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City of Leon Valley Americans with Disabilities Act Transition Plan



Public Works Department
City of Leon Valley
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Introduction

This ADA Title II Transition Plan update fulfills the requirements set forth in Title II of the Americans with Disabilities Act (ADA). The ADA states that a public entity must reasonably modify its policies, practices, or procedures to avoid discrimination against people with disabilities. This report will assist the City of Leon Valley in identifying policy, program, and physical barriers to accessibility, and to develop barrier removal solutions that will facilitate the opportunity of access to all individuals.

The City of Leon Valley is committed to providing accessible services to the community. Pedestrian improvements, building renovations, and the delivery of services have and are being accomplished with careful consideration for the needs of people with disabilities.

The purpose of the Transition Plan is to identify physical barriers that may limit access to City programs and services. Many of the potential barriers identified are associated with facilities that have accessible features such as designated parking, accessible restrooms, access ramps, accessible door hardware, and other code compliant and usable features. The needs of the community of persons with disabilities inform the removal of barriers and are incorporated into the work to create more access.

The Transition Plan is intended to provide a framework for the continuous improvement of City facilities for people with disabilities. This is a living document, regularly updated as barriers are removed and new facilities come under ownership or control of the City.



1.0 Introduction to Policy and Framework

A Transition Plan is a document that outlines how jurisdictions transition toward compliance with the Americans with Disabilities Act. The Transition Plan identifies barriers for persons with disabilities and a schedule to remove those barriers over time. The Plan must outline the following:

- 1) How requests for modifications are made,
- 2) a facilities evaluation of what architectural barriers exist for persons with disabilities, and
- 3) identification of barriers for persons with disabilities and a list of evaluated facilities.

This document is the second phase of the evaluation and includes how requests for modifications are made or how complaints are filed. The next phase includes a timeline for removal of any barriers that exist to access programs and an update of the right-of-way survey and policy review.

This chapter outlines the requirements for completing a Transition Plan under the Americans with Disabilities Act (ADA) and is organized into these topic areas: Legislative History, ADA Transition Plan Requirement and Process, Discrimination and Accessibility, Undue Burden Exemption for Programs or Activities, and City of Leon Valley Non-discrimination and ADA Policies and Complaint Procedure.

1.1 Document Organization

The document is organized into Chapters containing the following:

Chapter 1: Introduction to Policy and Framework

This chapter provides an overview of the legal requirements under the Americans with Disabilities Act through a review of its legislative history. The chapter also provides a summary of the City of Leon Valley's ADA policies.

Chapter 2: Transition Plan Process

A description of the process for developing the City's ADA Facility Evaluations and Transition Plan, including the engagement of City staff and community stakeholders. The Plan Process also outlines how the additional elements will be completed.

Chapter 3: Transition Plan Methodology

The City's process for developing the barrier removal timeline based on the findings of the facility evaluations.

Chapter 4: ADA Transition Plan

The City's timeline for addressing the barriers identified in the facility valuations.

Chapter 5: Glossary

Definitions of commonly used terms found in an ADA Self Evaluation and Transition Plan.

Chapter 6: Resources

Organizations providing services to people with disabilities in the City of Leon Valley, Bexar County, the San Antonio Metropolitan Region, and State and Federal entities.

Chapter 7 Appendices

This Chapter contains the accessibility reports about city facilities and the complaint form.

1.2 Legal Requirements

The Americans with Disabilities Act is a comprehensive civil rights law for persons with disabilities. All public entities subject to Title II of the Americans with Disabilities Act of 1990 (ADA) were required to complete a self-evaluation by January 26, 1993. If structural modifications were required to achieve program accessibility, all public entities with 50 or more employees were required to create a Transition Plan that set a schedule for removing existing barriers according to 28 CFR. §§ 35.105 and 35.150(d).

The Transition Plan must, at a minimum:

- Identify physical obstacles in the public entity's facilities that limit the accessibility of its programs or activities to individuals with disabilities
- Describe in detail the methods that will be used to make the facilities accessible
- Specify the schedule for taking the steps necessary to achieve compliance with §§ 35.105, 35.150(d) and, if the time period of the Transition Plan is longer than one year, identify steps that will be taken during each year of the transition period; and, indicate the official responsible for implementation of the plan.

This document is a significant update of the previous work to identify barriers for persons with disabilities and the City of Leon Valley's efforts to comply with the ADA.

Legislative History

Congress passed the Americans with Disabilities Act on July 26, 1990. This Civil Rights legislation was a critical milestone for creating more inclusion and access for persons with disabilities. Title II of the ADA covers programs, activities and services of public entities, and civic life. The Department of Justice's Title II regulation adopted the general prohibitions of discrimination established under Section 504 of the Rehabilitation Act of 1973 and incorporated specific prohibitions of discrimination for the ADA. Title II provides protections to individuals with disabilities that are at least equal to those previously provided by the nondiscrimination provisions of Title V of the Rehabilitation Act. The act was updated in 2010, with the revisions being effective in March of 2011.

Specifically, the City may not, either directly or through contractual arrangements, do any of the following:

- Deny persons with disabilities equal opportunity to participate as members of advisory boards and commissions;
- Deny persons with disabilities equal opportunity to participate in services, programs, or activities; and

- In determining the location of facilities, make selections that have the effect of excluding or discriminating against persons with disabilities.

Title II of the ADA provides that the City and other public entities must identify and evaluate all programs, activities, and services and review all policies, practices, and procedures that govern administration of the entity's programs, activities, and services. This report and certain documents incorporated by reference, updates an important part of the City's ADA Title II Facilities Evaluation of the Transition Plan while outlining the next steps to complete the evaluation of barriers for persons with disabilities to access programs, services or benefits provided by the City of Leon Valley.

ADA Transition Plan Requirements and Process

This Transition Plan is an assessment of the City's facilities to determine if there are barriers for persons with disabilities. The task for the City was to identify which City owned or managed locations are open to the public, survey those facilities and identify any barriers that exist for persons with disabilities.

The next phase of the project is to continue to evaluate current and new policies, practices, and procedures for members of the public to determine if there are barriers for persons with disabilities. This is called “self –evaluation for programmatic access.” An ADA Self-Evaluation for programmatic access identifies and makes recommendations to correct those policies and practices that are inconsistent with Title II requirements and result in limitations on access for persons with disabilities. During the next phase of the Self-Evaluation, the City:

- Identifies the City’s programs, activities, and services; and
- Reviews the policies, practices, and procedures that govern the administration of the City’s programs, activities, and services.

The Transition Plan described in Chapter 4 is the result of a detailed evaluation of all City of Leon Valley municipal facilities where programs, activities, and services are available to the public. Municipal facilities include City buildings, public parking lots, and City-owned and managed facilities operated by private or other public entities.

Discrimination and Accessibility

There are two kinds of accessibility, being program accessibility and physical accessibility. Absence of discrimination requires that both types of accessibility be

provided. Program accessibility includes physical accessibility, but also entails all the policies, practices, and procedures that permit people with disabilities to participate in programs and access important information. Physical accessibility requires that a facility be barrier-free. Barriers include any obstacles that prevent or restrict the entrance to or use of a facility. Program accessibility requires that individuals with disabilities be provided an equally effective opportunity to participate in or benefit from a public entity's programs and services.

Programs offered by the City to the public must be accessible. Accessibility includes advertisement, orientation, eligibility, participation, testing or evaluation, physical access, provision of auxiliary aids, transportation, policies, and communication.

The City may achieve program accessibility by:

- Employing structural methods such as altering an existing facility;
- Acquisition or redesign of equipment;
- Assignment of aides; and
- Providing services at alternate accessible sites.

When choosing a method of providing program access, the City will give priority to the one that results in the most integrated setting appropriate to encourage interaction among all users, including individuals with disabilities. In compliance with the requirements of the ADA, the City must provide equality of opportunity.

Undue Burden Exemption for Programs or Activities

The City is not required to take any action that it can demonstrate would result in a fundamental alteration in the nature of its program or activity, would create a hazardous condition resulting in a direct threat to the participant or others, or would represent an undue financial and administrative burden.

The determination that an undue burden would result must be based on an evaluation of all resources available for use in the City. For example, if a barrier removal action is judged unduly burdensome, the City must consider other options for providing access to the benefits and services of the program or activity by individuals with disabilities.

City of Leon Valley Non-discrimination and ADA Policies and Complaint Procedure

The Americans with Disability Act (ADA) was passed to prohibit discrimination and ensure equal opportunity for persons with disabilities in employment, state and local government

services, public accommodations, commercial facilities, and transportation. Title II of the ADA prohibits local governments from excluding persons with disabilities from participation or denying persons with disabilities the benefits of the agency's services, programs, or activities.

The Leon Valley City Council affirms that all programs, services, and activities provided by the City are either already accessible to people with disabilities or will be within a prescribed period of time, as stated in this Plan. The Council resolves those persons with disabilities should not be discriminated against when pursuing employment with the City. As a public entity with 50 or more employees, the City is required to designate at least one responsible employee to coordinate Americans with Disabilities Act (ADA) compliance. The Assistant City Manager is designated to coordinate and implement the City's efforts to comply with rules and regulations in the ADA, including program services, activities, and employment. For violations, please e-mail ADAComplaints@leonvalleytexas.gov

The City's non-discrimination statement covers discrimination under both Title II ADA and Title VI Civil Rights.

"The City of Leon Valley operates without regard to race, color, national origin, religion, sex, sexual orientation, gender identity, marital status, age, veteran status or physical or mental disability in accordance with the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Executive Order 12898 on Environmental Justice and related statutes and regulations, including Title II of the ADA, ORS chapter 659A. Title VI of the Civil Rights Act requires that no person in the United States shall be excluded from participation in, be denied the benefits of or otherwise be subjected to discrimination under any City program or activity, on the grounds of race, color, or national origin. To help ensure access to City programs, services and activities, the City will provide translations, will reasonably modify policies and procedures and will provide auxiliary aids or alternative formats to persons with disabilities. For accommodations at public meetings, translations, or additional information, contact the City Secretary at 6400 El Verde Road, Leon Valley, Texas 78238, by email at s.pass@leonvalleytexas.gov, or by telephone (210) 684-1391 x 216. Any person who believes they have been aggrieved by an unlawful discriminatory practice may file a complaint with the Assistant City Manager ADAComplaints@leonvalleytexas.gov. Any Title VI complaint must be in writing and filed with the City within one hundred eighty (180) days following the date of the alleged discriminatory occurrence."

In addition to the nondiscrimination statement, the City's web page provides links for document translations requests, accommodation requests, filing ADA complaints, ADA Coordinator contact information, and a description of City policies and procedures. The

following description of policy and procedure may be found on the Notice under the Americans with Disability Act web page at <https://www.leonvalleytexas.gov>.

The City of Leon Valley will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all its programs, services, and activities. For example, individuals with service animals are welcomed in our 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 directly contact the City Secretary as soon as possible, but no later than 5 (five) business days before the scheduled event.

Complaints that a City program, service, or activity is not accessible to persons with disabilities should be directed to the City Manager (CM) within 180 days of the alleged violation. Please use the Initial Complaint Form to file your complaint or provide the necessary information to the CM.

Any individual not satisfied with the response to a request for reasonable accommodation or a complaint in regard to a City program, service or activities' accessibility may appeal for review with the City Manager, within 10 (ten) business days of receiving the initial response/decision.

The ADA does not require The City of Leon Valley to take any action that would fundamentally alter the nature of its programs or services or impose an undue financial or administrative burden.

