



City of Lewisville ADA Self-Evaluation and Transition Plan Project Update

Kimley»Horn
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Agenda



- Importance of an ADA Self-Evaluation and Transition Plan
- Phase 1 (Current Phase)
- Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG) Adoption
- Future Phases

Importance of an ADA Self-Evaluation and Transition Plan



- Required by law (Title II of the Americans with Disabilities Act)
- Failure to comply with the ADA can result in:
 - Withholding of federal and state funds – TxDOT surveying municipalities in Texas to determine if Title II requirements have been met
 - Settlement agreement with Department of Justice
 - Private lawsuits

Importance of an ADA Self-Evaluation and Transition Plan



Lack of accessibility directly impacts the lives of Lewisville residents and visitors



ADA Background – Five Titles of ADA



- **Title I** Employment
- **Title II** State & Local Governments (28 CFR Part 35)
- **Title III** Public Accommodations (retail, commercial, sports complexes, movie theaters, et al) (28 CFR Part 36)
- **Title IV** Telecommunications
- **Title V** Misc., including requirements for the U.S. Access Board to develop design guidelines

Title II Requirements (§35.106; §35.107)



Requirement	Status
Provide notice to the public about the ADA	 (Phase 1)
Designate an employee to oversee Title II compliance	 (Phase 1)
Adopt and publish a Title II grievance procedure	 (Phase 1)

Title II Requirements (§35.105)



Requirement	Status
Evaluate current services, policies, and practices	Maintenance Phase(s)
Modify current services, policies, and practices if non-compliant	Maintenance Phase(s)
Provide opportunity to interested persons to participate in self-evaluation process by submitting comments	 (Phase 1)
Keep copy of self-evaluation on file for at least 3 years after completion	On-going

Title II Requirements (§35.150)



Requirement	Status
Operate each service, program, or activity so that it is readily accessible and useable by individual with disabilities	On-going
Develop (and maintain) a transition plan for needed structural changes	Phase 1 + Maintenance Phase(s)
Provide opportunity to interested persons to participate in the development of the transition plan by submitting comments	 (Phase 1)
Provide a schedule for providing curb ramps	Maintenance Phase(s)

Transition Plan Requirements (\$35.150)



Requirement	Status
Identify physical obstacles in each facility that limit accessibility of its programs or activities to individuals with disabilities	Phase 1 + Maintenance Phase(s)
Describe in detail the methods that will be used to make the facilities accessible	Phase 1 + Maintenance Phase(s)
Specify the schedule to achieve Title II compliance and steps that will be taken each year of transition period	Phase 1 + Maintenance Phase(s)
Indicate office responsible for implementation of the plan	Phase 1

City Efforts To-date



- 1992-1993: ADA Self-Evaluation and Transition Plan
 - Comprehensive review of City policies and practices
 - Adopted ADA Grievance Policy and Procedure
 - Developed a Policy of Non-Discrimination on the Basis of Disability and Equal Opportunity Statement
 - Evaluated 55 City buildings/facilities
 - Reviewed by Mayor's Committee on Disabilities
- 2010
 - Curb Cut Retrofit Plan to identify locations requiring curb ramp improvements
 - Parks ADA Compliance Study for 23 City parks

Phase 1: Current Phase



- Facilities Review
- Web Application Development
- Public Rights-of-Way Documentation
- Transition Plan Development
- Public Input

Phase 1: Facilities Review



Item	2022-2023	Future Evaluation(s)
Buildings	7	21
Parks	6	19
Castle Hills Parks	15*	--- (complete)
Trails	3	17
Signalized Intersections	---	119
Public Rights-of-Way Sidewalk Corridors	---	769 miles
Public Rights-of-Way Curb Ramps	---	4,092

** Only Castle Hills parks with amenities are included in count. Green spaces do not need to be evaluated for ADA compliance.*

Facilities Review – Example Observations



- Non-compliant exterior routes
- No accessible route
- Non-compliant doors/maneuvering clearances
- Non-compliant transaction counters
- Non-compliant clear floor space
- Coat hooks

