



CITY OF KILLEEN



AMERICANS WITH DISABILITIES ACT SELF EVALUATION AND TRANSITION PLAN



Draft for Council Approval: July 2026

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Executive Summary

DRAFT

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1.0 INTRODUCTION

The City of Killeen, Texas (the City) is developing this Transition Plan to fulfill its obligations under the Americans with Disabilities Act (ADA), meet applicable federal requirements, and comply with state requirements under the Texas Accessibility Standards (TAS). This Plan reflects the City's commitment to ensuring equitable access to its programs, services, and activities, and to advancing inclusion for individuals with disabilities. The purpose of this Transition Plan is to identify those physical conditions in the City's facilities where it must undertake modifications to achieve program accessibility. The City is aware that its primary goal under Title II of the ADA is to verify that its services, programs, and activities, when viewed in their entirety, are accessible to and usable by qualified people with disabilities. When physical barriers prevent or might prevent access to a program, the City must either remove such barriers or, through other methods and means, ensure that qualified individuals with disabilities can access those programs in the most integrated setting appropriate to the needs of the individual.

The City realizes that the ADA is a civil rights law intended to protect the rights of people with disabilities. Though the ADA does prescribe minimum scoping and technical provisions for the built environment, the law is not meant to be a building code. In fact, while building codes have evolved in the 36 years since the ADA's signing in 1990, simply complying with accessibility requirements of building codes does not and cannot guarantee full compliance with the ADA. Regardless of the ability to remove physical barriers, the City must modify its policies and practices and provide reasonable accommodations, including but not limited to the provision of auxiliary aids and services to achieve effective communication, to ensure that it does not discriminate against individuals with disabilities.

The City, to continue efforts to comply with Title II of the Americans with Disabilities Act (ADA) and develop a Transition Plan, contracted the services of Meeting the Challenge, Inc., an STV Company (STV), in the Spring of 2022. This report will describe actions taken by the City and STV to identify any barriers in facilities that were identified at the start of this project. Meeting the Challenge has been fully integrated into STV and now operates under the STV name.

1.1 Executive Summary

The collection of data and the subsequent findings from the 805 miles of sidewalk (including 8,406 curb ramps) surveyed by STV have been listed in Transition Plan data tables (TPDs). Data was also collected at the City's 56 facilities, 27 parks, and 3 trails. A separate TPD was produced for the facility data. STV produced the TPDs to identify built conditions in the City's facilities that present or might present barriers preventing or limiting the opportunity of people with disabilities to access the City's services, programs, and activities. The City is developing policies and practices to ensure, when elements of its facilities do not adhere to relevant standards or guidelines and cannot, within the limits of technical feasibility, be made fully accessible, that its employees will provide assistance, including the modification of City policies, practices, and procedures, necessary to give qualified people with disabilities equal opportunities to participate in the programs offered at those facilities. When such accommodations are not possible or effective, the City will relocate those programs to an alternative, accessible venue, or find other methods or means of delivering those programs in the most integrated setting appropriate to the needs of the individual.

Findings of noncompliance or not-best-practice have been determined based on applicable sections of the [Texas Accessibility Standards](#) (TAS), [2010 ADA Standards for Accessible Design](#) (ADA Standards), the U.S. Access Board's [Proposed Guidelines for Pedestrian Facilities in the Public Right-of-Way](#) (PROWAG), the [Outdoor Developed Areas](#) sections of the [Architectural Barriers Act Accessibility Standards](#) (ODA/ABAAS), and the U.S. Department of Justice (DOJ) [Part 35](#) regulations enforcing Title II of the ADA. In its Transition Plan, the City will incorporate the findings for elements which are not compliant with the scoping and technical provisions of the ADA Standards and findings

that are not-best-practice based on the PROWAG or ODA/ABAAS. The City understands that the ultimate determination of compliance with Title II is based on the affirmative requirements and prohibitions of discrimination found in the Part 35 regulations which do not necessarily require a public entity to make each of its facilities accessible. The regulations do require the City to ensure that each of its programs, when viewed in its entirety, is accessible to and usable by individuals with disabilities.

The Texas Accessibility Standards (TAS) and the 2010 ADA Standards for Accessible Design are closely aligned and are based on many of the same technical requirements. In most cases, compliance with the Texas Accessibility Standards will also satisfy the 2010 ADA Standards. When differences exist, the more restrictive requirement governs. Public entities in Texas must ensure compliance with both standards, as meeting state requirements does not eliminate obligations under federal law.

Findings based on ADA Standards advisories, PROWAG, and ODA/ABAAS are deemed to be *not-best-practice*, rather than *not compliant*, because these scoping and technical provisions have not been adopted by DOJ as enforceable standards for ADA-covered facilities. The City, based on STV's recommendation, is applying PROWAG and the ODA/ABAAS as best practices, as the spaces and elements (pedestrian facilities in the public right-of-way, SUPs, trails, picnic and other components of outdoor developed areas) covered by these guidelines are not covered by TAS or the ADA Standards. The City, based on STV's recommendation, will adhere to these best practices as a *good-faith effort* by the City of Killeen to ensure that the programs served by these facilities will be accessible to and usable by qualified individuals of all abilities.

This report summarizes the process by which the underlying data-tables were developed. It describes how the data was gathered and analyzed and recommends how the findings should be used. For each finding, a citation is referenced to the applicable sections of ADA Standards or PROWAG or ODA/ABAAS. The TPDs include recommendations for mitigation of each finding.

STV has provided detailed, raw data to the City for buildings, parks, athletic complexes, and pedestrian facilities in the City's right-of-way which has been used to compile the Transition Plan. The TPDs are in the form of Excel data tables which can be searched, sorted, filtered, and edited. These are intended to be retained and updated as living plans that will be kept current, as findings are resolved, to demonstrate the progress of ongoing efforts to comply with the ADA and ensure ongoing inclusiveness of all City services, programs, and activities for qualified people of all abilities. In addition, all findings for barriers in the City's right-of-way have been delivered to the City in the form of ArcGIS data files which have been integrated into the City's GIS. Each finding is described and accompanied by photos linked to the GPS coordinates.

The TPDs detail and analyze the raw data necessary to the development of this Transition Plan. The TPDs do not constitute a Transition Plan. This Transition Plan is more than a detailed narrative listing the findings in the TPDs. The City intends the Transition Plan to be its road map to guide efforts to resolve physical obstacles that currently prevent or might prevent access to its services, programs and activities. Presumed in the implementation of the Transition Plan is the City's intent to review and revise its policies and practices to effectively resolve physical barriers that would be technically infeasible to remove architecturally or that would entail undue financial or administrative burdens. The City acknowledges that there may be instances where removing programs from an inaccessible space or building is the only feasible and non-burdensome means to make a program accessible. The City will align any decisions about which of these findings should be mitigated, how they should be mitigated, and when they should be mitigated, with the Part 35 regulations.

Section 4.0 *Transition Plan* will enumerate the four minimum regulatory requirements (see *Section 1.2 Regulatory Requirement for a Transition Plan*) of an ADA Transition Plan. The preliminary schedule for the Transition Plan anticipates 20 years to resolve findings at City buildings and parks, and 40 years to resolve findings in the City right-

of-way. The Transition Plan is viewed as a living document and its schedule will be contingent on the City's budgetary resources from year to year, for the duration of the Transition Plan.

1.1.1 Reasons for Using PROWAG

The City acknowledges that the U.S. Department of Justice (DOJ) has not yet formally adopted the Public Right-of-Way Accessibility Guidelines as enforceable regulatory standards for pedestrian facilities in the public right-of-way. However, Title II regulations clearly require that local governments with responsibility for streets, roads, and walkways include in their Transition Plans *a schedule for providing curb ramps or other sloped areas where pedestrian routes cross curbs, with priority given to walkways serving public facilities and places of public accommodation*. The U.S. Department of Transportation (USDOT) and the Texas Department of Transportation (TxDOT) have adopted PROWAG as a design standard. Consistent with this approach, the City of Killeen has incorporated PROWAG into its applicable codes in 2024 as a design standard to ensure that pedestrian facilities, serving pedestrian transportation, are accessible to and usable by individuals with disabilities.

Most simply stated, program access is required even when there are not formal or legally adopted standards that define or prescribe the technical provisions to achieve compliance. The ADA Standards and the previous ADA Accessibility Guidelines (ADAAG), created by the U.S. Access Board are specifically intended to apply to facilities on sites. The Access Board did not intend these standards for application in the public right-of-way. Accordingly, the Access Board provided the following [explanation for its development of PROWAG](#):

Sidewalks, street crossings, and other elements in the public right-of-way can pose challenges to accessibility. The Board's ADA and ABA Accessibility Guidelines focus mainly on facilities on sites. While they address certain features common to public sidewalks, such as curb ramps, further guidance is necessary to address conditions and constraints unique to public rights-of-way.

The Board is developing new guidelines for public rights-of-way that will address various issues, including access for blind pedestrians at street crossings, wheelchair access to on-street parking, and various constraints posed by space limitations, roadway design practices, slope, and terrain. The new guidelines will cover pedestrian access to sidewalks and streets, including crosswalks, curb ramps, street furnishings, pedestrian signals, parking, and other components of public rights-of-way. The Board's aim in developing these guidelines is to ensure that access for persons with disabilities is provided wherever a pedestrian way is newly built or altered, and that the same degree of convenience, connection, and safety afforded the public generally is available to pedestrians with disabilities. Once these guidelines are adopted by the Department of Justice, they will become enforceable standards under Title II of the ADA.

The ADA Standards include the following permission:

103 Equivalent Facilitation

Nothing in these requirements prevents the use of designs, products, or technologies as alternatives to those prescribed, provided they result in substantially equivalent or greater accessibility and usability.

The Federal Highway Administration (FHWA) recognizes PROWAG as "recommended best practices, and [they] can be considered the state of the practice that could be followed for areas not fully addressed by the present ADAAG standards."¹

1.1.2 Administrative Requirements of Title II

¹ U.S. Department of Transportation, Federal Highway Administration, accessed at https://www.fhwa.dot.gov/environment/bicycle_pedestrian/resources/prwaa.cfm, on February 11, 2021.

The City of Killeen, Texas, has adopted, published, and disseminated its:

- Notice Under the Americans with Disabilities Act ([§ 35.106](#))
- Naming of an ADA Coordinator ([§ 35.107\(a\)](#))
- ADA Complaint/grievance procedure ([§ 35.107\(b\)](#))

1.2 Regulatory Requirement for a Transition Plan

Regulations require a transition plan when physical changes to facilities are necessary to achieve program accessibility. The purpose of Title II of the ADA is not to drive an urban renewal plan for the City's infrastructure and buildings. Rather, the ADA is a civil rights law intended to include people with disabilities in the day-to-day life of American communities. To envision the ADA as an architectural code would be short-sighted. The City's Transition Plan is more than a list of findings to be fixed.

A transition plan must provide a path to a future that is accessible and inclusive for everyone. Like any plan, it should set objectives based on priorities that create realistic time-sensitive goals. The document should set "forth the steps necessary to complete such changes" ([§35.150\(d\)\(1\)](#)). Regulations originally required public entities with 50 or more employees to develop a transition plan "within six months of January 26, 1992". Structural changes were expected to "be made within three years of January 26, 1992, but in any event as expeditiously as possible" ([§35.150\(c\)](#)).

The Title II regulations do not include an affirmative requirement to update a transition plan developed in 1992 or to develop a new transition plan at any given interval. However, as the ongoing compliance with the ADA is required, the City has committed to the development of this Transition Plan to ensure that its programs, when viewed in their entirety, remain accessible to and usable by qualified people of all abilities. It is obvious that the City has taken many actions – created new programs, moved programs to different locations, built new structures, and altered existing structures – in the normal course of community growth since the dawn of the ADA 36 years ago. Whether studying for the first time or re-assessing all City programs to identify any policies, practices, or facilities that affect or might affect the opportunity of people with disabilities to participate in the most integrated setting appropriate to their needs, the development of the (current) Transition Plan is necessary to ensure ongoing compliance with the ADA.

The transparency of the Transition Plan process is essential to giving ownership of the plan to all stakeholders. Inherent to the motto of many in the disability community, "nothing about us, without us," is the understanding that members of society (other than people with disabilities), are not better informed or situated, than people with disabilities, themselves to make decisions about or for people with disabilities. The participation by people with disabilities or organizations representing them in the formal adoption of a Transition Plan is essential.

The regulation clearly states: 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 ([§35.150\(d\)\(1\)](#)).

A transition plan, per Title II regulation ([§35.150\(d\)\(3\)](#)) must at minimum:

- i. Identify physical obstacles in the public entity's facilities that limit the accessibility of its programs or activities to individuals with disabilities;
- ii. Describe in detail the methods that will be used to make the facilities accessible;
- iii. Specify the schedule for taking the steps necessary to achieve compliance with this section 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
- iv. Indicate the official responsible for implementation of the plan.

1.3 Limitations of This Analysis

During the collection of data on the City's facilities, information regarding the dates and location of new construction and alterations since January 26, 1992, was not available to the data collectors. This information is key to determining whether findings are or might be subject to either remediation requirements or safe harbor provisions. The City will review findings for which program access is not currently an issue to determine whether these conditions were created or not corrected during post-ADA construction or alterations. In addition, the City will determine whether barriers in *paths of travel* serving primary function spaces were overlooked at the time of alterations to those primary function areas after January 26, 1992 (see section 1.4.7 Path of Travel). As a result, analysis of findings was limited to interpretation of *as-is* conditions at the time of data collection.