The City of Leon Valley 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.

The City's Complaint Procedure is included in Chapter 7 Appendices. More importantly, the City of Leon Valley welcomes engagement from its disabled citizens to guide the City in ensuring that it is a more universally accessible city for all. The City works to broaden outreach and inclusion of persons with disabilities in Leon Valley, representing a wide spectrum of disabilities on behalf of the residents of the City of Leon Valley, and facilitates increased collaboration and information exchange among persons with disabilities, City departments, and City Council.

In addition, the City of Leon Valley is in the process of adopting a captioning policy. The intent of the policy is to increase the accessibility for individuals who are deaf or have hearing loss to City of Leon Valley video and audio content produced for external use.

Model Employment Policy

The Human Resources Director is working to develop, implement, and evaluate a strategic plan and action items for increasing the City of Leon Valley's employment of people with disabilities. Through the implementation of this policy, the equal opportunity provision of the American with Disabilities Act will be addressed, elements of the Leon Valley Plan will be successful, and the City will diversify with a highly motivated and productive workforce.

The plan will include an assessment of the current employment of people with disabilities, and analysis of barriers affecting the City's capacity to increase opportunities. The City will identify actions for recruitment, hiring, on-boarding, advancement, and retention; and set measurable outcomes and timelines for evaluating progress to increase access to employment for persons with disabilities.



2.0 Transition Plan Process

To fully comply with the legal mandate for a Self-Evaluation and Transition Plan, the City of Leon Valley must complete inventories of both physical barriers at City facilities and program barriers to City-provided services to all citizens. This plan addresses the initial inventory of physical barriers and establishes a schedule for removing barriers identified for each of the City Departments. The self-evaluation of the program barriers is the next step in constructing the final plan.

In addition to the physical barriers at City facilities, the physical barriers located in the public rights-of-way providing access and the means of getting to a facility have been identified and addressed. The development of a schedule for removing these barriers has completed the development of the self-evaluation and Transition Plan.

This chapter outlines the process and stakeholders involved in producing the self-evaluation and Transition Plan, including the program and physical barrier evaluations, the public outreach, the Department involvement, and staff training.

2.1 Planning Process

The City of Leon Valley developed a schedule for the Transition Plan. Critical first steps included identifying the previous ADA Transition plan, the establishment of a facilities list, and properties to include in the evaluation.

The facility evaluations were performed over a 6-month period. Facility reports identifying accessibility barriers were developed, and City staff reviewed the findings of the draft reports and is developing a timeline for addressing the barriers identified in the assessment through its Capital Facilities Oversight Committee. This process is included in the preparation of the Transition Plan.

Buildings and facilities in Texas are subject to compliance with the Texas Accessibility Standards (TAS). These standards were written to be consistent with the Americans with Disabilities Act (ADA) requirements for accessibility contained in the federal 2010 Standards for Accessible Design. To understand the barriers included in the Transition Plan, the City contracted with a certified TAS Inspector to inspect and make recommendations for changes to assure accessible facilities. Staff were also trained on their duties to track barrier removals at the facilities identified in the facility reports.

Facility Evaluations

As stated, during 2019 and 2020, the City completed a physical audit of facilities to identify facility barriers and identify recommendations and alterations in order to meet State and Federal accessibility standards. A complete list of the facilities evaluated for this Transition Plan is located in Chapter 4. The list of facilities evaluated include City-owned parks, buildings, sidewalk facilities, parking areas, and traffic signalized intersections.

The facility evaluations were conducted using the ADA 2010 Standards and the Architectural Barriers Act (ABA) 2010 Outdoor Developed Area Guidelines.

Evaluators used accessibility checklists to evaluate barriers in City facilities. The checklist covers all manner of barrier conditions commonly found in City facilities and programs including parking, signage, paths of travel, buildings, restrooms, and outdoor recreation facilities.

Findings from the facility evaluation were entered into a facility report outlining identified barriers and proposed barrier removal actions were produced. The resulting facility reports are located in Chapter 7 Appendices. Each facility report lists potential barriers, provides information about the relevant State and Federal codes; includes a planning level cost estimate to remove the barrier; and indicates a barrier removal category.

Self-Evaluation

As mentioned previously, the City of Leon Valley will evaluate its policies, programs, and procedures to determine current levels of service, and the extent to which its policies and programs created barriers to accessibility for persons with disabilities in the next phase of this work

Each City Department provided information on the nature of the Department's programs, forms and methods used to advertise the program's services and activities, and any special modifications provided. Upon completion the results were summarized and integrated into the Transition Plan Update.

Public Rights-of-Way

In addition to an evaluation of barriers at City facilities, an assessment of the physical barriers in the public rights-of-way was carried out and a timeline is being developed for removing those barriers to fulfill all the requirements of an ADA Self-Evaluation and Transition Plan. Similar to barriers within facilities, barriers in the public rights-of-way can prevent or restrict access to City provided programs and services.

2.2 Public Engagement

Community involvement and input are priorities to the City and this project. Public review of a jurisdiction's Transition Plan is required. See 28 CFR 35.150(d)(1) the Federal Statute states under the heading Transition Plan:

"In the event that structural changes to facilities will be undertaken to achieve program accessibility, a public entity that employs 50 or more persons shall develop, within six months of January 26, 1992, a transition plan setting forth the steps necessary to complete such changes. A public entity shall provide an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the development of the transition plan by submitting comments. A copy of the transition plan shall be made available for public inspection."

Copies of the draft Transition Plan will be made available to public for review in June of 2022 on the City's website. In July of 2022, the City of Leon Valley will provide the public the opportunity to comment on this draft Transition Plan via email, regular mail, or in person at a City Council public hearing on this Plan.

Public Comment Summary

Public comments on the Transition Plan received by the City of Leon Valley from comments submitted in writing or via email, as well as being addressed at a public hearing and over the phone will be available in Chapter 7 Appendices, "Public Outreach Materials & Public Comments" when the review period has been completed and the comments are incorporated into the Plan.

The vast majority of the public comments received thus far involved one or more of the following concerns: accessibility at Leon Valley public parks and the public rights-of-way, including trail surfaces in the parks, sidewalk curb ramps, and a program for identification by Police and Fire of the addresses and contact number for disabled persons within the City limits. Barriers identified at Leon Valley parks are currently being scheduled for removal. Barriers will be removed during routine maintenance, minor and major maintenance, renovations, and capital improvement projects. Barriers at non-park City

facilities have been identified and are being scheduled for removal. All City facilities have been assessed for barriers to persons with disabilities and the barriers identified are being scheduled for removal. Police and Fire will be creating a plan, being cognizant of HIPPA regulations, for the identification of addresses and contact information for disabled persons and their caregivers.

Stakeholders

It is important to note that the effort to complete a Citywide evaluation of City owned facilities and Transition Plan will be developed in partnership with the public. Staff will review their comments and propose a schedule of barrier removal.

Website

As people turn to the Internet as their primary source of information regarding services, programs, activities, and facilities, the City's website at <http://www.leonvalleytexas.gov> takes on increased importance as a communications tool, as do the other social media sites.

Providing public access to City publications online is an effective means of reaching persons with disabilities. New accessibility standards for electronic and information technology covered by Section 508 of the Rehabilitation Act Amendments of 1998 have set forth the technical and functional performance criteria necessary for such technology to be accessible. The Act was updated in 2000.

The City's website has a web page on the Americans with Disabilities Act Title II Program that provides information on the City's policies, including the nondiscrimination notice, and links to programs offered by the City. Service request forms, the ADA complaint form, and contact information are all included on the page. The web page can be found at <https://www.leonvalleytexas.gov>.

2.3 City Department Review & Participation

City Departments have been involved in the development of this project, from selecting the facilities to be evaluated to reviewing the findings of the evaluation and building the schedule of barrier removal. Each Department dedicated staff time and resources to developing this plan and have reviewed and commented on the results. This document is a stronger plan moving forward based on the engagement and participation of the Department staff committed to improving access for persons with disabilities.

2.4 Staff Training

As part of preparation for implementation of the Transition Plan, the Human Resources Director will be holding training for certain city staff. In addition, on-going training will be held for new employees. New programs and facilities will be evaluated for compliance with regulations prior to implementation or occupation.



3.0 Transition Plan Methodology

The process of developing the transition plan includes the identification of barriers, the evaluation of the barriers based on the priority assigned by the ADA to that type of barrier, and the categorization of the effort to remove the barrier. After the prioritization of barriers and categorization of barrier removal, a timeline for the efforts can be established. The City of Leon Valley is creating a timeline for barrier removal.

3.1 Facility Evaluation Process

At the time of the facilities evaluation, the International Building Code, 2015 edition, and the International Residential Code, 2015 edition, together with all appendices, as published by the International Code Council, as well as all state and federal regulations were used to identify barriers at City facilities. When one of the codes was more stringent than the other, the more rigorous of the codes was applied.

Building codes are revised every few years and this barrier evaluation provides a description of current conditions as viewed by current code and provides a baseline for future barrier removal. It is important to note with revisions to the building code, all future barrier removal projects shall comply with the code current at the time of the alteration.

3.2 Leon Valley's Prioritization Process

The ADA Title II Technical Assistance Manual states “when choosing a method of providing program access, a public entity must give priority to the one that results in the most integrated setting appropriate to encourage interaction among all users, including individuals with disabilities”. Recognizing that the City has limited funds and cannot immediately make all buildings, facilities, and parks fully accessible, City staff and stakeholders will consider the following criteria to prioritize facilities for removal of architectural barriers:

Level of use by the public: Facilities that have a high level of public use can be assigned a higher priority. Seasonal availability and hours/days of operation can be factored into this criterion;

Program uniqueness: Some programs are unique to a building, facility, or park and cannot occur at another location;

Geographic distribution: Selecting a range of facilities that are distributed throughout the City, and considering the proximity of these facilities to public transportation help provide maximum accessibility for all residents;

Critical nature of the service provided: Facilities that provide services related to accessibility, health, wellness, safety, emergency/disaster preparedness, and the administration of essential City services such as permitting and licensing can be assigned a higher priority;

Identified complaints: Facilities that have a history of citizen complaints related to accessibility can be assigned a higher priority; and

Social need/equity: Facilities that are identified by the Leon Valley community of people with disabilities as high priority for accessibility improvement and facilities that serve historically underserved populations can be assigned a higher priority.

Categorizing Barrier Removal within Facilities

The following categorization protocol is referenced in the ADA under 28 CFR Part 35, §35.150 and §35.150 under Subpart D - Program Accessibility. The term “priority” is used within 28 CFR Part 35 but is referred to as “category” within this Transition Plan document and its appendices. The principle of the protocol is to ensure that basic access is provided, access to activities is provided, amenities are accessible, and alternatives to architectural modifications are allowed when appropriate. Translating these categories into action plans must be accomplished using a programmatic approach.

The criteria listed below were used to assist in the determination of specific program-based barrier removal actions within a building or facility for the ADA Transition Plan schedule.

Category One: The highest Category is placed on those barrier removal items that provide accessibility at the main entrance of a facility or improve a path of travel to the portion of the facility where program activities take place (e.g., parking, walks, ramps, stairs, doors, corridors, etc.).

Category Two: A second Category is placed on those barrier removal items that improve or enhance access to program use areas (e.g., transaction counters, conference rooms, public offices, restrooms, etc.).

