

COMMITTEE ON PERSONS WITH
DISABILITIES

MINUTES

March 21, 2019

After determining that a quorum was present, the Committee on Persons with Disabilities convened in a meeting on March 21, 2019 at 6:02 p.m. in the City Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT: Val Vera, Jessica Spears Williams, Rex King, Judy Thurmond, Henry Jason, Sonia Redwine, Beth Haswell-Kirkby, Alison Kelly, Val Morgan, Tammera Beckham

STAFF PRESENT: Marc Oliphant, Mario Canizares, Larry Collister, Stephanie Neal, Ryan Adams, Karisa Richards, Scott McDonald, Robin Davis

Request to Speak.

Tim Swenson addressed the committee regarding an incident at the China King Buffet on University Drive and being denied entry due to his service dog. He wanted to make the committee aware that this is happening.

Vera stated that Swenson could file a complaint with the Department of Justice.

Canizares stated that since it is a civil matter, he could contact the Department of Justice to file a complaint or hire an attorney, and that the City would look into putting together education materials for businesses that could also be posted on the City's website.

Receive a report and hold a discussion regarding accessibility and construction codes in the current update to the City of Denton Development Code.

McDonald gave a presentation on how accessibility is addressed in development and provided updates on major initiatives.

There are four (4) main regulations impacting accessibility standards in the City of Denton; The Americans with Disabilities Act (ADA), Texas Accessibility Standards (TAS), Denton Development Code (DDC), and Building Codes. The ADA sets the guidelines for accessibility and TAS further refine those guidelines specifically for Texas. Building codes in Denton do comply with or exceed requirements of the ADA and TAS.

In the draft DDC, accessibility standards are still related to parking and pedestrian facilities but has modified language included. The proposed DDC will be considered for recommendation by Planning and Zoning Commission and adoption by City Council in April.

More information is available at Dentoncode2030.com

Receive a report and hold a discussion regarding the role and responsibilities of the City of Denton Committee on Persons with Disabilities.

Recently, a situation arose where a person with a service animal was denied service at a local business. As a result of this incident, there has been discussion among a few committee members that the City should take enforcement action.

The following are topics that the members suggested that the City should do: the City of Denton should enforce ADA laws related to discrimination, the City should provide education to area businesses related to ADA laws, the City or this Committee should be proactive and work with the community to educate, build community, and collaborate, and the City of Denton staff and Committee needs training on ADA laws and regulations.

According to www.ADA.org, complaints can be filed with Civil Rights Division of the United States Department of Justice. The information website to file a complaint is:
https://www.ada.gov/filing_complaint.htm#6.

Regarding the other suggestions, the City is proposing that staff create an informational flier or brochure that provides education and information to ADA laws and the rights of individuals with a disability. This information can be left by health inspectors and available on the City's website. The City and the committee could consider working with area non-profits as a means to build a sense of community, be proactive by educating, and positively changing social attitudes towards individuals with disabilities. Lastly, the City staff is looking at engaging training for City staff and for the Committee.

The recommended scope of the Committee is to advise on the following areas: Construction of new and repairing existing sidewalks, ramps, and crosswalk features; The creation of an ADA Transition Plan; The planning and development of an adaptive/handicap accessible park; Provide guidance on incorporating new or enhanced signage at City facilities; Advise on improvements for new and existing City facilities; Provide input on parking lot rehabilitation projects; Provide input for improving City operations; and Provide input for improving the operations of other entities.

Henry stated that an ADA coordinator needs to be established. The committee needs a person who knows the law that they can go to directly.

Canizares reminded the committee that the City currently has 3 coordinators. The City Engineer, the HR director, and the Facilities Manager but that an ADA coordinator will be looked into during the creation of the ADA Transition Plan.

Vera mentioned wanting to have one person that does only that.

Spears Williams asked when would the ADA transition plan be completed?

Canizares stated later this fall.

Henry stated that he would like for the meetings to be televised and will work with Council so that the community can be more informed.

Canizares stated that budget packages are currently being put together to be able to stream more meetings. If Council approves more meetings they will have the final say on which meetings are added.

Vera asked if the Engage Denton app could be used for reporting issues like sidewalks.

Canizares said that we can work with staff.

Morgan mentioned working with the Chamber as a way to reach out to restaurants.

Henry would like for the City to do more when people like Mr. Swensen have issues or complaints. He would like to have an anti-discrimination ordinance set up or consider looking at other options so that people don't have to file lawsuits.

Morgan- stated that the committee can train people and that's what they are able to do.

Receive a report and hold a discussion regarding the Parks and Recreation Master Plan process.

Item has been cancelled due to presenter having a conflict and will be moved to a future meeting.

