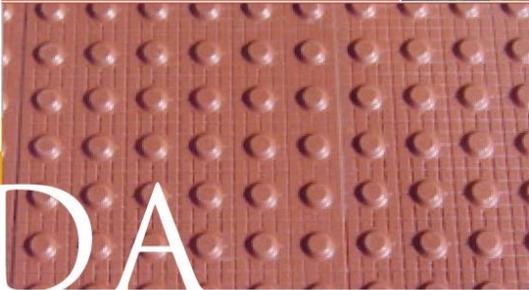


CITY OF MCKINNEY



ADA

SELF EVALUATION AND TRANSITION PLAN



October 2019-September 2021 Update

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Introduction

The Americans With Disability Act (ADA) is a comprehensive national civil rights law for persons with disabilities in both employment and the provision of goods and services. The ADA's purpose is to provide a "clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities." The United States Congress emphasized that the ADA seeks to dispel stereotypes and assumptions about disabilities and to assure equality of opportunity, full participation, independent living, and economic self-sufficiency for people with disabilities.

The ADA requires all public entities to evaluate their programs, services and activities and modify any that do not meet ADA requirements. Public entities with 50 or more employees are also required to develop a transition plan detailing how and when non-compliant programs, services and activities will be brought into compliance with the ADA. In 2014, the City of McKinney conducted a self-evaluation. Based on the information gathered from that process, the City developed a new transition plan and published it in April 2015. While the ADA does not specifically require public entities to provide updates to transition plans, they are encouraged to do so. The City takes a proactive stance in meeting the requirements of the ADA and this document is the third update to the 2015 Transition Plan. Approximately 20 percent of the known accessible barriers have been removed since 2015. All new sites and facilities are designed and constructed in accordance with the requirements of the most current ADA standards.

Requests for Accommodation or Modification

Ten requests were received by the ADA Coordinator from October 2019 through September 2021. Six of these requests were for increased accessibility within the City's Rights of Way. The City responded by adding two accessible parking spaces, adding two new curb ramps, replacing one non-compliant curb ramp, cleaning debris from a blocked curb ramp, constructing a short section of missing sidewalk, and successfully resolving a Code Enforcement violation. Two of the concerns required adjustments in program access at a Parks facility. One request was related to a Title III entity and proper contact information was provided to the requestor. The final request was related to the Mayor's personal Facebook page. The requestor was instructed to direct message the Mayor on his Facebook page.

Although the City provides a formal ADA Non-Discrimination Policy and Grievance Procedure, no Grievance Forms were submitted during this period. Appendix A is the current version of the ADA Non-Discrimination Policy and Grievances Procedure.

During this same period, the City improved accessibility in many of its City facilities (buildings and parks) and in the Public Rights of Way (sidewalks and curb ramps). A detailed list of the items completed is shown in Appendix B.

Training for ADA Coordinator

Due to COVID19, travel to all training opportunities was cancelled. However, the City's ADA Coordinator participated in many virtual learning opportunities: Texas Accessibility Specialist continuing education courses to maintain Texas Registered Accessibility Specialist (RAS), 2020 National ADA Symposium to maintain American with Disabilities Act Coordinator (ADAC) credentials. The National Association of ADA Coordinators has cancelled all training until further notice, but Professional Associate (PA) credentials are still valid. Additionally, the City's ADA Coordinator attended numerous webinars provided by the United States Access Board and regional ADA Centers.

On-Site Training provided by ADA Coordinator

- New Employee Orientation Sessions: ADA Coordinator provides overview of City's obligations under the ADA

Training webinars scheduled by ADA Coordinator and made available to City staff:

