or mental impairments* may include, but are not limited to: vision, speech and hearing impairments; emotional disturbance and mental illness; seizure disorders; cognitive illness; orthopedic and neuromotor disabilities; learning disabilities; diabetes; heart disease; nervous conditions; cancer; asthma; hepatitis B; HIV infection (HIV condition); and drug addiction if the addict has successfully completed or is participating in a rehabilitation program and no longer uses illegal drugs.

## **SUBSTANTIAL LIMITATION OF MAJOR LIFE ACTIVITIES**

An individual is disabled if she or he has a physical or mental impairment that (a) renders her or him unable to perform a major life activity or (b) substantially limits the condition, manner, or duration under which she or he can perform a particular major life activity in comparison to other people.

*Major life activities* are functions such as walking, seeing, hearing, speaking, breathing, learning, performing manual tasks or caring for oneself. In determining whether a physical or mental impairment substantially limits the condition, manner or duration under which an individual can perform a particular major life activity in comparison to other people, the following factors shall be considered:

1. The nature and severity of the impairment.
2. The duration or expected duration of the impairment.
3. The permanent or long-term impact (or expected impact) of or resulting from the impairment.

## **HAVING A RECORD OF IMPAIRMENT**

An individual is disabled if he or she has a history of having an impairment that substantially limits the performance of a major life activity; or has been diagnosed, correctly or incorrectly, as having such impairment.

## **REGARDED AS HAVING A DISABILITY**

An individual is *disabled* if she or he is treated or perceived as having an impairment that substantially limits major life activities, although no such impairment exists.

## **REASONABLE PROGRAM MODIFICATIONS**

If the individuals' disabilities prevent them from having equivalent access to programs or services, it is necessary to determine whether reasonable program modifications would enable the individual to have equivalent access to programs and services.

A reasonable program modification is any change in program or service or in the way things are customarily done that enables an individual with a disability to enjoy equivalent program opportunities.

Accommodation means modifications or adjustments:

- To a registration or application process to enable an individual with a disability to be considered for the program or service.
- To the program or service environment in which the duties of a position are performed so that an individual with a disability can have equivalent access to the program or service.

Modification includes making existing facilities and equipment used by individuals readily accessible and usable by individuals with disabilities.

Modification applies to:

- All decisions and to the application or registration process.
- All services provided in connection with the program or service; and known disabilities only.

Modification is not required if:

- It changes the essential nature of a program or service of the individual with a disability.
- It creates a hazardous situation.
- Adjustments or modifications requested are primarily for the personal benefit of the individual with a disability; or it poses an undue burden on the City.

### **UNDUE BURDEN**

The City need not provide an accommodation that imposes an undue burden on the operation of its business. *Undue burden* means significant difficulty or expense incurred in the provision of accommodation. Undue burden includes, but is not limited to, financial difficulty and refers to any modification that would be unduly costly, extensive, substantial, or disruptive, or that would fundamentally alter the nature of City operations. Whether a particular accommodation will impose an undue hardship is determined on a case-by-case basis. If a particular modification is determined to cause an undue burden the City shall attempt to identify another modification that would not pose such a burden. If cost causes the undue burden, the City must consider whether funding for the modification is available from an outside source. If no such funding is available, the City must give the individual with a disability the opportunity to provide the modification or to pay for that portion of the modification that constitutes an undue burden.

### **AUXILIARY AIDS AND SERVICES**

The term auxiliary aids and services includes:

1. Qualified interpreters or other effective methods of making orally delivered materials available to individuals with hearing impairments.
2. Qualified readers, taped texts, or other effective methods of making visually delivered materials available to individuals with visual impairments.
3. Acquisition or modification of equipment or devices; and other similar services and actions.

## **SECTION I.C. CITY OF ST. PETERSBURG AND THE ADA**

### **ROLE OF ADA COORDINATOR, ACCESSIBILITY LIAISONS AND CAPI**

The ADA Coordinator directs responsibilities to ensure compliance with the Americans with Disabilities (ADA) Act, Sections 503 and 504 of the Rehabilitation Act of 1973, and other federal and state laws and regulations pertaining to persons with disabilities.

The Coordinator is responsible for managing policies and procedures relating to persons with disabilities; tracking the City's progress relating to its policies and procedures as well as state and federal laws relating to persons with disabilities.

#### **Compliance Process Responsibilities:**

- Ensures that processes are in place to provide for the prompt and equitable resolution of complaints and inquiries from City employees; as well as the public regarding compliance with the ADA and other applicable federal and state laws regarding discrimination on the basis of disability.

#### **Informational Responsibilities:**

- Maintains and updates current information regarding state and federal laws and regulations as well as the best practices concerning the rights of persons with disabilities and ways of providing reasonable accommodations to persons with disabilities while maintaining program performance standards.
- Maintains and updates current information regarding state and federal laws and regulations as well as the best practices for the City's employment policies and procedures.
- Ensures that City-related information is readily available on services, accommodations, policies, and demographics relating to persons with disabilities.

