



CITY OF SAVAGE  
ADA TRANSITION PLAN  
ADOPTED FEBRUARY 22, 2022



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# INTRODUCTION

## Transition Plan Need and Purpose

The Americans with Disabilities Act (ADA), enacted on July 26, 1990, is a civil rights law prohibiting discrimination against individuals on the basis of disability. ADA consists of five titles outlining protections in the following areas:

- I. Employment
- II. State and local government services
- III. Public accommodations
- IV. Telecommunications
- V. Miscellaneous Provisions

Title II of ADA pertains to the programs, activities and services public entities provide. As a provider of public transportation services and programs, the City of Savage must comply with this section of the Act as it specifically applies to public service agencies. Title II of ADA provides that, "...no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity." ([42 USC. Sec. 12132](#); [28 CFR. Sec. 35.130](#))

As required by Title II of [ADA, 28 CFR. Part 35 Sec. 35.105](#) and [Sec. 35.150](#), the City of Savage has conducted a self-evaluation of its facilities within public rights of way and has developed this Transition Plan detailing how the organization will ensure that those facilities are accessible to all individuals. A glossary of terms is included in **Appendix A**.

This Transition Plan has been created to specifically cover accessibility within the public rights of way and does not include information on City programs, practices, or building facilities not related to public rights of way. A separate ADA Transition Plan will address parks and other City facilities.

## ADA and its Relationship to Other Laws

Title II of ADA is companion legislation to two previous federal statutes and regulations: the [Architectural Barriers Acts of 1968](#) and [Section 504 of the Rehabilitation Act](#) of 1973.

The Architectural Barriers Act of 1968 is a Federal law that requires facilities designed, built, altered or leased with Federal funds to be accessible. The Architectural Barriers Act marks one of the first efforts to ensure access to the built environment.

Section 504 of the Rehabilitation Act of 1973 is a Federal law that protects qualified individuals from discrimination based on their disability. The nondiscrimination requirements of the law apply to employers and organizations that receive financial assistance from any Federal department or agency. Title II of ADA extended this coverage to all state and local government entities, regardless of whether they receive federal funding or not.

## Agency Requirements

Under Title II, the City of Savage must meet these general requirements:

- Must operate their programs so that, when viewed in their entirety, the programs are accessible to and useable by individuals with disabilities ([28 CFR Sec. 35.150](#)).
- May not refuse to allow a person with a disability to participate in a service, program or activity simply because the person has a disability [[28 CFR Sec. 35.130 \(a\)](#)].
- Must make reasonable modifications in policies, practices and procedures that deny equal access to individuals with disabilities unless a fundamental alteration in the program would result [[28 CFR Sec. 35.130\(b\) \(7\)](#)].
- May not provide services or benefits to individuals with disabilities through programs that are separate or different unless the separate or different measures are necessary to ensure that benefits and services are equally effective [[28 CFR Sec. 35.130\(b\)\(iv\) & \(d\)](#)].
- Must take appropriate steps to ensure that communications with applicants, participants and members of the public with disabilities are as effective as communications with others [[28 CFR Sec. 35.160\(a\)](#)].
- Must designate at least one responsible employee to coordinate ADA compliance [[28 CFR Sec. 35.107\(a\)](#)]. This person is often referred to as the "ADA Coordinator." The public entity must provide the ADA coordinator's name, office address, and telephone number to all interested individuals [[28 CFR Sec. 35.107\(a\)](#)].
- Must provide notice of ADA requirements. All public entities, regardless of size, must provide information about the rights and protections of Title II to applicants, participants, beneficiaries, employees, and other interested persons [[28 CFR Sec. 35.106](#)].
- Must establish a grievance procedure. Public entities must adopt and publish grievance procedures providing for prompt and equitable resolution of complaints [[28 CFR Sec. 35.107\(b\)](#)]. This requirement provides for a timely resolution of all problems or conflicts related to ADA compliance before they escalate to litigation and/or the federal complaint process.

# SELF-EVALUATION CONDITION ASSESSMENT

## Overview

The City of Savage is required, under Title II of the Americans with Disabilities Act (ADA) and [28 CFR 35.105](#), to perform a self-evaluation of its current transportation infrastructure policies, practices, and programs. This self-evaluation will identify what policies and practices impact accessibility and examine how the City implements these policies.

The goal of the self-evaluation is to verify that, in implementing the City's policies and practices, the City is providing accessibility and not adversely affecting the full participation of individuals with disabilities.

The self-evaluation also examines the condition of the City's Pedestrian Circulation Route/Pedestrian Access Route (PCR/PAR) and identifies potential need for PCR/PAR infrastructure improvements. This includes sidewalks, pedestrian curb ramps, trails, traffic control signals, transit facilities, and parking areas that are located within the City rights of way. Any barriers to accessibility identified in the self-evaluation and the remedy to identified barriers are set out in this transition plan.

## Summary

Since 2010, the City of Savage has conducted an inventory of pedestrian facilities within its public rights of way by evaluating the following items on an annual basis:

- Pedestrian concrete sidewalks (69 Miles)
- Pedestrian curb ramps at intersections that include trail or sidewalk facilities (1,620 curb ramps)
- Bituminous trails (39 Miles)

A detailed evaluation on how these facilities relate to ADA standards including maps showing how the pedestrian ramp facilities are categorized can be found in **Appendix B** and will be updated periodically.

# POLICIES AND PRACTICES

## Previous Practices

Since the adoption of the ADA, the City of Savage has made every effort to provide accessible pedestrian features as part of the City Capital Improvement Projects such as street improvement projects, trail projects, and parking lot improvements. As additional information

was made available as to the methods of providing accessible pedestrian features, the City of Savage has updated its procedures to accommodate these methods. Recently, more standardized design and construction methods have evolved. This has resulted in the ability of local agencies to receive additional exposure and training on accessible features. This has improved Savage's ability to understand available options and implementation methods to improve ADA accessibility. This information also assists in providing guidance for developing an ADA transition plan.

## Policy

The City of Savage is committed to providing accessible services to all citizens. The City of Savage will inspect, inventory, and plan for any required improvements to facilities located in the public right-of-way, to ensure compliance with the ADA. The City's goal is to continue to provide accessible pedestrian design features as part of the City Capital Improvement Program. The City has established ADA design standards and procedures as detailed in **Appendix C**. These standards and procedures will be kept up to date with nationwide and local best management practices. All new construction projects with pedestrian facilities will be designed and constructed to conform to the most current ADA design practices as deemed feasible.