New construction and alterations to existing facilities completed since January 26, 1992, regardless of program access evaluation, must comply with the accessible design standards in effect at the time of construction.

In determining the site or location of a facility – in essence the location of a program – public entities are prohibited from *making selections that have the effect of excluding individuals with disabilities from those facilities, denying them the benefits of those facilities, or otherwise subjecting them to discrimination* (§ [35.130\(b\)\(4\)](#)).

1.3.1 Barriers in New Construction and Alterations

The City, on recommendation from STV and DOJ emphasis in Title II settlement agreements, will recognize barriers in new construction or alterations to existing facilities as the next highest priority. In a Project Civic Access settlement agreement, the DOJ states that public entities are required “to ensure that facilities for which construction or alteration was begun after January 26, 1992, are readily accessible to and usable by people with disabilities, in accordance with 1) the Department of Justice's (DOJ) Title II regulation and 2) the 1991 ADA Standards or UFAS, or the 2010 ADA Standards, as applicable, 28 C.F.R. [§ 35.151](#).” Obviously, listing these barriers was not considered in the original requirements for transition plans. Construction completed after January 26, 1992, and prior to March 15, 2012, adhering (to the *maximum extent feasible*) to either the 1991 ADA Standards or the Uniform Federal Accessibility Standards, has safe harbor.

Nevertheless, despite all good intentions to the contrary, existing facilities have been altered and new facilities built that do not comply with any of the referenced standards. These *post-ADA* barriers must be included in the City's current Transition Plan. Regardless of whether these deficiencies present current or imminent barriers to program access, a public entity is required to structurally correct these barriers. New construction or alterations to existing facilities, which do not comply with any of the referenced standards, are separate violations of the ADA regulations.

1.3.2 Fundamental Alteration

Regarding structural barrier removal in existing City facilities, Title II regulations do not require the City to take any action that it can demonstrate would cause a fundamental alteration in a service, program, or activity. In those rare circumstances where City staff believe that a proposed action would fundamentally alter the service, program, or activity, the City has the burden of proving that compliance with [§35.150\(a\)](#) of the Part 35 regulations would cause such a fundamental alteration. The decision that compliance would cause such an alteration must be made by Killeen's Mayor or the Mayor's designee after considering all resources available for use in the funding and operation of the service, program, or activity, and must be accompanied by a written statement of the reasons for reaching that conclusion. If an action would cause such an alteration the City must take any other action that would

not result in such an alteration but would nevertheless ensure that individuals with disabilities receive City benefits or services.

1.3.3 Historic properties

Title II regulations do not require a public entity to take any action that would threaten or destroy the historic significance of a historic property. At this time, the City has identified City Hall, John Blackburn Log Cabin and the Downtown Historical District as historical properties.

When any City properties are listed or otherwise designated as historic properties, the City will evaluate any deficient conditions to determine if removal would result in a threat to or destruction of historic significance. The City will then determine whether such conditions can be overcome through methods or means other than structural barrier removal. The City will give priority to methods that provide physical access to individuals with disabilities. Where it is not possible to provide access to programs without damaging or removing features of historical significance, the City will find an alternative venue or means of providing access to the program viewed in its entirety.

When the historical value of a property is, in essence, the program – i.e., the facility has historical value which attracts visitors and tours – the City will take measures to ensure that people with disabilities have an opportunity to enjoy the benefits of the program through means other than physical access. The City can assign persons to guide individuals with disabilities into or through portions of historic properties that cannot otherwise be made accessible. For example, virtual tours offered through multi-media presentations or online streaming to depict those portions of an historic property that cannot otherwise be made accessible and presentation of artifacts in an accessible space at the facility can provide a similar experience for people who are not able to physically tour the facility.

1.3.4 Undue Financial and Administrative Burden

When considering structural barrier removal in existing City facilities, Title II regulations do not require the City to take any action that it can demonstrate would cause undue financial and administrative burdens. In those circumstances where City personnel believe that a proposed action would result in undue financial and administrative burdens, the City must prove that compliance with requirements for removal of barriers in existing facilities (see [§35.150\(a\)](#)) would result in such burdens.

Ultimately, Killeen's Mayor or the Mayor's designee will make the decision that compliance with Title II regulations would result in undue financial and administrative burdens, when all resources available for use in the funding and operation of the service, program, or activity, have been considered. The Mayor or Mayor's designee must provide a written statement of the reasons for the decision. The City must, regardless of such decisions, take any other action that would not result in undue financial and administrative burdens to ensure that qualified people of all abilities can receive City benefits or services.

1.3.5 Safe Harbor, New Construction, and Alterations

Safe harbor refers to:

Elements that have not been altered in existing facilities on or after March 15, 2012, and that comply with the corresponding technical and scoping specifications for those elements in either the 1991 Standards or in the Uniform Federal Accessibility Standards (UFAS), Appendix A to 41 CFR part 101–19.6 (July 1, 2002, ed.), 49 FR 31528, app. A (Aug. 7, 1984) are not required to be modified in order to comply with the requirements set forth in the 2010 Standards (§ [35.150\(b\)\(2\)\(i\)](#)).

Identification of elements having safe harbor is not possible, in the absence of specific, detailed information as to the dates and locations of construction and alterations to facilities. Typically, there are a limited number of elements having *as-is* conditions that adhere to previous standards that would also not be compliant with the 2010 ADA Standards. Most of the elements, for which safe harbor may be applied, have relatively low mitigation difficulty. Among the features that may qualify for safe harbor are the following:

- Surfaces of doors up to ten inches that are not smooth
- Water closets centerlines between 18 and 18.5 inches from the near wall
- Single wheelchair accessible (i.e., low) drinking fountains
- Operable parts between 48 and 54 inches or between 9 and 15 inches

The City must determine when safe harbor applies. To claim safe harbor for an element the City must have evidence that the element in question was built/alterd prior to March 15, 2012. Safe harbor *does not apply to those elements in existing facilities that are subject to supplemental requirements (i.e., elements for which there are neither technical nor scoping specifications in the 1991 Standards)* ([§ 35.150\(b\)\(2\)\(ii\)](#)).

1.3.5.1 Elements for Which Safe Harbor Does Not Apply

The safe harbor provision does not apply to those elements in existing facilities which are subject to new scoping and technical provisions in the (2010) ADA Standards. The following elements are not eligible for safe harbor:

- Residential facilities dwelling units, sections 233 and 809
- Amusement rides, sections 234 and 1002; 206.2.9; 216.12
- Recreational boating facilities, sections 235 and 1003; 206.2.10
- Exercise machines and equipment, sections 236 and 1004; 206.2.13
- Fishing piers and platforms, sections 237 and 1005; 206.2.14
- Golf facilities, sections 238 and 1006; 206.2.15
- Miniature golf facilities, sections 239 and 1007; 206.2.16
- Play areas, sections 240 and 1008; 206.2.17
- Saunas and steam rooms, sections 241 and 612
- Swimming pools, wading pools, and spas, sections 242 and 1009
- Shooting facilities with firing positions, sections 243 and 1010
- Team or player seating, section 221.2.1.4
- Accessible route to bowling lanes, section. 206.2.11
- Accessible route in court sports facilities, section 206.2.12

1.3.6 Conventional Industry Tolerances

The ADA Standards permit the application of conventional industry tolerances, but no authority is named for defining them. Determining if an element's condition falls into a conventional industry tolerance is up to the entity and its design professionals. Once a set of tolerances are adopted by the City, the application of those tolerances may allow certain barriers to stand. The below sections and advisory are taken directly from the ADA Standards for further guidance.

104.1 Dimensions. *Dimensions that are not stated as "maximum" or "minimum" are absolute.*

104.1.1 Construction and Manufacturing Tolerances. *All dimensions are subject to conventional industry tolerances except where the requirement is stated as a range with specific minimum and maximum end points.*

Advisory 104.1.1 Construction and Manufacturing Tolerances. *Conventional industry tolerances*

recognized by this provision include those for field conditions and those that may be a necessary consequence of a particular manufacturing process. Recognized tolerances are not intended to apply to design work.

It is good practice when specifying dimensions to avoid specifying a tolerance where dimensions are absolute. For example, if this document requires "1 inches," avoid specifying "1 inches plus or minus X inches."

Where the requirement states a specified range, such as in Section 609.4 where grab bars must be installed between 33 inches and 36 inches above the floor, the range provides an adequate tolerance and therefore no tolerance outside of the range at either end point is permitted.

Where a requirement is a minimum or a maximum dimension that does not have two specific minimum and maximum end points, tolerances may apply. Where an element is to be installed at the minimum or maximum permitted dimension, such as "15 inches minimum" or "5 pounds maximum", it would not be good practice to specify "5 pounds (plus X pounds) or 15 inches (minus X inches)." Rather, it would be good practice to specify a dimension less than the required maximum (or more than the required minimum) by the amount of the expected field or manufacturing tolerance and not to state any tolerance in conjunction with the specified dimension.

Specifying dimensions in design in the manner described above will better ensure that facilities and elements accomplish the level of accessibility intended by these requirements. It will also more often produce an end result of strict and literal compliance with the stated requirements and eliminate enforcement difficulties and issues that might otherwise arise. Information on specific tolerances may be available from industry or trade organizations, code groups and building officials, and published references.

The City, based on STV's recommendation, will refer to Ken Ballast's [Handbook of Construction Tolerances](#), 2nd Edition (March 2007), as an excellent guide for determining acceptable construction tolerances. Ballast also researched and wrote ["Dimensional Tolerances in Construction and for Surface Accessibility"](#) (2011), for the U.S. Access Board. Tolerances may be acceptable for construction that existed prior to the ADA but design for new construction should allow for reasonable tolerances of standard craftsmanship. For example, if a tolerance of +0.5 percent is accepted as a conventional industry tolerance for the slope on a concrete surface, then running slopes should be designed to 7.8 percent maximum and cross slopes should be designed to 1.5 percent maximum to ensure that finished concrete within the tolerance will be consistent with accessibility requirements.

1.3.7 Path of Travel

At times, alterations can also trigger the "path of travel" provision of the ADA. This provision requires that any alterations, after January 26th, 1992, that affect or could affect the usability or access to a primary function area of a facility must also include addressing accessibility deficiencies along the path of travel to the altered area. Examples of items included in this "path of travel", per 28 C.F.R. [§ 35.151 \(4\)](#), are: walks and sidewalks, curb ramps, parking areas, corridors and restrooms. A primary function of a facility is a major activity for which the facility is intended. Examples include: the dining area of a cafeteria, the meeting rooms in a conference center, as well as offices and other work areas in which the activities of the public entity using the facility are carried out. Alterations to comply with the ADA along the path of travel are only required to the level of disproportionality. Disproportionality is reached when the cost of alterations to path of travel elements exceeds 20 percent of the cost of the alteration to the primary function area.

The City will examine any alterations undertaken by the City, that took place after January 26th, 1992, to owned facilities that may have triggered the “path of travel” provision. Alterations that were required under this provision, which did not, are required to be executed regardless of program access implications. It is essential to note that alterations made solely to improve or meet the accessibility requirements of the ADA do not trigger the “path of travel” requirement.

The City’s ADA consultant, STV, was unable to independently determine whether the barriers identified in this audit of the City’s exterior facilities existed prior to January 26, 1992. Nor was STV able to determine independently where barriers that existed at the time of an alteration, since that date, would have triggered the *path of travel* requirement. Therefore, the City will investigate the dates of alterations in its facilities that may have triggered the removal of barriers even when those barriers did not limit or prevent access to its services, programs, or activities. These conditions might exist in employee-only or employee-common areas of facilities that have been renovated since January 26, 1992. The City, based on STV’s recommendation, has decided to schedule barriers that can be remedied with little difficulty or expense in the Transition Plan, regardless of whether remedies would have been within the scope of previous alterations. The priority of these barriers, though lower than the removal of barriers to program access, is not immaterial.

1.4 Definitions

This section provides definitions for terms and concepts commonly used in discussion and explanation of the Americans with Disabilities Act.

1991 Standards means the requirements set forth in the ADA Standards for Accessible Design, originally published on July 26, 1991, and republished as Appendix D to 28 CFR part 36; also known as ADA Accessibility Guidelines or ADAAG.

2004 ADAAG means the requirements set forth in appendices B and D to 36 CFR part 1191 (2009).

2010 Standards or ADA Standards means the 2010 ADA Standards for Accessible Design, which consist of the 2004 ADAAG and the requirements contained in § 35.151.

Act means the Americans with Disabilities Act (Pub. L. 101-336, 104 Stat. 327, 42 U.S.C. 12101-12213 and 47 U.S.C. 225 and 611).

Auxiliary aids and services include—

- 1) Qualified interpreters on-site or through video remote interpreting (VRI) services; notetakers; real-time computer-aided transcription services; written materials; exchange of written notes; telephone handset amplifiers; assistive listening devices; assistive listening systems; telephones compatible with hearing aids; closed caption decoders; open and closed captioning, including real-time captioning; voice, text, and video-based telecommunications products and systems, including text telephones (TTYs), videophones, and captioned telephones, or equally effective telecommunications devices; videotext displays; accessible electronic and information technology; or other effective methods of making aurally delivered information available to individuals who are deaf or hard of hearing;
- 2) Qualified readers; taped texts; audio recordings; Brailled materials and displays; screen reader software; magnification software; optical readers; secondary auditory programs (SAP); large print materials; accessible electronic and information technology; or other effective methods of making visually delivered materials available to individuals who are blind or have low vision;
- 3) Acquisition or modification of equipment or devices; and
- 4) Other similar services and actions.