Facilities Review – Example Observations

LEVEL CHANGE ALONG
ACCESSIBLE ROUTE

GRAND THEATER



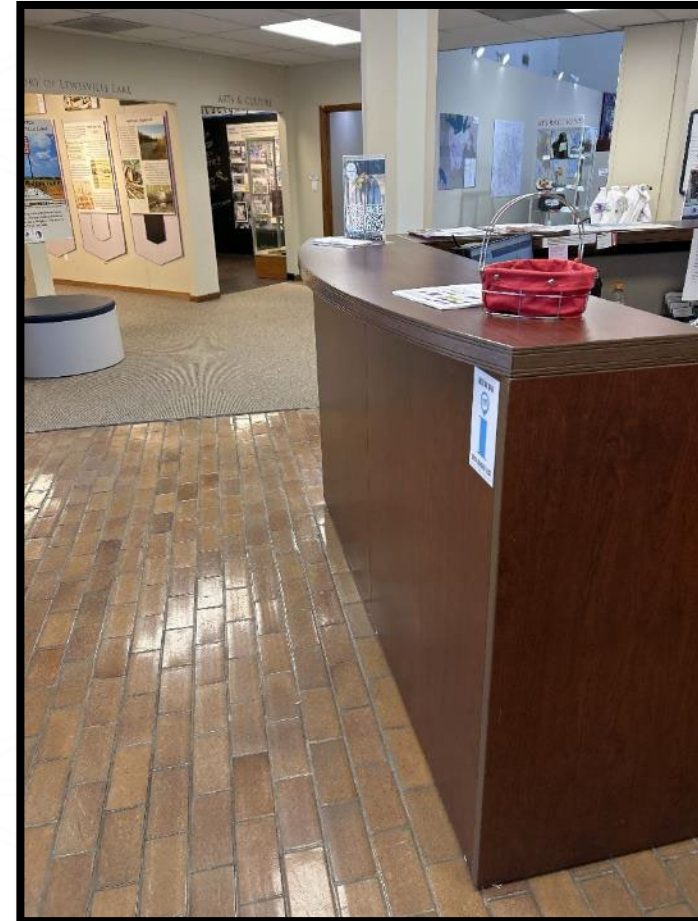
NO ACCESSIBLE ROUTE TO
BENCH

VALLEY RIDGE GREENBELT
PARK TRAIL

Facilities Review – Example Observations

**CLEARANCE ON PULL SIDE
OF DOOR EXTENDS LESS
THAN 18"**

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**COUNTER HAS NO
LOWERED SECTION**

