

**Notice of Meeting for the
Americans with Disabilities Accessibility Advisory Board
and the Governing Body
of the City of Georgetown
October 10, 2018 at 6:00 PM
at GMC Building, 300-1 Industrial Avenue, Georgetown, TX 78626**

The City of Georgetown is committed to compliance with the Americans with Disabilities Act (ADA). If you require assistance in participating at a public meeting due to a disability, as defined under the ADA, reasonable assistance, adaptations, or accommodations will be provided upon request. Please contact the City Secretary's Office, at least three (3) days prior to the scheduled meeting date, at (512) 930-3652 or City Hall at 113 East 8th Street for additional information; TTY users route through Relay Texas at 711.

Regular Session

(This Regular Session may, at any time, be recessed to convene an Executive Session for any purpose authorized by the Open Meetings Act, Texas Government Code 551.)

A Call to Order

The Board may, at any time, recess the Regular Session to convene in Executive Session at the request of the Chair, a Board Member, the City Manager, Assistant City Manager, General Manager of Utilities, City Council Member, or legal counsel for any purpose authorized by the Open Meetings Act, Texas Government Code Chapter 551, and are subject to action in the Regular Session that follows.

B Introduction of Visitors

Legislative Regular Agenda

C Review and possible action to approve the minutes from the Regular ADA Board meeting held on September 12, 2018 – Emily Koontz – ADA Board Liaison

D Review and discussion of Chapter 1: Introduction and Overview and Chapter 2: Compliance with ADA Title II Requirements-Federal to finalize comments prior to inclusion into the FY 2018 ADA Transition Plan - Edward G. Polasek, AICP.

E Review and discussion of Parks and Recreation Parks and Facilities 2016-2018 ADA Accomplishments and 2019 Scheduled Improvements - Edward G. Polasek, AICP.

Adjournment

ADJOURNMENT

CERTIFICATE OF POSTING

I, Shelley Nowling, City Secretary for the City of Georgetown, Texas, do hereby certify that this Notice of Meeting was posted at City Hall, 113 E. 8th Street, a place readily accessible to the general public at all times, on the _____ day of _____, 2018, at _____, and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

City of Georgetown, Texas
Americans with Disabilities Accessibility Advisory Board
October 10, 2018

SUBJECT:

Review and possible action to approve the minutes from the Regular ADA Board meeting held on September 12, 2018 – Emily Koontz – ADA Board Liaison

ITEM SUMMARY:

Board to review and revise and/or approve the minutes from the regular meeting held on April 11, 2018.

FINANCIAL IMPACT:

n/a

SUBMITTED BY:

Emily Koontz - Board Liaison

ATTACHMENTS:

	Description	Type
☐	ADA Minutes 09.12.18	Backup Material

**Minutes for the Meeting of the
Americans with Disabilities Accessibility Advisory Board
and the Governing Body
of the City of Georgetown, Texas
September 12, at 6:00 PM
at 300-1 Industrial Ave., Georgetown, Texas 78626**

The City of Georgetown is committed to compliance with the Americans with Disabilities Act (ADA). If you require assistance in participation at a public meeting due to a disability, as defined under the ADA, reasonable assistance, adaptations, or accommodations will be provided upon request. Please contact the City at least four (4) days prior to the scheduled meeting date, at (512)930-3652 or City Hall at 113 East 8th Street for additional information: TTY users route through Relay Texas at 711.

Board Members: Jonathan Dade – Chair Person, John Oliver – Secretary, Erin Curra-Spurger – Member, Cynthia Eisman – Member

Board Members Absent: Levera Patton – Member, Barbara Bender – Member, Anya Juan Risco – Vice-Chair Person

Staff Present: Ed Polasek, Emily Koontz

Others Present: None

Regular Session

(This Regular Session may, at any time, be recessed to convene an Executive Session for any purpose authorized by the Open Meetings Act, Texas government Code 551.)