#### **Outreach Responsibilities:**

- Assists and provides ADA program information and facility interpretation and advice on compliance to all City departments and the community.
- Assists with development and maintains written materials and other informational pieces to broadly disseminate information regarding the ADA and the City's policies relating to persons with disabilities.
- Assists and participates in the development of presentations on the provision of equal opportunity for persons with disabilities.
- Acts as the primary liaison with relevant state and federal agencies, as well as other ADA coordinators.

#### **Reporting Responsibilities:**

- Ensures that a record of all disability and accommodation issues and the resolution of each have been established.

#### **Reporting Relationship:**

- Reports to the Director of Human Resources.
- **Accessibility Liaison's Roles.** One accessibility liaison will be assigned from each City department and directed by the ADA Coordinator to assist in the compliance informational gathering activities for the City.

## **CITY OF ST. PETERSBURG COMMITTEE TO ADVOCATE FOR PERSONS WITH IMPAIRMENTS (CAPI)**

The City's Committee to Advocate for Persons with Impairments (CAPI) comprises a group of residents appointed by the Mayor with advice and consent of City Council. The function of CAPI is to advise City Council on issues and advocate on behalf of individuals with disabilities. Since its inception in 1972, CAPI has provided and advised the City on many issues concerning the needs and rights of individuals with disabilities to ensure their full participation in and enjoyment of the City's facilities, programs and services.

The primary areas CAPI addresses are:

**Compliance.** CAPI provides guidance to the City when implementing laws and regulations affecting individuals with disabilities, including the ADA and related legislation.

**Awareness.** CAPI assists residents and community groups to raise awareness of the opportunities in the City available to disabled residents and visitors.

**Housing.** CAPI works with the City on housing issues, including modifications and reasonable accommodations for accessible living.

**Transportation and Parking.** CAPI addresses the concerns of residents who use downtown transit and parking on an ongoing basis. Members work with City government on issues related to transportation for our residents and visitors.

**Leisure and Fitness.** The City offers excellent leisure, fitness, sports and recreational opportunities for residents and visitors. CAPI advocates for accessibility to parks, playgrounds, and other recreation facilities and functions. CAPI also advises on accessibility of commercial endeavors and co-sponsored events.

**Community Involvement and Public Outreach.** A key element of the ADA compliance process is participation of the public. Participation from individuals with disabilities assist with identifying key issues that may not be readily apparent to City staff. Their perspectives on the impact of barriers to program access are essential to the accuracy of this report.

CAPI will continue to work on the public outreach portion in our ADA compliance process. Public participation included individuals with disabilities, their parents, community disability partner agencies and senior citizens.

## **SECTION II.A. ADA COMPLIANCE REPORT PROCESS**

### **ADA COMPLIANCE REPORTING REVIEW CRITERIA**

The facility reviews were divided into three broad categories:

- ***Exterior Accessibility:*** Individuals with disabilities should be able to approach and enter a building as freely as everyone else. For instance, at least one accessible route must be provided within the boundary of the site connecting elements such as accessible parking, sidewalks and or public transportation stops to an accessible building entrance.
- ***Interior Accessibility:*** The interior accessible route connects the accessible entrance with the program and services area. Typically, interior accessible routes are made up of hallways, corridors, interior rooms and spaces. The accessible route is essential for people who have difficulty walking or who use wheelchairs or other mobility aids to access the services and programs areas.

Additionally, blind individuals or those with low vision may walk along any route to access the programs and services areas, not just the accessible routes. As such, routes open to or leading to the service area, such as hallways, corridors, and service and program spaces must be free of objects that cannot be detected by a person who is blind or visually impaired.

- ***Program Accessibility:*** The City's services or programs, when viewed in their entirety, must be readily accessible to and usable by individuals with disabilities.

## **SECTION II.B. ADA COMPLIANCE REPORT PROCESS**

### **ADA COMPLIANCE PRIORITY INFORMATION**

The Department of Justice (DOJ) recommends a priority system is used to review and implement plans for ADA barrier removal. The primary prioritization system, meaning criteria by which reviews and implementations are ordered, is at the discretion of the Mayor.

The City has limited funds and cannot immediately make all programs, services, buildings and facilities fully accessible. The following primary criteria were used as the basis for prioritizing removal of identified barriers:

- **Priority One.** Critical nature of the facilities hosting essential services related to health, safety and programs that are unique to a location.
- **Priority Two.** Facilities that receive a high level of public use.
- **Priority Three.** Geographic distribution - facilities that are distributed throughout the City can ensure maximum access for all residents.

A **secondary prioritization system** for program-based barrier removal actions was used to prioritize any remedial actions, if needed.

The Department of Justice criteria listed below was used to assist in the determination of specific program-based barrier removal actions within a building or facility, on a secondary basis to the primary criteria noted above.

- **Priority One.** The highest priority is placed on those barrier removal items that provide accessibility at the main entrance of a facility or improve a path of travel to the portion of the facility where program activities take place (e.g., parking, walks, ramps, stairs, doors, corridors, etc.).
- **Priority Two.** A second level priority is placed on those barrier removal items that improve or enhance access to program use areas (e.g. transaction counters, conference rooms, public offices, restrooms, etc.).
- **Priority Three.** A third level priority is placed on those barrier removal items that improve access to amenities serving program areas (e.g., drinking fountains, telephones, site furnishings, vending machines).