Category Three: A third Category is placed on those barrier removal items that improve access to amenities serving program areas (e.g., drinking fountains, telephones, site furnishings, vending machines).

Category Four: A fourth Category identifies areas or features not required to be modified for accessibility (no public programs located in this area, or duplicate features).

The facility reports appended to this document provide the identification of barriers and the specific barrier removal actions. The City will accomplish barrier removals based on two strategies: policy and procedure modifications to remove programmatic barriers; and construction projects to remove architectural barriers.

3.3 City Departments

Each City Department developed its own unique process for addressing prioritization and barrier removal. The following is a summary of these processes.

City Administration

City Administration is overseen by the City Manager and provides core central services necessary for the operation of the City of Leon Valley government. They are guided by the City's Annual Fiscal Year Budget and Capital Acquisition Plan that identifies the organizational mission, values, goals, strategies, and performance measures. The plan is described in more detail in the Goals and Objectives portion of the budget narrative.

The Administrative Department works with each Department to address the maintenance improvements in the short and mid-term and seek to be opportunistic when capital projects are advanced to include barrier removal. The schedule reflects that implementation of longer-range projects will be delayed.

Leon Valley Police Department

The mission of the Leon Valley Police Department is to impartially enforce the law in a fair, unbiased and consistent manner, recognizing both the statutory and judicial limitation of its authority, and the constitutional rights of all persons, regardless of race, ethnicity, creed, or gender. Their duties include diligently serving the public through the prevention of crime, preservation of the public peace, protection of lives and property, the detection and arrest of violators, and the enforcement of all laws and ordinances. Officers strive for

excellence and professionalism in every aspect of their duties, solving problems through partnerships with the Leon Valley community. The Police Department consists of four Divisions: Police Department, Impound Lot, Red-Light Camera and Traffic Safety Divisions.

The goals and the strategies that follow are designed to create and sustain healthy, vital neighborhoods:

1. Develop long-term solutions to crime and social disorder;
2. Build community trust;
3. Create a professional work force to meet the public safety needs of the City; and
4. Implement best practices for effective policing

The Leon Valley Police ADA Transition Plan is focused around how and where the public interact with the police. The Police Department is housed inside the City's Municipal Building, which was renovated in 2016 and meets all ADA requirements for removal of architectural barriers.

Leon Valley Fire Department

The Leon Valley Department's mission is to protect life aggressively and safely, property and the environment. The Fire Department is divided into two functional sections; Administrative Section and Operations Section.

The mission of the Administrative section is to manage the City's multifaceted all-risk emergency services including fire suppression, investigation and prevention, emergency management, rescue, hazardous materials, weapons of mass destruction and emergency medical services. The administration of the Fire Department works with the City Manager to establish levels of service propose new programs or improvements and formulate budget requests.

The mission of the City's Emergency Management Program provides action plans for City emergencies, maintains emergency warning equipment, and governs overall disaster responses and mitigation capabilities for the City.

The Fire Department's station offers a community meeting room but permitting services are done either on-line or through the Planning and Zoning Department at City Hall. The station also offers blood pressure checks, safety information, smoke and carbon monoxide detector information, and explanation of fire and EMS resources available to protect neighborhoods. The Department also offers a Mobile Integrated Healthcare (MIH)

service, which operates in the field and only uses the facility for office space. The MIH responds to a person's residence and offers assistance with prescription pickup, sessions on trip hazards, and other health services tailored to each patient's needs.

This facility was constructed in 2015 and was inspected upon completion by a certified TAS Inspector and found to follow ADA regulations for accessibility. The Leon Valley Fire Department ADA Transition Plan is focused around how and where the public interact with the Fire Department.

Leon Valley Library

The Leon Valley Public Library is the city's friendly gateway to the worlds of learning, imagination, creativity, and community interaction. The primary mission of the Leon Valley Public Library is to provide quality educational and information resources, historical and cultural opportunities, and recreational activities enriching the entire community. The Leon Valley Library ADA Transition Plan is focused around how and where the public interact with the Library and Library Annex. The library was remodel and a new children's wing added in 2013. The building, including the new wing, conforms to the ADA requirements for removal of architectural barriers.

The library also operates a library annex building, in which is stored books and other materials that are no longer being circulated but are offered to the public for sale. A staff of volunteers operates this ancillary structure. The annex was acquired by the City in 1976, is not ADA accessible, and plans are underway to construct a new ADA compliant library annex at a different location and demolish the existing site.

Public Works

The mission of this department is to construct, operate, maintain and repair the City's infrastructure including streets, sidewalks, curbs, drains, rights-of-way, traffic control systems and signage, marquees, buildings, and other facilities and to provide support services to other City departments and to the public. Included is the operation of environmental activities such as solid waste disposal, used oil recycling, drought management, right-of-way mowing, street sweeping and mosquito control. Also included is supervision of franchised utilities, telecommunication companies and developer construction of public infrastructure.

The Public works facility was built in 1984 and is not ADA compliant. In addition, the building does not meet energy efficiency standards and is in poor condition. The building is currently not open to the general public. For this and other reasons, it is recommended

that a new Public Works administrative facility be constructed in accordance with ADA requirements, energy efficiency standards, and so access by the public can be assured.

Community Center

The Community Center is used to house the Northwest Senior Citizens Club and was built with Federal funds. The Center is also offered for rent for events such as weddings, birthdays, graduations, Quinceaneras, and civic affairs. The building was renovated in January of 2021 and the project addressed ADA compliance issues throughout. Handicap door buttons were added in the past two years to further assure ease in entering and exiting the building and restrooms.

Conference Center

This building is offered for rent for small conventions, voting, and city-hosted functions. The building was constructed in 1999 and is, for the most part, ADA compliant; however, modifications to the entrance, parking lot, parking signage, restrooms, and doors will be added in the near future. There are no on-going programs being offered to the public from this building.

Kinman House

This building was the home of one of Leon Valley's first Mayors and it was originally built in 1930's. It was purchased from in 1998 and renovated in 2006 into an office for the Economic Development Corporation. In 2015, the building was renovated again to house a restaurant. During each renovation, it was inspected for ADA compliance. The site needs some modifications to egress points conform to today's ADA standards.

Parks

The goal of the Parks and Recreation Department is to provide excellent parks, recreational green space, and cultural opportunities. The mission of the Parks and Recreation Department is to monitor and revise the Parks Master Plan, encourage development of new recreational programs, continue to improve park spaces, continue to develop the hike & bike trail system, develop a program to encourage residents to take advantage of outside amenities, and to provide cultural opportunities to our citizens and guests. The Department will enhance the citizens' quality of life by providing safe, well-maintained parks and public places; preserving open space and historic resources; strengthening the bonds of community; and creating opportunities for enrichment. This department works with the Reservation Clerk for rentals in the park and provides staff support to the Park Commission.

The City has been diligent over recent years to provide amenities at each park that are consistent with ADA regulations. Each park has been examined for continued ADA compliance, including trails, walking paths, playgrounds, exercise stations, and other amenities. Modifications and/or renovations to existing restrooms, walking trail, playground entrances, signage, and athletic fields will be performed.

Swimming Pool Facilities

The City owns and operates the Leon Valley Community Pool and the Forest Oaks Community Pool. Both facilities have are non-conforming with current ADA regulations, as they were constructed in the mid-1970's and have never been renovated. It is recommended that the structures at both sites be either remodeled or removed, and modifications be made to decks and walking areas. In addition, both pools have structural issues and should be either replastered and replumbed or demolished, and new pool facilities constructed.

Sidewalks

The City has developed a comprehensive plan for replacing all non-compliant intersection ramps, in conjunction with each street maintenance project. Several neighborhoods do not have sidewalks, as they were platted before current subdivision code requirements. The City is not required to build sidewalks where none currently exist; however, in order to become completely inclusive, plans have been developed for the construction of sidewalks in most of these neighborhoods.

Street Intersections

The City owns two traffic signalized intersections, which were recently replaced. The pedestrian crossings at these intersections were replaced with ADA complaint crossings, to include “talking” walk indicators.



4.0 ADA Transition Plan

Title II of the ADA requires that public entities having responsibility for or authority over facilities, streets, roads, sidewalks and/or other areas meant for public use to develop a Transition Plan to make their facilities meet the standards for Program Accessibility. Program Accessibility means that a program, activity, and/or service are accessible when viewed in its entirety. Simply put, a Transition Plan transitions inaccessible facilities into environments that are accessible to and functional for individuals with disabilities.

A final Transition Plan combines the findings of the facility evaluations, public rights-of-way evaluations, policy assessments and program evaluations. Each facility report contains a complete list of architectural barriers and barrier removal actions. Not all of these barriers must be removed in order to provide program access. The first priority is to remove those barriers limiting access to programs.

Leon Valley's Transition Plan is divided into three parts: facilities, which includes buildings, parks, and their related grounds; the public rights-of-way, which includes sidewalks and curb ramps; and the self-evaluation of access to programs for persons with disabilities.

In compliance with the requirements of the ADA, the City will maintain in working order equipment and features that are required to provide access to individuals with disabilities.

4.1 Barrier Removal Schedule

A phasing schedule reflects the ADA requirement that programs, activities, and services drive the development of the Transition Plan schedule. Barriers in City facilities will be removed systematically city-wide, based on the established program priorities listed in Chapter 3.

It is the intent of the City to address and remove barriers to accessibility in public buildings and parks, based upon on the immediate necessity of programmatic access, degree of complexity, uniqueness of program, and overall cost. The City established categories of project types to assist in the scheduling of barrier removal actions.

The ADA Transition Plan table is the required schedule that summarizes when identified accessibility barriers will be removed. The City's ADA Transition Plan table will represent the following timeline:

Barrier Removal Actions and Project Types

The following is a list of the barrier removal categories incorporated into this manual.

- Assembly Areas
- Corridors & Aisles
- Doors
- Drinking Fountains
- Eating & Vending
- Exercise Equipment
- Hazards
- Judicial Facilities
- Kitchens
- Locker Rooms
- Outdoor Park Features
- Other
- Parking
- Paths of Travel - *includes:*
 - Curb ramps
 - Walks
 - Ramps
 - Stairs
 - Building lift or level
- Picnic Areas
- Play Areas
- Restrooms - *includes:*
 - Multi-user
 - Single-user
- Room Elements
- Signage

- Passenger loading zones
- Sports Fields & Courts
- Swimming Pools
- Work Surfaces

Departments analyzed the information from the facility evaluations and the categorization meetings, and along with knowledge of their own Capital Improvement Plans, established timelines for barrier removal. The categories in the following section are organized to show the deficiencies and corrections to be made by fiscal year.

4.2 City Facilities

The following summarizes each City Facility and the ADA status for each as it relates to basic access, access to activities and amenities, and planned architectural modifications.

City Hall



Leon Valley City Hall, located at 6400 El Verde Road, was completely renovated in 2016 and there were no architectural barriers at the time. Both entrances have push button ADA accessible doors, and all restrooms are built to ADA standards. A hearing loop was placed in the floor in the City Council Chambers. In 2019, the City Council Chamber entrance to City Hall was locked and is now accessible only during times of meetings. This change was deemed necessary for security purposes. Visitors must now enter through the main entrance doors and staff has received complaints regarding ADA parking and access to the main entrance. This situation will have to be studied to determine how best to provide access without causing an undue burden as it relates to construction of a possible ADA ramp at the main entrance.

Activities in this facility include the payment of traffic citations and utility bills; park, pool, and Community and Conference Center rentals; Public Information Requests, Police reports, and permits. Programs include City Council, Zoning, Board of Adjustment, Economic Development, and various other meetings.