The City of Savage will consider and respond to all accessibility improvement requests. Requests should be sent to the ADA Coordinator as specified in **Appendix D**. All accessibility improvements that have been deemed reasonable will be scheduled consistent with the City's Capital Improvement Program. The City will coordinate with external agencies as necessary to ensure that all new or altered pedestrian facilities within the City's jurisdiction are ADA compliant to the maximum extent feasible. The City has adopted the following.

- A. Sidewalks, trails, and pedestrian curb ramps located within the public right-of-way will be constructed and maintained following best management practices.
- B. Inspection of pedestrian facilities will be completed when requested, as part of projects in the Capital Improvement Program, or as part of annual maintenance activities.
- C. An inventory of the inspection dates, maintenance activities, or construction will be updated annually for the pedestrian facilities, along with the condition according to the tiers identified below.
- D. The pedestrian facilities log will be reviewed annually. Any facilities that have not been updated in the maintenance log within the last three years will be visually inspected and inventoried for changes in condition.

Maintenance activities include, but is not limited to, concrete shaving of vertical displacement between panels, at cracks, and at ramp to curb connections. See examples below.



*Curb and gutter at pedestrian ramp shaved*



*Concrete walk edge shaved*

## ADA COORDINATOR

In accordance with [28 CFR 35.107\(a\)](#), the City of Savage has identified an ADA Title II Coordinator to oversee the City policies and procedures. Contact information for this individual is located in **Appendix D**.

The public is strongly encouraged to contact the ADA Coordinator to discuss any concerns regarding City facilities prior to starting the formal grievance process provided in this plan. It is anticipated most accessibility issues, once identified, will be able to be satisfactorily addressed by the ADA Coordinator.

## IMPROVEMENT SCHEDULE

### Priority Areas

The City of Savage will prioritize planned accessibility improvement projects based on the evaluated need and in coordination with street improvements. Other considerations will include the proximity to specific land uses which typically generate higher volumes of pedestrian traffic such as parks, schools, government offices, and medical facilities, as well as from the comments received from the general public. Also, following annual inspections of pedestrian facilities, the City's Public Works Department identifies severe cases of sidewalk and ramp deficiencies and creates an internal project to respond to these deficiencies. Using the allocated budget in the CIP, a contractor is hired to shave concrete, replace damaged panels, install new curb ramps, or perform other maintenance activities.

Additional priority will be given to any location where an improvement project or alteration was constructed after January 26, 1991, and accessibility features were not completed.

## External Agency Coordination

Many other agencies are responsible for pedestrian facilities within the jurisdiction of the City of Savage, including Scott County, the Minnesota Department of Transportation (MnDOT), Minnesota Department of Natural Resources (DNR), Three Rivers Park District and Minnesota Valley Transit Authority. The City will coordinate with those agencies to track and assist in the elimination of accessibility barriers along routes or items associated with their services. The City does not own any signal intersection system and therefore relays on the County's and State's programs to upgrade such crossings, although the City of Savage has Joint Cooperative Agreements in place for certain maintenance items for these traffic signals.

The City will review how city owned pedestrian facilities match up to Scott County and MnDOT facilities when needed. Both MnDOT and Scott County have approved ADA Transition Plans.

Scott County: [ADA Transition Plan Public Right-of-Ways \(2018\) | Scott County, MN \(scottcountymn.gov\)](https://www.scottcountymn.gov/ada-transition-plan-public-right-of-ways-2018)

MnDOT: [MnDOT ADA Transition Plan - Accessibility - MnDOT \(state.mn.us\)](https://www.mn.gov/ada-transition-plan-accessibility)

## Schedule

The City of Savage has set the following schedule goals for improving the accessibility of its pedestrian facilities within the City jurisdiction:

- Traffic control signal system pedestrian features will be addressed through coordination with other agencies as Capital Improvement Program projects are implemented
- Facilities with condition ratings in Tier 2. These facilities are considered non-compliant but are not in need of immediate action. Improvements for these facilities will be addressed in conjunction with adjacent capital improvement projects. Staff will use the CIP to coordinate these improvements.
- Facilities with condition ratings in Tier 3. Any of these facilities identified as an existing hazard or compliance issue that staff believes needs to be addressed by a set date shall have a work order initiated or be incorporated into a project in the CIP.
- Through a combination of street improvement and standalone ADA projects, all Tier 3 pedestrian ramps will be upgraded within eight to ten years.
- After 20 years, a minimum of 80% of accessibility features within the jurisdiction of the



City of Savage will be ADA compliant. The remaining 20% would include the Tier 2 locations that have not had an adjacent road project within the 20-year period.

## **IMPLEMENTATION SCHEDULE**

### **Methodology**

The City of Savage will utilize two methods for upgrading pedestrian facilities to the current ADA standards. The first and most comprehensive of the two methods are the scheduled street and utility improvement projects per the City's 10 Year Street Improvement Plan and CIP. All pedestrian facilities impacted by these projects will be upgraded to current ADA accessibility standards. The second method includes standalone sidewalk and ADA accessibility improvement projects. These projects will be incorporated into the street improvement plan on a case by case basis as determined by City of Savage staff, or may be completed by internal City forces. The street improvement plan includes a detailed schedule and budget for specific improvements.

## **PUBLIC OUTREACH**

The City of Savage recognizes that public participation is an important component in the development of this plan. Input from the community has been gathered and used to help define priority areas for improvements within the jurisdiction of the City of Savage.

Public outreach for the creation of this document consisted of the following:

The City of Savage ADA Transition Plan for the Public Rights-of-Way was posted on the City's website and made available for review and public comments for a minimum of three weeks. Comments were then incorporated into the final version of the report for adoption by City Council. A final draft of the document will be posted for final public review. Printed copies of the draft document are also available at City Hall for viewing.

Additional information regarding the Public Outreach initiatives and listing of comments received can be found in **Appendix F**.

## **GRIEVANCE PROCEDURE**

Under the Americans with Disabilities Act, each agency is required to publish its responsibilities regarding the ADA. A draft of this public notice is provided in **Appendix G**. If users of the City of Savage public right of way facilities and services believe the City has not provided reasonable accommodation, they have the right to file a grievance.

In accordance with [28 CFR 35.107\(b\)](#), the City has developed a grievance procedure for the prompt and equitable resolution of citizens' complaints, concerns, comments, and other grievances. This grievance procedure is outlined in **Appendix G**, with a Complaint Form in **Appendix H**.

## **MONITOR THE PROGRESS**

This document, including the Appendices, will be updated as conditions within the City evolve. With each main body update, a public comment period will be established to continue the public outreach.