### **OUTCOME OF THE ADA COMPLIANCE REVIEW PROCESS**

The Mayor, City Council and City staff are demonstrating, through this annual report, their commitment to inclusion in public programs, services and facilities; as well as a dedication to transparency in government and to sustaining a high quality of life for City residents and visitors. The use of an ongoing ADA compliance monitoring system, coupled with increased community outreach and involvement, will ensure that the City will be a leader in accessibility.

## **SECTION III.A. ADA COMPLIANCE PLAN**

### **ADA COMPLIANCE PLAN SCHEDULE FOR IMPROVEMENTS**

The City is making reasonable efforts to improve the accessibility of facilities, programs, and activities. The Mayor and City Council will determine the appropriate amount to allocate each year toward this goal.

There will be times when it is infeasible to provide technical compliance, or a program will not be substantially changed to make it accessible for all persons. The City will choose areas with high priority and solvability before moving on to lower priorities unless a specific request is made by the public.

Additionally, the City will follow the concept of program access under Title II of the ADA. Program Access does not necessarily require a public entity to make each of its existing facilities accessible to and usable by individual with disabilities, as long as the program as a whole is accessible. With that in mind, the City will use the following schedule as a guide toward improved accessibility.

**The City has implemented a phased approach:**

FYs	Facilities	Scheduled Modifications
<b>2017 - 2027</b>	Childs Park Community Center	Restroom Accessibility Signage – completed.
	Jennie Hall Pool	Entrance Accessibility Signage and Path of Travel – completed.
	Treasure Island Beach Building	Path of Travel Requirements for Accessibility Signage & Parking and Curb Cuts – completed.
	Tyrone Park Playground	Accessibility Issues (Path of Travel) - completed.
	City Main Library	Restroom Accessibility Issues – in planning phases.
	City Locations	Accessible Directional and Informational Signage (exterior and interior) – installation process.
	Walter Fuller Community Center	Restrooms - Planning Phase for Accessibility Signage and Access.

FYs	Program and Services Scheduled Modifications
<b>2017 - 2019</b>	All Staff Training (Citywide) – ongoing; completed one full year of training.
	Website Accessibility Updates – ongoing and planning phases.
	Public Postings (ADA Notices) - completed.
	Printed and Electronic Documents (ADA Requirements and Alternative Formats) - in progress.

FYs	City Policies
<b>2017 - 2019</b>	Formal ADA Accommodation Request Procedure - completed.
	Policy related to Service Animals in City Facilities – completed.
	ADA Grievance Policy and Procedure – completed.
	City Limited English Proficiency (LEP) – developing plan - in progress.

**SECTION III.B. ADA COMPLIANCE PLAN**

**ADA COMPLIANCE ACTION ITEMS**

<b>Transition Plan Action Items Completed or Ongoing</b>	
<b>Designate an ADA Coordinator</b>	City Administrative Policy #010503.
<b>Public notification of rights under the ADA</b>	City Administrative Policy #010503.
	Posters (11" x 17") printed and posted at City Facilities.
<b>ADA staff training.</b>	Training schedule has been completed and training for all citywide staff has begun.
<b>Make reasonable modification to policies, practices, or procedures to avoid discrimination.</b>	Allow service animals, mobility devices (such as wheelchairs and "other power-driven mobility devices") as appropriate.
	Provide activities in the most integrated setting when necessary for equal opportunity and participation.
	City of St. Petersburg – Through its Title VI Plan as related to Transportation Projects completed on January 1, 2015, covers the City's Limited English Proficiency (LEP) Requirement under any State or Local Government receiving Federal Funds.
<b>Effective communication.</b>	Establish an employee customer service guide.
	Website update to conform to current DOJ Standards.
	Provide auxiliary aids and services when necessary.
	Provide alternate formats to the public when requested.
	Provide captioning for City live broadcast, videos and DVDs developed by the City.
	Ensure accessibility of electronic communications (e.g., e-mail, social networking sites).
<b>Temporary events on city properties.</b>	Establish a process to ensure Title II compliance for Co-sponsored events organizers. See - <b>APPENDIX F</b> .

