



September 28, 2022

Mr. Aaron Halverson  
Public Works Director  
City of Lake Stevens  
P.O. Box 257  
Lake Stevens, Washington 98258

Dear Mr. Halverson:

This letter will serve to notify that the City of Lake Stevens (the City) is out of compliance with Title II of the Americans with Disabilities Act of 1990, memorialize the actions which caused such noncompliance, and inform the City of the Washington State Department of Transportation's (WSDOT's) intent to withhold federal funding unless actions are taken to come into compliance with ADA requirements.

On May 8, 2020, a complaint (included as Exhibit 1) was sent to WSDOT regarding the City's noncompliance with the ADA. The allegations listed in the complaint included the following:

- Lack of an ADA transition plan.
- The existence of multiple non-compliant sidewalk ramps and crossings.
- The failure to comply with ADA and pedestrian accommodations during construction for both City and private development projects.
- Approval of private developments that did not meet ADA requirements.

Additional examples of non-compliant ramps and crossings were provided in a second letter (included as Exhibit 2).

In an April 13, 2021 email, Mehrdad Moini, the WSDOT Northwest Region Local Program's Engineer assigned to Lake Stevens, notified the City that an inquiry regarding the City's compliance with the ADA had been initiated. Subsequently, WSDOT scheduled a field visit which occurred on May 4, 2021. The field visit substantiated the claims made in the May 8, 2020, complaint. (The field visit summary is provided as Exhibit 3.) Based on the results of the field visit, the City was asked to complete an ADA transition plan that included information on how the deficiencies found in the field visit would be corrected. As of today, the City has yet to complete an ADA transition plan despite multiple warnings sent by WSDOT to do so.

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Under [28 CFR §35.150\(d\)](#), ADA transition plans are required for agencies with more than 50 employees. Additional information about ADA/Section 504 requirements for local governments can be found on the Federal Highways Administration [Questions and Answers webpage](#). For an example of a compliant ADA transition for a mid-sized city, please see the City of Lynnwood's ADA transition plan, which can be found on the [City of Lynnwood's website](#).

Until the City has an ADA Transition Plan and develops a plan to address the issues outlined in the above-mentioned ADA complaint, the City remains out of compliance and is ineligible to receive FHWA funds through WSDOT.

If you have any questions regarding this notice, you may contact ADA compliance manager Shawn Murinko at [murinks@wsdot.wa.gov](mailto:murinks@wsdot.wa.gov) or by calling 360.705.7097.

Sincerely,



Earl Key Esq. LL.M, M.S. CCEP, CFE  
Director of the Office of Equal Opportunity

Enclosure

cc: Autumn Young, FHWA  
Brian Nielsen, WSDOT NW Region  
Jay Drye, WSDOT Local Programs  
Shawn Murinko, WSDOT ADA Manager