Category	Deficiency	Removal Year
1	Main entrance does not have easily accessible route, handicap parking located on other side of building or across the street	FY 2025

Police Department



The Police Department, also located at 6400 El Verde Road, is housed in the main building and was also renovated in 2016. It meets ADA accessibility standards. Assistance with access into the police department by victims, witnesses, suspects, or visitors are accomplished by contacting the police department before arriving at the building. Visitors may utilize the handicap spaces in the parking lot east of the building which does have a ramp to be used by persons utilizing wheelchairs or scooters. Additionally, and located next to the handicap parking spaces, a person in need of assistance will find an emergency station/call button. This button will put the person in touch with the on-duty police supervisor who can assist the person within minutes.

Once inside the building, a person that has been unable to purchase/receive a copy of a report through our online process will be assisted in using the computer portal located in the building breezeway or will be assisted in filling out the required forms in order to receive the report at a later time. Requests for reports are processed in the order received which does include reports requested through the online portal. Persons with compliments and/or complaints will be assisted in a similar manner. Victims, witnesses, and/or suspects are assisted by officers or detectives within the police department.

Barriers may exist in some of the programming offered, so the Police Chief and his staff will examine each program for accessibility. Some of the programs include the Citizens Police Advisory Committee, Crime Control, Neighborhood Watch, Neighborhood meetings, Blue Santa, Internship, Mentorship, and participation with Special Olympics.

Meetings related to the various programs sponsored by the Police Department are usually held in the large conference room located in the City Hall building. Citizen access may be accomplished by the use of the parking lots surrounding the building. All parking lots have dedicated handicap parking spaces. The parking lots on the east and west sides of the building both have access to ramps that can be used by participants requiring the use of

a wheelchair or scooter. Other accommodations may be available through advanced notice.

Barriers may exist in some of the programming offered, so the Police Chief and his staff will examine each program for accessibility.

Category	Deficiency	Removal Year
1	Main entrance does not have accessible route, handicap parking located on other side of building or across the street	FY 2025

Fire Station



The Fire Station, located at 6300 El Verde, was constructed in 2015 to ADA standards. This station has a meeting room used for training and small community meetings. Programming includes:

- MIH – Mobile Integrated Health field services
- Smoke Detector Replacement Program

Category	Deficiency	Modification Date
4	None	N/A

Library

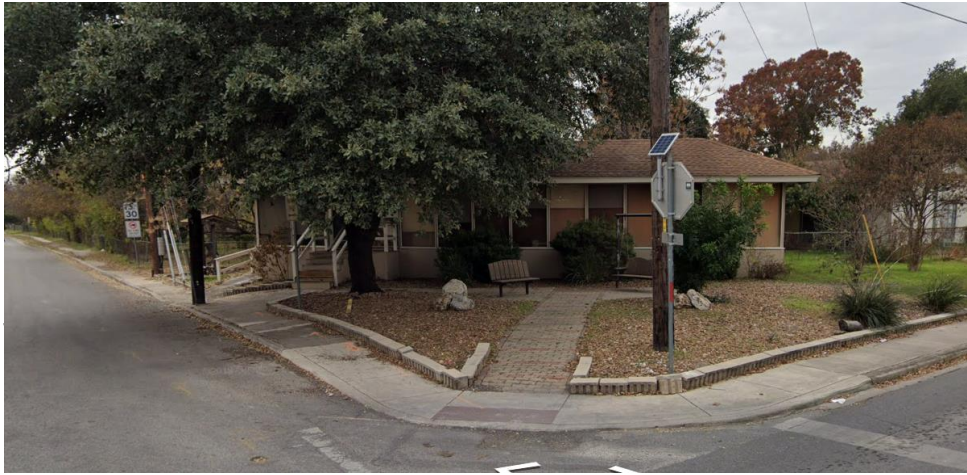


The Leon Valley library was renovated in 2013 to add a Children's Wing. At that time, the building, parking, and grounds were ADA compliant. The Library has the ability through the Texas State Library and Archives Commission to help set up patrons with the Talking Book Program, which provides Braille and Audio Reading download service providing over 120,000 audiobooks, digital audio playback equipment with digital audiobooks, Braille, electronic Braille, and additional large print books that are not available at the library. An application must be filled out, signed by a certifying authority, and mailed to the talking book program to participate. . With prior notification, they are able to provide additional seating assistance, copies of materials, ASL sign-language, and noise canceling headphones to all events held in this facility.

Noted deficiencies:

Category	Deficiency	Modification Date
1	No Public Terminal with assistive technology that enable use by persons with visual impairments	FY 2024
2	No Public Terminal with assistive technology to facilitate usage by people with motor and dexterity impairments.	FY 2024
	The Library website does not meet w3c disability standards.	FY 2024
1	Staff Workroom not ADA compliant including access to sink, refrigerator, microwave, and office supplies.	FY 2024

Library Annex



The Library Annex should be removed from its present location and a determination made on the purchase and possible alternative location for this facility.

Programming includes twice yearly book sales.

Category	Deficiency	Modification Date
1	Main entrance does not have accessible route, handicap parking located on other side of street, interior of building is not accessible in any area, rear ADA ramp not code compliant	TBD
2	Program accessibility when in building	TBD
1	Needs improved access to restroom and break area	TBD

Leon Valley Community Center



The Leon Valley Community Center was remodeled in November of 2020 and is now ADA accessible. Programs at this center include the activities of the Northwest Senior's Club and the group integrates ADA accessibility in each of their programs. The center is also available for rent for private parties and ingress/egress is ADA compliant.

Category	Deficiency	Modification Date
1	Parking signage not to code	FY 2023

Leon Valley Conference Center



The Leon Valley Conference Center needs some minor modifications to the restrooms and parking areas, which are being included in the FY 2022-23 budget. There are no ongoing City programs being operated from this facility, with the exception of an annual Town Hall City Council meeting, voting, and civic and private events.

Category	Deficiency	Removal Year
1	Main entrance ramps have too much slope	FY 2023
1	ADA parking spaces and access isles must meet grade.	FY 2023
1	Restroom mirrors too high	FY 2023
1	Missing handrail on steps	FY 2023
1	Coat hooks in restroom too high	FY 2023

Kinman House



The Kinman House is rented to private enterprises as a restaurant. Minor modifications are needed for full compliance with the ADA.

Category	Deficiency	Modification Date
1	Curb ramp has too much fall	FY 2023
1	Threshold over 1/2" in height and there are no landings	FY 2023
1	No check writing area	FY 2023
1	Parking signs are not in compliance	FY 2023
1	Paper towel dispenser is higher than 48" from floor	FY 2023
1	Ramps have non-compliant railings	FY 2023
1	Restroom grab bars are not in compliance	FY 2023
1	Flush controls on toilet need to be ADA compliant	FY 2023

Public Works Department Facility



The existing Public Works building is being studied to determine if it is to be used as a maintenance barn only, with new administrative offices constructed either in a new building located on the same lot or by the addition of space. The existing facility has ADA compliance concerns, which will be removed upon remodel. The Tree Advisory Board and Earthwise Living Day Committee meet in this building.

Category	Deficiency	Modification Date
1	Main entrance does not have accessible landing, handicap parking space missing	FY 2030
1	Restrooms are not ADA compliant	FY 2030
1	Kitchen sink not accessible	FY 2030
1	Doors must have lever handles	FY 2023
1	Dressing areas not ADA accessible	FY 2030

Leon Valley Community Pool



The Leon Valley Community Pool was constructed in the early 1970's and needs modifications for ADA compliance in the parking and walkway areas, as well as the restrooms and concession areas. The City is considering either renovation or demolishing and constructing new facilities on this site.

Category	Deficiency	Modification Date
1	Parking areas have too much slope and handicap parking space not clearly defined	TBD
1	Deck around restrooms has too much slope	TBD
1	Concessions stand aisle width too small	TBD
1	Restroom aisle width too small	TBD

Forest Oaks Community Pool and Tennis Court



The Forest Oaks Community pool was constructed in the late 1960's and is not ADA compliant in most of the structures, patio, and walkways. Retrofitting the existing building to comply would result in a significant expense and it would be more cost effective to demolish the existing facilities.

Category	Deficiency	Modification Date
1	Non-compliant parking (off-load areas, curb ramps, slopes to main entry)	TBD
1	Narrow corridor to main restroom facilities	TBD
1	Non-compliant single use restroom facilities	TBD
1	Elevation changes in narrow corridors	TBD
1	Significant drops from doors leading out of restrooms to pool areas	TBD
1	Significant drop from meeting room to pool area	TBD
1	Significant slopes in front of concession area	TBD
1	Trenches around pool with floor drains	TBD

Park Facilities

Existing structures, walking trails, and play/fitness equipment are, for the most part, ADA compliant; however, certain play structures, walking trails, and picnic areas are not. Efforts should be made to add inclusivity each time new amenities are considered.

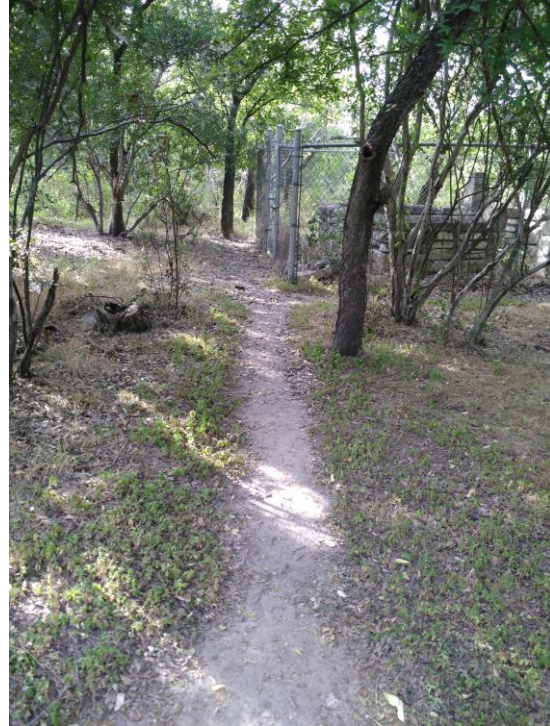
Raymond Rimkus Park



The picnic pads located near Huebner Creek have eroded and the bases are no longer ADA compliant. The playgrounds are ADA compliant, but not all inclusive for persons with disabilities such as autism. Items are being included in future Capital Acquisition plans for inclusivity. The walking trail does not meet code required slope in several areas and entrances to the playground area needs slight modification.