**Transition Plan Action Items Completed or is Ongoing - Continued**

<p><b>Basic access.</b></p>	Ensure that City facilities are accessible as much as possible.
	Ensure all programs and services will be in accessible locations and relocated as needed.
	Provide notice of accessible features (signage).
	Maintain accessible features in accessible conditions by regular inspections.
	Provide enough accessible furniture and equipment to ensure opportunity for full participation.
	Ensure that all agencies/organizations providing services on behalf of the City are not discriminating against individuals with disabilities.
	Ensure that the needs of individuals with disabilities are taken into account for evacuation of City facilities in emergency situations.
	Ensure accessible equivalent transportation when provided as part of a City activity or service.
<p><b>Public right of way.</b></p>	Mayor’s Action Line – ADA complaints.
	www.SeeClickFix.Com - ADA complaints.
	Community Service Department Representatives – ADA complaints.
	Police Department Volunteer Road Patrol – ADA complaints.
	St Petersburg City Trails Master Plan, Bikes & Pedestrians - vision, goals and objectives document created through public involvement process.
	St. Petersburg City Trails - Facility assessment of capability to accommodate OPDMD use report.
	City of St Petersburg – Complete Streets Policy #020400.
	Street & Roadway Improvement, Transportation & Parking in Neighborhood and citywide Infrastructure Capital Improvement Fund.
	Planned \$100,000 ADA ramp funding in the CIP Budget for FY18 and FY19. The 5 year CIP plan has \$1.1 million programmed for ADA ramp improvements.

**Monitoring and Tracking ADA-Compliant Improvements and Resources.** One of the top priorities for the ADA Annual Report will be to develop better tools to track the initiation, development and construction of accessibility compliance projects and all resources being utilized in ADA compliance work.

## **SECTION IV.A. APPENDICES**

### **ADA REASONABLE ACCOMMODATION POLICY**

#### **City of St. Petersburg Policy for Applicant/Employee Requests for Reasonable Accommodation**

##### **I. POLICY.**

It is the policy of the City of St. Petersburg (the “City”) to provide accommodations for applicants and employees with disabilities and to return injured employees to work as soon as they can perform their assigned duties safely, efficiently and effectively. Pursuant to Section 22-19 of the City Code and Section 2-1 of the City’s Rules and Regulations of the Personnel Management System (the “Rules and Regulations”; rev. June 2015), the City shall not discriminate against any person in recruitment, examination, appointment, training, promotion, retention or any other personnel action because of such person’s disability. Further, it is the policy of the City to accommodate applicants and employees with disabilities in the employment process to provide equal opportunities to compete for employment and advancement within the City’s workforce.

The City is committed to the spirit and intent of the Americans with Disabilities Act of 1990 (ADA), the Florida Civil Rights Act and other relevant laws affecting individuals with disabilities and their rights to enjoy equal opportunity. It is therefore the policy of the City to provide reasonable workplace accommodations to qualified City employees and applicants with disabilities.

##### **II. DESIGNATION.**

Lendel Bright, the City’s ADA Coordinator, is designated to administer and coordinate the City’s obligations under the ADA with respect to employees and applicants for employment. He shall consult regularly with staff in the City’s Legal and Human Resources Departments to ensure that the City’s policies and procedures comply with the ADA and related legislation.

The ADA Coordinator is responsible for processing requests for reasonable accommodation. The City’s Human Resources Director will designate another staff member to act as a back-up for the ADA Coordinator to process requests when the Coordinator is unavailable for any length of time (e.g. the ADA Coordinator is on vacation or out on extended leave). The term “ADA Coordinator,” as used herein, shall include his or her designee unless otherwise stated.

##### **III. ACCOMMODATION REQUEST PROCEDURE.**

The employee or applicant is responsible for requesting a reasonable accommodation. The request can be made by submitting a completed Reasonable Accommodation Request Form to the ADA Coordinator.

If an individual makes a reasonable accommodation request to someone other than the ADA Coordinator, such as his/her supervisor or manager, that supervisor/manager shall forward the request to the ADA Coordinator immediately. A request does not have to include any special words, such as “reasonable accommodation,” “disability,” or “Americans with Disabilities Act/ADA.” A family member, health professional, or other representative may request an accommodation on behalf of an employee or applicant.

When an oral request is made, the Coordinator must still ensure that the appropriate section(s) of the Reasonable Accommodation Request Form is filled out. If the requestor does not fill out the form, the ADA Coordinator must do so and have the requestor sign the completed form as soon as practicable.

Forms are available on the City’s Intranet or from the Human Resources Department and will be made available in alternate format as requested. Employees and applicants may contact the ADA Coordinator directly if they have questions, concerns, or are unsure of how the City’s reasonable accommodation policy applies to their particular situation.

#### **IV. DETERMINATION OF DISABILITY.**

Upon receiving a request for a reasonable accommodation, if the requestor's disability and/or need for accommodation are not obvious or already known, the ADA Coordinator will begin to assess whether the individual has a covered disability that requires accommodation. A disability is obvious or already known when it is clearly visible or the individual previously provided medical information showing that the condition meets the ADA definition. It is the responsibility of the applicant/employee to provide appropriate medical information as requested where the disability and/or need for accommodation are not obvious or already known. Only the ADA Coordinator may determine whether medical information is needed and, if so, may ask the requestor to sign a limited release permitting the release of the necessary information from the appropriate medical provider/health professional. If the requestor has already submitted medical documentation in connection with a previous request for accommodation, they should immediately inform the ADA Coordinator of this fact.

For purposes of accommodation requests made pursuant to this policy, an individual with a disability is a person who (1) has a physical or mental impairment that substantially limits one or more major life activities, or (2) has a record of such impairment.