Complete complaint means a written statement that contains the complainant's name and address and describes the public entity's alleged discriminatory action in sufficient detail to inform the agency of the nature and date of the alleged violation of this part. It shall be signed by the complainant or by someone authorized to do so on his or her behalf. Complaints filed on behalf of classes or third parties shall describe or identify (by name, if possible) the alleged victims of discrimination.

Designated agency means the Federal agency designated under subpart G of this part to oversee compliance activities under this part for particular components of State and local governments.

Direct threat means a significant risk to the health or safety of others that cannot be eliminated by a modification of policies, practices or procedures, or by the provision of auxiliary aids or services as provided in § 35.139.

Existing facility means a facility in existence on any given date, without regard to whether the facility may also be considered newly constructed or altered under this part.

Facility means all or any portion of buildings, structures, sites, complexes, equipment, rolling stock or other conveyances, roads, walks, passageways, parking lots, or other real or personal property, including the site where the building, property, structure, or equipment is located.

Historic preservation programs means programs conducted by a public entity that have preservation of historic properties as a primary purpose.

Historic properties means those properties that are listed or eligible for listing in the National Register of Historic Places or properties designated as historic under State or local law.

Individual with a disability means a person who has a disability. The term individual with a disability does not include an individual who is currently engaging in the illegal use of drugs, when the public entity acts based on such use.

Other power-driven mobility device means any mobility device powered by batteries, fuel, or other engines—whether or not designed primarily for use by individuals with mobility disabilities—that is used by individuals with mobility disabilities for the purpose of locomotion, including golf cars, electronic personal assistance mobility devices (EPAMDs), such as the Segway® PT, or any mobility device designed to operate in areas without defined pedestrian routes, but that is not a wheelchair within the meaning of this section. This definition does not apply to Federal wilderness areas; wheelchairs in such areas are defined in section 508(c)(2) of the ADA, 42 U.S.C. 12207(c)(2).

Public entity means—

- 1) Any State or local government;
- 2) Any department, agency, special purpose district, or other instrumentality of a State or States or local government; and
- 3) The National Railroad Passenger Corporation, and any commuter authority (as defined in section 103(8) of the Rail Passenger Service Act).

Qualified individual with a disability means an individual with a disability who, with or without reasonable modifications 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 a public entity.

Qualified interpreter means an interpreter who, via a video remote interpreting (VRI) service or an on-site appearance, is able to interpret effectively, accurately, and impartially, both receptively and expressively, using any

necessary specialized vocabulary. Qualified interpreters include, for example, sign language interpreters, oral transliterators, and cued-language transliterators.

Qualified reader means a person who is able to read effectively, accurately, and impartially using any necessary specialized vocabulary.

Section 504 means section 504 of the Rehabilitation Act of 1973 (Pub. L. 93-112, 87 Stat. 394 (29 U.S.C. 794), as amended.

Service animal means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the individual's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

State means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, and the Commonwealth of the Northern Mariana Islands.

Video remote interpreting (VRI) service means an interpreting service that uses video conference technology over dedicated lines or wireless technology offering high-speed, wide-bandwidth video connection that delivers high-quality video images as provided in § 35.160(d).

Wheelchair means a manually-operated or power-driven device designed primarily for use by an individual with a mobility disability for the main purpose of indoor, or of both indoor and outdoor locomotion. This definition does not apply to Federal wilderness areas; wheelchairs in such areas are defined in section 508(c)(2) of the ADA, 42 U.S.C. 12207 (c)(2).

2.0 PUBLIC INVOLVEMENT AND OUTREACH

2.1 ADA Coordinator

Regulatory Requirement and Purpose

Under Title II of the Americans with Disabilities Act (ADA), state and local governments with 50 or more employees are required to designate at least one employee to serve as the ADA Coordinator. This role is essential to ensuring consistent compliance with ADA requirements across all programs, services, and activities.

The designation of an ADA Coordinator provides:

- A centralized and knowledgeable point of contact for ADA-related matters
- Consistent and accurate responses to staff and public inquiries
- Coordinated handling of accommodation requests and complaints
- Oversight of compliance efforts across all departments

For members of the public, the ADA Coordinator ensures clear access to assistance regarding disability-related concerns, including requests for auxiliary aids and services. For City staff, the coordinator serves as a reliable internal resource to support compliance, provide guidance, and ensure impartial handling of requests and grievances. The ADA Coordinator serves as the main point of contact for anyone who has questions, needs assistance, or wants to request an accommodation. This may include requests for auxiliary aids or services, such as sign language interpreters, accessible documents, or other support needed for effective communication or participation in City programs.

Having a dedicated ADA Coordinator makes it easier for residents to know who to contact and helps ensure that questions and concerns are handled fairly, consistently, and in a timely manner. The coordinator is knowledgeable about disability rights laws and works with City staff to address accessibility issues and improve access across all departments.

In addition to assisting residents, the ADA Coordinator is responsible for reviewing and responding to complaints related to disability access. This process is handled as fairly and impartially as possible. If needed, the City may bring in an independent third party to review a complaint to ensure objectivity.

Because City departments manage different programs and services, the City has designated a staff member to serve as a department ADA Liaison. These individuals work closely with the ADA Coordinator to address accessibility needs within their specific areas and help ensure that ADA requirements are met throughout the organization. Together, the ADA Coordinator and Department Liaisons form a coordinated approach to accessibility. They will regularly communicate and monitor progress to improve access, remove barriers, and ensure that all residents can fully participate in City services and activities.

2.1.1 City ADA Coordinator

The Contact information for the City's ADA Coordinator is:

Address:

ADA Coordinator
802 N 2nd St, Bldg. E
Killeen, Texas 76541

Email: ADAhelp@killeentexas.gov
Phone: 254.501.7841

The City has a grievance procedure for individuals who believe they have experienced disability-related discrimination or have been denied access to a program, service, or facility. A complaint can be submitted to the

ADA Coordinator in writing, by email, or through other accessible means. Once received, the City will review the complaint, may gather additional information, and work to resolve the issue in a timely and fair manner. The individual will be informed of the outcome, and if they are not satisfied, they may have the option to appeal the decision. Appendix B provide additional information and the process for submitting a grievance.

2.1.2 Emergency Management

The Office of Homeland Security and Emergency Management (OHSEM) continuously work to comply with the Americans with Disabilities Act (ADA) in all programs, services, and activities. Consistent with guidance from the U.S. Department of Justice Civil Rights Division, and FEMA’s “whole community” approach to emergency management, the Office ensures that individuals with disabilities and others with access and functional needs have equal opportunity to benefit from and participate in the City’s emergency management programs, services, and activities, including those related to preparedness, mitigation, response, and recovery.

OHSEM conducts periodic reviews of its emergency plans, policies, and procedures to ensure continued compliance and alignment with current legal requirements, best practices, and community needs. These reviews include scheduled plan updates, post-incident and post-exercise evaluations, and ongoing coordination with stakeholders, including representatives of individuals with disabilities and others with access and functional needs.

The Office incorporates accessibility and nondiscrimination into all emergency plans, policies, and procedures; provides effective communication; makes reasonable modifications to policies, practices, and procedures when necessary; and delivers services in the most integrated setting appropriate. The Office also engages individuals with disabilities and organizations representing them in all phases of emergency management planning and implementation, consistent with federal guidance.

2.2 Public Involvement and Feedback

Public involvement is a vital part of developing and maintaining an effective ADA Transition Plan. Input from residents, especially individuals with disabilities, helps the City better understand real-world barriers and prioritize improvements that have the greatest impact on access to programs, services, and facilities. Community feedback ensures that the Transition Plan reflects the needs and experiences of those it is intended to serve. It also promotes transparency, accountability, and trust by giving residents a meaningful voice in shaping accessibility efforts.

The City encourages ongoing participation through direct communication with the ADA Coordinator. Residents are invited to share concerns, identify barriers, and suggest improvements at any time. This continuous feedback helps the City make informed decisions, track progress, and ensure that accessibility remains a priority for all members of the community. By working collaboratively with the public, the City can create a more inclusive environment where everyone has the opportunity to fully participate in civic life.

The public can comment, complain, or request actions to ensure the City’s ongoing ADA compliance, by contacting the City’s ADA Coordinator at any time. Savannah Brady, who currently serves as the City’s ADA Coordinator, will bear the primary responsibility for implementation of the ADA Transition Plan. The City realizes it is also obligated to maintain in operable working condition those features of facilities and equipment that are required to be readily accessible to and usable by persons with disabilities by the ADA. This does not prohibit isolated or temporary interruptions in service or access due to maintenance or repairs ([§ 35.133](#)).

2.3 Public Outreach and Meetings

A Transition Plan must include a chance for public comment. Successful implementation of the plan will require a positive public attitude, including an understanding of the ADA's purpose and intention to include qualified people of all abilities in publicly funded services, programs, and activities. Outreach for public input should encourage participation in the process that will give the public – especially members of the public who have disabilities or have family members and friends with disabilities – an opportunity to take ownership of the plan.

Efforts to reach the community have been thoroughly investigated, and a communications plan is in place to ensure the City is utilizing as many of its applicable resources as possible. The plan includes a press release, billboard, web banner, a dedicated page on the City website, news alerts via City software, a social media drip campaign, flyers, and an email campaign to local stakeholders.

Public Outreach

The inclusion and consideration of comments from the public is an essential component in the development of the ADA Transition Plan. Input from residents, particularly individuals with disabilities, helps inform priorities, identify barriers, and ensure the Plan reflects the needs of the community.

To encourage participation, the City will conduct a public outreach campaign through print and online platforms to inform residents about the Transition Plan and how to provide feedback. This outreach will include information on where to access the Plan, how to submit comments, and how to request accommodations to participate in the process.

A copy of the ADA Transition Plan will be made available for public review through the City's website. Residents may submit comments through multiple methods, including online submission, email, mail, or by contacting the ADA Coordinator directly. Requests for auxiliary aids or services needed to participate in the review process will be accommodated upon request.

Public Meetings

The City will host a series of public meetings to gather input on the Transition Plan. Both in-person and virtual participation options will be available to maximize accessibility. Meeting dates, times, and access details will be publicly noticed in advance.

During these meetings, residents will have the opportunity to provide comments, ask questions, and identify accessibility concerns. All comments received, including those submitted outside of meetings, will be documented and considered as part of the planning process.

Meeting summaries and public comments will be incorporated into Appendix A. The Appendix will be maintained by the ADA Coordinator and updated periodically to document and reflect public input.

3.0 SELF-EVALUATION AND FINDINGS

When considering the physical deficiencies discovered in the City's facilities, it is critical to be aware that all barriers are not created equal. Based on the regulatory requirements, the first barriers that must be identified in the Self-evaluation and Transition Plan processes are those that prevent access to services, programs, and activities, when viewed in their entirety. Next, those barriers that were created by new construction and/or alterations must be identified. Finally, those barriers that exist, and have existed since prior to the ADA, that currently present no barrier

to program access, are listed in the Transition Plan even when there is no current requirement for their removal. Various events may trigger a future need to remedy these conditions.

The objective of this document is not necessarily to prescribe, for each finding listed, the precise means by which the City will mitigate each barrier. Rather, the objective here is to identify potential barriers and develop a process for deciding when and if a given barrier can be mitigated through methods or means other than an architectural remedy. Relocating programs/offering them at alternate accessible facilities, delivering services, offering virtual access, or giving assistance that circumvents barriers are some of the other methods and means that may make a program accessible without removing all physical barriers to access.

The regulations do not necessarily require a public entity to make each of its facilities accessible. Public entities must make each of their services, programs, and activities, when viewed in their entirety, accessible to and usable by qualified individuals of all abilities, including those individuals who use wheelchairs or other mobility devices. The DOJ's [2010 Guidance and Section-by-Section Analysis](#) of the regulations, while providing no mathematical or formulaic definition of viewed in their entirety, does provide the following, non-exhaustive list of factors to apply in deciding whether programs, offered at more than one location, are accessible, when viewed in their entirety:

- Size of the public entity
- The particular program features and amenities offered at each site
- The geographical distance between sites
- The travel times to the sites
- The number of sites
- Availability of public transportation to the sites

Simply offering a service, program, or activity at an alternate location may not necessarily make that service, program, or activity accessible when viewed in its entirety.