- 2021 National ADA Symposium: four-day conference, 16 training sessions (24 hours total) were offered to department liaisons. These sessions have been recorded on the City's Employee YouTube channel for future training opportunities.
- U.S. Access Board: Using the ADA and ABA Standards Series (Chapters 1-10)
- ADA National Network: Emergency Management and Preparedness – Inclusion of Persons with Disabilities
- Great Lakes ADA Center: Social Media Management
- Great Lakes ADA Center: Morhic – Making Computers Easier to Use
- Great Lakes ADA Center: Accessible Parking – What Does That Mean?
- Great Lakes ADA Center: Food Service Providers and the ADA
- Great Lakes ADA Center: Common Sources of Confusion in the ADA Standards
- Mid-Atlantic ADA Center: Serving Customers with Disabilities: A Toolkit
- Mid-Atlantic ADA Center: Serving Customers with Disabilities short film
- Texas Governor's: Common Issue Regarding Service Animals and the ADA
- Each department is responsible for having their staff members watch Relay Texas (711) training videos
- The City's Police Department trains with the Texas Commission on Law Enforcement (TCOLE). Training covers interactions of all types with all people, including those with disabilities. TCOLE also provides TDD / TTY communications training.

As training is completed, department liaisons are responsible for entering their department's information into the City's ADA Training spreadsheet kept on the City's shared drive.

Other

During this Transition Plan Update cycle, the ADA Coordinator met with each department's ADA liaison to review accessibility issues.

- Existing employees were reminded that the City has an ADA Coordinator and contact information was provided. As new employees are hired, this information is shared at the monthly New Employee Orientation meetings.
- Requirements to keep accessible paths, service counters and other areas of City facilities barrier-free to the maximum extent possible were reviewed with the liaisons.
- A guided review of the ADA Compliance page on the employee intranet was provided. A wide variety of resources are provided such as Federal and State regulations and provider information for services such as Braille and sign language interpretation are available on the ADA Information web page.
- The Communications team and the ADA Coordinator worked together to create an infographic providing basic accessibility information for employees to keep on hand.

The City's ADA Coordinator will continue working with all departments to help ensure accessibility is maintained or increased for all City programs, services, and activities. Appropriate information and resources will be provided to departments to help better serve all citizens. The ADA Coordinator will

continue working with all people who contact the City seeking accommodations or other accessibility information.

Appendix A

AMERICANS WITH DISABILITIES ACT NON-DISCRIMINATION POLICY AND GRIEVANCE PROCEDURE

Non-Discrimination Policy

The City of McKinney (City) is committed to ensuring that people with disabilities can take part in and benefit from the variety of public programs, services and activities offered by the City. The City continues to modify its facilities, programs, policies, and practices as necessary to ensure such access is provided.

ADA Grievance Procedure

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA) and the ADA Amendments Act of 2008, the City does not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, and activities.

Title II of the Americans with Disabilities Act requires that public entities adopt and publish grievance procedures to assure the prompt and equitable resolution of grievances. The purpose of this ADA grievance procedure is to resolve, as promptly as possible, any problems, grievances or conflicts related to the City's ADA compliance without the need for grievant to resort to other remedies under the law.

ADA Grievance Procedure Questions and Answers

1. Who may file a grievance?

- You or your authorized representative may file an ADA grievance if you believe:
 - The City is not in compliance with the physical access requirements of the ADA Act related to public facilities, land, or rights of way; or
 - You, or a specific class of individuals, have been denied access to participate in City programs, services, or activities on the basis of disability; or
 - You or a specific class of individuals, have been otherwise subjected to discrimination on the basis of disability by the City of McKinney; or
 - The City has otherwise violated the ADA.
- Current City of McKinney employees are to contact the Human Resources Department should they have ADA issues or concerns.

2. When should a grievance be filed?

Before filing a grievance, you may seek informal resolution by contacting the City's Designated ADA Coordinator:

972-547-2694
contact-adacompliance@mckinneytexas.org
1515 S. College St.
McKinney, TX 75069

If your informal concern is not resolved in a timely fashion, you may file a formal grievance under this procedure. You are encouraged to file your grievance as soon as possible, but within 60 business days.

3. What should the grievance include?

The grievance should be in writing and contain information about the grievance, submission date, name, address, telephone, or cell phone number of grievant, location, date, and description of the problem. A grievance form is available at the City for your convenience but is not required to be used.

4. What if I need assistance filling out my grievance?

An alternate means of filing grievances, such as personal interviews or audio recording of the grievance, will be made available upon request for persons with disabilities.

