

Meeting Date (?) 08/16/2016

Subject Matter * (?) ADA Transition Plan Adoption
This must match rolling agenda entry

Department of Origin * ENGINEERING DEVELOPMENT

Submitted By * W. Paul Kaspar

Type of Meeting * BCD Special Regular

Classification * Public Hearing Consent Statutory Regular

Ordinance * None First Read Second Read First & Only Read

Strategic Initiative * Public Safety Service
 Economic Development Infrastructure
 Quality of Life

Agenda Item Description * Consideration of a resolution to adopt the Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan prepared for the City of Bryan by Kimley-Horn and Associates, Inc.

Summary Statement * SUMMARY STATEMENT: Title II of the Americans with Disabilities Act (ADA) requires local governments to make their programs and services accessible to persons with disabilities. This requirement extends not only to physical access at government facilities, programs, and events, but also to policy changes that entities must make to ensure all people can take part in, and benefit from, the programs and services of local governments. In addition, local governments must ensure effective communication, including the provision of necessary auxiliary aids and services, so individuals with disabilities can participate in civic life. The most important way to ensure Title II requirements are met is through "self-evaluation", which is required by the ADA regulations. Self-evaluation enables local governments to pinpoint facilities, programs, and services that must be modified or relocated to comply with the ADA. Public entities, regardless of size, must comply with Title II requirements.

City governments were required to complete a self-evaluation of all of their facilities, programs, policies, and practices by January 26, 1993. The results of the self-evaluation should be documented and recommendations to correct any deficiencies outlined in a "transition plan". The transition plan should identify the changes needed and set a schedule for implementing them.

In May 2014, the City issued a Request for Qualifications (RFQ) for a consultant to develop an ADA Self-Evaluation and Transition Plan for City facilities, processes, and procedures. In June 2014, a team of City staff members from various departments interviewed 3 short-listed firms and unanimously selected Kimley-Horn and Associates, Inc. (KHA) based on their experience doing this type of work for other communities. The City Council approved an Engineering Services Contract with KHA in August 2014.

To prepare the proposed ADA Self-Evaluation and Transition Plan, KHA has worked with City staff to perform the following tasks:

- Review City programs, procedures, and policies
- Establish an ADA Liaison Committee composed of City staff members
- Survey City departments about their facilities, programs, policies, and practices
- Review boards and commissions
- Inspect several City facilities, including 4 buildings (Municipal Building, BTU, Clara Mounce Library, Animal Center), 2 parks (Sue Haswell, Tanglewood), 21 signalized intersections (29th, Villa Maria, Texas, S. College, WJ Bryan, Coulter corridors), and 6 miles of public sidewalk (Villa Maria and 29th Street by Blinn College, St. Joseph Hospital and Bryan High School)
- Review current design standards
- Designate an ADA Coordinator
- Develop a grievance policy and procedure for public complaints

- Facilitate a public workshop with local disability organizations
- Conduct staff training

The results of the above tasks are compiled in the ADA Transition Plan document, many located in the Appendix sections. The ADA coordinator, grievance procedure, and ADA Transition Plan can be found on the City of Bryan's website at www.bryantx.gov/ada/. The Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990. 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 the City of Bryan. The City's Personnel & Administrative Policies & Procedures Manual governs employment-related complaints of disability discrimination. A 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 his/her designee as soon as possible but no later than 60 calendar days after the alleged violation. The procedure outlines timeframes for responding (usually 15 days) and offers an appeal process to the City Manager or designee. The grievance form is available for download from the above website.

This plan is intended to be a living document and will need to be periodically updated. Additional buildings, parks, intersections, and sidewalks will need to be inspected and rehabilitated, City programs, policies, and practices will need to be continually evaluated and modified, contact should be maintained with local disability organizations, and staff should refresh their training. If adopted, the proposed ADA Self-Evaluation and Transition Plan will provide a starting point and framework for continued evaluations and modifications. The proposed resolution delegates to the City Manager the implementation and modification of the City of Bryan ADA Transition Plan including continued self-evaluation of the City of Bryan public facilities, policies, practices, programs, and services.

Fiscal Year 2016 funding is \$350,000 and Fiscal Year 2017 funding is proposed to increase to \$450,000. Staff is currently assembling contracts to use these funds for correcting issues associated with the Municipal Office Building, Clara Mounce Library, Animal Center, Sue Haswell Park, and Tanglewood Park. BTU will be handling identified changes to their building as budget allows. Once improvements at these facilities are addressed, the next step is to implement changes to the identified signals and sidewalks, and begin the next round of facility evaluations to determine improvements at other City-owned facilities and parks. Staff believes the technical expertise to evaluate the facilities and parks will need to be outsourced; however, staff is in the process of developing a program in which staff will make the assessments for sidewalks and ramps along roadways.

Staff Analysis & Recommendation *

Staff recommends approval of the resolution to adopt the Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan prepared for the City of Bryan by Kimley-Horn and Associates, Inc. This plan is required by the ADA regulations and will provide a framework for the City to complete its initial self-evaluation, address non-compliant facilities, programs and services, and update the transition plan through continued self-evaluation.

Options *

(In Suggested Order of Staff Preference)

1. Approve the Resolution.
2. Do not approve the Resolution and provide guidance to city staff.

Funding Source *

Not applicable. (Note: The City Council approved an Engineering Services Contract with KHA in August 2014 for services to draft the Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan.)

Attachments

Bryan ADA Transition Plan Attachments.pdf 1.73MB

Please detail attachments and note attachments available for viewing in City Secretary's Office:

Note: all attachments are in a single pdf

1. Proposed resolution
2. ADA Transition Plan Liaison Committee
3. City of Bryan ADA Self-Evaluation and Transition Plan (appendix not provided but available for review)

Dept. Head Signature

JAYSON E. BARPFWRECHT 07/28/16

**Deputy City Manager
Signature**

Hugh R. Walker

City Manager Signature



City Attorney Signature

Janis K. Hampton