3.1 Facilities Audited

This report covers the City's buildings, parks & recreation facilities, and pedestrian facilities in the City's right-of-way. The detailed survey content is provided under separate cover in Transition Plan Data tables (TPDs). The TPDs are MS Excel data tables that are searchable, sortable, filterable, and editable. The purpose of these data tables is to maintain living records and document the actions taken to resolve findings and the dates when such actions were completed. The City will monitor the progress of the Transition Plan's implementation through periodic review of these data tables. The Facilities, Parks, and Trails assessed by STV as part of the Transition Plan are listed below. Each facility has been evaluated and prioritized based on the level of public use and the presence of architectural barriers that may limit access to services and programs. The following lists are the facilities that were owned and operated at the time of the facility assessments in July of 2022. Others not on these lists were not owned by the City at that time or undergoing renovations. The names may vary slightly from how they are commonly known to the residents. The facilities covered by this report are:

3.1.1 Buildings

- Animal Shelter Office & Kennel - 3112 Commerce Dr
- Arts & Activities Center - 718 N 2nd St
- Central Fire Station - 201 N 28th St
- Chamber of Commerce - 1 Santa Fe Plaza Dr
- City Cemetery - 2408 E Rancier Ave

- City Hall & Maintenance Building - 101 N College St
- City Hall Annex - 200 E Ave D
- Code Enforcement/Bldg Inspections - 100 E Ave C
- Community Center Park Amphitheatre - 2205 E Hwy 190 (Veterans Memorial Blvd)
- Copper Mountain Branch Library - 3000 S WS Young Dr
- Corporate Hanger at Skylark Field - 1503 Stonetree Dr
- Facilities Services/Custodial Services - 2404A E Rancier Ave
- Fire Station #1 w/Classroom - 3800 Westcliff Rd
- Fire Station #2 - 910 Conder St
- Fire Station #3 - 700 N Twin Creek Dr
- Fire Station #5 - 905 W Jasper Dr
- Fire Station #6 - 2001 E Elms Rd
- Fire Station #7 - 3701 Watercrest Rd
- Fire Station #8 - 7252 E Trimmier Rd
- Fire Station #9 - 5400 Bunny Trail
- Fire Station Support Services - 114 W Ave D
- Fleet Services - 2003-A Little Nolan Road, Bldg A
- Information Technology - 100 E Ave D
- John Blackburn Log Cabin (Historical) - 2205 E Hwy 190 (Veterans Memorial Blvd)
- Killeen Civic & Conference Center and Memorial Pavilion - 3601 S WS Young Dr
- Killeen Police Department North Precinct - 400 N 2nd St
- Killeen Police HQ - 3304 Community Blvd
- Killeen Regional Airport - 8101 Clear Creek
- Lions Club Family Recreation Center - 1700A E Stan Schlueter Loop
- Main Library - 205 E Church Ave
- Mowing & Drainage Office/Shop - 907-B W Jasper Dr
- Multi-Service Center - 916 Abercrombie Dr
- Police Academy and Tactical Firearms Range - 12200 Hwy 195
- Public Works Administration & Transportation - 3201-A South WS Young Drive
- Recycle Center - 111 E Ave F
- Rodeo Grounds - 3301 S WS Young Dr
- Senior Center - 1700B E Stan Schlueter Loop
- Solid Waste Administration - 2003 Little Nolan Road, Bldg I
- Solid Waste Container Shop - 2003 Little Nolan Rd
- Solid Waste Transfer Station - 12200 Hwy 195
- Special Events Center - 3301 S WS Young Dr
- Stonetree Golf Course - 1600 Stonetree Dr
- Utilities Collections/Administration - 210 W Ave C
- Warehouse & Water & Sewer Operations - 301 S Park St
- Whiteley Training Center (FD) - 207 S 28th St
- Zenner Family Aquatic Center - 1800 E Stan Schlueter Loop

3.1.2 Parks

- A.A Lane Neighborhood Park - 400 48th St
- Camacho Neighborhood Park - 1706 Walton Walker Dr
- Conder Community Park - 1599 Terrace Dr / 810 Conder St
- Fowler Park - 100 W Fowler Ave

- Fox Creek Neighborhood Park - 1909 Grey Fox Trail
- Hunt Neighborhood Park - 2301 Hunt Dr
- Iduma Neighborhood Park - 4208 Pennington Ave
- Lions Club Community Park - 1599 E Stan Schlueter Loop
- Lions Neighborhood Park - 1307 Culp Ave
- Long Branch Community Park, Splash Pad, Pavilion and Restroom - 1101 Branch Dr
- Marlboro Neighborhood Park - 2902 Veterans Memorial Blvd
- Maxdale Neighborhood Park - 2600 Westwood Dr
- Mickey's Dog Park - 2201 E WS Young Dr
- North Ballfields - 30th St & Veterans Memorial Blvd
- Pavilion Green Ave Park - 717 N 2nd St
- Phyllis Neighborhood Park - 405 Phyllis Dr
- Rotary Club Neighborhood Children's Park - 2201 E Veterans Memorial Blvd
- Santa Rosa Neighborhood Park - 1069 Santa Rosa Dr
- Stewart Neighborhood Park - 1702 24th St
- Timber Ridge Neighborhood Park - 5402 White Rock Dr

3.1.3 Trails

- Andy K. Wells Hike and Bike Trail - 2201 E. Veterans Memorial Blvd
- Fort Hood Regional Trail – 3450 Robinett Rd
- Heritage Oaks Trail – 8001 Pyrite

3.1.4 Pedestrian Facilities

Sidewalks in the City's right-of-way are essential to pedestrian transportation throughout the City. These sidewalks create a network that is not consistent across all locations within City limits. The Title II regulations do not necessarily require the construction of new sidewalk where none currently exists. The regulations require the City to include in its Transition Plan a schedule for providing curb ramps or other sloped areas where pedestrian walks cross curbs. The regulations do not provide similar language specific to sidewalks between the corners. The City must, in its efforts to make its pedestrian transportation program inclusive, choose the best practices available to establish design and construction standards that result in pedestrian walkways that are accessible to and usable by people with disabilities.

Killeen should consider front-end loading its ADA Transition Plan for Downtown pedestrian facilities with projects in its CIP pipeline. Eliminating barriers with low to moderate mitigation difficulty would have minimal cost while demonstrating short-term progress with implementing the Transition Plan and improving the walkability of Downtown Killeen. Beyond these initial efforts using previously allocated funds or requiring minimal additional investment, Killeen should follow its typical pavement maintenance, repairs, and improvements cycle to ensure a comprehensive approach to the plan's implementation. The goal should be a continuous and connected pedestrian transportation network across the Downtown area.

The City, in establishing its scope and priorities for pedestrian facilities, considered a variety of factors that ultimately focus on program demand by location. As the regulations invoke priority based on walkways that serve entities covered by the ADA, the City's data collection, analysis, and prioritization of remediation needs have been assessed based on the nearness of a given pedestrian asset to a covered entity in the following order of priority:

1. State and local government offices and facilities
2. Transportation
3. Places of public accommodation
4. Employers
5. Walkways serving other areas

In addition, where it is readily apparent that sidewalk width (i.e., less than 36 inches) is insufficient to provide minimum accessibility, collection of other attributes (e.g., slopes, vertical discontinuities, etc.) has been deemed nonessential. In these locations, all accessibility requirements will be incorporated when new sidewalk replaces the existing sidewalk. Incremental repairs to sidewalk in these locations, prior to major replacement projects, will necessarily be limited to specific public requests for accessibility improvement or hazard removal. When such segments of sidewalk are in areas serving entities covered by the ADA, the priority for replacement of those sidewalk segments will be inferred from the location, not by the severity of deficiencies. This model assumes that minor deficiencies in heavily traveled sidewalks have a greater probability of presenting barriers to program access than major deficiencies in seldom-traveled sidewalks. The City will disregard this assumption in those instances when the public requests removal of a barrier to access in an otherwise low priority location.

3.1.4.1 Sidewalks 36 Inches Wide Minimum

While sidewalks less than 48 inches wide do not meet the minimum width provision for a Pedestrian Access Route (PAR) in PROWAG, a 36-inch width does meet the provision for minimum width of an accessible route in the ADA Standards and Texas Accessibility Standards. The City, based on STV's recommendation, decided to collect *as-is* attributes (e.g., width, running and cross slopes, vertical discontinuities, horizontal openings, and protrusions) of sidewalks 36 inches wide minimum, as such walkways provide some degree of accessibility for individuals using wheelchairs. These sidewalks are not best practice but might be widened to 48 inches or more without having to be totally removed and replaced. Having data on other deficiencies will inform futures decisions on budgets for repairing and/or widening such less than optimal pedestrian facilities. Sidewalks, to be consistent with PROWAG PAR or ADA Standards accessible route provisions, must also provide passing spaces 60 inches wide minimum at intervals of 200 feet maximum.

3.1.4.2 Sidewalks Less Than 36 Inches Wide

Unlike sidewalks that are 36 inches wide minimum, sidewalks narrower than 36 inches do not provide the minimum acceptable width for accessibility for people using wheelchairs. These sidewalks are not best practice and widening to 48 inches or more without having to be totally removed and replaced would typically be infeasible. Having data on minor deficiencies will not further inform futures decisions on budgets, such as repairing and/or widening these walkways, in virtually all locations, by alterations less than removal and replacement will not significantly increase accessibility. These narrow sidewalks are typically attached or integral to rollover curbs in old residential neighborhoods. In addition, the fact that these sidewalks are attached (i.e., no parkway or setback from the street is provided) makes it geometrically impossible to install diagonal curb ramps with running or cross slope percentages consistent with the maximums allowed for accessibility.

The location of such sidewalk segments has been documented. In rare cases, these sidewalks might be within the walksheds of entities covered by the ADA. On a case-by-case basis, sub-minimal sidewalk in such rare cases will be prioritized for removal and replacement with new sidewalk that meets, to the maximum extent practicable, the technical provisions of PROWAG.

3.2 City Facilities

The City of Killeen retained Meeting the Challenge (STV) to conduct an ADA compliance assessment of City-owned facilities, parks, and trails in accordance with Title II of the Americans with Disabilities Act (ADA). Data collection began on July 11, 2022, and included field measurements, photographs, and documentation of accessibility features such as pedestrian routes, building elements, and site conditions.

The assessment evaluated compliance using the **2010 ADA Standards for Accessible Design** and the **2012 Texas Accessibility Standards (TAS)**. The Access Board's Architectural Barriers Act Accessibility Standards for Outdoor Developed Areas (ABAAS/ODA) are federal standards, that have not yet been adopted by the Department of Justice (DOJ) as ADA Standards, they serve as best practices to achieve program access for those elements which do not have formal ADA standards.

A total of 31,103 data points were collected, resulting in 6,186 identified accessibility deficiencies and 37 items categorized as not meeting best practices. Common findings included non-compliant parking signage, excessive door opening force, improper slopes in parking and pedestrian areas, protruding objects, and elements located outside accessible reach ranges.

STV analysts reviewed and validated all findings, assigned priority levels, and provided recommendations for remediation. While some barriers may require structural modifications, others may be addressed through operational changes or program adjustments. The following map identifies the scope of the facilities that were inspected under the self-evaluation phase.

DRAFT

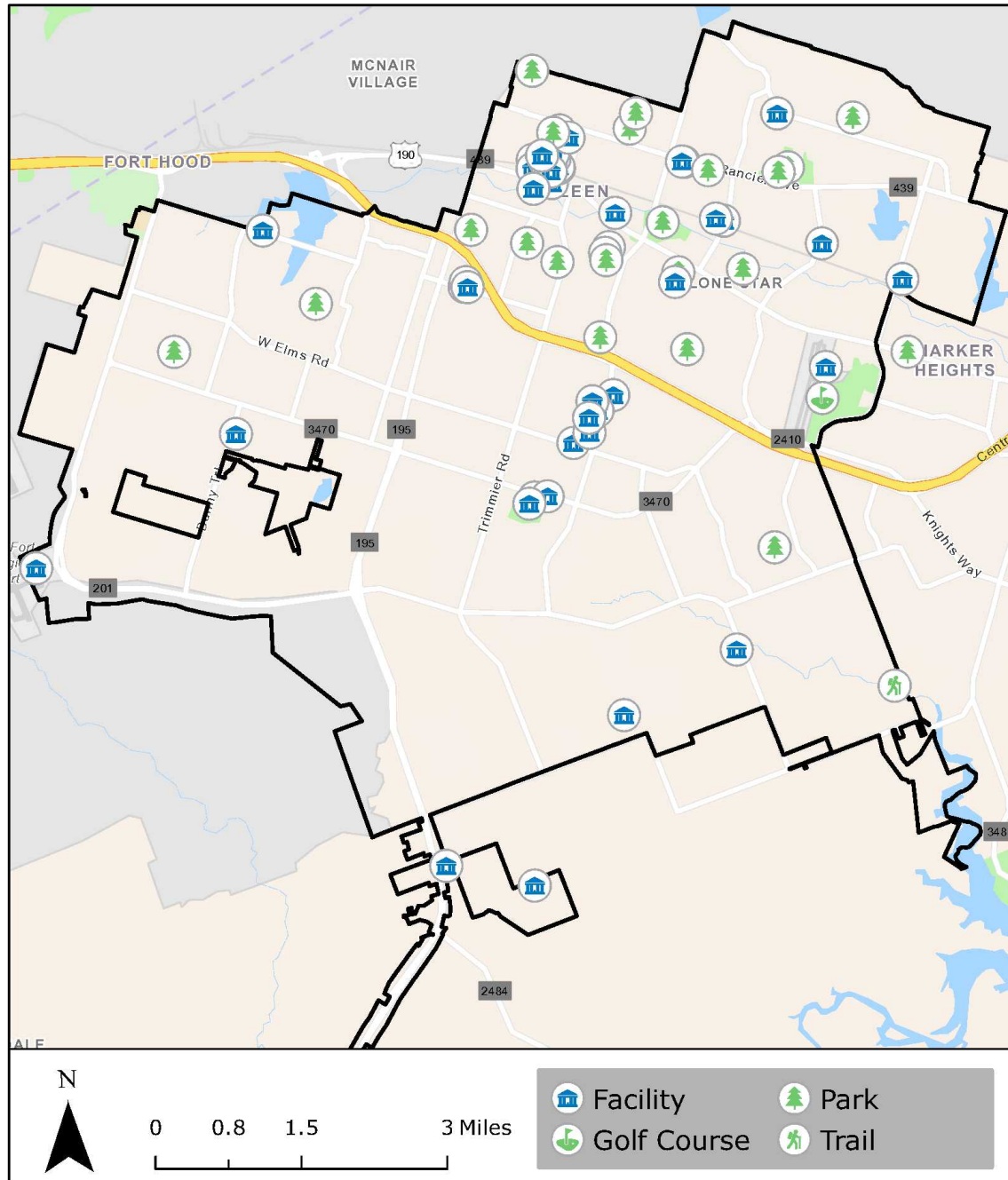


Table 3.2 summarizes the numbers and percentages of findings at the City’s facilities, by degree of intrinsic priority and estimated mitigation difficulty. The City, based on STV’s recommendation, will give priority to findings in the cells shaded orange (the orange zone), to the upper left. The City will reasonably address findings located in buildings, most frequently accessed by the public, that fall within the orange zone of Table 3.2A. Most of these findings are for barriers that will require minimal effort or expense to remedy. Many will be eliminated in-house by the maintenance staff. Findings in the cells shaded light blue (the blue zone), to the lower right, are those that can wait the longest.