## **APPENDICES**

- A. Glossary of Terms**
- B. Self-Evaluation and Prioritization Summary**
- C. Agency ADA Design Standards and Procedures**
- D. ADA Coordinator**
- E. Public Outreach Materials**
- F. ADA Public Notice**
- G. Grievance Procedure**
- H. Complaint Form**

## Appendix A – Glossary of Terms

**ABA:** See Architectural Barriers Act.

**ADA:** See Americans with Disabilities Act.

**ADA Transition Plan:** The City of Lakeville’s transportation system plan that identifies accessibility needs, the process to fully integrate accessibility improvements into the street improvement plan, and ensures all transportation facilities, services, programs, and activities are accessible to all individuals.

**ADAAG:** See Americans with Disabilities Act Accessibility Guidelines.

**Accessible:** A facility that provides access to people with disabilities using the design requirements of the ADA.

**Accessible Pedestrian Signal (APS):** A device that communicates information about the WALK phase in audible and vibro-tactile formats.

**Alteration:** A change to a facility in the public right-of-way that affects or could affect access, circulation, or use. An alteration must not decrease or have the effect of decreasing the accessibility of a facility or an accessible connection to an adjacent building or site.

**Americans with Disabilities Act (ADA):** The Americans with Disabilities Act; Civil rights legislation passed in 1990 and effective July 1992. The ADA sets design guidelines for accessibility to public facilities, including sidewalks and trails, by individuals with disabilities.

**Americans with Disabilities Act Accessibility Guidelines (ADAAG):** contains scoping and technical requirements for accessibility to buildings and public facilities by individuals with disabilities under the Americans with Disabilities Act (ADA) of 1990.

**APS:** See Accessible Pedestrian Signal.

**Architectural Barriers Act (ABA):** Federal law that requires facilities designed, built, altered or leased with Federal funds to be accessible. The Architectural Barriers Act marks one of the first efforts to ensure access to the built environment.

**Capital Improvement Program (CIP):** The CIP includes an annual capital budget and a five-year plan for funding the new construction and reconstruction projects on the City’s transportation system.

## **Condition Rating for Pedestrian Curb Ramps**

Tier 1: fully compliant – Good

(condition rating 1 or 2, all elements are compliant)

Tier 2: substantially compliant and working well – Fair

(condition rating 1 or 2, no more than one element is non-compliant)

Tier 3: several elements are non-compliant – Poor

(condition rating 3 or condition rating 1 or 2 with two or more elements non-compliant)

**Detectable Warning:** A surface feature of truncated domes built in or applied to the walking surface to indicate an upcoming change from pedestrian to vehicular way.

**DOJ:** See United States Department of Justice

**Federal Highway Administration (FHWA):** A branch of the US Department of Transportation that administers the federal-aid Highway Program, providing financial assistance to states to construct and improve highways, urban and rural roads, and bridges.

**FHWA:** See Federal Highway Administration

**Pedestrian Access Route (PAR):** A continuous and unobstructed walkway within a pedestrian circulation path that provides accessibility.

**Pedestrian Circulation Route (PCR):** A prepared exterior or interior way of passage provided for pedestrian travel.

**PROWAG:** An acronym for the *Public Rights-of-Way Accessible Guidelines* issued in 2005 by the U. S. Access Board. This guidance addresses roadway design practices, slope, and terrain related to pedestrian access to walkways and streets, including crosswalks, curb ramps, street furnishings, pedestrian signals, parking, and other components of public rights-of-way.

**Right of Way:** A general term denoting land, property, or interest therein, usually in a strip, acquired for the network of streets, sidewalks, and trails creating public pedestrian access within a public entity's jurisdictional limits.

**Section 504:** The section of the Rehabilitation Act that prohibits discrimination by any program or activity conducted by the federal government.

**Uniform Accessibility Standards (UFAS):** Accessibility standards that all federal agencies are required to meet; includes scoping and technical specifications.

**United States Access Board:** An independent federal agency that develops and maintains design criteria for buildings and other improvements, transit vehicles, telecommunications equipment, and electronic and information technology. It also enforces accessibility standards that cover federally funded facilities.

**United States Department of Justice (DOJ):** The United States Department of Justice (often referred to as the Justice Department or DOJ), is the United States federal executive department responsible for the enforcement of the law and administration of justice.

## Appendix B – Self-Evaluation and Prioritization Summary

The City of Savage is committed to making investments to improve accessibility within the City public right of way. A systematic approach to providing accessibility will be taken to absorb the cost into the City’s Capital Improvement Program for improvements to the public right of way.

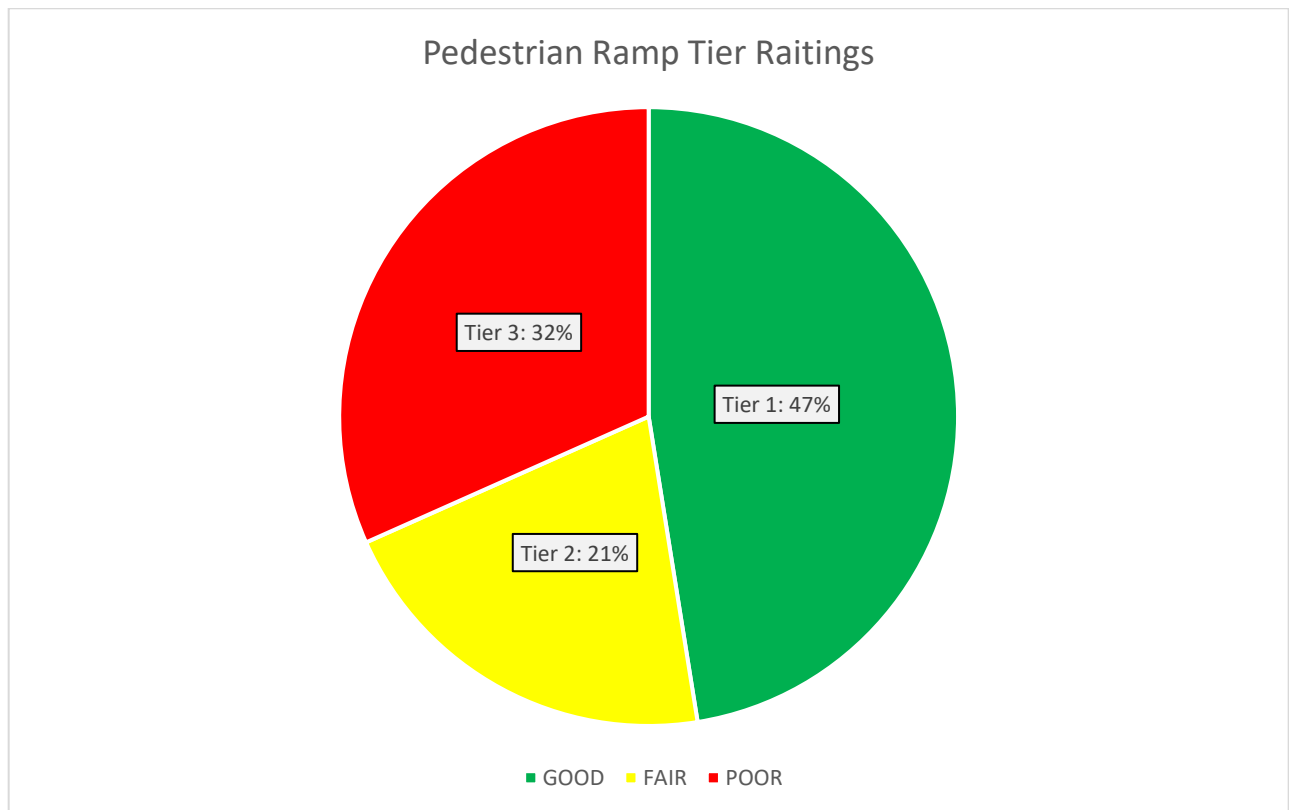
A summary of pedestrian curb ramps and pedestrian sidewalk/trail systems evaluated is provided as follows.