Category	Deficiency	Modification Date
1	Areas in walkways that have cracks that are over ½" in width	FY 2023
1	Main restroom does not meet code	TBD
1	Playground entrance ramp has a hump that prevents access	FY 2023
1	Walking trail has areas where slope does not meet code requirements	FY 2023
1	Picnic pads are too high for access	FY 2023

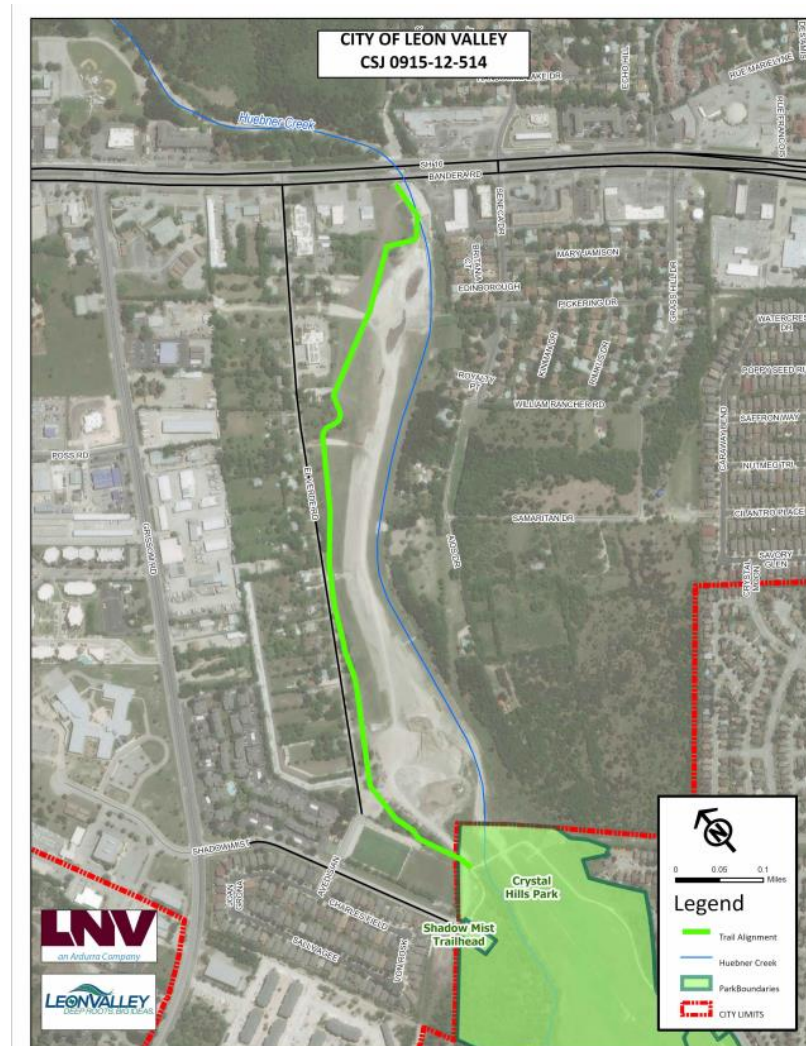
Huebner-Onion Natural Area Park



This is a 36 acre “natural” area type of park with a very primitive walking trail. The trail is not ADA compliant and has been further eroded by Huebner Creek, which aligns with the southern side of the trail. A feasibility study of the creek has been performed in hopes of obtaining grant funds for erosion repair and control, and to rebuild the trail. Plans are underway to complete an ADA compliant Hike & Bike trail around the perimeter of this park.

Category	Deficiency	Modification Date
1	Trail does not have an “all weather” surface and several areas are inaccessible by wheelchair	FY 23-24

Huebner Creek Greenway Trail



This trail will connect to the Huebner-Onion Natural Area Park trail and then align with El Verde Road, ending at Shadow Mist. The engineering and design are underway, with the expectation that construction will begin in the fall of 2021. This trail will be constructed to ADA standards.

Category	Deficiency	Modification Date
4	None noted	N/A

Steurenthaler - Silo Park



This park is located near 7520 Huebner Road and is ADA compliant, with the recently added ADA compliant trail leading from Canterfield to the park. Shade structures were installed over the playground and fitness equipment areas in the past year. An additional entranceway will be constructed from Huebner Road, which will increase attendance at this facility.

Category	Deficiency	Modification Date
4	No non-compliance	N/A

Old Mill Park



This park, located at 6501 Huebner Road, was constructed in 2018 and is ADA compliant, to include ADA parking spaces and walking trail. Shade structures were installed over the playground and fitness equipment areas in the past year. This park recently experienced some flooding, which affected private property to the rear, so a detention pond is to be constructed in the near future.

Category	Deficiency	Modification Date
4	No non-compliance	N/A

The Ridge at Leon Valley Park and Hetherington Trail



This park and trail are still under construction, but the amenities that have been constructed are ADA compliant. Shade structures were installed over the playground and fitness equipment areas in the past year. A new basketball court will be installed in this fiscal year and the walking trail is expected to be completed in FY 2022.

Category	Deficiency	Modification Date
4	None noted	N/A

Leon Valley Ranches Park



This is a newly dedicated park and will not be constructed until FY 2023-24. All parking areas and proposed amenities will conform to ADA standards.

Category	Deficiency	Modification Date
4	None noted	N/A

Linkwood / Pavona Place Trail



The property was acquired in the early 2000's and a chat-based trail was installed, but it was not maintained over the years and the trail surface materials are now missing. The City recently installed an ADA accessible outdoor fitness station and the trail surface will be redeveloped in FY 2022 to conform to ADA standards.

Category	Deficiency	Modification Date
1	Main entrance does not have accessible route	FY 2023
1	Walking trail does not have an all-weather surface	FY 2023

Sidewalks

There are several subdivisions in Leon Valley that were developed before the requirement for sidewalks. The City is not required to install sidewalks where none exist; however, it is the goal of the City Council to provide connectivity where possible, so decisions will be made in the future for the construction of new sidewalks. Concentrated efforts are being made to fill in gaps between sidewalks in the rest of the neighborhoods. The City has an on-going Street Maintenance Program in which all sidewalk intersections are evaluated for ADA compliance. If found to be out of compliance, these intersections are replaced with ADA compliant curb ramps with detectable warning devices.

Category	Deficiency	Modification Date
1	Sidewalk intersections need properly sloped ramps with detectable warnings throughout city	Budget \$100,000 each fiscal year budget

Signalized Intersections

The City owns and operates two signalized intersections – one at Huebner and Evers and one at Wurzbach and Exchange Parkway. Both signal systems were replaced - one in 2018 and one in 2019, and both are now ADA compliant.

Category	Deficiency	Modification Date
4	None noted	N/A

4.3 Next Steps

The City of Leon Valley has completed the assessment of facilities and identified physical barriers at sites used for public programs. This assessment included potential barrier removal actions with planning level cost estimates and priorities. Next steps include the following:

Complete a Self-Evaluation of City Programs, Activities, and Service.

Develop an inventory of the current condition of City programs, services, and activities. Assess City and Department procedures for providing public access to programs including customer service and facilitation of inclusive participation. This should include a review of policy documents to identify issues that should be addressed to ensure that the City's programs, activities, and services are non-discriminatory and welcoming to people with disabilities. Policy documents will include facility rules and regulations, administrative bulletins, and other written Department policy documents.

Complete Modifications of the Public Right-of-Way

Develop a schedule for the removal of barriers within the public right-of-way. Public entities that have the responsibility for the maintenance and the development of streets, roads, or walkways are required to provide curb ramps where pedestrian walkways cross curbs. Priority should be given to walkways serving facilities that provide public services and programming, followed by walkways serving other areas. The schedule must be included as part of a transition plan.

Under Title II of the ADA, a City is not necessarily required to construct curb ramps at every point where a sidewalk intersects a curb. Traffic safety considerations may make construction of ramps at some locations undesirable. Alternative routes to buildings that make use of existing curb ramps may be acceptable under the concept of program accessibility in the limited circumstances where individuals with disabilities need only travel a marginally longer route. In addition, the undue financial or administrative burden limitation recognized by Title II of the ADA may limit the number of curb ramps that the City is required to provide.



5.0 Glossary

Many words used in this Self-Evaluation and Transition Plan have meanings unique and specific when included in the context of the ADA and accessibility requirements. The following is a summary of selected definitions found in the ADA. Please refer to the Americans with Disabilities Act for the full text of definitions and explanations (<http://www.ada.gov/reg3a.html#Anchor-36104>).

5.1 Definitions

Auxiliary Aids and Services

The term auxiliary aids and services include:

- Qualified interpreters or other effective methods of making orally delivered materials available to individuals with hearing impairments;
- Qualified readers, taped texts, or other effective methods of making visually delivered materials available to individuals with visual impairments; and
- Acquisition or modification of equipment or devices; and other similar services and actions.

Complaint

A complaint is a claimed violation of the ADA.

CFR

The Code of Federal Regulations is the codification of the general and permanent rules and regulations published in the Federal Register.

Disability

The term disability means, with respect to an individual:

- A physical or mental impairment that substantially limits one or more of the major life activities of such individual;
- A record of such impairment; or
- Being regarded as having such impairment.

Discrimination on the Basis of Disability

Discrimination on the basis of disability means to:

- Limit, segregate, or classify a citizen in a way that may adversely affect opportunities or status because of the person's disability;
- Limit, segregate, or classify a participant in a program or activity offered to the public in a way that may adversely affect opportunities or status because of the participant's disability;
- Participate in a contract that could subject a qualified citizen with a disability to discrimination;
- Use any standards, criteria, or methods of administration that have the effect of discriminating on the basis of disability;
- Deny equal benefits because of a disability;
- Fail to make reasonable accommodations to known physical or mental limitations of an otherwise qualified individual unless it can be shown that the accommodation would impose an undue burden on the City's operations;
- Use selection criteria that exclude otherwise qualified people with disabilities from participating in the programs or activities offered to the public; and
- Fail to use tests, including eligibility tests, in a manner that ensures that the test results accurately reflect the qualified applicant's skills or aptitude to participate in a program or activity.

Having a Record of Impairment

An individual is disabled if he or she has a history of having an impairment that substantially limits the performance of a major life activity; or has been diagnosed, correctly or incorrectly, as having such impairment.

Physical or Mental Impairments

Physical or mental impairments may include, but are not limited to: vision, speech, and hearing impairments; emotional disturbance and mental illness; seizure disorders; mental retardation; orthopedic and neuromotor disabilities; learning disabilities; diabetes; heart disease; nervous conditions; cancer; asthma; Hepatitis B; HIV infection (HIV condition); and drug addiction if the addict has successfully completed or is participating in a rehabilitation program and no longer uses illegal drugs.

The following conditions are not physical or mental impairments: transvestitism; illegal drug use; homosexuality or bisexuality; compulsive gambling; kleptomania; pyromania; pedophilia; exhibitionism; voyeurism; pregnancy; height; weight; eye color; hair color; left-handedness; poverty; lack of education; a prison record; and poor judgment or quick temper if not symptoms of a mental or physiological disorder.

Qualified Individual with a Disability

A qualified individual with a disability means an individual with a disability who, with or without reasonable modification to rules, policies, or practices; the removal of architectural, communication, or transportation barriers; or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by the City.

Reasonable Program Modifications

If the individual's disabilities prevent them from performing the essential functions of the program or activity, it is necessary to determine whether reasonable program modifications would enable an individual to perform the essential functions of the program or activity.

Reasonable program modification is any change in program or activity or in the way things are customarily done that enables an individual with a disability to enjoy equal program opportunities. Accommodation means modifications or adjustments:

- To a registration or application process to enable an individual with a disability to be considered for the program or activity;

- To the program or activity environment in which the duties of a position are performed so that a person with a disability can perform the essential functions of the program or activity; and
- That enables individuals with disabilities to enjoy equally the benefits of the program or activity as other similarly situated individuals without disabilities enjoy.
- Modification includes making existing facilities and equipment used by individuals readily accessible and usable by individuals with disabilities.

Modification applies to:

- All decisions and to the application or registration process;
- All services provided in connection with the program or activity; and
- Known disabilities only.

Modification is not required if:

- It changes the essential nature of a program or activity of the person with a disability;
- It creates a hazardous situation;
- Adjustments or modifications requested are primarily for the personal benefit of the individual with a disability; or
- It poses an undue burden on the City.