**VISITOR INFORMATION
CENTER**

Facilities Review – Example Observations

LAVATORY AND TOILET
SPACE TOO NARROW

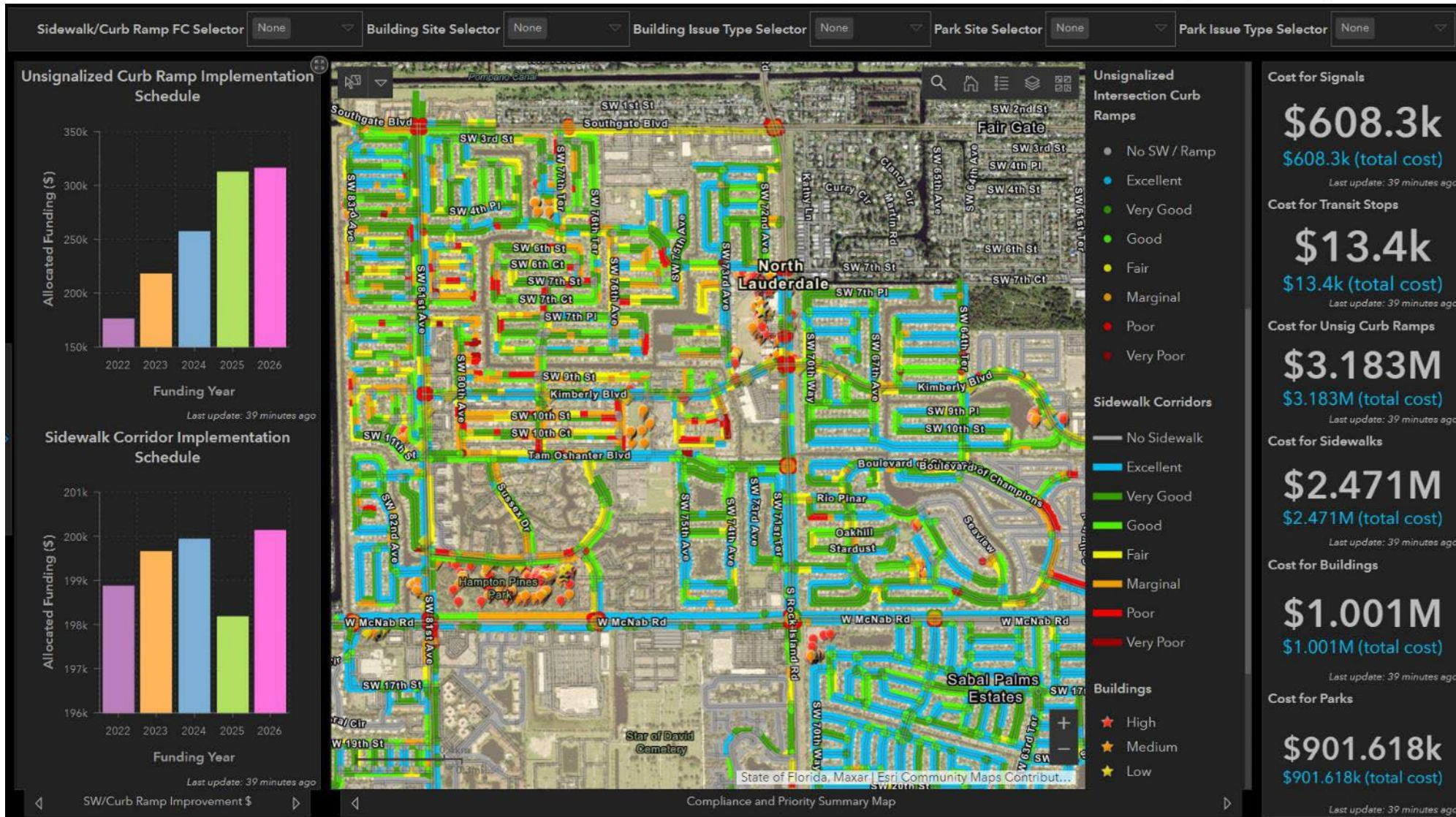
LEWISVILLE JAIL



COAT HOOK IS INSTALLED
AT GREATER THAN 48"

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Web Application Development



Phase 1: Public Rights-of-Way Documentation



- Gathered information related to the City's on-going public rights-of-way ADA/accessibility program
- Documented City efforts to-date regarding ADA compliance for pedestrian facilities within the public rights-of-way
- Assisting the City to develop an Action Plan to complete public rights-of-way evaluations

Phase 1: Public Outreach



- Public Meetings
 - Meeting #1 held on 10/10/23
 - Meeting #2 scheduled for 2/26/24
- Online Survey

Phase 1: ADA Transition Plan Update



- Defined ADA/504 Coordinator's roles and responsibilities
- Reviewed grievance policy, procedure, and complaint form
- Reviewed ADA Notice
- Recommended prioritization criteria
- Identified exceptions and exemptions
- Developed multi-year budget for accessibility improvements

Accessibility Project Planning Process



Step 1: Master Planning

- Sustainability Action Plan
- Healthy Infrastructure Plan
- Thoroughfare Plan
- Old Town Master Plan
- **ADA Transition Plan**

Step 2: Design

- ADA improvement design (particularly where multiple solutions are feasible)
- Construction challenges (e.g., in-ground/in-wall utilities)
- Aesthetic upgrades

Step 3: Opinion of Probable Construction Cost (OPCC)

- Current market conditions that may affect pricing of construction materials and labor (e.g., COVID-19)
- Other factors that may affect costs (e.g., parking garages, City administrative costs)

Step 4: Construction

- Update ADA Transition Plan to document removal of barriers

Current Contract

Phase 1 Facility Improvement Planning-Level Cost Estimates



Facility	Total
Buildings	\$ 193,300
Parks	\$ 268,500
Trails	\$ 110,000
Total	\$ 571,800