A. Call to Order: Meeting called to order at 6:00 PM by Dade

The Board may, at any time recess the Regular Session to convene in Executive Session at the request of the Chair, a Board Member, The City Manager, Assistant City Manager, General Manager of Utilities, City Council Member, or legal counsel for any purpose authorized by the Open Meetings Act, Texas Government Code Chapter 551, and are subject to action in the Regular Session that follows

B. Introduction of Visitors - All Board members and staff introduced themselves

Legislative Regular Agenda:

- C Consideration and possible action to approve the minutes from the April 11, 2018 ADA Board Meeting. – Emily Koontz, Board Liaison
MOTION by Jonathan Dade, second by John Oliver to approve the minutes as presented. – APPROVED 4-0-3 (Patton, Bender, Risco – Absent)

- D Review and possible recommendation regarding the City of Georgetown FY2018 ADA Transition Plan, elements related to Pedestrian Improvements and other elements. Edward G. Polasek, AICP Polasek gave review. Presentation is included in the packet. Polasek informs the board that they will be beginning the data collection phase and coming back in October for more updates. The meeting to give the actual recommendation will be in January or February to get a recommendation to the council by March. Dade asked and Polasek confirmed that because of funding some projects have been pushed back. Dade asked and Polasek confirmed that all the 2017 projects are slated to be completed before the end of 2018 except for perhaps Austin Avenue. Dade requested that Eric Johnson and Eric Nooner be present at future meetings to discuss the projects they've been working on. Dade asked and Polasek confirmed that ADA will be a part of the upcoming bike plans. – **No action taken on this item.**

Adjournment

Motion by Jonathan Dade, second by Erin Curra-Spurger to adjourn the meeting. Approved 4-0-3

Meeting adjourned at 6:14 PM.

Approved:

Attested:

Jonathan Dade – Chair Person

John Oliver – Secretary

Emily Koontz – ADA Board Liaison

City of Georgetown, Texas
Americans with Disabilities Accessibility Advisory Board
October 10, 2018

SUBJECT:

Review and discussion of Chapter 1: Introduction and Overview and Chapter 2: Compliance with ADA Title II Requirements-Federal to finalize comments prior to inclusion into the FY 2018 ADA Transition Plan - Edward G. Polasek, AICP.

ITEM SUMMARY:

During the regular meeting of the Board on 9/12/2018, the Board received the schedule to complete the FY 2018 ADA Transition Plan. Part of the schedule included presentation of *Chapter 1: Introduction and Overview* and *Chapter 2: Compliance with ADA Title II Requirements-Federal* at the October Board meeting. The Board would then have a month to review the draft materials and possibly provide a recommendation at their November meeting.

The significant update to the Transition Plan is an inclusion of information collected from the Office of the Governor, Committee on People with Disabilities regarding resources available for private property complaints.

FINANCIAL IMPACT:

N/A

SUBMITTED BY:

Edward G. Polasek, AICP

ATTACHMENTS:

	Description	Type
□	Draft Chapters	Backup Material



City of Georgetown, Texas

Americans with Disabilities Act Title II 2018 Transition Plan

DRAFT 9/21/2018



Table of Contents

1.0 INTRODUCTION AND OVERVIEW.....	1
1.1 Federal Accessibility Requirements for Public Entities – TITLE II.....	1
1.2 Definitions.....	1
2.0 COMPLIANCE WITH ADA TITLE II REQUIREMENTS.....	2
2.1 Notice under the Americans with Disabilities Act.....	2
2.2 ADA Coordinator.....	2
2.3 ADA Advisory Board.....	2
2.4 Accommodations and Modifications.....	2
2.5 Grievance Procedure.....	3
2.6 Other Complaints.....	4
3.0 PLAN ELEMENTS.....	4
3.1 Public Pedestrian Rights-of-Way and Facilities.....	4
3.2 Public Safety.....	6
3.3 Effective Communication.....	7
4.0 PLAN IMPLEMENTATION FOR FY 2015/2016.....	9
4.1 Self-Assessment and Transition Plan.....	9
4.2 Public Pedestrian Right-of-Way.....	9
4.3 Public Buildings and Parking Lots.....	9
4.4 Parks and Recreation Facilities.....	9
4.5 City Department ADA Representatives.....	9
4.6 Administrative Budget.....	9
5.0 RECOMMENDATIONS FOR NEXT ANNUAL REVIEW.....	10
5.1 Annual Review of ADA Transition Plan.....	10
5.2 Data Collection and Organization.....	10
5.3 Self-Assessment for Additional Plan Elements.....	10
5.4 Effective Communication.....	10
5.5 ADA Training.....	10
Appendix A.....	11
Appendix B.....	13
Appendix C.....	044
Appendix D.....	145
Appendix E.....	246
Appendix F.....	347

1.0 INTRODUCTION AND OVERVIEW

The Americans with Disabilities Act (ADA) was enacted on July 26, 1990 and provides comprehensive rights and protections for individuals with disabilities in the areas of employment, public accommodations, state and local government services, and telecommunications. The ADA covers individuals with physical or mental impairments that substantially limit a major life activity, persons with a record of such impairment, and persons regarded or perceived as having such impairment. The law was designed to ensure that persons of all abilities have equality of opportunity, economic self-sufficiency, full participation in American life, and independent living.