Regarded as Having a Disability

An individual is disabled if she or he is treated or perceived as having an impairment that substantially limits major life activities, although no such impairment exists.

Substantial Limitations of Major Life Activities

Individuals are disabled if they have a physical or mental impairment that (a) renders them unable to perform a major life activity, or (b) substantially limits the condition, manner, or duration under which they can perform a particular major life activity in comparison to other people.

Major life activities are functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

In determining whether physical or mental impairment substantially limits the condition, manner, or duration under which an individual can perform a particular major life activity in comparison to other people, the following factors shall be considered:

- The nature and severity of the impairment;
- The duration or expected duration of the impairment; and
- The permanent or long-term impact (or expected impact) of or resulting from the impairment.



6.0 Resources

In order to facilitate access to all City programs and Departments, the City will utilize these, and other, program accessibility guidelines, standards, and resources. This information is available to all employees and volunteers. The City will endeavor to maintain and expand these guidelines as necessary and to include information that can assist City staff and volunteers. The City will periodically review the components of this section, as new information, organizations, and technologies are developed. This section also contains references and links to the accessibility standards that govern new construction and alterations to existing City facilities.

Federal and Texas State Accessibility Standards and Regulations

There are both State and Federal regulations for accessible facilities. Below are resources for both the State of Texas and Federal facility regulations.

U.S. Department of Justice

The U.S. Department of Justice provides many free ADA materials including the Americans with Disability Act (ADA) text. Printed materials may be ordered by calling the ADA Information Line [(800) 514-0301 (Voice) or (800) 514-0383 (TTY)]. Publications are available in standard print as well as large print, audiotape, Braille, and computer disk for people with disabilities. Documents, including the following publications, can also be downloaded from the Department of Justice website (<http://www.ada.gov/>).

ADA Regulation for Title II: This publication describes Title II of the Americans with Disabilities Act, Pub. L. 101-336, which prohibits discrimination on the basis of disability by public entities. Title II of the ADA protects qualified individuals with disabilities from discrimination on the basis of disability in the services, programs, or activities of all state and local governments. This rule adopts the general prohibitions of discrimination established under section 504, as well as the requirements for making programs accessible to individuals with disabilities and for providing equally effective communications. It also sets forth standards for what constitutes discrimination on the basis of mental or physical disability, provides a definition of disability and qualified

individual with a disability, and establishes a complaint mechanism for resolving allegations of discrimination.

Title II Technical Assistance Manual (1993) and Yearly Supplements. This 56-page manual explains in lay terms what state and local governments must do to ensure that their services, programs, and activities are provided to the public in a nondiscriminatory manner. Many examples are provided for practical guidance.

Accessibility of State and Local Government Websites to People with Disabilities. A 5-page publication providing guidance on making state and local government websites accessible.

ADA Information for Law Enforcement. This page contains compliance assistance materials to help state and local law enforcement officers understand how to interact with victims, witnesses, suspects, and others who have disabilities.

U.S. Access Board Publications

The full texts of federal laws and regulations that provide the guidelines for the design of accessible facilities and programs are available from the U.S. Access Board. Single copies of publications are available at no cost and can be downloaded or ordered by completing a form available on the Access Board's website (<http://www.access-board.gov/>). In addition to regular print, publications are available in: large print, disk, audiocassette, and Braille.

Communications & IT

Access to information and communication technology (ICT) is addressed by Board standards and guidelines issued under Section 508 of the Rehabilitation Act and Section 255 of the Telecommunications Act.

Section 508 Standards:

<http://www.access-board.gov/guidelines-and-standards/communications-and-it/about-the-section-508-standards>

Refresh of the Section 508 Standards and the Telecommunications Act Guidelines:
<http://www.access-board.gov/guidelines-and-standards/communications-and-it/about-the-ict-refresh>

Telecommunications Act Accessibility Guidelines:

<http://www.access-board.gov/guidelines-and-standards/communications-and-it/about-the-telecommunications-act-guidelines>

Buildings & Sites

Standards issued under the Americans with Disabilities Act (ADA) address access to buildings and sites nationwide in new construction and alterations.

2010 ADA Standards for Accessible Design: This document contains scoping and technical requirements for accessibility to buildings and facilities by individuals with disabilities under the Americans with Disabilities Act (ADA) of 1990. These scoping and technical requirements are to be applied during the design, construction, and alteration of buildings and facilities covered by Titles II and III of the ADA to the extent required by regulations issued by federal agencies, including the Department of Justice and the Department of Transportation, under the ADA. This document must be used in conjunction with the Texas Structural Specialty Code Chapter 11 Accessibility (see State of Texas Accessibility Standards and Regulations).

2012 ADA Standards:

<http://www.access-board.gov/guidelines-and-standards/buildings-and-sites/about-the-ada-standards>

Recreation Facilities

Access to recreation facilities, including play areas, swimming pools, sports facilities, fishing piers, boating facilities, golf courses, and amusement rides is addressed in the ADA and ABA standards. New provisions will cover access to trails, picnic and camping sites, and beach access routes.

Recreation Facilities:

<http://www.access-board.gov/guidelines-and-standards/recreation-facilities/about-recreation-facilities>

Outdoor Developed Areas:

<http://www.access-board.gov/guidelines-and-standards/recreation-facilities/outdoor-developed-areas>

Streets and Sidewalks

New guidelines the Board is developing will cover access to public rights-of-way, including sidewalks, intersections, street crossings, and on-street parking. The Board is also addressing access to shared use paths providing off-road means of transportation and recreation.

Public Rights-of-Way:

<http://www.access-board.gov/guidelines-and-standards/streets-sidewalks/public-rights-of-way>

Shared Use Paths:

<http://www.access-board.gov/guidelines-and-standards/streets-sidewalks/shared-use-paths/about-this-rulemaking>

Title II: U.S. Department of Justice Publications

Title II Technical Assistance Manual | Supplement

A 56-page manual that explains in lay terms what State and local governments must do to ensure that their services, programs, and activities are provided to the public in a nondiscriminatory manner. (1993) <http://www.ada.gov/taman2.html>

The ADA and City Governments: Common Problems |

<http://www.ada.gov/comprob.pdf>

A 9-page document that contains a sampling of common problems shared by city governments of all sizes, provides examples of common deficiencies and explains how these problems affect persons with disabilities. (2000) <http://www.ada.gov/comprob.htm>

ADA Guide for Small Towns | <http://www.ada.gov/smtown.pdf>

A 21-page guide that presents an informal overview of some basic ADA requirements and provides cost-effective tips on how small towns can comply with the ADA. (2000) <http://www.ada.gov/comprob.htm>

Accessibility of State and Local Government Websites to People with Disabilities |

http://www.ada.gov/websites2_prnt.pdf

A 5-page publication providing guidance on making State and local government websites accessible. (2003) <http://www.ada.gov/websites2.htm>

ADA Checklist for Polling Places | <http://www.ada.gov/votingprt.pdf>

This 39-page checklist is a self-help Evaluation that voting officials can use to determine whether a polling place has basic accessible features needed by most voters with disabilities. (2004) <http://www.ada.gov/votingchecklist.htm>

An ADA Guide for Local Governments: Making Community Emergency Preparedness and Response Programs Accessible to People with Disabilities | <http://www.ada.gov/emerpreguideprt.pdf>

An 11-page illustrated publication that provides guidance on preparing for and carrying out emergency response programs in a manner that results in the services being accessible to people with disabilities. (2006) <http://www.ada.gov/emergencyprep.htm>

Access for 9-1-1 and Telephone Emergency Services | <http://www.ada.gov/911ta.pdf>

A 10-page publication explaining the requirements for direct, equal access to 9-1-1 for persons who use teletypewriters (TTYs). (1998) <http://www.ada.gov/911ta.htm>

Commonly Asked Questions about the ADA and Law Enforcement

A 12-page publication providing information for law enforcement agencies in a simple question and answer format. (2006) http://www.ada.gov/q&a_law.htm

Communicating with People Who Are Deaf or Hard of Hearing: ADA Guide for Law Enforcement Officers | <http://www.ada.gov/lawenfcomm.pdf>

This 8-panel pocket guide provides basic information for officers about ADA requirements for communicating effectively with people who are deaf or hard of hearing. (2006) <http://www.ada.gov/lawenfcomm.htm>

Model Policy for Law Enforcement on Communicating with People Who Are Deaf or Hard of Hearing | <http://www.ada.gov/lawenfmodpolicy.pdf>

This 4-page document serves as a model for law enforcement agencies when adopting a policy on effective communication with people who are deaf or hard of hearing. Agencies are encouraged to download and adapt the policy to suit their needs. (2006) <http://www.ada.gov/lawenfmodpolicy.htm>

Questions and Answers: The ADA and Hiring Police Officers

A 5-page publication providing information on ADA requirements for interviewing and hiring police officers. (1997) <http://www.ada.gov/copsq7a.htm>

State of Texas Accessibility Standards and Regulations

International Building Code Chapter 11 Accessibility can be found at the following website: <https://codes.iccsafe.org/content/IBC2018/chapter-11-accessibility>

The State of Texas has also adopted a set of design guidelines for accessible facilities, which can be found in the Texas Government Code, Chapter 469. This code contains general building design and construction requirements relating to fire and life safety, structural safety, and access compliance. OSSC provisions provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures and certain equipment. The Texas Building Code Division follows the 2009 International Building Code (IBC) with amendments and provisions specific to the State of Texas.

Because building codes are updated every few years, the City has an ongoing program of regularly reviewing changes and updating policies and procedures related to accessibility to ensure compliance with current code.

<https://www.tdlr.texas.gov/ab/abtas.htm> - 2012 Texas Accessibility Standards (2012 TAS), Elimination of Architectural Barriers Texas Government Code, Chapter 469, as administered by the Texas Department of Licensing and Regulation.

<https://texasprojectfirst.org> – This website was created by parents, for parents. A project of the Family to Family Network committed to providing accurate and consistent information to parents and families of students with disabilities. information on families and school.

Resources for Providing Accessible Programs and Facilities

ADA Document Portal: This website provides links to an ADA Collection consisting of more than 7,400 documents on a wide range of topics. The ADA Document Portal is supported by the ten ADA & IT Technical Assistance Centers (<http://www.adaportal.org/>).

American Association of Museums: Accessible exhibit design publications are available for purchase from AAM's website, including Everyone's Welcome (available in a variety of formats), which addresses museum programs and the ADA, The Accessible Museum, which offers model programs of accessibility for older people and people with disabilities, and What Museum Guides Need to Know to provide access to blind and visually impaired visitors (<http://www.aam-us.org>).

Beneficial Designs: Beneficial Designs works toward universal access through research, design, and education. Beneficial Designs develops assistive and adaptive technology, performs rehabilitation research, contract design, legal consultation, standards development, and serves as a rehabilitation information resource. Contact Beneficial Designs, Inc. at 2240 Meridian Blvd, Suite C, Minden, NV 89423-8628, (775) 783-8822), (<http://www.beneficialdesigns.com/>).

DisabilityInfo.gov: A one-stop interagency portal for information on Federal programs, services, and resources for people with disabilities, their families, employers, service providers, and other community members.

National Center on Accessibility: The Center is a cooperative project between the National Park Service and Indiana University to provide information and technical assistance, primarily on recreation access. An example of the research activities of the NCA is the National Trails Surface Study. This study is primarily the result of questions that NCA has, for many years and continues to receive from organizations, agencies and individuals who desire to make their trails accessible; are interested in an unobtrusive surface that blends and is friendly to the environment; and provides a quality trail experience for people with and without disabilities.

