

GRAND JURY SUPPORT**INTRODUCTION****PARKING FACILITIES - DISABILITIES ACT COMPLIANCE****INTRODUCTION**

As a result of recent publicity, the Humboldt County Grand Jury reviewed the Americans with Disabilities Act Transition plans of Arcata, Eureka, and Fortuna. The Americans with Disabilities Act Public Law 101-338 (ADA) took effect January 26, 1992. Section 35.150 of Title II of the ADA required cities with more than fifty employees to complete a transition plan by July 26, 1992. The transition plan should show any physical barriers in the cities' facilities that limit accessibility of its programs, activities, or services to individuals with disabilities. The plan should show how the barriers will be removed and the date that they would be removed. Any structural modifications must be completed no later than January 26, 1995.

PROCEDURE

The grand jury reviewed documents from the U.S. Department of Justice regarding transition plans. The grand jury contacted employees in Arcata, Eureka, and Fortuna, and obtained copies of each city's transition plan. Each city was asked to provide a list of the barriers that it had removed and the date that the barriers were removed.

FINDINGS**ARCATA:**

- F-1 The transition plan was completed on October 28, 1992.
- F-2 The transition plan would be implemented over five years beginning in fiscal year 1993-1994.
- F-3 The cost of removing the barriers was estimated to be \$298,300.
- F-4 The transition plan showed how the barrier would be removed and the projected date that the barriers would be removed.
- F-5 The transition plan lists sixty-five barriers.
- F-6 Thirty-three of the barriers have been removed to date.
- F-7 The grand jury did not receive any information regarding the date that the barriers were removed.

EUREKA :

- F-8 The transition plan was completed in March of 1994.
- F-9 The transition plan lists fifty barriers.
- F-10 Ten of the barriers have been removed to date.
- F-11 The transition plan did not show how the barriers would be removed.
- F-12 The projected cost of removing the barriers was \$776,500.
- F-13 The transition plan projected that the cost of removing the barriers would increase five percent per year.
- F-14 The transition plan showed that all barriers would be removed by 1998.
- F-15 The City of Eureka plans to remove the remaining barriers during the year 2001.

FORTUNA:

- F-16 The transition plan is dated June 21, 1993.
- F-17 The transition plan does not show how the barriers will be removed.
- F-18 The transition plan does not show the date the barriers would be removed.
- F-19 The transition plan identified forty-eight barriers that needed to be removed.

- F-20 Thirty of the barriers have been removed to date.
- F-21 Twenty-three of the barriers were removed in 1994.
- F-22 The date that seven barriers were removed is not known.
- F-23 Eighteen of the barriers in the transition plan have not been removed.

CONCLUSIONS

ARCATA:

- C-1 The City of Arcata did not effectively comply with Section 35.150 of Title II of the ADA.

EUREKA:

- C-2 The City of Eureka did not effectively manage, budget, or comply with Section 35.150 of Title II of the ADA.

FORTUNA:

- C-3 The City of Fortuna did not effectively comply with Section 35.150 of Title II of the ADA.

RECOMMENDATIONS

THE HUMBOLDT COUNTY GRAND JURY RECOMMENDS THE FOLLOWING:

ARCATA:

- R-1 The City of Arcata budget sufficient funds to complete their transition plan.

EUREKA:

- R-2 The City of Eureka budget sufficient funds to complete their transition plan.

FORTUNA:

- R-3 The City of Fortuna budget sufficient funds to complete their transition plan.

RESPONSES

THE FOLLOWING RESPONSES TO REPORT 01-17 ARE REQUIRED PURSUANT TO P.C. 933 AND THE STANDARD FORMAT FOR RESPONSES.

1. The City of Arcata respond to findings F-1 through F-7 and recommendation R-1.
2. The City of Eureka respond to findings F-8 through F-15 and recommendation R-2.
3. The City of Fortuna respond to findings F-16 through F-23 and recommendation R-3.