Table 3.2 – Summary of Findings: City Buildings

Intrinsic Priority	Mitigation Difficulty			Total	
	1-Low	2-Moderate	3-High		
1-Entry	195	281	249	725	15%
2-Services	1241	605	321	2167	45%
3-Restrooms	1360	229	335	1924	40%
4-Other	0	7	0	7	<1%
Total	2796	1122	905	4823	100%
	58%	23%	19%	100%	
Color Zone Totals	3077	834	905	7	4823
Color Zone Percentages	64%	17%	19%	<1%	100%

First Priority
 Second Priority
 Third Priority
 Fourth Priority

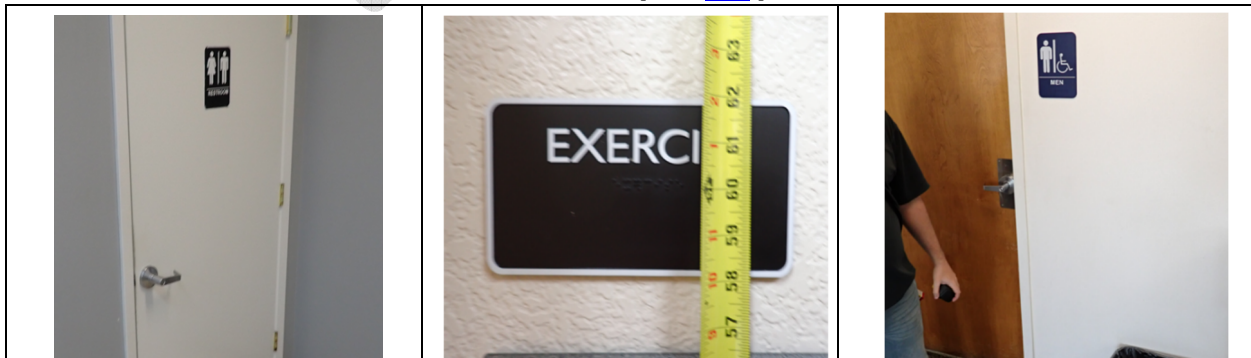
3.2.1 Typical Barriers Found at City Buildings

In the sections below are typical barriers identified at the City's buildings, during the onsite facility assessments. The difficulty and cost to remedy individual barriers varies from simple, low-cost, maintenance and repairs, to extensive redesign and renovation of publicly accessed spaces. Re-stripping parking spaces or adjusting door-opening forces and closing speeds will require minimal expense or difficulty. Moving and reframing a door to provide sufficient maneuvering clearance or realigning a water closet to correct near wall clearance to the required 16-18 inches can be costly, difficult, and even technically infeasible if, for example, the alteration would affect a load-bearing wall. For this reason, the typical barriers are separated, by rough order of magnitude, ranging from those where mitigation difficulty is expected to be low to those where mitigation difficulty is expected to be high. The relevant sections of the Texas Accessibility Standards (TAS) are cited with the findings.

Usually, those barriers expected to have high mitigation difficulty will require long-term process to be accomplished. The City may need to hire architects or engineers to determine the best structural solutions. Because of cost, the City must formally solicit proposals, and the funding needed for these projects may not be available for several budget cycles. While the City recognizes these concerns, making this plan viable requires the City to begin the processes for achieving removal of these high difficulty barriers as soon as possible, even though actual structural alterations might be years down the road.

3.2.1.1 Typical Low Difficulty Mitigation Barriers

Figure 3.2.1.1(a) Typical Observation: Improper signage location for permanent rooms and spaces:
[TAS [703.](#)]



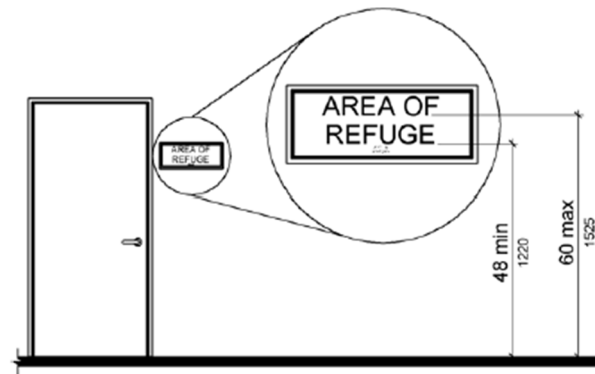


Figure 703.4.1 Height of Tactile Characters Above Finish Floor or Ground

Figure 3.2.1.1(b) Typical Observation: Protrusions throughout facilities: [TAS [307.](#)]

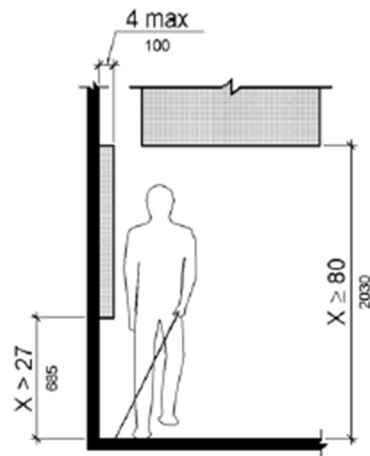


Figure 307.2 Limits of Protruding Objects

Figure 3.2.1.1(c) Typical Observation: Operable parts above required reach range: [TAS [308.](#)]



Figure 3.2.1.1(d) Typical Observation: Van accessible sign not provided: [TAS [502.6.](#)]



Figure 3.2.1.1(e) Typical Observation: 10-inch smooth surface missing on the push side of doors: [TAS [404.2.10.](#)]





Door with smooth push side surface within 10 inches of finish floor.

Figure 3.2.1.1(f) Typical Observation: improperly mounted grab bars in restrooms:
[TAS [604.5](#) and [609.4](#).]

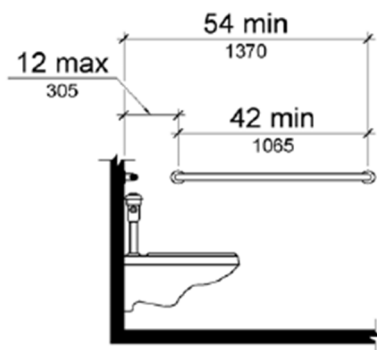


Figure 604.5.1 Side Wall Grab Bar at Water Closets

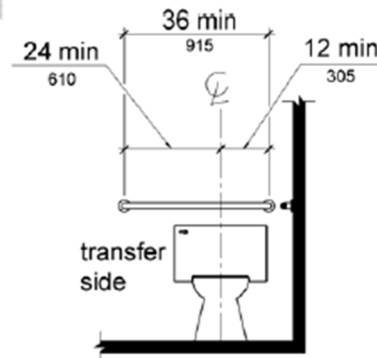


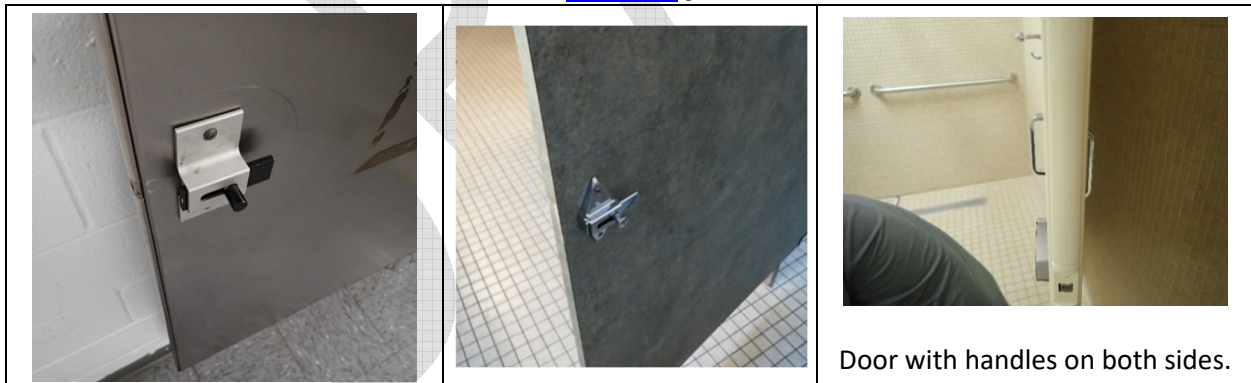
Figure 604.5.2 Rear Wall Grab Bar at Water Closets

Figure 3.2.1.1(g) Typical Observation: Water supply and drain lines are not insulated under lavatories: [TAS [606.5.](#)]



Sink with insulation wrapping drain and supply pipes.

Figure 3.2.1.1(h) Typical Observation: Handles are not provided on both sides of toilet compartment doors: [TAS [604.8.1.2.](#)]



Door with handles on both sides.

3.2.1.2 Typical Moderate Difficulty Mitigation Barriers

Figure 3.2.1.2(a) Typical Observation: Vertical changes in level (greater than ¼-inch vertical, or ½-inch beveled): [TAS [303.2](#) and [303.3.](#)]

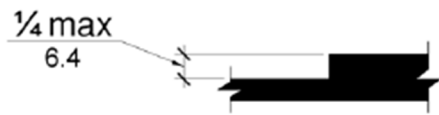


Figure 303.2 Vertical Change in Level

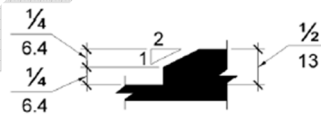


Figure 303.3 Beveled Change in Level

Figure 3.2.1.2(b) Typical Observation: Access aisle striping not provided or badly faded: [TAS [502.3.3.](#)]



Figure 3.2.1.2(c) Typical Observation: Sink tops are too high: [TAS [606.3.](#)]

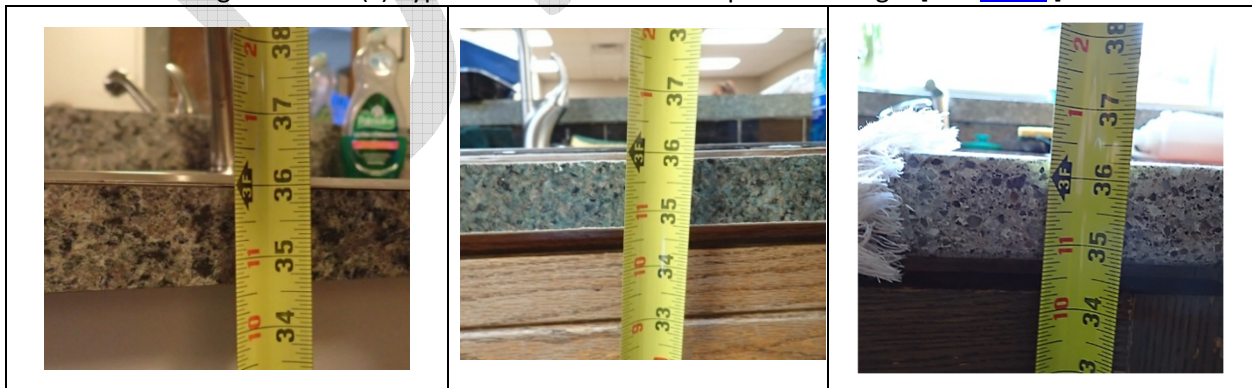


Figure 3.2.1.2(d) Typical Observation: Insufficient knee clearance: [TAS [306.3](#)]

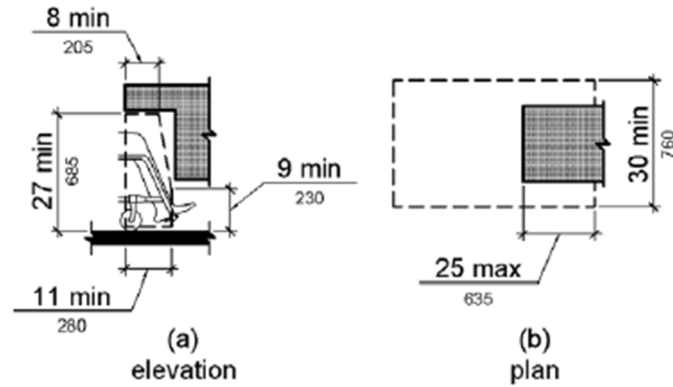


Figure 306.3 Knee Clearance – (a) elevation and (b) clear floor space



Figure 3.2.1.2(e) Typical Observation: Door vision windows too high: [TAS [404.2.11](#)]



3.2.1.3 Typical High Mitigation Difficulty Barriers

Figure 3.2.1.3(a) Typical Observation: Surface not firm and stable: [TAS [302](#) referenced from [502.4](#)]



Figure 3.2.1.3(b) Typical Observation: Parking spaces with slopes too steep: [TAS [502.4](#).]