Implementation Schedule



- Overall schedule based on improvement cost estimates
- Order in which projects are completed can be based on several factors:
 - Existing complaints
 - DOJ priorities (parking, accessible route, entrance, access to goods and services)
 - Available funding
 - Severity of non-compliance (e.g., barrier priorities)
 - Proximity to major generators
 - Programs, services, activities at a location
 - Public input

Example Phase 1 Implementation Schedule



- Costs are for only those facilities evaluated in this phase
- Overall schedule will be based on improvement cost estimates

Facility Type	Estimated Costs	Implementation Schedule (years)	Approximate Annual Budget
Buildings	\$ 193,300	5	\$ 38,700
Parks	\$ 268,500	5	\$ 53,700
Trails	\$ 110,000	5	\$ 22,000
Total	\$ 571,800		
Total Annual Budget			\$ 114,400

Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG)



- In 2023, the U.S. Access Board issued its final rule that provides minimum guidelines for the accessibility of pedestrian facilities in the public right-of-way
- Compliance will be mandatory once the guidelines are adopted as accessibility standards (with or without modifications) by enforcing federal agencies
- However, the adopted accessibility standards will only be enforceable by federal agencies (e.g., DOJ)

Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG)



- **Recommendation:** The City of Lewisville should adopt PROWAG to allow for enforcement by the City
- Lewisville Unified Development Code Example:
 - **Sec. 13-41. - Standards adopted.**

The Manual of Uniform Traffic Control Devices is hereby adopted by and shall be controlling within the city. A copy of such standards shall be maintained on file in the office of the city secretary.
(Ord. No. 4406-08-2017 , § 2(Exh. A), 8-12-17)

Phase 1: Next Steps



- **Public Meeting #2** (*February 26, 2024*)
- **Finalize Transition Plan** (*March 2024*)
- **City Council Approval** (*Fall 2024*)
- **Potential PROWAG Adoption** (*Fall 2024*)