5. What happens after I file my grievance?

After receiving your grievance, the ADA Coordinator will investigate within 15 business days. The investigation may include you and any other person(s) the investigator believes to have relevant knowledge concerning your grievance. The investigator will also consider any written evidence submitted.

After completing the investigation, the investigator will review the information gathered. The ADA Coordinator will then issue a written response.

6. When will I receive a response?

The ADA Coordinator will provide a response within 15 business days.

7. Should I be concerned that a City officer or employee might retaliate against me if I file a grievance?

The City does not retaliate against any person for filing a grievance and does not permit retaliation by its officers or employees. Please notify the ADA Coordinator of any perceived retaliation.

8. What can I do if I am not satisfied with the initial investigation?

If you are not satisfied with the findings of the investigation, you may submit an appeal to the City Manager within 15 business days of your receipt of the written response, stating the reasons for the appeal. An alternate means of filing an appeal, such as personal interviews or audio recording of the appeal, will be made available upon request for persons with disabilities.

Within 15 business days after receipt of the appeal, the City Manager, or his/her designee, will meet with the grievant to discuss a resolution. Within 15 business days after the meeting, the City Manager, or his/her designee, will respond with a final resolution.

You may file your appeal at the following address:

City of McKinney
City Manager's Office
222 N. Tennessee St.
McKinney, TX 75069

If you are not satisfied with the results of the appeals, you may file a complaint with the appropriate agency or department of the State or Federal government. Contact the U.S. Department of Justice or the Texas Department of Licenses and Regulation for information about how to file a complaint with these agencies.

Using this grievance procedure is not a prerequisite to pursuing any of your other remedies. However, in the interest of a prompt resolution of the grievance, the City encourages you to use this procedure in addition to any other available alternatives you may choose.

9. How long are grievances kept?

All grievances received by the ADA Coordinator and appeals received by the City Manager will be kept by the City of McKinney for at least three (3) years.

Appendix B

ACCESSIBLE ADDITIONS AND IMPROVEMENTS 2015-2021

2021

CO2138 Daniels Drive Street Rehab

FC2239 Added two accessible parking spaces within Public ROW at intersection of Mediterranean Dr. and Adriatica Pkwy.

GR2009 Fire Marshall's Service Counter

PK4394 McKinney Senior Recreation Center Renovation

PK4398 Old Settler Recreation Center Renovation

Parks identified 712 trips concrete pavement trip hazards on sidewalks and trails adjacent to City parks. To date, 560 of the trip hazards have been removed and replaced with approximately 5,972.50 linear feet of concrete pavement.

ST1649 Public Rights of Way ADA Improvements Ph. 1 (downtown area)

2020

CO1706 Substandard Mains North of Virginia

CO2005 Main Replacements and Street Rehabilitation – various locations

FC2239 Purchased second vertical lift for use with McKinney Performing Arts Center stage

FC2229 Public Safety Building Support Building

FI1734 Fire Station 10

LI1609 John and Judy Gay Library Expansion and Renovation

PK1211 Finch Park Improvements

PK3222 Bonnie Wenk All Abilities Playground

PK4396 Tennis Facility Expansion

ST1618 / 1615 Arterial Capacity Improvements – Various Intersections

2019

CO1703 Pearson Avenue Street and Drainage Improvements

FC2239 Accessibility Improvements: Public Works Building A Restrooms

FC2239 Accessibility Improvements: Public Works Building B Restrooms

FC2239 Senior Recreation Center Exterior ADA Improvements

Development Services Building Reconfiguration

LI1609 John and Judy Gay Library Expansion and Renovation

PK3224 George Webb Park

PK4396 Gabe Nesbitt Tennis Center Expansion

ST1612 Redbud McLarry Roadway Construction
ST1622 Standifer Sidewalk and Curb Ramp Improvements
ST4334 Stonebridge Bridge Reconstruction
TR1603 School Pedestrian Safety Enhancements
WA8132 Redbud Pump Station

