

RESOLUTION NO. R2024-044

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUMA,
ARIZONA, ADOPTING THE 2023 AMERICANS WITH DISABILITIES
ACT (ADA) SELF-EVALUATION AND TRANSITION PLAN**

WHEREAS, the Congress of the United States enacted the Americans with Disabilities Act of 1990 (ADA), as amended, to provide a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities; and,

WHEREAS, Title II of the ADA requires local governments to develop a Self-Evaluation and Transition Plan (the Plan) that identifies physical and structural barriers that may limit or prevent access to the City's facilities, programs, and services by individuals with disabilities, and that further sets forth a plan for removing or mitigating such barriers; and,

WHEREAS, the City approved Ordinance No. 02023-019 which amended Yuma City Code, Title 13, Health and Safety, Chapter 141 to establish an ADA Advisory Commission (Commission) for the purpose of advising the City Administrator and City staff in matters pertaining to the needs and interests of, and barriers impacting the disabled community; and,

WHEREAS, the City of Yuma has appointed an ADA Coordinator and established a grievance procedure for inclusion and integration of disabled persons' needs consistent with the vision and purpose of the ADA; and,

WHEREAS, in compliance with Title II of the ADA, the City and its consultant have completed a Plan attached and incorporated into this resolution by reference as Exhibit A; and,

WHEREAS, the Commission recommended the Plan for City Council's approval at the April 23, 2024 Commission meeting for guidance and consideration within the context of the City's future planning including establishment of the City's Capital Improvement Program; and,

WHEREAS, the Capital Improvement Program represents the Yuma City Council's legislative policy and direction for funding and constructing capital improvements and maintenance with a balance of available resources against recognized needs; and,

WHEREAS, the adopted Capital Improvement Program will reflect the City Council's legislative intent and decision making to prioritize expenditure of limited resources and the City Council's decision to not allocate the limited resources in other areas.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Yuma, Arizona, as follows:

SECTION 1: The City of Yuma's Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan (the Plan) attached as **Exhibit A**, including the Grievance Policy and Grievance Form is adopted.

SECTION 2: The City Administrator is authorized to make decisions and recommendations in accordance with A.R.S. §§ 12-820.01 through 12-820.05 concerning City infrastructure and assets utilizing the Plan approved with this resolution.

Adopted this ____ day of _____, 2024.

APPROVED:

Douglas J. Nicholls
Mayor

ATTESTED:

Lynda L. Bushong
City Clerk

APPROVED AS TO FORM:

Richard W. Files
City Attorney