Future Phases

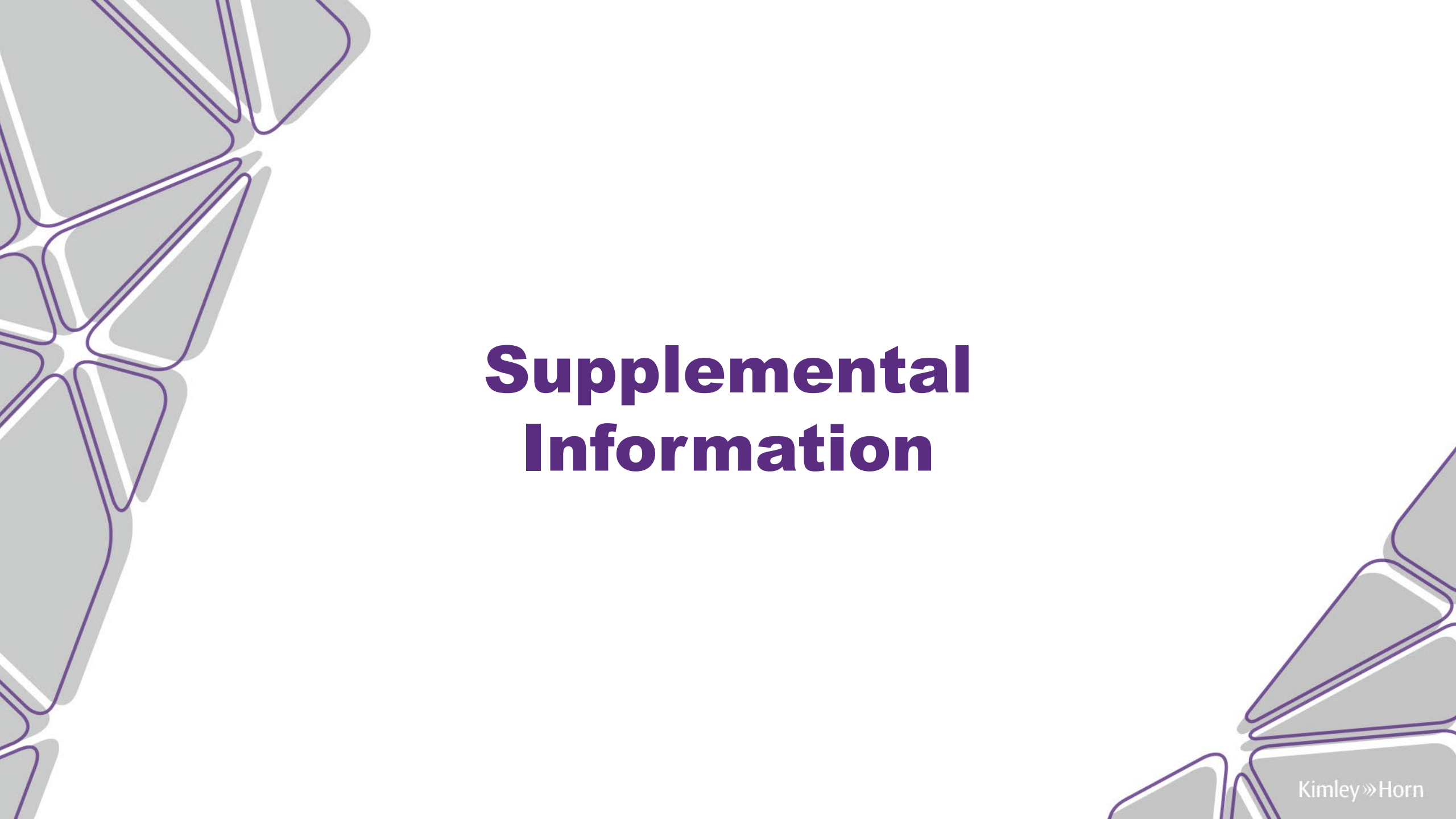


- Evaluate current services, policies, and practices
- Modify current services, policies, and practices if non-compliant
- Complete remaining facility evaluations
- Provide a schedule for providing curb ramps
- Update Transition Plan to reflect additional evaluations

Questions?

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Supplemental Information

Phase 1: Evaluated Buildings



Location Name	Property Address
1. Animal Shelter	955 E. Valley Ridge
2. City Hall	151 Church Street
3. Grand Theater / Arts Center	100 N. Charles Street
4. Jail	1187 W. Main Street
5. Municipal Annex	1197 W. Main Street
6. Visitors Center	247 W. Main Street
7. Waste Water Treatment Plant	897 Treatment Plant Road

Phase 1: Evaluated Parks



Location Name	Property Address
1. Central Park	1899 S. Edmonds Lane
2. L.L. Woods Park	1000 Arbour Way
3. Memorial Park	1950 S. Valley Parkway
4. Orchard Valley Park	1133 Brittany Place
5. Rev. Alvin Turner Sr. Park	700 Hembry Street
6. Valley Ridge Greenbelt Park	1400 N. Valley Parkway

Phase 1: Evaluated Trails



Location Name	Property Address
1. Central Park	1899 S. Edmonds Lane
2. L.L. Woods Park	1000 Arbour Way
3. Valley Ridge Greenbelt Park	1400 N Valley Parkway

Phase 1: Evaluated Castle Hills Parks



Location Name	Property Address
1. Almsbury Park	2349 Almsbury Lane
2. Windsor Park	2513 Windsor Castle Way
3. King Lionel Park	620 King Lionel Lane
4. Fitness Park	2617 Round Table Boulevard
5. Chili Pepper Park	2605 Round Table Boulevard
6. Park 59	2617 Avalon Drive
7. Pirate Park	2540 Sir Astamore Lane
8. Fan Park	2710 Queen Elaine Drive

Phase 1: Evaluated Castle Hills Parks



Location Name	Property Address
9. Dragon Park	2719 Merlin Drive
10. Phase 7 Park	1213 Damsel Caitlyn Drive
11. Hidden Park	Sir Malary Ln/Damsel Katie Drive
12. Train Park	1225 Lady Carol Lane
13. Castle Park	2504 Sir Turquin Lane
14. Berndt Park	1400 Elsa Avenue
15. Stony Passage Park	822 Stony Passage Lane