#### **V. CONFIDENTIALITY.**

All medical information obtained for the purpose of assessing accommodation requests shall be maintained in separate, secured files. They will be treated as confidential medical records, except that:

- A. The ADA Coordinator may share certain information with a requestor's supervisor(s) as necessary to make appropriate determinations regarding work restrictions or accommodations.
- B. First aid and safety personnel may be informed, when appropriate.

#### **VI. DETERMINATION OF QUALIFICATIONS.**

When necessary, a review will be conducted by the appropriate Human Resources Department staff to determine if the individual requesting the reasonable accommodation is a Qualified Individual with a Disability. For purposes of this policy, a Qualified Individual with a Disability is one who satisfies the requisite skill, experience, education and other job-related requirements of the employment position he/she holds or desires and who, with or without reasonable accommodation, can perform the essential functions of such position.

#### **VII. DETERMINATION OF REASONABLE ACCOMMODATION.**

The following steps will be taken in determining a reasonable accommodation:

- A. The ADA Coordinator will meet with the employee or applicant to explore how work-related limitations might be overcome through reasonable accommodation. During this meeting, the ADA Coordinator will establish and communicate timelines, and provide information regarding rights and responsibilities to the individual requesting the reasonable accommodation. The ADA Coordinator will also consult, as necessary, with health care providers, vocational rehabilitation specialists, and/or other individuals whose expertise may contribute to the analysis.
- B. An analysis of the particular job may be performed to determine its purpose and essential functions. This analysis may include, but is not limited to, a review of the job description and essential job functions and interviews with other employees and management as required. Some applicants or employees may be required to perform actual or simulated tasks relevant to the position in question.
- C. Additional meetings may be conducted to secure additional information, explore potential accommodations, and to make recommendations for what, if any, reasonable accommodations will be provided.
- D. Reasonable accommodations may include, but are not limited to: job restructuring, part-time or modified work schedules, reassignment to a vacant position, or acquisition or modifications of equipment or devices. The City is not required to reallocate the essential functions of a job, but may restructure a job by

altering when and/or how an essential function is performed. Whenever possible, the applicant's or employee's preferred method of accommodation will be considered.

- E. The City will process requests and, where appropriate, provide accommodation in as short a period as reasonably possible. In certain circumstances, a request for a reasonable accommodation requires an expedited review and decision. This may include where a reasonable accommodation is needed:
- **To enable an applicant to apply for a job.** Depending on the timetable for receiving applications, conducting interviews, taking tests and making hiring decisions, there may be a need to expedite a request for reasonable accommodation to ensure that an applicant with a disability has an equal opportunity to apply for a job.
  - **To enable an employee to attend a meeting scheduled to occur soon.** For example, an employee may need a sign language interpreter for a meeting scheduled to take place in five days.
- F. Under certain extenuating circumstances, the time for processing a request will be extended as reasonably necessary. This includes circumstances that could not reasonably have been anticipated or avoided in advance of the request, or that are beyond the City's ability to control. Extensions will be limited to circumstances where they are absolutely necessary and only for as long as required to deal with the extenuating circumstance.

#### **VIII. IMPLEMENTATION.**

Once a decision has been made, the ADA Coordinator shall complete a Reasonable Accommodation Resolution Form. A copy of this completed form will be provided to the individual requesting the accommodation. Individuals dissatisfied with the resolution of their request may ask for reconsideration of the decision as instructed on the Resolution Form. Forms are available on the City's Intranet or from the Human Resources Department and will be made available in alternate format as requested.

When a determination has been made that an employee cannot be reasonably accommodated in their current position, the Human Resources Director or designee shall meet with the employee and, over a ninety (90) day period, assist the employee with seeking positions that may be suitable considering the employee's skills and/or restrictions in accordance with Section 5-16(D) of the Rules and Regulations. If a suitable position is not identified, Human Resources may issue a non-disciplinary separation.

Employees placed in new positions will be required to complete a six (6) month evaluation period. Performance problems unrelated to accommodation issues will be handled through the normal disciplinary process(es). If, during the six (6) month evaluation period, an employee has not performed the essential functions of the position in a satisfactory manner, with or without reasonable accommodation(s), a non-disciplinary separation shall be issued. If the employee's disability and/or need for accommodation is the result of a workplace injury, the provisions of Section 5-16 of the City's Rules and Regulations shall apply unless otherwise stated in an applicable collective bargaining agreement.

#### **IX. FOLLOW-UP.**

Ongoing follow-up will be provided as needed by the ADA Coordinator and will be handled on a case-by-case basis to ensure communication among all affected parties.

## **SECTION IV.B. APPENDICES**

### **ADA GRIEVANCE PROCEDURE**



### **THE AMERICANS WITH DISABILITIES ACT GRIEVANCE PROCEDURE**

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). 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 St. Petersburg, Florida. The City of St. Petersburg Rules & Regulations govern employment-related complaints of disability discrimination.