Figure 3.2.1.3(c) Typical Observation: Curb ramps with slopes too steep: [TAS [406](#).]

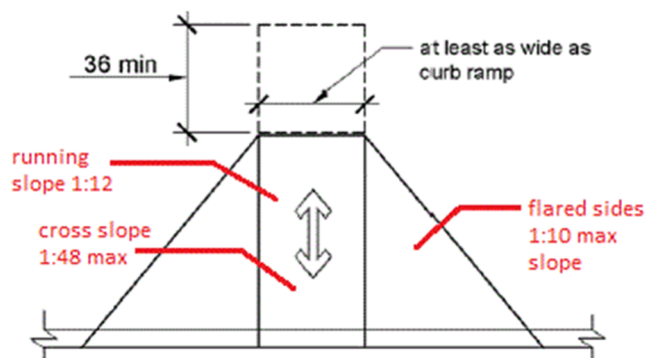


Figure 406 Landings at the Top of Curb Ramps and Maximum Slopes



Figure 406.2 Counter Slope of Surfaces Adjacent to Curb Ramps

Figure 3.2.1.3(d) Typical Observation: Toilet compartment with insufficient clearance: [TAS [604.8.1.1.](#)]

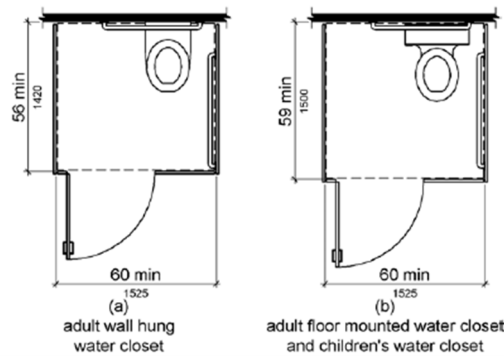
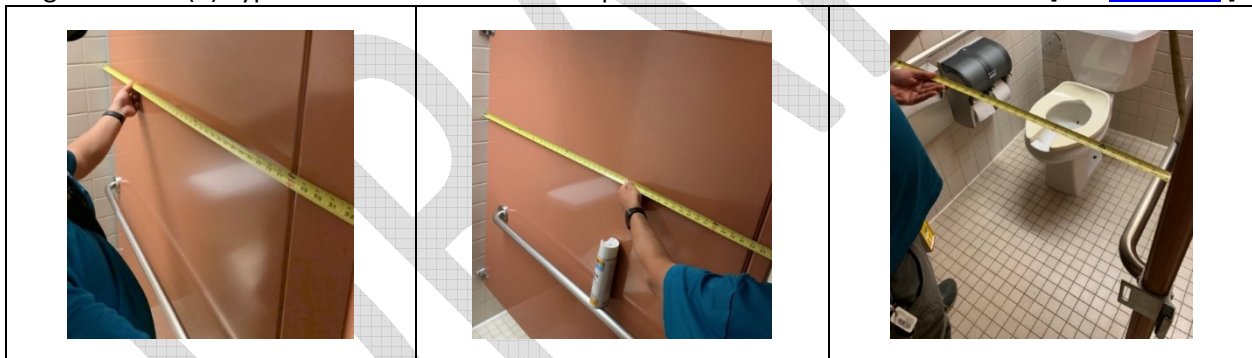


Figure 604.8.1.1 Size of Wheelchair Accessible Toilet Compartment

Figure 3.2.1.3(d) Typical Observation: Accessible routes with slopes too steep: [TAS [403.3](#)]



3.3 City Parks, Athletic Complexes, and Golf Course

Table 3.3 summarizes the numbers and percentages of findings in the City’s parks, athletic complexes, and golf courses, by degree of intrinsic priority and estimated mitigation difficulty. The City, based on STV’s recommendation, will give priority to findings in the cells shaded orange (the orange zone), to the upper left. Findings in the cells shaded light blue (the blue zone), to the lower right, are those that can wait the longest.

Table 3.3 – Summary of Findings: Parks and Shared Use Paths

Intrinsic Priority	Mitigation Difficulty			Total	
	1-Low	2-Moderate	3-High		
1-Entry	31	185	118	334	24%
2-Services	73	200	349	622	45%
3-Restrooms	291	48	50	389	28%
4-Other	0	43	9	52	3%
Total	395	476	526	1,397	100%
	28%	34%	38%	100%	
Color Zone Totals	780	48	517	52	1,397
Color Zone Percentages	56%	3%	37%	4%	100%

First Priority
 Second Priority
 Third Priority
 Fourth Priority

Approximately 17 percent (668) of findings have been identified as maintenance items. The City should plan to complete mitigation of 80 percent of maintenance items by 2029-2031, and 100 percent by 2036. The City should plan for removal of all 334 Entry level barriers at athletic complexes by the end of 2031. About 35 percent (118) of these may require design services, which may extend the completion timeline. The City should plan removal of all Services and Restrooms level barriers between 2033 and the end of 2036.

3.3.1 Typical Barriers Found in City Parks and Trails

Barriers typical in outdoor recreation facilities technically are not significantly different than those found in other City facilities. However, findings at outdoor exercise equipment, picnic areas, and playgrounds, are typically not found in City buildings. Some typical barriers in these areas will be shown below in section 3.3.1.1.

As participation in recreation programs and activities essentially requires access to the facilities serving those programs, almost all noncompliant conditions identified in these facilities must be removed to ensure program accessibility. The exception may be where access at other venues can achieve access to a program, when viewed in its entirety. The Department of Justice (DOJ) in its guidance to the Title II regulations writes that factors to be considered in whether a program is accessible, when viewed in its entirety, include:

- The size of the public entity
- The particular program features and amenities offered at each site
- The geographical distance between sites
- The travel times to the sites
- The number of sites
- Availability of public transportation to the sites

The above list of factors is not exhaustive. When deciding on methods for meeting the viewed in its entirety requirement, the City must give priority to methods that offer services, programs, and activities in the most integrated setting appropriate to the needs of people with disabilities. DOJ guidance continues:

As a result, in cases where the sites are widely dispersed with difficult travel access and where the program features offered vary widely between sites, program accessibility will require a larger number of facilities to be accessible in order to ensure program accessibility than where multiple sites are located in a concentrated area with easy travel access and uniformity in program offerings.

3.3.1.1 Typical Low Mitigation Difficulty Barriers

Figure 3.3.1.1(a) Typical Observation: Elements too far or too high. [ADA Standards [308.3.2](#)]



Figure 3.3.1.1(b) Typical Observation: Accessible signs are too low. [TAS [502.6](#).]



3.3.1.2 Typical Moderate Difficulty Barriers

Figure 3.3.1.2(a) Typical Observation: Insufficient knee clearance at picnic table. [TAS [306.3.3.](#)]



Figure 3.3.1.2(b) Typical Observation: No accessible route to amenities such as picnic tables and grills. [TAS [206.2.2](#) and ABAAS (ODA) [F245.2.5.1.](#)]



Figure 3.3.1.2(c) Typical Observation: Benches do not have adjacent accessible surface. [TAS [802.1.2.](#)]



3.3.1.3 Typical High Mitigation Barriers

Figure 3.3.1.3(a) Typical Observation: Maximum slope of the clear space at play area ground component is steeper than 2.0 percent. [ADA Standards [1008.4.2](#), and [305.2](#)]



Figure 3.3.1.3(b) Typical Observation: Maximum slope of the transfer space at play area transfer platform is 2.1 percent. [ADA Standards [1008.3.1.3](#) and [305.2](#)]



Figure 3.3.1.3(d) Typical Observation: Play area has no ground level play components on an accessible route. [TAS [240.2.1.1](#)]



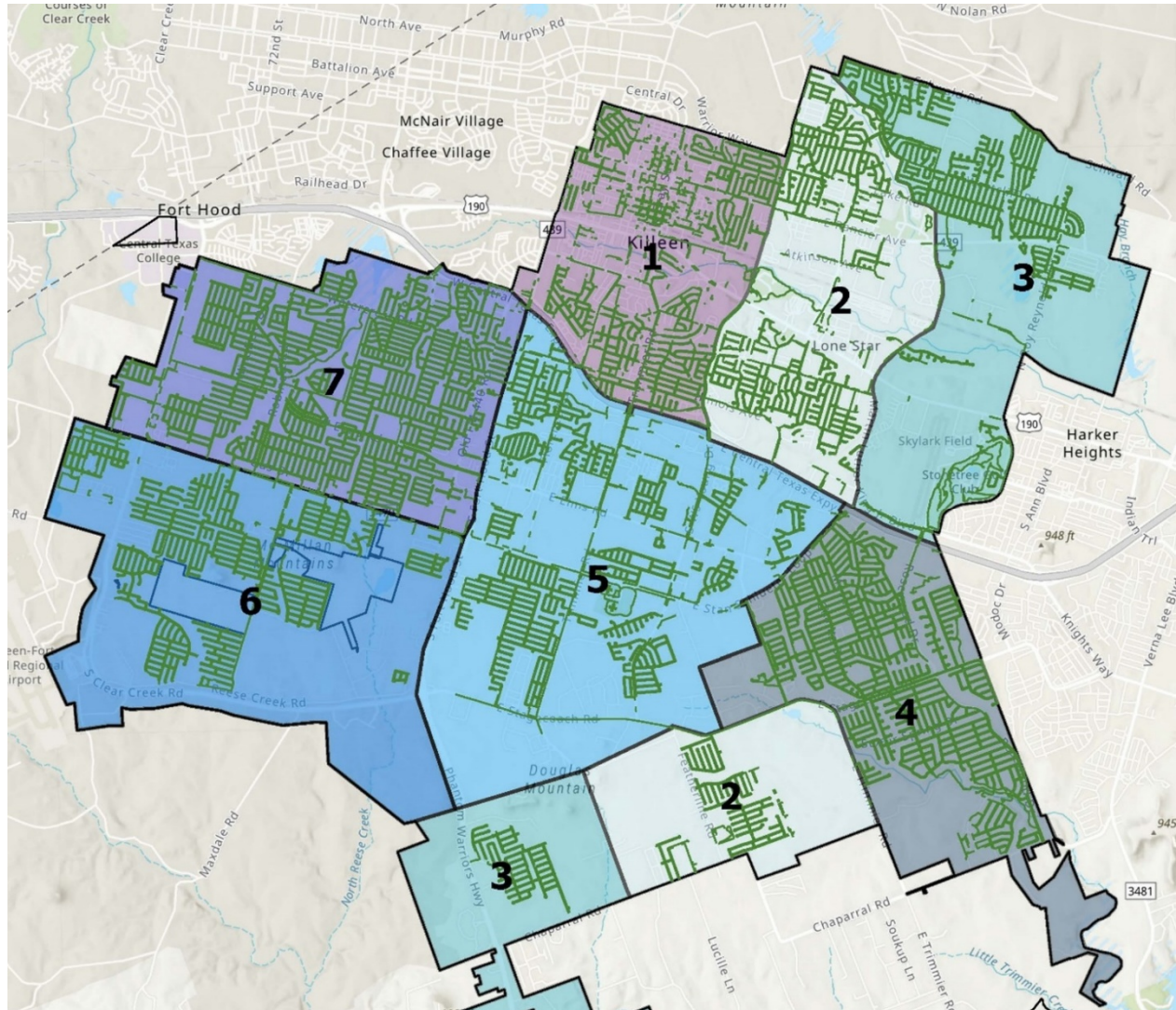
3.4 Pedestrian Facilities in the City's Right-of-Way

3.4.1 Typical Barriers Found in City Right-of-Way

There are typical conditions to be found in every community's pedestrian infrastructure. The range of technical deficiencies includes conditions from those that are minor tripping hazards for anyone, to barriers that are insurmountable to a diverse population of people with disabilities. The following is a non-exhaustive list of the conditions, documented in the City's pedestrian facilities, which are inconsistent with PROWAG requirements:

- Simple/minor vertical discontinuities in walking surfaces
- Complex/major vertical discontinuities in walking surfaces
- Organic protrusions within pedestrian circulation paths
- Minor horizontal openings (gaps) in walking surfaces
- Complex/extended horizontal openings in walking surfaces
- Pedestrian access routes (sidewalks) less than 48 inches wide
- Pedestrian access routes (sidewalks) – cross slopes too steep
- Pedestrian access routes (sidewalks) – running slopes too steep
- Curb ramps – diagonal (not allowed in new construction and typically have noncompliant slopes)
- Curb ramps with one or more critical slopes (running, cross, counter) too steep
- Curb ramps missing a top/bottom turning space
- Curb ramps/blended transitions missing/noncompliant detectable warnings
- Turning spaces (top/bottom) too small
- Pedestrian street crossings cross/running slopes too steep
- Detectable warnings missing/damaged/buried

The following map is a visual representation of the City of Killeen’s right-of-way pedestrian infrastructure divided into 7 work areas. For more information about the work areas and the right-of-way assessment, refer to Appendix D.



Each of these deficiencies will require varying degrees of effort and cost to be remedied. The context and location of the findings will, of course, affect both the priority and cost of resolution. At the low-end of the mitigation difficulty scale are simple efforts that can be accomplished by maintenance, such as trimming tree branches or shrubbery that obstruct sidewalks. At the high-end of the scale are those conditions requiring removal, redesign, and replacement of a curb ramp and/or curb and gutter within the road profile; whenever one or more of the critical slopes of a curb ramp is too steep removal, redesign, and replacement will be necessary.