The maps included herein show how the pedestrian ramps are categorized.

### Pedestrian Curb Ramps

#### Condition Rating for Pedestrian Ramps (1,620)

- Tier 1: fully compliant = 769
- Tier 2: substantially compliant and working well = 338
- Tier 3: several elements are not compliant = 513



## Sidewalk

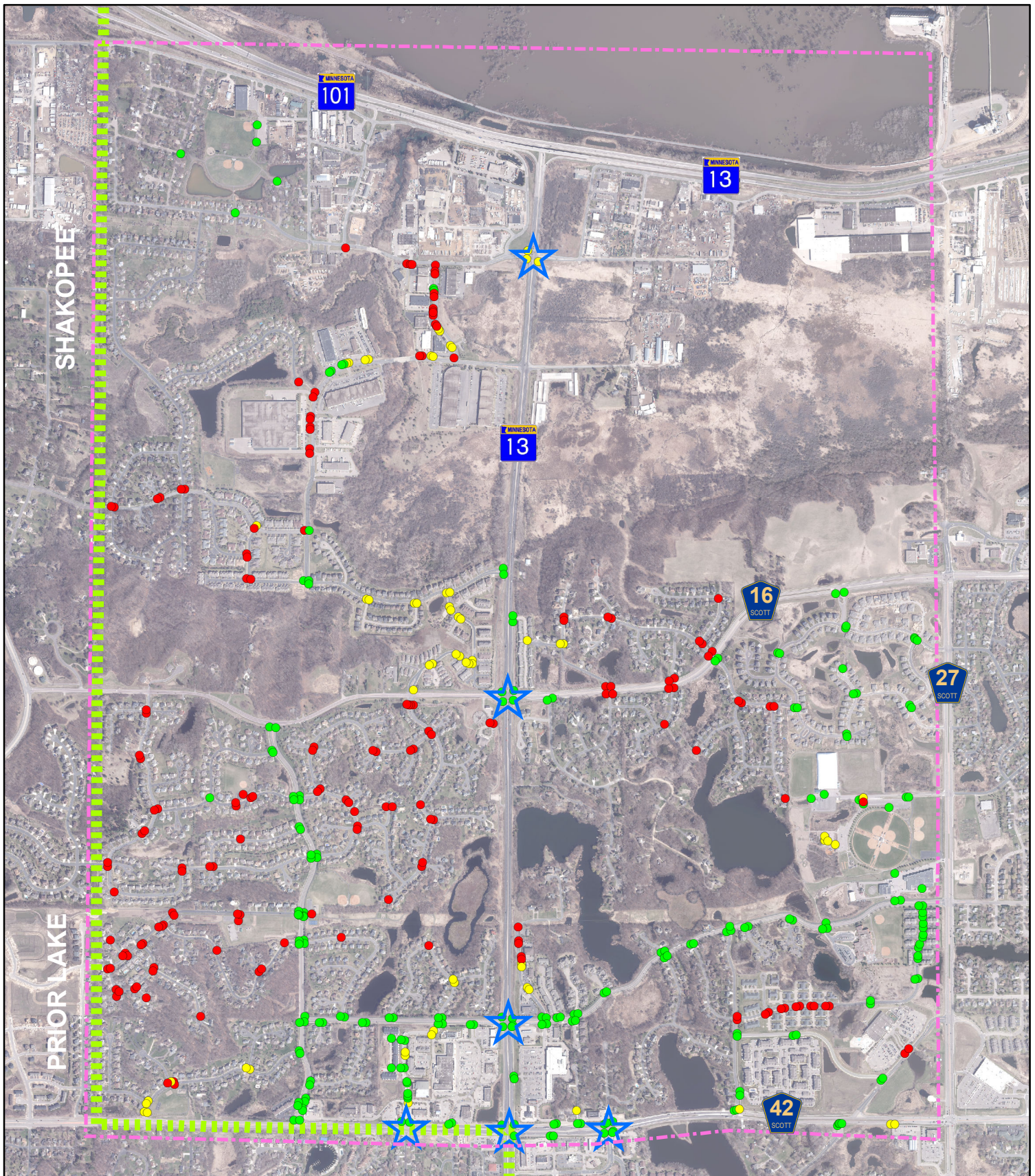
Sidewalks are rated and mapped on the existence of the following deficiencies for maintenance or replacements on an annual basis:

1. Vertical Displacement (discontinuity at sidewalk panel joint or crack)
  - a. Low = 0.5" to 1"
  - b. Medium = 1" to 2"
  - c. High = 2" or more
  - d. Casting vertical displacement
2. Spalling size
  - e. Low = less than 2" deep
  - f. High = over 2" deep
3. Gap between panels
  - g. Minimal = 0.5" to 1"
  - h. Severe = >1"
4. Linear Cracking
  - i. Minimal = No faulting, less than 1" wide
  - j. Moderate = No faulting, more than 1" wide
  - k. Severe = Faulting (see Vertical Displacement)
5. Cross Slope
  - l. Greater than 2% recorded to nearest 1% with number of panels
6. Durability(map) Cracking
  - m. Minimal = <25% per panel
  - n. Severe = >25% per panel
7. Protruding Objects
  - o. Type of object(s) and number of panels effected within PAR.