NCA also publishes 'What is an Accessible Trail?' which summarizes the federal guidelines for outdoor developed areas and is available for downloading from its website. The NCA website also has information on campground accessibility, accessible picnic tables, access to beaches, and inclusion of people with disabilities in aquatic venues. (<http://www.ncaonline.org/>)

National Center on Physical Activity and Disability: The Center provides information and resources on physical activity to help people with disabilities find ways to become more active and healthier. The Center also provides information on how to provide access to fitness centers, schools, recreation facilities, camps, and health and leisure services (<http://www.ncpad.org/>).

Smithsonian Institution: The Accessibility Program has developed the Smithsonian Guidelines for Accessible Exhibition Design (1996), which are available for downloading from their website: (<http://accessible.si.edu>). Further information is available from the Smithsonian Accessibility Program at the Arts and Industries Building, Room 1239 MRC 426, Washington, D.C. 20560 (202) 786-2942.

Resources for Assistive Technologies (General)

The City should utilize the many disability-related resources available through the Internet.

AbleData: The National Institute on Disability and Rehabilitation Research of the U.S. Department of Education maintains a national web-based service which provides up-to-date links to assistive technologies and disability-related resources(<http://www.abledata.com/>).

Texas Technology Access Program: The Texas Technology Access Program (OTAP) provides training, information, technical assistance and resources regarding the uses of technology for children with disabilities. OTAP services are available to anyone concerned with the needs of Texas's children with disabilities from birth to age twenty-one. The program is sponsored by the Texas Department of Education (ODE). (<http://www.otap-Texas.org>)

Alternative Format Communications

Resources to produce standardized publications such as applications and registration forms in Braille, audiotape, large-print text, and accessible electronic media will be assembled. Information regarding Braille Services and other accommodations for people with visual disabilities is available by contacting:

American Council of the Blind: The ACB (<http://www.acb.org/>) is a national organization advocating on behalf of persons who are blind or have low vision. ACB also publishes A Guide to Making Documents Accessible to People Who Are Blind or Visually Impaired, which is available online, in regular print, large print, Braille, or on cassette tape. ACB is located at 1155 15th St. NW, Suite 1004, Washington, DC 20005 (800) 424-8666 or by email at info@acb.org.

National Center on Accessibility: The NCA publishes 'What are Alternative Formats? How Do They Apply to Programs and Services?' which is available for downloading from their website (<http://www.ncaonline.org/>).

National Center for Accessible Media: NCAM is a research and development facility dedicated to the issues of media and information technology for people with disabilities in their homes, schools, workplaces, and communities. Developers of Web- and CD-ROM-based multimedia need an authoring tool for making their materials accessible to persons with disabilities. NCAM has developed two such tools, version 1.0 and 2.01 of the Media Access Generator (MAGpie), for creating captions and audio descriptions for rich media. Media Access Generator (MAGpie) is available for downloading from NCAM's website (<http://ncam.wgbh.org>)

American Sign Language Interpreters: A pool of on-call American Sign Language interpreters should be developed. This list should be routinely updated to ensure their

availability. Some programs may need to have a pool of interpreters who are available on a twenty-four-hour basis to handle emergency procedures.

The required qualifications of these interpreters should be established. Many non-certified interpreters provided by local services may have excellent skills and be qualified to handle most circumstances. However, certain circumstances, such as the provision of emergency medical services, may require interpreters who are approved by the courts and can ensure a level of confidentiality.

You may want to contact each agency in advance of a need for services to determine their rates so that you are prepared to cover the communication expenses, should the need arise.

You should always request RID certified interpreters. Only in the event that certified interpreters are unavailable should you rely on non-certified interpreters.

Individuals who are hard of hearing generally do not use ASL interpreters. Always ask the individual requesting an accommodation what type of accommodation works best for them. Determining what accommodation(s) will be provided is an interactive process. Depending on the situation, accommodating an individual who is hard of hearing may include note writing, use of assistive listening devices, and/or provision of Computer Assisted Real-Time (CART) captioning.

Assistive Listening Systems and Devices

Systems and devices to amplify sound for persons with hearing disabilities should be available for public meetings and events. Various technologies exist for these devices. Different types of devices are more suitable for different types of hearing disabilities. Devices should be chosen to accommodate the greatest number of individuals.

See the Assistive Listening Systems Technical Bulletins available on the U.S. Access Board's website (<http://www.access-board.gov/>).

Closed Caption Machine: To the extent practical, City departments should have access to a device for encoding closed captioning on films and videotapes used for training and other programs.

Optical Readers: Equipment that can translate printed information into an audio format should be available to the City programs.

Text Telephone (TTY): City programs should have access to a text telephone or have access to a telephone transfer service as required by the law and offered by public

telephone companies. See the Text Telephones Technical Bulletin available on the U.S. Access Board's website (<http://www.access-board.gov/>).

TDI: TDI's (formerly known as Telecommunications for the Deaf, Inc.) mission is to promote equal access in telecommunications and media for people who are deaf, hard of hearing, late deafened, or deaf blind. TDI's on-line resources include information about telecommunications access such as TTY, pagers, telephony, VoIP, and more (<http://tdiforaccess.org/>).

Video Relay Services (VRS): Video Relay Service (VRS) is a form of Telecommunications Relay Service (TRS) that enables persons with hearing disabilities who use American Sign Language to communicate with voice telephone users through video equipment, rather than through typed text. Video equipment links the VRS user with a TRS operator – called a “communications assistant” (CA) – so that the VRS user and the CA can see and communicate with each other in signed conversation. Because the conversation between the VRS user and the CA flows much more quickly than with a text-based TRS call, VRS has become a popular form of TRS (www.fcc.gov/guides/video-relay-services).

Hands on Video Relay Service: (877) 467-4877 English or (877) 467-4875 Spanish

Sorenson Video Relay: Using a standard telephone, simply call the toll-free number 1-(866)-327-8877. Have the contact information of the deaf or hard-of-hearing individual (i.e. name, videophone number or IP address) ready. Remain on hold until the call is answered by the next available interpreter.

Sprint VRS Directions: (877)709-5776 or website www.sprintvrs.com

Resources and Organizations Serving People with Disabilities

Adaptive Environments

This educational non-profit organization is committed to advancing the role of design in expanding opportunity and enhancing experience for people of all ages and abilities. Adaptive Environments provides education and consultation to public and private entities about strategies, precedents and best practices that go beyond legal requirements to design places, things, communication and policy that integrate solutions to the reality of human diversity (<http://www.adaptenv.org/>).

American Association of People with Disabilities

The American Association of People with Disabilities is the largest nonprofit, nonpartisan, cross-disability organization in the United States (<http://www.aapd.com/>).

American Foundation for the Blind

The American Foundation for the Blind is committed to improving accessibility in all aspects of life—from cell phones to ATMs, on web sites and in workplaces. Services include assistance in making products and services accessible to people with visual impairments. AFB offers expert consulting services and accessible media production. AFB provides objective product evaluations of adaptive technologies through its assistive technology product database (<http://www.afb.org/>).

The Arc

The Arc (formerly Association for Retarded Citizens of the United States) is the country's largest voluntary organization committed to the welfare of all children and adults with mental retardation and their families (<http://www.thearc.org>). Local information is available from The Arc Texas, 2405 Front Street NE, Ste 120, Salem, OR 97301, (503) 581-2726 (<http://thearcTexas.org/>)

Autism Society of Texas

An affiliate of the Autism Society, the nation's leading grassroots autism organization, exists to improve the lives of all affected by autism. We do this by increasing public awareness about the day-to-day issues faced by people on the spectrum, advocating for appropriate services for individuals across the lifespan, and providing the latest information regarding treatment, education, research and advocacy. (<http://autismsocietyTexas.org/>)

DisabilityInfo.gov's online resources for High School

Guidelines for Accessing Alternative Format, inclusion materials, educational technology, a comprehensive list including college preparatory materials, transition issues for children with special needs and more (<https://www.disability.gov/education>).

Disability Resources, Inc.

Disability Resources, Inc. is a national nonprofit organization that provides information about resources for independent living. DRI maintains an on-line directory of assistive technology resources (<http://www.disabilityresources.org/>).

Family Center on Technology and Disability

Funded by the U.S. Department of Education's Office of Special Education Programs, the Family Center on Technology and Disability provides a wide range of resources on

assistive technology, from introductory fact sheets and training materials to in-depth discussion of best practices and emerging research. (<http://www.fctd.info/>)

Guide to Disabilities and Disability Etiquette

A guide to disabilities and disability etiquette should be assembled and distributed to staff and volunteers. The guide will ensure that staff and volunteers are familiar with a variety of types of disabilities and that they are sensitive to the abilities and needs of people with disabilities in order not to offend or demean them. The guide should be periodically updated to ensure that it includes current acceptable language for talking about disabilities.

Disability Etiquette

Interacting with People with Disabilities is available on-line at the County of Long Beach's website (http://www.longbeach.gov/hr/ada/disability_etiquette.asp).

National Association of the Deaf

NAD is a national consumer organization representing people who are deaf and hard of hearing. NAD provides information about standards for American Sign Language Interpreters and the Captioned Media Program on its website (<http://www.nad.org/>).

National Federation of the Blind

NFB is a national organization advocating on behalf of persons who are blind or have low vision. NFB provided on-line resources for technology for the blind, including a technology resource list, a computer resource list, screen access technology, sources of large print software for computers, and sources of closed circuit TV (CCTV's) (<http://www.nfb.org/>).

National Organization on Disability

The National Organization on Disability promotes the full and equal participation and contribution of America's 54 million men, women and children with disabilities in all aspects of life. NOD maintains an on-line directory of information and links including transportation-related resources (<http://www.nod.org/>).

Northwest ADA Center, National Institute on Disability and Rehabilitation Research

The ADA National Network Centers are a national platform of ten centers comprised of ADA professionals and experts charged with assisting businesses, state and local governments, and people with disabilities as they manage the process of changing our

culture to be user friendly to disability and the effect the variety of health conditions can have on society. The Northwest ADA Center is a part of the [Department of Rehabilitation Medicine](#) at the University of Washington, and collaborates with the [Center for Technology and Disability Studies](#), a program within the Center for Human Development and Disability and the Department of Rehabilitation Medicine. (<http://dbtacnorthwest.org/>)

Texas Department of State Health Services

The Texas Department of State Health Services mission is to make it possible for Seniors and People with Disabilities to become independent, healthy and safe. The Department of Human Services helps seniors and people with disabilities achieve well-being through opportunities for community living, employment, family support and services that promote independence, choice and dignity.

Paralyzed Veterans of America

PVA is a national advocacy organization representing veterans. PVA's Sports and Recreation Program promotes a range of activities for people with disabilities, with special emphasis on activities that enhance lifetime health and fitness. PVA's website: (<http://www.pva.org>) provides information on useful sports publications and a list of contacts.

United Cerebral Palsy Association

UCP's mission is to advance the independence, productivity and full citizenship of people with cerebral palsy and other disabilities, through our commitment to the principles of independence, inclusion and self-determination. UCP's Sports and Leisure Channel is designed for people with disabilities who are interested in sports and other leisure activities and proposes creative ideas for inclusive community recreation programs, including outdoor adventure activities for people with disabilities. Information about the Sports and Leisure Channel is available on UCP's website (<http://www.ucp.org>).