1.1 Federal Accessibility Requirements for Public Entities – TITLE II

To ensure that the fundamental goal of the American with Disabilities Act is met, Title II of the ADA requires state and local governments to make their programs and services accessible to persons with disabilities. This requirement extends not only to physical access at government facilities, programs, and events, but also to policy changes that governmental entities must make to ensure that all people with disabilities can take part in, and benefit from, the programs and services of the state and local governments. In addition, governmental entities must ensure effective communication, including the provision of necessary auxiliary aids and services, so that individuals with disabilities can participate in civic life.

Title II requires city governments to ensure that each of its programs, services and activities, when viewed in their entirety, are accessible to people with disabilities. This emphasis on access to programs, as opposed to access to buildings or facilities, distinguishes the requirements for public entities from those for private places of public accommodation. Program Access covers the entire range of city services and programs, including as an example appropriate access along sidewalks and at intersections in the public right of way, access to a city building or facility such as City Council Chambers, the ability to pay a utility bill, or to access a Parks and Recreation Facility.

Program Access may be achieved in a variety of ways: city governments may choose to make structural changes to existing facilities to achieve access; or it can pursue a variety of non-structural alternatives to achieve program accessibility. For example, city governments may choose to renovate a non-accessible building, relocate services to an accessible level of a building or to another building that is fully accessible, or to deliver services in an alternate accessible manner. When choosing among possible methods of achieving program access, however, city governments must give priority to the choices that offer programs, services and activities in the most integrated setting appropriate.

1.2 Definitions

For the purposes of this Plan, please refer to the Americans with Disabilities Act for the full text of definitions and explanations (<http://www.ada.gov/pubs/adastatute08.htm#12102>).

2.0 COMPLIANCE WITH ADA TITLE II REQUIREMENTS

2.1 Notice under the Americans with Disabilities Act

The City of Georgetown is committed to ensuring that its programs, services and activities are accessible to persons with disabilities. The City will not discriminate against qualified individuals with disabilities on the basis of disability in providing programs, services, or activities. The City informs individuals that protections against discrimination are provided by the ADA, that reasonable accommodation will be provided, and of the existence and location of accessible services, activities, and facilities to interested persons, including persons with impaired vision or hearing. This information appears on the City's Internet home page (www.ada.georgetown.org), in public meeting notices, agendas, and City publications. The City will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services to accommodate participation in programs, services, or activities.

2.2 ADA Coordinator

The City of Georgetown has designated a responsible employee to coordinate its efforts to comply with the requirements of Title II. The City's ADA Coordinator is the ~~Transportation Services Director~~ Public Works Director or their designee:

~~Transportation Services Director~~ Public Works Director
300-1 Industrial Ave
Georgetown, Texas 78626
Telephone: (512) 930-2544
Email: ADA@georgetown.org

2.3 ADA Advisory Board

The City has established an ADA Advisory Board. The ADA Advisory Board directly informs the City Council concerning Title II issues applicable to the City and provides ongoing recommendations concerning implementation and amendment of the ADA Transition Plan as necessary for compliance with the ADA. Meetings of the ADA Advisory Board allow for regular public participation from citizens and other interested persons, including individuals with disabilities or organizations representing individuals with disabilities.

2.4 Accommodations and Modifications

The City of Georgetown will make reasonable accommodations and modifications to ensure that people with disabilities have an equal opportunity to enjoy its programs, services, and activities. The ADA does not require the City to take any action that would fundamentally alter the nature of any program, service or activity that would create a hazardous condition to the participant or others, or that would impose an undue financial or administrative burden. Whether a particular modification or accommodation will impose an undue financial or administrative burden is determined on a case-by-case basis based on an evaluation of all resources available to the City. The following factors shall be considered in determining

whether a program accommodation and modification would create an undue burden: the nature and cost of the modification; the financial resources of the City available to make the modification; the impact the expense of the accommodation will have on the affected City operation; and the permanence of the alterations affecting the site.