The left column presents findings from Areas 1 through 3, the middle column represents Areas 4 and 5, and the right column includes findings from Areas 6 and 7. Due to a different data collection method used for sidewalks in Areas 6 and 7, some findings in these areas do not include the same type of representative photographs as those in Areas 1 through 5. The following tables provide a non-exhaustive set of example conditions documented within the City's pedestrian facilities.

Right-of-Way Typical Findings

Work Areas 1-3	Work Areas 4-5	Work Areas 6-7
Finding: Curb ramp running slope too steep. - The running slope of the curb ramp shall be 5% minimum and 8.3% maximum but shall not require the ramp length to exceed 15 feet. R304.2.1		
Failing ID: 277 (9.4%)	Failing ID: 4008 (8.8%)	Failing ID: 6855 (12.6%)
Finding: Curb ramp cross slope is too steep. R304.2.2 The cross slope of a curb ramp run shall be 1:48 (2.1%) maximum. EXCEPTION: At crosswalks, the cross slope of the curb ramp run shall be permitted to be equal to or less than the cross slope of the crosswalk as specified by R302.5 .		
Failing ID: 1375 (2.8%)	Failing ID: 4247 (2.7%)	Failing ID: 7335 (3.8%)

Right-of-Way Typical Findings (continued)

Work Areas 1-3	Work Areas 4-5	Work Areas 6-7
Finding: Curb ramp counter slope is too steep. R304.5.2 The counter slope (change of grade) of the gutter or street at the foot of curb ramp runs, blended transitions, and turning spaces shall be 5 percent maximum.		
Failing ID: 403 (9.1%)	Failing ID: 1 (7.5%)	Failing ID: 1020 (5.8%)
Finding: Walking surface cross slope too steep. Pedestrian access route cross slope is steeper than 2.1% percent. R302.5.1		
Failing ID: 9576 (6.9%)	Failing ID: 9530 (2.6%)	
Finding: Walking surface running slope (grade) too steep. R302.4.1 Running slopes are steeper than the greater of 5.0 percent or the general grade established for the adjacent street.		
Failing ID: 9056 (8.1%)	Failing ID: 9370 (9.8%)	

Right-of-Way Typical Findings (continued)

Work Areas 1-3	Work Areas 4-5	Work Areas 6-7
Finding: Pedestrian street crossing cross slope is too steep. Where a pedestrian access route is contained within a crosswalk at an intersection approach with yield or stop control devices, the cross slope of the pedestrian access route shall be 1:48 (2.1%) maximum. R302.5.2		
Failing ID: 13187 (3.2%)	Failing ID: 3381 (4.5%)	Failing ID: 2557 (3.1%)
Finding: The pedestrian access route is too narrow. R302.2 The continuous clear width of pedestrian access routes shall be 4.0 ft minimum, exclusive of the width of the curb.		
Failing ID: 4656 (24")	Failing ID: 4226 (25")	
Finding: The curb ramp does not have a detectable warning surface. R205.2.1 Where Required: Detectable warning surfaces complying with R305 shall be provided at curb ramps and blended transitions at pedestrian street crossings.		
Failing ID: 1668	Failing ID: 286	Failing ID: 589

Right-of-Way Typical Findings (continued)

Work Areas 1-3	Work Areas 4-5	Work Areas 6-7
Finding: Detectable warning surface is damaged. Detectable warning surfaces shall consist of truncated domes aligned in a square or radial grid pattern and shall comply with R305 .		
		
Failing ID: 2966	Failing ID: 2225	
Finding: Horizontal opening in the pedestrian access route. R302.6.3 Horizontal openings in gratings and joints shall not permit passage of a sphere more than 1/2 inch in diameter. Elongated openings in gratings shall be placed so that the long dimension is perpendicular to the dominant direction of travel.		
		
Failing ID: 3008	Failing ID: 2235	
Finding: A vertical discontinuity (change in level) in the pedestrian access route. R302.6.2 Vertical surface discontinuities shall be 1/2 inch maximum. Vertical surface discontinuities between 1/4 inch and 1/2 inch shall be beveled with a slope not steeper than 50 percent.		
		
Failing ID: 7066	Failing ID: 8363	

Right-of-Way Typical Findings (continued)

Work Areas 1-3	Work Areas 4-5	Work Areas 6-7
Finding: A built/organic protrusion extends more than 4 inches horizontally from the post between 27 and 80 inches above the pedestrian circulation path. R402.2 Where objects are mounted on free-standing posts or pylons and the objects are 27 inches minimum and 80 inches maximum above the finish surface, the objects shall overhang pedestrian circulation paths 4 inches maximum measured horizontally from the post or pylon base. Examples of Failing IDs:		
		
Failing ID: 3818	Failing ID: 2976	
Finding: Perpendicular on-street parking space has no access aisle provided. R310.3.1 An access aisle is not required where the width of the adjacent sidewalk or the available right-of-way is less than or equal to 14 feet. When an access aisle is not provided, the parking spaces shall be located at the end of the block face.		
		
Failing ID: 3712		
Finding: The reach range to the pedestrian control button is too high or far from the clear space. R406 Where a clear space allows a parallel approach to an element and the side reach is unobstructed, the high side reach shall be 4 feet maximum, and the low side reach shall be 15 inches minimum above the finish surface.		
		
Failing ID: 3734		

Right-of-Way Typical Findings (continued)

Work Areas 1-3	Work Areas 4-5	Work Areas 6-7
Finding: Accessible pedestrian signal pushbuttons are located too close together. R307.4.1 Where pedestrian signals are provided at pedestrian street crossings, they shall include accessible pedestrian signals and pedestrian pushbuttons to be located 10 feet apart minimum; see MUTCD 4E.08, 07.		
Failing ID: 3750	Failing ID: 2848	Failing ID: 2482
Finding: The Pedestrian street crossing is too long for a walking interval, requiring a walking speed of > 3.5 feet/second. R306.2 All pedestrian signal phase timing shall comply with section 4E.06 of the MUTCD (incorporated by reference, see R104.2 and shall be based on a pedestrian clearance time that is calculated using a pedestrian walking speed of 1.1 m/s (3.5 ft/s) or less.		
Failing ID: 3750	Failing ID: 2857	Failing ID: 2459

3.5 Barriers to Program Access

Any elements or features of a facility having one or more attributes which are not consistent with the scoping and/or technical provisions of the TAS/ADA Standards, PROWAG, or other recognized accessibility guidance, are identified as barriers. Such deficiencies that exist in rooms or spaces, where public access is not supervised or monitored by City staff, and prevent or might prevent access to a service, program, or activity, are barriers to program access. These barriers have the highest priority for mitigation. When structural barrier removal is not a feasible, short-term option, mitigation of the barrier must be accomplished through alternative methods or means as soon as possible.

Barriers that exist in rooms or spaces, where public access is not supervised or monitored by City staff, are typically found in parking facilities, exterior walkways, facility entrances, at reception counters in lobby areas, and public restrooms. Other areas where public access is not regularly monitored include public sidewalks, multi-use paths, parks, and other recreation facilities. The significant possibility that even minor barriers may impede access to these facilities by people with disabilities when City staff are not present to assist or respond to complaints.

In rooms or spaces where City staff are present, such as City Hall, procedural measures to provide program access, for individuals with disabilities, can often mitigate barriers without physical barrier removal. When qualified individuals with disabilities can independently access public programs, in the most integrated setting appropriate to their needs, through reasonable modifications of policies, alternative venues or online access, architectural barrier removal may not be necessary.

4.0 TRANSITION PLAN

4.1 Transition Plan Creation

The City designated STV's scope of work to include a survey of the exterior of identified City buildings, parks, trails, and pedestrian facilities in the City's right-of-way. The purpose of these processes is to ensure that the City can ensure ongoing compliance with Title II of the ADA, providing inclusive facilities for people of all abilities. Implicit in this process is the City's effort to identify barriers that may impede access by qualified individuals to its services, programs, or activities. When those barriers are identified, the City recognizes that it has the legal duty to find methods and means to overcome those barriers, whether caused by the inaccessible surface of a playground or a sidewalk that is too narrow for a wheelchair user.

4.2 Where Can Facility Barriers Be Eliminated?

Under Title II of the Americans with Disabilities Act, public entities are required to ensure that qualified individuals with disabilities are not excluded from participation in, or denied the benefits of, the services, programs, or activities of the public entity, or subjected to discrimination, by reason of disability. Public entities generally anticipate some level of public presence within their facilities; however, certain facilities or specific areas within facilities may be closed to the general public or accessible only at limited times, or only when individuals are supervised or escorted by public employees. Such areas may include police facilities or offices where employees provide social or administrative services.

The presence of supervision or escort requirements does not, by itself, eliminate the obligation to provide program access. Physical barriers within restricted or supervised areas may still limit or prevent the full and equal participation of qualified individuals with disabilities. For example, at a public swimming pool where staff supervision is provided, the absence of a compliant pool lift or sloped entry may deny individuals with disabilities access to the program offered at that facility. Physically lifting individuals from their wheelchairs and carrying them into a pool is not an acceptable method of providing program access.

Similarly, when a restroom located within a supervised area of a facility is available for use by other members of the public, that restroom must be accessible to and usable by individuals with disabilities, including individuals who use wheelchairs.

Program access may be achieved in certain circumstances through operational measures. For example, when individuals are escorted by public employees into offices or meeting rooms and assistance with doors is provided, or when meetings are relocated to an accessible space rather than held within an employee's cubicle, the public entity may be providing program access. In residential programs where clients are always accompanied or escorted by staff, elements such as reach ranges or slopes that might otherwise constitute barriers generally do not deny program access, provided that staff assistance is consistently available.

However, some barriers may continue to deny program access even in supervised areas. Protruding objects within circulation paths and alarm systems that lack a visible or audible component may constitute barriers to access and pose safety risks. Protruding objects that cannot be detected by individuals who are blind, and alarm systems that cannot be perceived by individuals who are deaf, may continue to exclude individuals with disabilities from safe and equal participation in programs, particularly during emergency situations, regardless of the availability of staff assistance.

4.2.1 Identifying Accessibility Barriers

STV staff utilized appropriate measuring tools and electronic tablet technology with proprietary software to conduct comprehensive measurements and observations of City facilities. These efforts documented existing (as-is) conditions and focused on elements of the built environment that affect, or may affect, access for individuals with disabilities. Measurements and observations were analyzed to evaluate compliance with applicable minimum accessibility requirements.

The results of this analysis were compiled into data tables and used in the development of this Transition Plan. STV provided the City with findings that reference applicable accessibility standards, recommendations for mitigation, assessments of priorities, and Opinions of Probable Construction Costs (OPCC).

STV also transmitted data collected within the City's public right-of-way, including GPS coordinates, findings, and photographic documentation, in the form of ArcGIS files compatible with the City's geographic information system (GIS). The data represent conditions observed at a specific point in time. Conditions identified in the data may have been corrected between the time of data collection and delivery of this report, or, in some instances, may have deteriorated during that interval.

The primary purpose of this Transition Plan is to identify physical barriers that require structural modifications in order to achieve program accessibility, consistent with the requirements of Title II of the Americans with Disabilities Act.

4.2.2 Consideration of "When Viewed in Its Entirety" Factors

A Title II entity must operate each service, program, or activity so that the service, program, or activity, *when viewed in its entirety*, is readily accessible to and usable by individuals with disabilities. The phrase, *when viewed in its entirety*, has been the cause of some confusion and speculation since the Part 35 regulations were adopted. The regulations do not require a public entity to make each of its existing facilities accessible to and useable by individuals with disabilities. That said, there is not a formula that numerically or proportionally defines how many or which of a public entity's facilities must be made accessible to and usable by people with disabilities, in order to satisfy the *viewed in its entirety* language. In its [Title II Regulations 2010 Guidance and Section-by-Section Analysis](#), the DOJ gives the following explanation of factors to be assessed to determine whether a program is accessible *when viewed in its entirety*:

In determining how many facilities of a multi-site program must be made accessible in order to make the overall program accessible, the standard has always been an assessment of what is reasonable under the circumstances to make the program readily accessible to and usable by individuals with disabilities, taking into account such factors as the size of the public entity, the particular program features offered at each site, the geographical distance between sites, the travel times to the sites, the number of sites, and availability of public transportation to the sites.

As an example, consider a large community with five swimming pools that serve the entire City. Due to geographical distances between the pools and considerable travel times to access any of these pools, it is not reasonable to

consider that barriers at any one pool could be excepted on the basis that program access, *when viewed in its entirety*, can be achieved by referring an individual to an (accessible) pool in another location.

Some City offices may have staff who travel to the homes of their clients. To some extent this practice could offset some facility barriers, thereby making a program, *viewed in its entirety*, accessible. At other offices, clients are typically served in areas where access is procedurally limited. Clients are accompanied, escorted, and or assisted in these areas. These policies, procedures, and practices allow barriers to be avoided or otherwise mitigated through methods and means other than structural barrier removal, making a program, *viewed in its entirety*, accessible.

Nevertheless, there are certain barriers that might not be avoided, regardless of assistance provided by staff. For example, protruding objects in circulation paths continue to present potential hazards for individuals who are blind or visually impaired. Where others have access to public restrooms, at least one fully accessible restroom must be provided for individuals with disabilities, including those who use wheelchairs. Accessible parking, accessible routes from site arrival points (including public sidewalks, public transportation, and accessible parking) to each accessible entrance, and all the way to a point where service is provided, such as an accessible reception counter, are necessary to make the services, programs, and activities offered at any location accessible, *when viewed in their entirety*.