United Spinal Association

United Spinal Association is a membership organization serving individuals with spinal cord injuries or disease. Formerly known as the Eastern Paralyzed Veterans Association, the organization expanded its mission to serve people with spinal cord injuries or disease regardless of their age, gender, or veteran status. Information on accessibility training and consulting services and recreational opportunities for people with spinal cord injuries or disease is available on their website (<http://www.unitedspinal.org>).

World Institute on Disability

WID is an international public policy center dedicated to carrying out research on disability issues. WID maintains an online information and resource directory on technology, research, universal design, and ADA (<http://www.wid.org/resources/>).



7.0 Appendices

The development of the Transition Plan was based on the findings of the facility evaluations and meetings with City staff to establish the schedule for addressing barrier removal. After the draft Transition Plan has circulated through the City Departments, the City will open the draft Transition Plan to the public for comment. The following appendices references the facility reports by Department, as well as materials used for the public outreach materials comments.

7.1 Public Outreach Materials & Comments

The public outreach materials and public comments will be made available on the City's website: <http://www.leonvalleytexas.gov>

Timeline of City of Leon Valley Actions to Comply with the ADA and Advance Access

The City Council will strive to adopt a Resolution affirming that all programs, services, and activities provided by the City are accessible to people with disabilities. The resolution will affirm that persons with disabilities should not be discriminated against when pursuing employment with the City. The City Council will designate the City Manager and City Secretary's offices to coordinate and implement the City's efforts to comply with rules and regulations in the ADA, including program services, activities, and employment.

The City Secretary and City Manager will be authorized to adopt rules, procedures and forms to assist in the implementation of the City of Leon Valley's ADA Title II policy and program. The City Manager will manage the ADA Title II program, work with the Departments to ensure that the City of Leon Valley is in compliance with this policy, manage the Citywide ADA Coordination Program, and manage the Citywide Transition Plan.

ADM-18.21 - City of Leon Valley American's With Disabilities Act Title II Non-discrimination Policy

PURPOSE

Section 1. The Council finds:

1. On July 26, 1990, The Americans with Disability Act (ADA) was passed to prohibit discrimination and ensure equal opportunity for persons with disabilities in employment, state and local government services, public accommodations, commercial facilities and transportation. Title II of the ADA prohibits local governments from excluding persons with disabilities from participation or deny persons with disabilities the benefits of the agency's services programs or activities.
2. On *, 2022, City Council unanimously adopted Resolution *****, which affirms that all programs, services, and activities provided by the City are or will be accessible to people with disabilities. The resolution affirms that persons with disabilities should not be discriminated against when pursuing employment with the City. The Council designated the City Manager and City Secretary to coordinate and implement the City's efforts to comply with rules and regulations in the ADA, including program services, activities, and employment.

POLICY

NOW THEREFORE, the City Council directs:

- a. The City Council hereby reaffirms the previous policies to comply with Title II of the ADA and that the City will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.
- b. The City Manager will manage the ADA Title II program, work with the Departments to ensure that the City of Leon Valley is in compliance with this policy, manage the citywide ADA Coordinator Program and manage the citywide Transition Plan.
- c. The City Manager will provide a report to City Council on citywide compliance with Title II every five years.
- d. The Resolution is City Policy.

Section 2. The Council declares that because delay in the creation of rules, procedures, and forms to implement the program could unreasonably burden the community of

persons with disabilities, this Resolution shall be in full force and effect from and after its passage by the Council.

ADM 18.20 Title II ADA – Complaint Procedures

Administrative Rule Adopted by the Office of the City Manager, pursuant to rule-making authority.

Purpose

The City of Leon Valley is responsible for complying with Title II of the Americans with Disabilities Act (ADA). Title II of the ADA prohibits the City from excluding or denying qualified persons with disabilities access to City facilities or participation in City services, programs or activities.

One component of the City's compliance with the ADA is the development and implementation of procedures to ensure adequate tracking and investigation of complaints made under Title II. This administrative rule establishes procedures and forms for making complaints under Title II of the ADA.

Scope

Any person who believes he or she has been unlawfully denied access to City facilities, programs, services, benefits, or activities based on his or her status as a qualified individual with a disability has the right to file a complaint under Title II of the ADA with the City of Leon Valley.

These procedures apply to all Title II complaints against the City of Leon Valley.

These administrative procedures do not provide for compensatory or punitive damages for the complainant.

The City's complaint procedure for Title II is not exclusive. This means that a person who files a complaint with the City may also file a complaint with other state or federal agencies or the courts. Other agencies will have time limits for filing complaints. Generally, federal agencies require Title II complaints to be filed within 180 days of the date of the alleged discrimination.

Title II Complaint Procedures

Step 1 - Filing a Complaint

1. The City of Leon Valley has established a complaint form for Title II complaints.
2. To be accepted, a Title II complaint must:
 - a) involve discrimination on the basis of the person's qualified disability;
 - b) allege that the discrimination was committed by the City of Leon Valley or a City of Leon Valley agent or employee;
 - c) be filed within 60 days of the alleged occurrence or when the alleged occurrence become known to the complainant;
 - d) involve a City of Leon Valley facility, program, service, benefit or activity.
3. Complaints should be filed with Title II Program Manager in the City Secretary's office.
4. Complaints must be in writing and signed by the complainant. If the complainant needs assistance in reducing the complaint to writing or signing it, he or she may request assistance from the Title II Program Manager or may have another person write and acknowledge the complaint on his or her behalf.
5. Complaints should include:
 - a) the name, address and phone number of the person who experienced the discriminatory action;
 - b) the date of the alleged act of discrimination or the date when the complainant(s) became aware of the alleged discrimination;
 - c) a brief but specific description of the discriminatory situation, practice or action and including any relevant facts.
6. The complaint should include names and contact information of any witnesses.
7. A complaint may be faxed or e-mailed and will be acknowledged and processed once the identity of the complainant and the intent to proceed with the complaint have been established. A complaint received by telephone will be reduced to writing on a complaint form and provided to complainant for confirmation or revision before processing.

8. The complaint form must be signed or acknowledged and sent to the City Manager for processing. The original copy may be dropped off, mailed, or emailed to:

City Manager
Americans with Disabilities Act Complaint
City of Leon Valley
6400 El Verde Road
Leon Valley, Texas 78238
c.caldera@leonvalleytexas.gov

Step 2 - Processing a Complaint

1. Upon receipt of the complaint, the City Manager or his/her designee will determine whether or not:
 - a) The City has jurisdiction;
 - b) The complaint is timely;
 - c) The complaint is complete; and,
 - d) Additional information is needed.
2. The City will notify the complainant in writing, either by mail or email, within five (5) working days of receipt whether the complaint is accepted or not. If the complaint is not accepted, the City will provide an explanation in writing. If the complaint is not accepted because additional information is needed, the complainant will be notified what information is needed. The complainant may then resubmit the additional information for review.
3. If the complaint is accepted, the City Manager will investigate the merits of the complaint and attempt to resolve it.
4. City departments that receive complaints directly are responsible for forwarding those complaints to the City Manager or his/her designee for intake.

Step 3 - Dismissing a Complaint

1. The City of Leon Valley may dismiss a complaint for any of the following reasons:
 - a) The complainant withdraws the complaint.

- b) The complainant fails to respond to repeated requests for additional information needed to process the complaint.
- c) The complaint is untimely.
- d) The complainant cannot be located.
- e) The complaint is determined to be legally insufficient.

Step 4 - Investigating and Tracking a Complaint

1. The City Manager or his/her designee will notify the complainant in writing within five (5) working days of the decision to accept or reject the complaint. Notification will include a case number assigned to the complaint.
2. If the parties are unable to resolve the complaint, the City Council will investigate the complaint. The complainant will be provided a written decision on the complaint within sixty (60) working days of the acceptance of the complaint for investigation.

Step 5 - Appealing the City's Written Decision

1. The City Manager will only re-consider their decision regarding a complaint if new facts come to light.
2. If the complainant is not satisfied with the written decision of the City Manager, the complainant has fourteen (14) working days from the date of the decision to provide the City Manager with written notice of intent to appeal.
3. The appeal shall be sent to the director of the relevant City department no later than fourteen (14) days after the receipt of the written decision.
4. The department director shall issue a decision on the appeal within thirty (30) working days of the notice of intent to appeal, which shall be submitted to the City Manager.

Responsibility

- a) The City Manager or his/her designee is authorized to administer and monitor this administrative rule.
- b) The City Manager or his/her designee is authorized to formulate, administer, and monitor procedures and forms to assist in the implementation of the City of Leon Valley's Title II complaint procedures.

- c) The City Manager or his/her designee has the authority to promulgate changes to the program at any time.

TEXAS ACCESSIBILITY STANDARDS
Plan Review and Inspection Service
RAS # 78

November 24, 2020

Melinda Moritz, Director of Public Works

The following is a summary report of the 6 buildings that were inspected by David McMillan CBO, RAS 078 for the 2012 Texas Accessibility Standards.

The Public Works Building

The Building was found to be non-compliant in all areas requiring compliance. Attached is it's 49 page inspection report. The good news is the majority of the areas of non-compliance are large enough to be remodeled without relocating or moving walls.

Starting with the parking area there is no longer a clearly marked handicapped space with signage or a marked access route to the main doors of the building. The main doors are lacking exterior landings that would provide access into the building. The restrooms are large enough to be remodeled and provide a handicapped toilet and a handicapped shower. [note if mens room has a handicapped shower then the womens needs one too] Both restrooms need handicapped lavatories (wall hung) and toilets. The breakroom has a stove in it which requires there to be a standard kitchen sink with wheelchair access. All doors must have lever handles on them. The current dressing area is not large enough to provide wheelchair access or a place for a disabled person to change clothing.

Libray Annex

The building was found to be non-compliant in all areas. It has no ADA parking space associated with it. The sidewalks in front of the building are not in compliance nor is the small park like feature in front of the building. It has a ramp leading into a back entrance which is not allowed unless the building has been declared a historic site by the state of Texas. The restroom does not comply due to size and access door size is under 36 inches. There are obstacles in each reading room making it impossible for a wheelchair to maneuver

Raymond Rimkus Park

Has two restroom facilities. The one next to the large playground area will be referred to as Building "A" and the other one as building "B". Building "B" is the newer of the two and is compliant. Building "A" is not compliant with 2012 Accessibility Code. The play

areas appear to meet Accessibility Codes with the exception of the entrance into the play area having a hump in the walk way that prevents easy access into the play area. The paved walking track does not comply as it has areas in it where the running slope is over 5%. Per the Code all walkways in the park can not have a running slope over 5% and a cross slope over 2%. There is also areas in the walkway where there are cracks that are wider than ½ inch.

Conference Center

The Conference Center is missing a hand rail on a set of steps. 50% of the ADA parking is not compliant, in terms of the spaces meeting the required 2% grade in all direction for the actual space and it's accompanying access isle. Some coat hooks have been installed in the toilet stalls that are over 48 inches high and need to be replaced. There was some concern that the walkway to the woman's handicap stall was too narrow but Code allows it to be 36 inches wide and currently its 41 inches wide.

Kinman House / Restaurant

Wooden ramps into side door do not comply as they are missing correct handrails and is not allowed if building in not considered a historical building. Almost all doors were missing a correct landing and correct thresholds. The Unisex restroom was non compliant. There is a change of elevation in kitchen area that has created a trip hazard.