Each sidewalk section of sidewalk with observed deficiency was given a rating as per the criteria above.

The City of Savage does not have any traffic signals under their jurisdiction.





# ADA TRANSITION PLAN

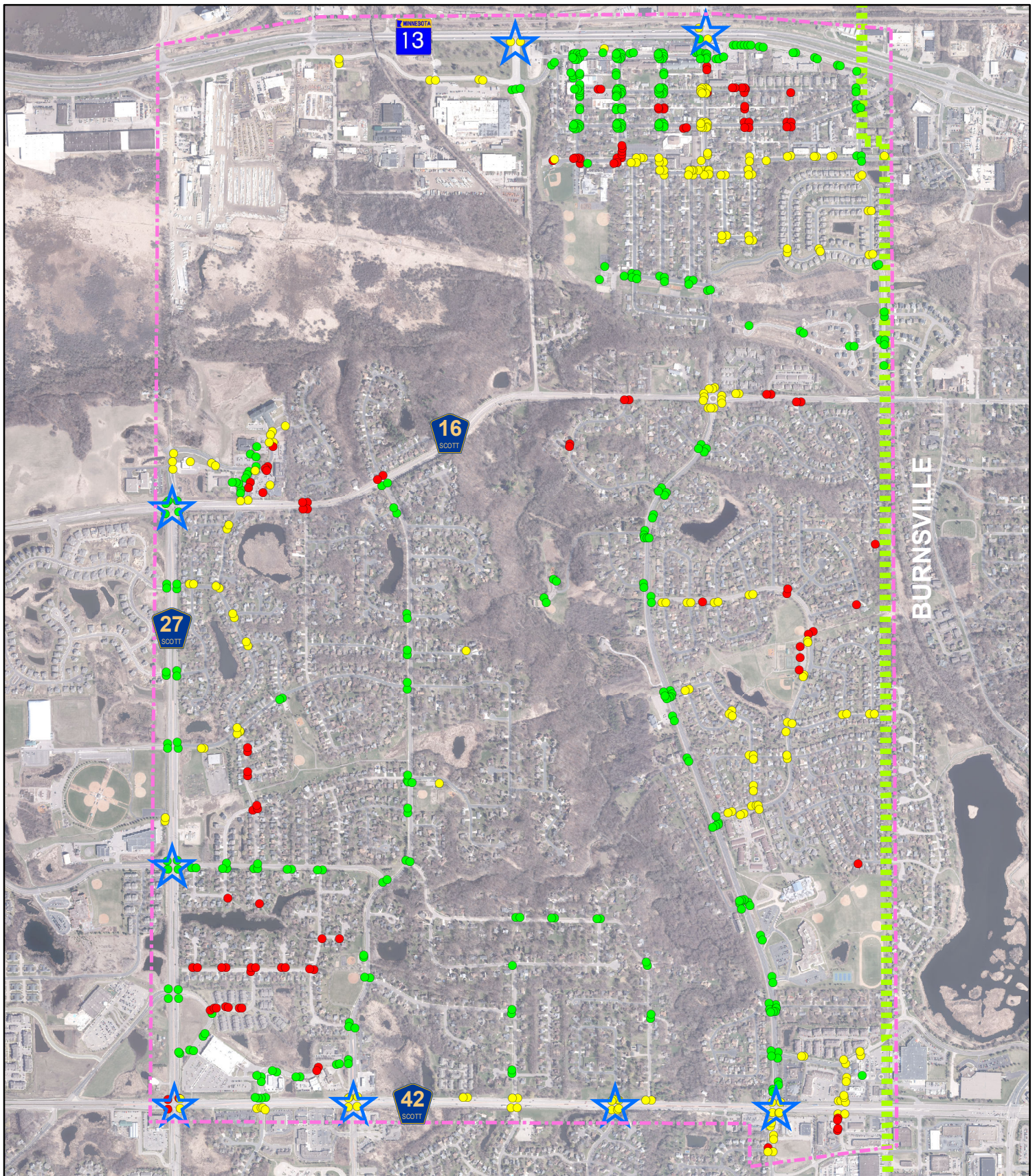


Pedestrian Ramp Tier Ratings  
Figure 1 (North-West Quadrant)

NOT TO SCALE

December 2020  
16

<span style="color: green;">●</span>	TIER 1 - GOOD (206)
<span style="color: yellow;">●</span>	TIER 2 - FAIR (63)
<span style="color: red;">●</span>	TIER 3 - POOR (168)
<span style="color: blue;">★</span>	SIGNALIZED INTERSECTION
<span style="border-bottom: 2px dashed green; width: 20px; display: inline-block;"></span>	SAVAGE LIMIT