2018

AI1705 Hangar Remodel and Addition (Toyota)
AI1743 Western TKI Hangar
AI4377 McKinney National Airport Hangar and Apron
TI Hangar Remodel and Addition
FC1728 Public Safety Building Retrofit
FC2239 McKinney Utility Billing Service Counter
FI3244 Fire Station 9: 4900 Summit View Drive
PK1804 Winniford Park
PK4326 Comegy's Creek Hike and Bike Trail Project
PK4414 Playground at Towne Lake Replacement
PK8062 Wilson Creek Hike and Bike Trail Project
TR1603 Safe Routes to School Cockrill Middle School Area
US 380 Pump Station Remodel

2017

AI4377 Airport Hangar and Apron Construction (MACH 2)
CO9151 Cole Street from Bass to College
FC2239 Downtown Parking Lot 1 (northeast corner of Tennessee / Lamare) and First United Methodist Church Parking Lot for public parking use (southwest corner Kentucky / Lamar)
Fund 32 City of McKinney Code and Community Development Office Finish-Out
IT1601 City Hall Audio Visual Upgrade
PK1644 Gold Star Memorial Project
PK4413 Craig Ranch Parkway Hike and Bike Trail
ST3211 Hardin Lanes 5 & 6 from SH 121 to McKinney Ranch Parkway and McKinney Ranch Parkway from Hardin to US 75
TR3215 Virginia and Louisiana Traffic Calming
WA8132 Redbud Pump Station

2016

TI Building at McKinney National Airport

CO9151 Cole Street Reconstruction: Bass to College

Fund 32 City of McKinney Human Resources Office Finish-Out

PK4368 Ash Woods Pedestrian Bridge

PK4252 McKinney Community Center Improvements

PK7102 McKinney Aquatic and Fitness Center (Apex Centre)

ST4257 Redbud from Wilmeth to Bloomdale roadway construction

2015

Toyota Hangar Remodel

McKinney National Airport Apron Reconstruction

PK3230 Valley Creek Park Retaining Walls and Trail

TR3215 Virginia and Louisiana Traffic Calming

Public Right of Way Improvements 2020-2021

CIP Projects: 43,950 linear feet of sidewalk and 349 ramps. These projects were managed by the Engineering Department and constructed either missing or non-compliant sidewalks and curb ramps.

Public Works City-Wide Repair and Replacement program: repaired 12,831.8 linear feet of sidewalks and installed 17 accessible curb ramps.

Additional Information

The Collin County Transit Program is a partnership between the McKinney Urban Transit District (MUTD) and the Denton County Transportation Authority (DCTA) that provides a subsidized Program for residents of McKinney, Melissa, Princeton, Lowry Crossing and Celina who are 65 years of age or older or are a person with a disability. More information is available through

<https://www.mckinneytexas.org/1945/About-Collin-County-Transit#:~:text=The%20Collin%20County%20Transit%20Program,age%20or%20older%20or%20are> and

<https://www.mckinneytexas.org/1944/Transit-Services>

Appendix C

ADA ACCOMMODATION REQUEST AND COMPLAINT FORMS

CITY OF MCKINNEY, TEXAS

AMERICANS WITH DISABILITIES ACT ACCOMMODATIONS REQUEST FORM

The purpose of this form is to file a request for accommodation regarding facilities, programs or services related to the Americans with Disabilities Act. The City of McKinney has an internal procedure providing for the prompt review and resolution of accessibility accommodations for any visitor to City programs or facilities or concerning an employee applicant.

If you need help completing any of the requested information, you may contact the ADA Coordinator: contact-ada.compliance@mckinneytexas.org or 972-547-2694.

All requests must be made at least 48 hours prior to event, meeting, etc.

Date submitted: _____

REQUESTOR'S CONTACT INFORMATION:

Name: _____

Address: _____

Telephone number: _____

E-mail address: _____

If the ADA accommodation request is being submitted for someone other than yourself, please name that individual and provide his/her contact information:

Name: _____

Address: _____

Telephone number: _____

E-mail address: _____

Your relationship to this person: _____

Accommodation request: Please describe the circumstances and specific location that prompted this request. Please be as specific as possible (program, service, park or facility name, street address, etc.) and provide details, attaching additional pages if necessary.