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 complaint. Alternative means of filing complaints, such as personal interviews or an audio recording(s) 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 sixty (60) calendar days after the alleged violation to:

**Lendel Bright, PA, CPO**  
**ADA & Diversity Coordinator**  
**City of St. Petersburg**  
**Human Resources Department/Community Affairs Division**  
**One - 4th Street North, Municipal Services Complex, 3<sup>rd</sup> Floor**  
**St. Petersburg, Florida 33701**  
**Phone (727) 893-7229/TDD (727) 892-5259/ Fax 727-551-3247**  
**[Lendel.Bright@stpete.org](mailto:Lendel.Bright@stpete.org)**

Within fifteen (15) calendar days after receipt of the complaint, The ADA Coordinator or designee will meet with the complainant to discuss the complaint and possible resolutions. Within fifteen (15) calendar days of the meeting, *the ADA Coordinator* or designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio recording.

If the response by the ADA Coordinator or designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within fifteen (15) calendar days after receipt of the response to the Labor Relations Manager or his/her designee.

Within fifteen (15) calendar days after receipt of the appeal, the Labor Relations Manager or his/her designee will meet with the complainant to discuss the complaint and possible resolutions. Within fifteen (15) calendar days after the meeting, the Labor Relations Manager or his/her designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by the ADA Coordinator or designee, appeals to the Labor Relations Manager or his/her designee, and responses from these two offices will be retained by the City of St. Petersburg for at least three year



## ADA DISCRIMINATION COMPLAINT FORM

Title II of the Americans with Disabilities Act (ADA)  
Section 504 of the Rehabilitation Act of 1973

Please fill out this form completely, in black ink or type. Sign and return to the address below:

Name of Person Making Complaint: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

If complainant is not the individual completing this form, please enter your information:

Name: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

Other Contact Information: \_\_\_\_\_

Describe Reason of Complaint: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**PLEASE RETURN COMPLETED FORM TO:**

Lendel Bright, PA, CPO  
ADA & Diversity Coordinator  
City of St. Petersburg  
Community Affairs Division/Human Resources Department  
One – 4<sup>th</sup> Street North  
St. Petersburg, FL 33701  
(727) 893-7229  
Fax: 727-551-3247  
Lendel.Bright@stpete.org

## **SECTION IV.C. APPENDICES**

### **ADA PUBLIC NOTICE**



#### **CITY OF ST. PETERSBURG**

#### ***AMERICANS WITH DISABILITIES ACT (ADA) PUBLIC NOTICE***

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990, the City of St. Petersburg will not discriminate against qualified individuals with disabilities on the basis of disability in the City's services, programs, or activities.

**Employment:** The City does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of the Americans with Disabilities Act (ADA).

**Effective Communication:** The City will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City's programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing or vision impairments.

**Modifications to Policies and Procedures:** The City will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all City programs, services, and activities. For example, individuals with service animals are welcomed in City offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a City program, service, or activity, should contact ADA Coordinator Lendel Bright at (727) 893-7229 or e-mail: [lendel.bright@stpete.org](mailto:lendel.bright@stpete.org) as soon as possible but no later than 72 hours before the scheduled event.

The ADA does not require the City of St. Petersburg to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

Complaints that a City program, service, or activity is not accessible to persons with disabilities should be directed to:

Lendel Bright, ADA Coordinator  
City of St. Petersburg  
Human Resources Department, Community Affairs Division  
One – 4<sup>th</sup> Street North, Municipal Services Center, 3rd Floor  
St. Petersburg, Florida 33701  
Telephone: (727) 893-7229 / TDD (727) 892-5259 / Fax 727-551-3247  
E-Mail: [Lendel.bright@stpete.org](mailto:Lendel.bright@stpete.org)

The City will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

08/25/15

## **SECTION IV.D. APPENDICES**

### **ADA NOTIFICATION OF PRINTED INFORMATION STATEMENT**

#### **PRINTED INFORMATION STATEMENT FOR TITLE II ENTITIES UNDER THE ADA**

##### **NOTIFICATION**

“In accordance with the Americans with Disabilities Act and Florida Law, it is the policy of the City of St. Petersburg to offer its public programs, services and meetings in a manner that is readily accessible to everyone, including individuals with disabilities.

If you are a person with a disability and need an accommodation, please contact the ADA & Diversity Coordinator, Lendel Bright at (727) 893-7229, E-Mail: [lendel.bright@stpete.org](mailto:lendel.bright@stpete.org), Fax: 727-551-3247, TDD/TTY: 727-892-5259, or Florida Relay Network: 711, **at least three (3) days in advance.**”

##### **STATEMENT**

In order to meet the ADA Title II communication standards, City departments must be able to provide information in alternative formats such as using easy-to-understand language, Braille, large-print format, audiotape, or computer disk, etc.

##### **Include the following notice on all materials printed by the City that are made available to the public:**

*“This publication can be made available upon request in alternative formats such as Braille, large print, audiotape, or computer disk. Requests can be made by calling 727-893-7345 (Voice) or 711 for the Florida Relay Service or e-mailing the ADA & Diversity Coordinator, at [lendel.bright@stpete.org](mailto:lendel.bright@stpete.org). Please allow seventy-two (72) hours for your request to be processed.”*

**SECTION IV.E. APPENDICES**

**ADA PUBLIC ACCOMMODATION FORM  
ACCOMMODATION REQUEST FORM**

LABOR RELATIONS/COMMUNITY AFFAIRS DIVISIONS  
HUMAN RESOURCES DEPARTMENT

The City of St. Petersburg does not discriminate on the basis of disability in admission to, or operation of its programs, services, activities or facilities. This form may be used by individuals and their companions with a disability seeking access to City programs, services, activities or facilities.