# ADA TRANSITION PLAN

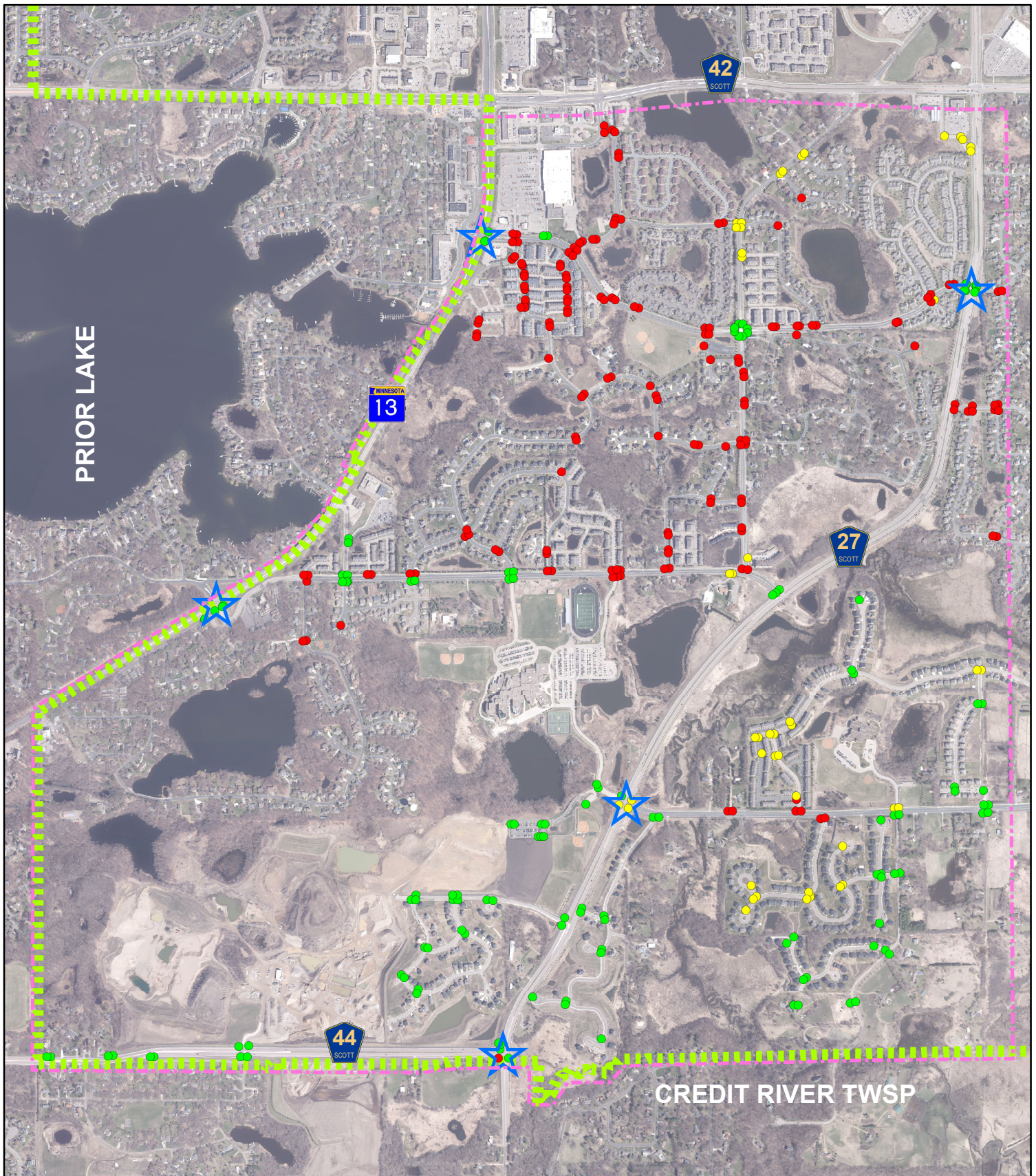


N  
  
 NOT TO SCALE

Pedestrian Ramp Tier Ratings  
 Figure 2 (North-East Quadrant)

	TIER 1 - GOOD (342)
	TIER 2 - FAIR (223)
	TIER 3 - POOR (113)
	SIGNALIZED INTERSECTION
	Savage LIMIT

December 2020



# ADA TRANSITION PLAN

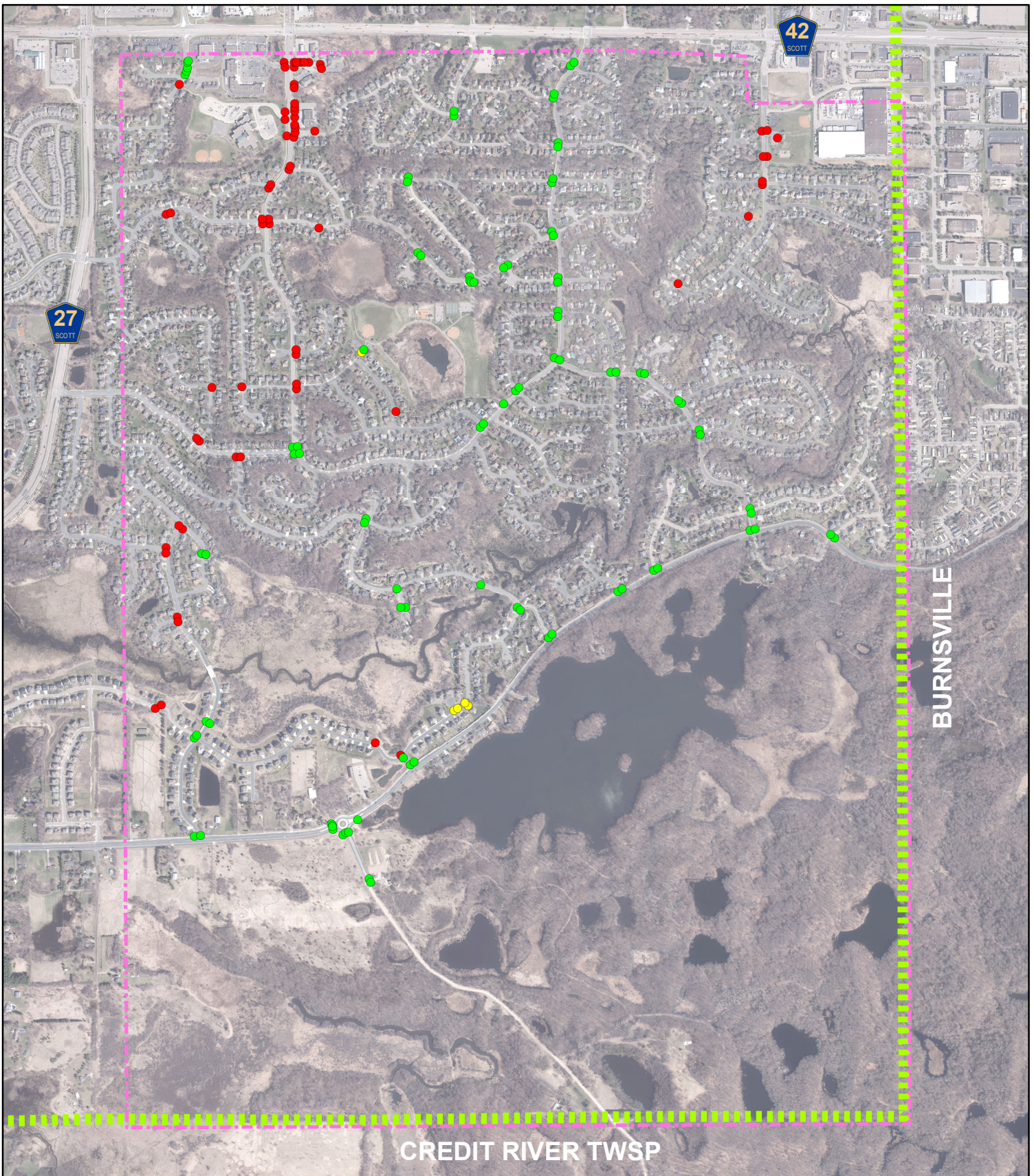


NOT TO SCALE

Pedestrian Ramp Tier Ratings  
Figure 3 (South-West Quadrant)