4.2.3 Barriers Not Necessarily Required to Be Removed

It is not necessary to schedule structural barrier removal, where program access, *viewed in its entirety*, is provided in the most integrated setting appropriate to the needs of qualified individuals with disabilities, regardless of built elements of existing facilities which are not consistent accessible design standards.

While a Transition Plan must list these (potential) barriers, removal of such barriers is not necessarily required until certain events trigger structural barrier removal. Events that might trigger structural barrier removal include, but are not limited to the following:

- Request for a reasonable accommodation under title I of the ADA
- Alterations to these built elements
- Relocation of a program or repurpose of the space
- General renovation of a facility
- A determination that a barrier was created by new construction or alteration after January 26, 1992, not covered by safe harbor
- A specific complaint from the public

It is important to consider a review of any construction, in a Title II facility, after January 26, 1992. Findings that do not currently present barriers to program access, built since that date, must be removed. Any structural barrier that is the subject of a public complaint, unless it can be circumvented through alternative methods or means, must be removed.

Program access may be limited in those circumstances when a public entity can document that a modification in policy or eligibility criteria or architectural barrier removal would result in a fundamental alteration to the program or undue financial and administrative burdens.

In those circumstances where personnel of the public entity believe that the proposed action would fundamentally alter the service, program, or activity or would result in undue financial and administrative burdens, a public entity has the burden of proving that compliance... would result in such alteration or burdens. The decision that compliance would result in such alteration or burdens must be made by the head of the public entity or his or her designee after considering all resources available for use in the funding and operation of the service, program, or activity

and must be accompanied by a written statement of the reasons for reaching that conclusion. ([§ 35.150\(a\)\(3\)](#))

It is important to note that, if the City determines a proposed action that would cause an undue financial and administrative burden or a fundamental alteration, the City is required to take actions that would nevertheless ensure that individuals with disabilities receive the benefits or services provided by the City.

4.2.4 Exceptions Allowing Less Than Full Compliance

At times, it may be technically infeasible or structurally impracticable to fully comply with applicable ADA standards. *Structurally impracticability* applies to new construction which the ADA defines as construction that commenced after January 26, 1992. *Technically infeasible* applies to alterations of buildings or facilities that existed prior to January 26, 1992.

Structural Impracticability. Full compliance will be considered structurally impracticable only in those rare circumstances when the unique characteristics of terrain prevent the incorporation of accessibility features. ([§ 35.151\(a\)\(2\)\(i\)](#))

Technically Infeasible. With respect to an alteration of a building or a facility, something that has little likelihood of being accomplished because existing structural conditions would require removing or altering a load-bearing member that is an essential part of the structural frame; or because other existing physical or site constraints prohibit modification or addition of elements, spaces, or features that are in full and strict compliance with the minimum requirements. ([ADA Standards 106.5](#))

If either of the above-mentioned conditions are deemed by the City to apply to a given barrier, room/space or facility, compliance with the applicable ADA standards is still required to the maximum extent feasible. For example, if it would be *technically infeasible* to widen a toilet compartment to a size usable by an individual who uses a wheelchair due to the bathroom containing a load bearing wall, the toilet compartment must still be made accessible for individuals who have an ambulatory impairment. In addition, all other elements within the restroom should be made accessible to the maximum extent feasible. This provision of the ADA exemplifies the reality that not all individuals with a disability use a wheelchair.

In addition, places of historical significance are not required to remove barriers that would “threaten or destroy” their historic significance. To be considered a historically significant site the building must be “eligible for listing in the National Register of Historic Places under the National Historic Preservation Act or... designated as historic under State or local law.” If the City asserts that the act of removing a barrier at a historical property would “threaten or destroy” historical significance, adherence to the applicable standards is still required to the maximum extent feasible and program access must still be provided.

4.3 Where to Begin

The cost of providing access to services, programs, and activities might be very high, when and if the only resolution to provide access involves major renovation or alteration of a facility, to remedy structural barriers. Conversely, in many cases, where difficult-to-mitigate physical barriers exist, methods and means other than architectural barrier removal may be able to provide access to services, programs, and activities at significant cost savings. The intention is to suggest a process by which some of the most difficult/expensive to mitigate findings can be eliminated without resorting to architectural barrier removal.

At the same time, the City will demonstrate progress in implementing the Transition Plan by eliminating many easily mitigated barriers (i.e., *low-hanging fruit*) in the short-term. Many of these barriers can be removed through normal maintenance or repair activities. Intrinsic to the recommended priorities for barrier mitigation is the idea that easily eliminated barriers should be addressed as quickly as possible. More complex and difficult to remove barriers will require extended time to organize resources and allocate budgets.

The City will implement a Transition Plan using a two-fold approach. The City will begin actions to remove the *low-hanging fruit* immediately and simultaneously make efforts to investigate all potential means to eliminate major physical barriers to access and establish budgets to fund eventual architectural mitigation projects. It is prudent to consider the cost of improvements to facilities that are not owned, when signing or terminating a lease and relocating might be more cost effective. Leased facilities may also have barriers that are not directly under the City's control; barriers for which a landlord is responsible. Should the City contemplate leasing spaces, in the future, it must take due diligence to ensure that such spaces comply with ADA Standards and make such facilities accessible to and usable by people of all abilities.

4.3.1 Barriers with Low Mitigation Difficulty (Low-Hanging Fruit)

Barriers identified as low difficulty should be addressed as expeditiously as possible. However, where major renovations are planned or anticipated at a facility, the removal of certain low-difficulty barriers may be deferred until the renovation is undertaken. Many low-difficulty barriers may be addressed through routine in-house maintenance or repair activities. In implementing such measures, the City will ensure that incremental repairs or adjustments do not result in unnecessary or duplicative work that would later be removed or altered as part of a larger renovation project.

In some cases, where multiple technical requirements apply to a single element and more than one attribute is noncompliant, correcting only one issue may not achieve accessibility. For example, a restroom dispenser may both protrude into the circulation path and partially obstruct access to an adjacent fixture. In this situation, installing a recessed dispenser may be a more practical and cost-effective solution than adding a detectable element below the dispenser and relocating the adjacent fixture.

When maintenance or repair activities are used to remove barriers to program access, the City will document these actions within the Transition Plan to track progress toward compliance. Documentation demonstrating the adoption and implementation of the Transition Plan may be relevant in the event of a complaint investigation or litigation related to Title II of the Americans with Disabilities Act.

4.3.2 Barriers with High Mitigation Difficulty

Consistent with the requirements of Title II of the Americans with Disabilities Act, the City will give early consideration to barriers identified as having a high level of technical complexity or high estimated costs for removal. Early review allows the City to determine whether program accessibility can be achieved through methods or means other than architectural barrier removal, where such methods are equally effective in providing access for qualified individuals with disabilities. Where appropriate, barriers may be removed from the Transition Plan Database when program access is achieved through alternative measures.

The City will evaluate each high-difficulty barrier to determine whether program access may be provided through options such as relocation of a service or activity, reassignment to an accessible location, or other operational measures, rather than through physical modification of the facility. These determinations are consistent with Title II requirements, which permit public entities to achieve program accessibility through a variety of methods, provided that the chosen method results in access that is comparable in effectiveness, convenience, and safety.

Barriers located in public spaces—particularly outdoor areas such as parks, trails, and athletic fields that are generally unsupervised—typically present a higher risk of exclusion and may therefore warrant higher priority for consideration. These barriers often require substantial effort and resources to remove. As a result, they require careful evaluation to balance the obligation to provide program access with the selection of the most appropriate and effective means of achieving compliance.

5.0 IMPLEMENTATION OF THE TRANSITION PLAN

First and foremost, the City of Killeen will ensure that all services, programs, and activities, *when viewed in their entirety* are accessible to and usable by qualified individuals with disabilities. Every effort should be made to eliminate barriers through alternative methods and means, or through the removal of architectural barriers, to implement an effective Transition Plan. The City can defer findings at buildings which have been identified as conditions not currently limiting or preventing program access. These findings will not require remediation until triggered by subsequent events, as they do not impact access to City services, programs, or activities. Elimination of *low-hanging fruit* and long-term planning for high mitigation difficulty barriers – possibly through methods or means other than structural barrier removal – will begin immediately.

Second, regardless of program access, all architectural barriers caused by alterations or new construction must be structurally eliminated. Such architectural deficiencies in alterations or new construction have been prohibited since January 26, 1992. In addition, if any programs have been located or moved to inaccessible (owned or leased) facilities since that date, architectural barriers in those facilities must be removed or the programs must be relocated to other sites and locations that comply with the 2010 ADA Standards. Research to identify dates of construction, origination of leases, and renewal of leases is a necessary component of the Transition Plan.

Third, budgetary and logistical considerations make immediate removal of all barriers impossible. The information provided in the Transition Plan Data-tables (TPDs) developed and submitted to the City by STV, which can be sorted and filtered in many ways, allows short-term, mid-term, and long-term planning that will be spread across many fiscal years.

Finally, to the extent that facilities have been altered, built, or leased which are not compliant with the relevant standards for accessible design (i.e., the Uniform Federal Accessibility Standards [UFAS], the 1991 ADA Accessibility Guidelines [ADAAG], or the 2010 ADA Standards), the City will develop policies, procedures, and practices to avoid future deficiencies. Training for key individuals responsible for designing new facilities, renovating existing facilities, or negotiating leases for additional facilities, is essential. The City will strive to prevent the construction or acquisition of new barriers, in addition to removing those which currently exist. The City will adopt engineering criteria for developers and designers ensuring that the construction of new pedestrian facilities and alterations to facilities connecting new developments will be consistent with accessibility requirements and best practices to meet program access requirements of the ADA.

5.1 Agency ADA Design Standards and Improvement/ Compliance Procedures

ADA Resources and Design Standards

[Federal Highway Administration \(FHWA\) - Civil Rights - ADA/Section 504](#)

[Americans with Disabilities Act Accessibility Guidelines \(ADAAG\)](#)

[Public Rights-of-Way \(PROWAG\) Notice of Proposed Rule Making, August 8, 2023](#)

[Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way \(PROWAG\)](#)

[2012 Texas Accessibility Standards](#)

[2010 ADA Standards for Accessible Design](#)

[ADA Checklist for Existing Facilities](#)

[ADA Best Practices Tool Kit for State and Local Governments](#)

[ADA Update: A Primer for State and Local Governments](#)

[Americans with Disabilities Act of 1990, as Amended \(2008\)](#)

[Title 28 CFR Part 35 – Nondiscrimination on the Basis of Disability in State and Local Government Services](#)

Improvement/Compliance Procedures

The challenge of dealing with physical or site constraints in alteration projects has been recognized by the authors of ADA accessibility standards for years. The Civil Rights Division of the U.S. Department of Justice has recognized that there could be instances where it might be technically infeasible to construct an alteration in full and strict compliance with ADA accessibility standards, because of physical or site constraints. In such circumstances, state and local agencies must provide accessibility to the maximum extent feasible. Before concluding technical infeasibility, state and local agencies need to consider the extent to which alternative designs could address physical or site constraints. The burden of proving technical infeasibility rests with the agency/owner that is responsible for the facility, element or feature.

Intersection Corners

The City will work in good faith to have curb ramps or blended transitions constructed or upgraded to achieve ADA compliance within all capital improvement projects. There may be limitations which make it technically infeasible for an intersection corner to achieve full accessibility within the scope of a project. If so, those limitations will be noted, and those intersection corners will remain on the transition plan. As future projects or opportunities arise, those intersection corners shall continue to be incorporated into future work. Regardless of whether full compliance can be achieved in all cases, each intersection corner shall be made as compliant as possible in accordance with the judgment of City staff.

Sidewalks / Trails

The City will work in good faith to have sidewalks and bicycle/pedestrian trails constructed or upgraded to achieve ADA compliance within all capital improvement projects. There may be limitations which make it technically infeasible for segments of sidewalks or trails to achieve full accessibility within the scope of a project. If so, those limitations will be noted, and those segments will remain on the transition plan. As future projects or opportunities arise, those segments shall continue to be incorporated into future work. Regardless of whether full compliance can be achieved in all cases, each sidewalk or trail shall be made as compliant as possible in accordance with the judgment of City staff.

Traffic Control Signals

The City will work in good faith to have traffic control signals constructed or upgraded to achieve ADA compliance within all capital improvement projects. There may be limitations which make it technically infeasible for individual traffic control signal locations to achieve full accessibility within the scope of a project. If so, those limitations will be noted, and those locations will remain on the transition plan. As future projects or opportunities arise, those locations shall continue to be incorporated into future work. Regardless of whether full compliance can be achieved in all cases, each traffic signal control location shall be made as compliant as possible in accordance with the judgment of City staff.

Other policies, practices and programs

The City's other policies, practices and programs not identified in this document will follow the applicable ADA standards.

6.0 APPENDICES*

A – Public Outreach Meeting Notes & Comments

B – Grievance Process

C – Facilities Assessment & Barrier Removal

D – Public Right-of-Way Assessment & Barrier Removal

E – Transition Plan Data Table – Facilities

F – Transition Plan Data Table – PROW Work Areas 1, 2 & 3

G – Transition Plan Data Table - PROW Work Areas 4, 5

H – Transition Plan Data Table - PROW Work Areas 6, 7

I – Self-Evaluation Assessment Report Phase I

*Due to file size, appendices are available upon request to the ADA Coordinator or by visiting our website, www.killeentexas.gov/721/ADA-Transition-Plan

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