If cost of a modification or accommodation is determined to be an undue burden, and no funding is available, the City must give the person with a disability the opportunity to provide the accommodation or modification or to pay for that portion of the accommodation or modification that constitutes an undue burden. If a particular modification or accommodation is determined to cause an undue burden to the City, the City must consider other options that would not pose such a burden to ensure that people with disabilities are provided access to the benefits and services of the program or activity.

2.5 Grievance Procedure

The City of Georgetown has established a grievance procedure for prompt and equitable resolution of complaints alleging discrimination on the basis of disability in the provision of City services, activities, or programs in violation of Title II. Complaints shall be in writing. Alternative means of filing a complaint to accommodate a person with a disability, such as a personal interview or an audio recording, will be made available on request. Complaints shall contain at a minimum the following information:

- The name, address and telephone number of the person making the complaint;
- The date and time of the incident or condition observed or experienced;
- A statement in sufficient detail to define and explain the incident or condition and the alleged violation;
- Suggested recommendations to adequately resolve the incident or condition and the alleged violation; and
- Any other written information or documentation (such as photos, maps, diagrams) to completely explain the incident or condition and the alleged violation.

A complaint form is available on the City's Accessibility web page (ada.georgetown.org) and is attached to this Transition Plan in Appendix A. A complaint should be submitted as soon as possible but no later than 60 business days after the incident or condition observed as an alleged violation. The complaint should be sent to the ADA Coordinator.

Within 15 business days after receipt of a complaint, the ADA Coordinator, or their designee will acknowledge receipt of the complaint and may, at his/her discretion, meet with the complainant to discuss the complaint. Within 30 business days after receipt of a complaint and/or meeting, the ADA Coordinator will respond to the complaint in writing or, if requested, in an alternative format such as large print or audio format, to accommodate a disability. The response will explain the position of the City and offer options for substantive resolution of the complaint, or advise the complainant that additional time is necessary to provide a complete response.

If the option offered by the ADA Coordinator do not satisfactorily resolve the complaint, the complainant may file an appeal with the City Manager within 15 business days after receipt of the ADA Coordinator's final response. The appeal should be in writing and sent to:

City Manager
PO Box 409
Georgetown, Texas 78627-0409

Within 15 business days after receipt of the written appeal, the City Manager, or designee, will acknowledge receipt of the appeal. Within 30 business days after receipt of the appeal, the City Manager, or designee, will provide a final response to the complaint in writing or, if requested, in an alternative format such as large print or audio format, to accommodate a disability. During this 30-day period, the City Manager or designee may, at his/her discretion, meet with the complainant to discuss the complaint and the ADA Coordinator's response.

Written complaints received by the ADA Coordinator, appeals to the City Manager, and written responses to complaints will be retained by the City for a period of at least three years from the date of final resolution of the complaint or the date of the last written response from the City.

2.6 Other Complaints

Since the publication of the 2016 ADA Transition Plan, the City of Georgetown has received complaints alleging discrimination on other public accommodations not owned or operated by the City of Georgetown (private property/business including, for example a restaurant, doctor's office, retail store, hotel, church, etc.). A complaint may be filed directly with the U.S. Department of Justice or by other methods following guidelines presented in Appendix B.

Formatted: Font: Palatino Linotype, 11 pt

Formatted: Left

Formatted: Font: Palatino Linotype, 11 pt

Formatted: Font color: Background 1

Appendix A

The City of Georgetown

AMERICANS WITH DISABILITIES ACT (ADA) GRIEVANCE FORM

Title II of the Americans with Disability Act Section 504 of the Rehabilitation Act of 1973

Name of Complainant: _____

Name of Agent/Representative: _____

Address of Complainant: _____

Telephone of Complainant () _____ Email of Complainant _____

Preferred Method of Contact (1) Phone (2) Email (3) Mail (4) Other

DESCRIPTION OF GRIEVANCE

This grievance as it relates to a City of Georgetown: service _____ activity _____
program _____ benefit _____ practice _____ or policy _____

Provide the date(s) the incident occurred: _____

Which City of Georgetown Department, if any, is alleged by you to have failed compliance with the ADA Law?

