



City of Killeen

Legislation Text

File #: RS-23-040, **Version:** 1

Consider a memorandum/resolution accepting the Phase I self-evaluation site assessment report for ADA compliance as required by the Settlement Agreement with the Department of Justice.

DATE: February 21, 2023

TO: Kent Cagle, City Manager

FROM: Leslie K. Hinkle, Executive Director of Community Development

SUBJECT: Phase I Site Assessment - ADA Compliance

BACKGROUND AND FINDINGS:

In March 2018, the City received notice from the Department of Justice (DOJ) related to the Veterans Access Initiative Compliance Review. The DOJ performed onsite assessments of several City facilities. The final report was released to the City in the Spring of 2020. On June 29, 2021 the City and the DOJ signed a Settlement Agreement outlining the requirements of the City to come into compliance with the Americans with Disabilities Act (ADA).

In July 2022, the City contracted with Meeting the Challenge, A CP&Y Company, to evaluate and assess City facilities, parks, trails, programs, services, policies, and practices for compliance with ADA. The results of the self-evaluation are outlined below:

Programs, policies and procedures

Policy documents found:

- Website information and postings - all documents provided on the website need to be fully tagged for vision and hearing accessibility for assistance software users
- Additional policies are needed for service animals, emergency management and accessible seating at City venues

Employee Surveys found:

- Additional policies and guidelines should be developed and adopted
- Additional accessibility training needed for staff

Architectural

Facilities, including parkland and trails

- 56 facilities, 28 parks and 3 trails assessed
 - 6,183 findings of non-compliance with ADA
 - 37 findings of not best practices

The estimated costs for alterations and repairs=\$3,419,363.00. Costs can be divided by priority, public access, and budget year.

THE ALTERNATIVES CONSIDERED:

1. Do not accept the Phase I self-evaluation site assessment report.
2. Accept the Phase I self-evaluation site assessment report as required by the terms of the settlement agreement with the Department of Justice.

Which alternative is recommended? Why?

Accept the Phase I self-evaluation site assessment report as required by the terms of the settlement agreement with the Department of Justice.

CONFORMITY TO CITY POLICY:

Yes

FINANCIAL IMPACT:

What is the amount of the expenditure in the current fiscal year? For future years?

Scope of work will be developed for the required alterations, along with a financing plan. Total estimated cost for alterations for city facilities, programs, services, etc. is \$3,419,363.00 Costs can be divided out by priority, public access, and budget years.

Is this a one-time or recurring expenditure?

Recurring

Is this expenditure budgeted?

Only partial funding is included in the FY 2023 Budget in the General Fund and Governmental CIP Fund. The General Fund portion covers the cost of hiring an ADA Compliance Manager and the associated operating cost (\$122,289 Budget). The Governmental CIP Fund has a year-to-date expenditure of \$439,144 over multiple years with a remaining balance of \$634,558. This includes \$17,006 that is currently encumbered. In addition, \$120,000 was included in the FY 2023 Budget in the Cablesystem PEG Fund to pay for Closed Captioning Services for the Government Access Channel.

If not, where will the money come from?

This could be classified as a Capital Improvement Project.

Is there a sufficient amount in the budgeted line-item for this expenditure?

No, additional funds will need to be identified in future fiscal years in order to completely fulfill these requirements.

RECOMMENDATION:

Staff recommends that the City Council accept the Phase I self-evaluation site assessment as required by the terms of the settlement agreement with Department of Justice.

DEPARTMENTAL CLEARANCES:

Finance
Legal

ATTACHED SUPPORTING DOCUMENTS:

Report