**ACCOMMODATION REQUEST INFORMATION**

Name: \_\_\_\_\_ Telephone (or TTY): \_\_\_\_\_

Address: \_\_\_\_\_ Date: \_\_\_\_\_

The program or facility to which I am requesting access is located at:

I am requesting the following accommodation(s):

- Wheelchair Access
- Sign Language Interpretation
- Written Material in Alternate Format (Large Print/Computer Disc)
- Written Material in Braille
- Reader
- Modification of Policy Procedures
- Other

Please provide any other details or information necessary to process this request:

**PLEASE RETURN THIS FORM TO:**

Department: \_\_\_\_\_ Telephone: \_\_\_\_\_

Address: \_\_\_\_\_ TTY (If Available): \_\_\_\_\_

**ADDITIONAL QUESTIONS MAY BE DIRECTED TO THE DIVISION OF COMMUNITY AFFAIRS OR LABOR RELATIONS:**

City of St. Petersburg  
Community Affairs Division  
Human Resources Department  
One – 4<sup>th</sup> Street North  
St. Petersburg, Fl. 33701 OFFICE: (727) 893-7345 FAX: 727-551-3247

**SECTION IV.F. APPENDICES**

**ACCESSIBILITY CHECKLIST EVENT APPLICATION**



**CITY OF ST. PETERSBURG/COMMUNITY AFFAIRS DIVISION  
ACCESSIBILITY CHECKLIST AND EVENT APPLICATION**

Event Name: \_\_\_\_\_ Event Date(s): \_\_\_\_\_

Event Location: \_\_\_\_\_

Event Representative: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Event Website: \_\_\_\_\_

**1. Parking:**

a. If you expect that participants will be parking in city-owned parking facilities for your event, have you contacted the parking manager in the Department of Transportation and Parking to discuss your needs?

Yes. \_\_\_\_\_ No. \_\_\_\_\_ N/A \_\_\_\_\_

b. If you are using private property for additional parking, you will need to follow the guidelines below:

\*\*The number of accessible parking spaces per lot or parking facility shall comply with the table below:

Total Spaces in Parking Lot				Accessible Spaces Required
1	to	25	-	1
26	to	50	-	2
51	to	75	-	3
76	to	100	-	4
101	to	150	-	5
151	to	200	-	6
201	to	300	-	7
301	to	400	-	8
401	to	500	-	9
501	to	1,000	-	2% of total
Over		1,000	-	20 plus 1 for each 100 over 1000

\*\*Please note that there are also specific size requirements and signage requirements for parking spaces that can be found in Ch. 553.5041 of the Florida Statutes or Chapter 11 of the Florida Building Code.

c. Are your private parking facilities in compliance with Ch. 553.5041 of the Florida Statutes or the Florida Building Code?

Yes. \_\_\_\_\_ No. \_\_\_\_\_ N/A \_\_\_\_\_

**2. Portable Toilet Units:**

**\*\*For single user portable toilet or bathing units clustered at a single location, at least five percent (5%) but no less than one accessible toilet unit shall be installed in each grouping and they should be placed on an accessible route. If only one is provided in a location, it should be accessible.**

- a. Total Number of Portable Units: \_\_\_\_\_
- b. Total Number of Accessible Portable Units: \_\_\_\_\_
- c. Is there at least one accessible unit in each group including accessible hand washing facilities (even if the group is a single unit)?  
Yes. \_\_\_\_\_ No. \_\_\_\_\_ N/A \_\_\_\_\_

**3. Accessible Routes:**

- a. Do you plan to have any entrance or exit areas to the event, or is the event open to the public with no restricted access?  
Open: \_\_\_\_\_ Restricted/Ticketed: \_\_\_\_\_
- b. If restricted, are your entrances and exits (means of egress, including emergency exits) at least 44 inches wide and free from barriers to provide an accessible route? In addition, the "gate" or entry "door" must provide a minimum of a 32" clear opening.  
Yes. \_\_\_\_\_ No. \_\_\_\_\_

\* If any of your entrances and/or exits do not have the 32-inch minimum clearance, please document the reasons for the restriction and whether you have alternative entrances and exits that are marked with signs.

- 
- c. If you have a passenger loading/unloading zone, is it accessible?  
Yes. \_\_\_\_\_ No. \_\_\_\_\_ N/A \_\_\_\_\_
- d. Is the route of travel through the event stable, firm, free from obstructions, slip resistant and at least 36 inches wide?  
Yes. \_\_\_\_\_ No. \_\_\_\_\_

\*If you are using ancillary ramps to provide access, please document that below (all ramps shall be at a ratio of no more than 1:12' - 1 inch incline to each foot in length):

Check Here: \_\_\_\_\_

\* City of St. Petersburg Parks and Recreation Department have for your use the following for an additional fee to install by city staff: **Mobi-Mats** – They are used to create an equal access pathway for all recreational users if needed.

