

Date..... April 25, 2011

ADOPTION OF "NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT" CONSISTENT WITH THE TERMS OF THE SETTLEMENT AGREEMENT KNOWN AS PROJECT CIVIC ACCESS

WHEREAS, on February 14, 2011 by Roll Call 11-0261, the City Council approved a Settlement Agreement between the United States of America and the City of Des Moines, Iowa with the goal to provide greater access to facilities and programs to persons with disabilities; and

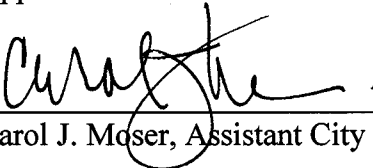
WHEREAS, pursuant to this agreement, the City must adopt the attached "Notice under the Americans with Disabilities Act" and publish, post (both manually and electronically) and distribute such notice throughout the City's organization.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Des Moines, Iowa that the "Notice under the Americans with Disabilities Act" otherwise known as Attachment A under the Settlement Agreement between the United States of America and the City of Des Moines, Iowa under the Americans with Disabilities Act and attached hereto is hereby adopted.

(Council Communication No. 11- **253**)

Moved by _____ to adopt.

Approved as to form:



 Carol J. Moser, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				
MOTION CARRIED			APPROVED	

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

 Mayor

 City Clerk



NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

In accordance with the requirements of title II of the Americans with Disabilities Act of 1990 ("ADA"), the City of Des Moines, Iowa, will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: Des Moines 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: Des Moines will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in City 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: Des Moines 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 Donald M. Tripp, Parks and Recreation Director, ADA Coordinator, 600 East Court Avenue, Des Moines, Iowa, 50309, 515-237-1403, dmtripp@dmgov.org, 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.

Complaints that a City program, service, or activity is not accessible to persons with disabilities should be directed to Donald M. Tripp, Parks and Recreation Director, ADA Coordinator, 600 East Court Avenue, Des Moines, Iowa, 50309, 515-237-1403, dmtripp@dmgov.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.