What specific resolution are you requesting for the circumstances or specific location that prompted this request?

Future accessibility: Please describe an accommodation or accessibility improvement that would help provide greater access to this program or facility.

Requestor's Signature:

Date: _____

Please submit this form/the information on this form to:

ADA Coordinator, Development Services, 221 N. Tennessee Street, McKinney, Texas 75069

Or email: contact-adacompliance@mckinneytexas.org

Or call: 972-547-2694

CITY OF MCKINNEY, TEXAS

AMERICANS WITH DISABILITIES ACT COMPLAINT FORM

The purpose of this form is to file a complaint regarding facilities, programs, services, or an alleged incident of discrimination related to the Americans with Disabilities Act. The City of McKinney has an internal procedure providing for the prompt review and resolution of accessibility complaints for any visitor to City programs or facilities, or concerning an employee applicant.

If you need help completing any of the requested information, you may contact the ADA Coordinator: contact-ada@compliance@mckinneytexas.org or 972-547-2694.

All complaints related to alleged incidents must be filed within 180 days of the alleged incident.

Date submitted: _____

REQUESTOR'S CONTACT INFORMATION:

Name: _____

Address: _____

Telephone number: _____

E-mail address: _____

If the ADA complaint is being submitted for someone other than yourself, please name that individual and provide his/her contact information:

Name: _____

Address: _____

Telephone number: _____

E-mail address: _____

Your relationship to this person: _____

Alleged incident: Please describe the circumstances and specific location that prompted this complaint. Please be as specific as possible (park or facility name, street address, etc.) and provide details, attaching additional pages if necessary.

What specific resolution are you requesting for the circumstances or specific location that prompted this complaint?

Future accessibility: Please describe an accommodation or accessibility improvement that would help provide greater access to this program or facility or would prevent future similar incidents.

Complainant's Signature:

Date:

Please submit this form/the information on this form to:

ADA Coordinator, Development Services, 221 N. Tennessee Street, McKinney, Texas

75069 Or email: contact-adacompliance@mckinneytexas.org

Or call: 972-547-2694

Appendix D

AMERICANS WITH DISABILITIES INFOGRAPHIC FOR EMPLOYEES

AMERICANS WITH DISABILITIES ACT (ADA)

Federal legislation passed in 1990 that prohibits discrimination against people with disabilities.

WHO IS PROTECTED?



An individual with a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment.

Reasonable accommodation is a modification to a policy, procedure or program that allows equal access - not special treatment.

EFFECTIVE COMMUNICATION

Relay Texas (711)

Allows telephone communication for those with hearing/speaking disabilities.



Training video: www.TheCityInsider.org/ADA

Braille and Sign Language

Resources for braille and sign language interpretation are listed on the city's intranet. Complex requests require a 48-hour notice.



Microphone

If conducting a public meeting, use a microphone if possible.



Limited English Proficiency (LEP)

LEP is not considered a disability by the ADA, but someone with LEP can have a disability and therefore protected.

ETIQUETTE



Focus on serving the individual with dignity and respect.
Do not ask, "What is or how did you get your disability?"

For more information, visit: www.TheCityInsider.org/ADA

SERVICE ANIMALS



Service Animals are defined as dogs individually trained to do work or perform tasks for people with disabilities (separate provisions for miniature horses with equivalent training). No breed or size limits.

If a person's disability isn't obvious, you may ask only these two questions:

1. Is the animal required because of a disability?
2. What task(s) has this animal been trained to do?

Service animals have the right to accompany their handler/owner in almost all public areas. Comfort animals/pets do not have the same rights.

It is permissible to ask the handler/owner to remove a service animal if it is not under their control, however the person may remain. Management should be involved in this request.

Tips for interacting with service dogs:
www.TheCityInsider.org/ServiceDogs

CONTACT

For assistance in providing ADA accommodations, contact:
Samantha Frison
City of McKinney ADA Coordinator
972-547-2694
contact-ada@mckinneytexas.org

Requests for employment-related accommodations should be directed to:
Human Resources
972-547-7560

ACCESS

Help maintain physical access to city buildings:
www.TheCityInsider.org/ADA