December 2020

<span style="color: green;">●</span>	TIER 1 - GOOD (129)
<span style="color: yellow;">●</span>	TIER 2 - FAIR (47)
<span style="color: red;">●</span>	TIER 3 - POOR (166)
<span style="color: blue;">★</span>	SIGNALIZED INTERSECTION
<span style="color: green;">▬▬▬▬▬</span>	SAVAGE LIMIT



# ADA TRANSITION PLAN



Pedestrian Ramp Tier Ratings  
Figure 4 (South-East Quadrant)

NOT TO SCALE

December 2020  
19

- TIER 1 - GOOD (92)
- TIER 2 - FAIR (5)
- TIER 3 - POOR (66)
- ▬▬▬▬▬▬ SAVAGE LIMIT

# Appendix C – Agency ADA Design Standards and Procedures

## Design Procedures

### Intersection Corners

The City of Savage intends to construct or upgrade curb ramps to achieve ADA compliance as part of its capital improvement projects and through standalone sidewalk and ADA accessibility improvement projects incorporated into Savage’s street improvement plan. The City will use MnDOT’s ADA Standards to determine compliance. These are published on MnDOT’s website (<https://www.dot.state.mn.us/ada/pdf/mndot-ada-standards.pdf>), and may change from time to time as national guidance progresses.

There may be limitations which make it technically infeasible for an intersection corner to achieve full accessibility within the scope of any project. Those limitations will be noted, and those intersection corners will remain on the transition plan. As future projects or opportunities arise, those intersection corners shall continue to be incorporated into future work. Regardless of whether full compliance can be achieved or not, each intersection corner shall be made as compliant as possible in accordance with the judgment of City staff.

### Sidewalks / Trails

The City of Savage will evaluate and attempt to construct or upgrade sidewalks and trails to achieve compliance as part of capital improvement projects. Compliance standards will again match aforementioned MnDOT standards.

There may be limitations which make it technically infeasible for segments of sidewalks or trails to achieve full accessibility within the scope of any project. Those limitations will be noted, and those segments will remain on the transition plan. As future projects or opportunities arise, those segments shall continue to be incorporated into future work. Regardless of whether full compliance can be achieved or not, every sidewalk or trail shall be made as compliant as possible in accordance with the judgment of City staff.

### Bus Stops & Transit Facilities

City staff will work with transit agencies to ensure current and future facilities which are located within City of Savage rights-of-way meet all appropriate accessibility standards to the extent practical and feasible.

### Traffic Control Signals

City staff will work with other agencies to upgrade traffic signals to achieve compliance as part of improvement projects. There may be limitations which make it technically infeasible for certain traffic control signals to achieve full accessibility within the scope of any project. These limitations will be noted and those areas shall continue to be shown on the transition plan. As future opportunities arise, those noted for improvements shall be evaluated and improvements made if feasible.

#### **Other policies, practices and programs**

Policies, practices and programs not identified in this document will follow the applicable ADA standards.

#### **Design Standards**

The City of Savage generally follows the guidelines identified in the proposed Public Rights-of-Way Accessibility Guidelines (PROWAG) when practical and feasible. [MnDOT's design guidelines](#) follow PROWAG.

## Appendix D – Contact Information

### Public Right of Ways

#### ADA Title II Coordinator & Implementation Coordinator

Name: Seng Thongvanh  
Or current City Engineer

Address: 6000 McColl Drive  
Savage, MN 55378

Phone: 952.224-3419  
E-mail: [ADAcoordinator@cityofsavage.com](mailto:ADAcoordinator@cityofsavage.com)

#### Scott County Contact

Tony Winiecki  
ADA Coordinator and County Engineer  
600 County Trail East  
Jordan, MN 55352  
[transportation@co.scott.mn.us](mailto:transportation@co.scott.mn.us)  
office: 952-496-8346  
direct: 952-496-8008

#### MnDOT ADA Contact:

Kristie Billiar  
ADA Implementation Coordinator  
395 John Ireland Boulevard  
MS 670  
St. Paul, MN 55155  
[Kristie.billiar@state.mn.us](mailto:Kristie.billiar@state.mn.us)  
651-366-3174

**Appendix E – Public Outreach Material**





September 10, 2021

To Whom it May Concern:

The City of Savage is seeking input from the public on its draft plan to support accessibility for people using its facilities in the public right-of-way. We invite you to review the draft version of the plan, posted on the City's website <http://www.cityofsavage.com> as it is being finalized. Feel free to distribute this letter to your colleagues or others that may find this plan to be of interest. The purpose of this notice is to introduce the ADA Transition Plan to the public and inform those that work in "priority areas" related to accessibility about the City's work thus far. Any comments that you provide may be incorporated into the final version of the plan and help the City of Savage to identify key areas for improvement, including curb ramps, sidewalks, trails and traffic signals. We ask that all comments on the draft plan be provided by 4:00 p.m. on October 29, 2021.

Please feel free to contact me at (952) 224-3419 or [ADAcoordinator@cityofsavage.com](mailto:ADAcoordinator@cityofsavage.com) if you have any questions or concerns.

Sincerely,

**City of Savage**

Seng Thongvanh  
City Engineer

## Appendix F – ADA Public Notice

As part of the ADA requirements the City has posted the following notice outlining its ADA requirements:

### Public Notice

In accordance with the requirements of title II of the Americans with Disabilities Act of 1990, The City of Savage will not discriminate against qualified individuals with disabilities on the basis of disability in City 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 the office of the ADA Coordinator (see **Appendix D**) as soon as possible but no later than 48 hours before the scheduled event.

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

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.

**Public Comment:**

Public comment received as part of the ADA Transition Plan will be placed here.

## Appendix G – Grievance Procedure

In accordance with 28 CFR 35.107(b), the City of Savage has developed the following ADA grievance procedure for the purpose of prompt and equitable resolution of complaints, concerns, comments, and other grievances related to ADA accessibility.

Prior to filing a grievance, the public is strongly encouraged to contact the ADA Coordinator to discuss any concerns regarding City facilities. The ADA Coordinator role is designed to provide a point of contact for the public to address concerns. It is anticipated most accessibility issues, once identified, will be able to be satisfactorily addressed by the ADA Coordinator.

Contact information for the ADA coordinator can be found in **Appendix D** of this document.

### City of Savage

#### Grievance Procedure under The Americans With Disabilities Act

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 City of Savage. The City's Personnel Policy governs 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 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 their designee as soon as possible but no later than 60 calendar days after the alleged violation to the ADA Coordinator (refer to **Appendix D** of this document).

