

**CITY OF MARSHALL  
AGENDA ITEM REPORT**

<b>Meeting Date:</b>	Tuesday, July 28, 2020
<b>Category:</b>	CONSENT AGENDA
<b>Type:</b>	ACTION
<b>Subject:</b>	ADA Transition Plan for Public Sidewalks & City Rights-of-Way – Call for Public Hearing.
<b>Background Information:</b>	<p>Attached is a draft of the ADA Transition Plan for Public Sidewalks &amp; City Rights-of-Way.</p> <p>The Americans with Disabilities Act (ADA), enacted on July 26, 1990, is a civil rights law prohibiting discrimination against individuals on the basis of disability. ADA consists of five titles outlining protections in the following areas:</p> <ol style="list-style-type: none"> <li>1. Employment</li> <li>2. State and local government services</li> <li>3. Public accommodations</li> <li>4. Telecommunications</li> <li>5. Miscellaneous Provisions</li> </ol> <p>Title II of ADA pertains to the programs, activities and services public entities provide. As a provider of public transportation services and programs, City of Marshall must comply with this section of the Act as it specifically applies to public service agencies. Title II of ADA provides that, "...no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity." (42 USC. Sec. 12132; 28 CFR. Sec. 35.130)</p> <p>This document has been created to specifically cover accessibility within the public rights of way and does not include information on City of Marshall programs, practices, or building facilities not related to public rights of way.</p> <p>As required by Title II of ADA, 28 CFR. Part 35 Sec. 35.105 and Sec. 35.150, the City of Marshall has conducted a self-evaluation of its public infrastructure within public rights of way and has developed this Transition Plan detailing how the organization will ensure that all of those facilities are accessible to all individuals. This document serves as a supplement to City of Marshall Comprehensive ADA Transition Plan covering buildings, services, programs and activities.</p> <p>It is the intent to hold a hearing to receive public input at the August 11, 2020 meeting with subsequent input incorporated into the plan and Council adoption at the August 25, 2020 meeting.</p>
<b>Fiscal Impact:</b>	None.
<b>Alternative/ Variations:</b>	No alternative actions recommended.
<b>Recommendations:</b>	that the Council set a public hearing to be held at the August 11, 2020 regarding the ADA Transition Plan for Public Sidewalks & City Rights-of-Way.