**4. Vendors and Activities:**

**\*\*The tops of accessible tables and counters should be between 28 – 34 inches above the finished floor or ground and should be on an accessible route.**

- a. Are all of the vendors and planned activities accessible to persons with disabilities?  
Yes. \_\_\_\_\_ No. \_\_\_\_\_

\*If no, please provide a necessary reason why they are not all located on an accessible pathway or do not have displays that conform to guidelines.

- b. Will your food and other counters/vendors have accessible displays?  
 Yes. \_\_\_\_\_ No. \_\_\_\_\_ N/A \_\_\_\_\_
- c. Is there any seating available for dining?  
 Yes. \_\_\_\_\_ No. \_\_\_\_\_
- d. If yes, is at least 5% of the seating accessible? (For example, has space available for a wheelchair; table has at least 27 inches of knee clearance.)  
 Yes. \_\_\_\_\_ No. \_\_\_\_\_
- e. Do you plan to have any seating available for viewing concerts or other performances?  
 Yes. \_\_\_\_\_ No. \_\_\_\_\_ N/A \_\_\_\_\_
- f. If yes, do you have a section reserved with accessible, unobstructed viewing for persons with disabilities and their companions?  
 Yes. \_\_\_\_\_ No. \_\_\_\_\_
- g. Do you plan to have sign-language interpreters or any other auxiliary aids or services available for persons with disabilities?  
 Yes. \_\_\_\_\_ No. \_\_\_\_\_ N/A \_\_\_\_\_

\*If yes, please provide details about those below:

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- h. \_\_\_\_\_ (Please initial here.) Yes, I am prepared and willing to grant all reasonable requests for accommodations for this event.

\*\* All reasonable requests for accommodations must be granted pursuant to applicable laws, unless a request would result in a fundamental alteration in the nature of services or activities, or would result in undue financial and administrative burdens. Prior to denying any request for accommodation, you must contact the Community Affairs Division for a review of compliance with applicable laws.

**5. Signage and Marketing:**

\*\*Appropriately sized signs with the international symbol of accessibility illustrated below help people identify facilities that are accessible at your event. Directional signs should be provided in highly contrasting colors, such as white on black or black on white. The characters on the signs should be at least between 5/8 and 2 inches in length, and the signs should be highly visible and not blocking accessible routes of travel.

- a. Will you have appropriate, visible signage to inform people with disabilities about all accessible facilities at your event?  
 Yes. \_\_\_\_\_ No. \_\_\_\_\_ N/A \_\_\_\_\_

**\*Please add the following language or similar language to event marketing materials, including your Web site.**

**“This event was designed to provide equal opportunity for enjoyment by all participants. If you would like to request any particular aids or services pursuant to disability laws, please contact the event planner at (*EVENT PHONE NUMBER*) or City of St Petersburg Community Affairs Division at (727) 893-7345 or (727) 892-5259 TDD/TTY”**

- b. Will you have appropriate, visible signage to inform people with disabilities about all accessible facilities at your event?  
 Yes. \_\_\_\_\_ No. \_\_\_\_\_ N/A \_\_\_\_\_
- c. \_\_\_\_\_ (Please initial here.) Printed and/or Web event announcements created by the organization/event I represent will include accessibility language similar to that noted above.

**Please list a contact name and phone number for someone who will be present during the event and can respond to requests related to accessibility issues:**

Contact Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
 Email Address: \_\_\_\_\_ Fax: \_\_\_\_\_

**Thank you for completing this form. Please return it to the Community Affairs Division with your event accessibility layout diagram/map for signature no later than 15 days prior to your event.**

**Please note that compliance with this checklist/application may not ensure compliance with all of the applicable laws, regulations, ordinances or codes addressing accessibility. These guidelines are provided to enhance accessibility and usability for citizens with disabilities. For more information about accessibility guidelines, please refer to Chapter 553 of the Florida Statutes, Chapter 11 of the Florida Building Code or contact us at 727-893-7345. We look forward to working with you on this event!**

I certify that the answers above are true to the best of my knowledge and intentions:

\_\_\_\_\_  
 Signature, Event Representative

\_\_\_\_\_  
 Date:

\_\_\_\_\_  
 Print Name, Event Representative

This event has been approved by the Community Affairs Division:

\_\_\_\_\_  
 ADA Coordinator

\_\_\_\_\_  
 Date

**PLEASE RETURN THIS FORM WITH YOUR EVENT LAYOUT MAP TO:**

**City of St. Petersburg  
 Community Affairs Division  
 P.O. Box 2842, St. Petersburg, FL 33731-2842  
 Phone: 727-893-7345 Fax: 727-551-3247  
 E-Mail: Lendel.Bright@stpete.org**

Additional copies of this form can be found on our Web site at [www.stpete.org/caforms.htm](http://www.stpete.org/caforms.htm)