Within fifteen working days after receipt of the complaint, the ADA Coordinator or their designee will meet with the complainant to discuss the complaint and the possible resolutions. Within fifteen working days of the meeting, the ADA Coordinator or their designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, or audio tape. The response will explain the position of the City and offer options for substantive resolution of the complaint. If the grievance filed does not fall within the City of Savage's jurisdiction, City staff will work with the complainant to contact the agency with appropriate jurisdiction.

If the response by the ADA Coordinator or their designee does not satisfactorily resolve the issue, the complainant and/or their designee may appeal the decision within 30 calendar days after receipt of the response to the City of Savage City Administrator or his/her designee.

Within thirty calendar days after receipt of the appeal, the City Administrator or his/her designee will meet with the complainant to discuss the complaint and possible resolutions.

Within thirty calendar days after the meeting, the City Administrator 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 their designee, appeals to the City Administrator or his/her designee, and responses from these two offices will be retained by the City in accordance with state and federal law.

### **City of Savage Grievance Procedure**

Those wishing to file a formal written grievance with the City of Savage may do so by one of the following methods:

- Electronic Form  
Visit the City of Savage ADA webpage at <https://cityofsavage.com> and click the link to the ADA Grievance Form. The form can be downloaded, filled out, and submitted to the ADA Coordinator. A copy of The ADA Grievance Form is also included with this document in **Appendix H**.
- Telephone  
Contact the ADA Coordinator as specified in **Appendix D** to submit an oral grievance. The ADA Coordinator will prepare and submit the grievance form on behalf of the person filing the grievance.
- Paper Submittal  
Contact the ADA Coordinator as specified in **Appendix D** to request a paper copy of the ADA Grievance Form, complete the form, and submit it to the ADA Coordinator. The Grievance Form is also included with this document as **Appendix H** and may be printed and sent via mail. The address for the ADA coordinator is specified in **Appendix D** and on the Grievance Form.

The ADA Grievance Form will ask for the following information:

- The name, address, telephone number, and email address for the person filing the grievance
- The name, address, telephone number, and email address for the person alleging an ADA violation (if different than the person filing the grievance)

- A description and location of the alleged violation and the nature of a remedy sought, if known by the complainant.
- If the complainant has filed the same complaint or grievance with the United States Department of Justice (DOJ), another federal or state civil rights agency, a court, or others, the name of the agency or court where the complainant filed it and the filing date.

If the grievance filed does not concern a City of Savage facility, the City will work with the complainant to contact the agency that has jurisdiction.

A City of Savage staff person will conduct an investigation necessary to determine the validity of the alleged violation. As a part of the investigation, the staff person may conduct an engineering study to help determine the response. The staff person will take advantage of department resources and use engineering judgment, data collected, and any information submitted by the complainant to develop a conclusion. A staff person will be available to meet with the complainant to discuss the matter as a part of the investigation and resolution of the matter. The City will document each resolution of a filed grievance and retain such documentation in the ADA Complaint file in accordance with state and federal law.

The City will consider all specific grievances within its particular context or setting. Furthermore, the City will consider many varying circumstances including: 1) the nature of the access to services, programs, or facilities at issue; 2) the specific nature of the disability; 3) the essential eligibility requirements for participation; 4) the health and safety of others; and 5) the degree to which an accommodation would constitute a fundamental alteration to the program, service, or facility, or cause an undue hardship to the City of Savage.

Accordingly, the resolution by the City of Savage of any one grievance does not constitute a precedent upon which the City is bound or upon which other complaining parties may rely.

#### File Maintenance

The City shall maintain ADA grievance files in accordance with state and federal law.

Complaints on ADA Title II violations may also be filed with the U.S. Department of Justice (DOJ) within 180 days of the date of discrimination. In certain situations, cases may be referred to a mediation program sponsored by the DOJ. The DOJ may bring a lawsuit where it has investigated a matter and has been unable to resolve violations.

For more information, contact:

U.S. Department of Justice Civil Rights Division  
950 Pennsylvania Avenue, N.W.

Disability Rights Section - NYAV  
Washington, D.C. 20530  
[www.ada.gov](http://www.ada.gov)  
(800) 514-0301 (voice – toll free)  
(800) 514-0383 (TTY)

Title II may also be enforced through private lawsuits in federal court. It is not necessary to file a complaint with the DOJ or any other Federal agency, or to receive a "right-to-sue" letter, before going to court.

## **Appendix H – ADA Grievance Form**

See the following pages for grievance form.





# ADA Complaint Form

Engineering Department | City of Savage | 6000 McColl Drive, Savage, MN 55378  
Office: 952-224-3419 | Fax: 952-882-2656 | ADAcoordinator@cityofsavage.com

The City has developed a grievance procedure to ensure that accessibility concerns are resolved quickly and fairly, as outlined in the Americans with Disabilities Act (ADA).

### COMPLAINANT (person filing grievance)

Name:		Date: ____/____/____
Address:	Email:	
City:	State	Zip
Phone:	Email:	

### PERSON CLAIMING ACCESSIBILITY ISSUE (if different from above)

Name:	Address:
Phone:	Email:

### COMPLAINT

**Where is the location of the problem?** Please include city, street name, intersection (if applicable), facility name and/or location if other than a roadway.


### What efforts have been made to resolve this complaint?

If you have documentation, copies would be helpful. Examples are letters, email messages, written notes, etc.


Has the complaint been filed with any federal or state agency? Yes or No

Name of Agency: \_\_\_\_\_

Contact Name: \_\_\_\_\_ Date Filed: \_\_\_\_/\_\_\_\_/\_\_\_\_

Please attach additional pages if you need more room.

Signature of Complainant: _____	Date: ____/____/____
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**Return to:** Seng Thongvanh, City Engineer  
6000 McColl Dr., Savage, MN 55378  
952-224-3419  
ADAcoordinator@cityofsavage.com

## **NOTICE OF RIGHTS**

In accordance with the Minnesota Government Data Practices Act, the City of Savage is required to inform you of your rights as they pertain to the private information collected from you. Your personal information we collect from you is private. Access to this information is available only to you and the agency collecting the information and other statutorily authorized agencies, unless you or a court authorizes its release.

The Minnesota Government Data Practices Act requires that you be informed that the following information, which you are asked to provide, is considered private.

### **The purpose and intended use of the requested information is:**

To assist City of Savage staff and designees to evaluate and respond to accessibility concerns within the public right-of-way.

### **Authorized persons or agencies with whom this information may be shared include:**

City of Savage officials, staff or designee(s)

### **Furnishing the above information is voluntary, but refusal to supply the requested information will mean:**

City of Savage staff may be unable to respond to or evaluate your request.

MINN. STAT. §13.04(2)