City Department: _____

Address: _____

Telephone: () _____

Please identify the names of all City of Georgetown agents, representatives or employees, if any, whom you contend were involved. (Use additional paper if necessary)

APPENDIX "A" - CONTINUED

Give a brief description of incident that made the basis of your grievance. Include in your response the identity of the service/activity, program or benefit you contend your access has been denied or any other manner you contend you have been subjected to discrimination. Please also provide in your description specific dates, times and places as well as the names, addresses and telephone numbers of any and all persons who may have witnessed or been involved in the act or basis of your complaint. (Attach additional information if needed).

Please provide a suggested outcome for resolution:

Signature of Complainant/Representative Printed Name of Complainant/Representative

Date: _____

Complaints shall be submitted in writing to the office of the ADA Coordinator:

~~Transportation Services~~ ~~Public Works~~ Director
PO Box 409
Georgetown, Texas 78627-1458
OR
Email at -ADA@georgetown.org

Appendix B

Private Property Investigation Contacts

The City of Georgetown does not have the authority to investigate ADA complaints on existing businesses or facilities. Investigations of a complaint alleging discrimination against a public accommodation (private business with public access) have several options:

- U.S. Department of Justice, 800-514-0301. Private business typically fall under ADA Title III, the complaint process may be found at the following web site, <https://www.ada.gov/t3compfm.htm>
- Disability Rights Texas, is the State of Texas protection and advocacy organization for people with disabilities. Call 512-454-4816, 800-252-9108 or file an on-line complaint, <https://securec24.ezhostingserver.com/drtx-org/WebIntake/>
- If there is a physical barrier concern, Texas Department of Licensing and Regulation (TDLR) has oversight. TDLR's Elimination of Architecture Barrier's Office generally pursues new construction issues, not existing structural barriers. At the same time, a complaint may be worthy so that it is known there is an issue with a particular facility. 800-803-9202, techinfo@tdlr.texas.gov or Elimination of Architecture Barriers, P.O. Box 12157, Austin, Texas 78711.
- Lawyer Referral Service of Central Texas, <https://austinlrs.com/contact-us/> for a private attorney who may work pro bono.

Formatted: Normal, Left

Formatted: Normal, Left

Formatted: Font: Palatino Linotype

Formatted: Justified

Formatted: Font: Palatino Linotype, 11 pt

Formatted: Font: Palatino Linotype

Formatted: Font: Palatino Linotype

Formatted: Font: Palatino Linotype

Field Code Changed

Formatted: Normal, Left

City of Georgetown, Texas
Americans with Disabilities Accessibility Advisory Board
October 10, 2018

SUBJECT:

Review and discussion of Parks and Recreation Parks and Facilities 2016-2018 ADA Accomplishments and 2019 Scheduled Improvements - Edward G. Polasek, AICP.

ITEM SUMMARY:

Fiscal years 2016-2018 accomplishments include accessibility improvements to sixteen public facilities and 8 parks parks/trails. Work Scheduled for 2019 include the final elements of the original facility assessment and recommendations from the 2014 self-assessment and facility audits by the City's accessibility specialist.

Since the 2014 self-assessment and facility audit, all new City parks and facilities have been designed and constructed to comply with ADA accessibility requirements.

Eric Nuner, the Assistant Director of Parks & Recreation, which oversees both parks and public facilities for the City will be on hand to discuss the progress on these elements over the past three years.

FINANCIAL IMPACT:

FY2019 work funded is in the approved budget.

SUBMITTED BY:

Edward G. Polasek, AICP

ATTACHMENTS:

	Description	Type
☐	Parks and Facilities Update	Backup Material

2018 Facility and Park Update ADA Advisory Board - October 10, 2018

Location	2016	2017	2018	2019
	Completed			
Emerald Springs Park	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Woodlake Park	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Williams Dr Pool	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Library	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
VFW Park	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parks Admin	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Animal Shelter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Art Center	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Airport	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Community Center	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rec Center	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
McMaster's Sports Complex	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Village Pool	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Animal Shelter	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Grace Heritage	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fire 1	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fire 2	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fire 3	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fire 4	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fire 5	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fire 5 TT	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Meadows Park	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Booty's Park	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
San Gabriel River Trail - ph 1	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Scheduled			
San Gabriel River Trail - ph 2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Kelley Park	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

City of Georgetown, Texas
Americans with Disabilities Accessibility Advisory Board
October 10, 2018

SUBJECT:

ADJOURNMENT

ITEM SUMMARY:

FINANCIAL IMPACT:

NONE

SUBMITTED BY:

Laura Wilkins - Board Liaison