Consider approval of the minutes from the Committee on Persons with Disabilities meeting held on February 21, 2019.

King motioned, and Spears Williams seconded to approve the minutes. The motion carried unanimously.

Staff update on the following items:

Disabled Veteran License Plates

Mr. King expressed concern over Denton Police officers not being fully aware of the law relating to disabled veteran license plates. According to Police Chief Frank Dixon, Assistant Chief Willenbrock contacted Mr. King regarding the Denton Police issuing citations to those with Disabled Veterans license plates. According to AC Willenbrock, Mr. King was contacted approximately a year ago by a parking enforcement officer in Denton and, when told to move his vehicle, presented the officer with a copy of the law. Mr. King said that the officer was very pleasant and thanked him for the information. Mr. King mentioned that he has heard of other veterans with similar experiences. Denton PD will make sure that the officers are informed about the laws regarding handicapped parking and Disabled Veteran tags. This information will be distributed immediately to DPD officers.

Committee Website

At the February 21, 2019 meeting, it was suggested that the City should create a page for the Committee on the City's website. Staff visited with the City's Public Communications Office about this request. To date, a draft page has been created and is currently populated with limited information. The plan is to add information such as the names of the Committee members, meeting agendas and minutes, and a listing of resources that the Committee and members of the public can access. Staff will invite Jessica Rogers to the next meeting.

DCTA

Staff has invited Raymond Suarez and staff from DCTA to the April meeting to present to the Committee the programs and services that are provided for those with disabilities. This will be an opportunity for the Committee to request additional services, issues related to ramps, bus shelters, customer service, and other operational issues.

Parking at Special Events

City staff will be visiting with event organizers of the Denton Arts & Jazz Festival. Staff will provide the Committee with information at the upcoming meeting as it becomes available.

Haswell-Kirkby asked staff to let the event organizers know that the Civic center has best ramps and access for persons with disabilities.

Spears Willims asked how long the Med park station has been available for the event.

Canizares stated that last year was first year.

Vera asked for vehicles that can fit more people. There are only two buses with two spots for disabled persons.

Canizares said that staff can check with DCTA.

Training for City of Denton Staff

At the request of the Committee, staff was able to identify several avenues to explore for training. It is important to note that different staff will have different requirements for disabilities training, some of which can be provided "in-house" through staff led training, workshops, and discussions.

Consultant training is one avenue to achieve professional training tailored to the needs of City of Denton staff. One source for consultant training would be through ADA Network and its Southwestern Regional Center. For \$1,000 to \$1,500, a 1-2 day training course could be developed to give a broad overview of disability law and issues, while doing pinpoint dives into more specific training topics that are specific to the City of Denton. The benefit to this type of training is the ability to involve a considerable number of staff members in the training or to partner with a neighboring city to share in the costs.

The ADA Network also hosts a conference, the National ADA Symposium. The 2019 symposium will be held in Grapevine, TX during the month of June and is another convenient development opportunity. While the content offering of this training is diverse, the per-person cost of the event would make sending a significant number of staff members to the training cost prohibitive. Seminars, while lower in cost, tend to be offered vary infrequently. The result is that this infrequency is a barrier to effectively matching the appropriate seminar topic with the appropriate staff in a timely manner. Live webinars present a similar challenge in that the topics in which the City of Denton staff members need information are not consistently offered. Recorded webinars are an exception. Many ADA clearinghouse organizations provide on demand webinars at no cost on a variety of topics.

The one category of disability-related resources that are widely present is documents: legal opinions, white papers, technical manuals, and other informational resources. The Justice Department's Americans with Disabilities Act webpage has a wealth of documents across a broad spectrum of disabilities issues. The ADA Network and its subordinate regional centers have additional document resources. Both sources would provide hours and hours of training content in a staff-led training system where one staff member would gain a working knowledge in a topic area and train fellow staff members.

Henry mentioned that the City Attorney would need independent training from staff.

Redwine asked how you would prioritize who starts training first since everyone can't be trained at the same time.

Adams stated that it would start with the City's current ADA coordinators and then departments and staff who work closely with disability issues.

Henry asked if the training could be videotaped.

Adams stated that it would depend on the consultant.

Spears Williams stated that it would be best to pick the most cost effective training available.

Sidewalks

Denton's downtown area was largely built-out prior to passage of the ADA in 1990. The work of bringing downtown sidewalks into compliance is on-going. The city improves sidewalk infrastructure as funding becomes available. When possible, sidewalk improvements are bundled into other projects such as street repaving or building renovations.

A number of projects are currently underway to address sidewalk infrastructure deficiencies.

- ADA Transition Plan- A contractor is inspecting all sidewalk infrastructure throughout the city and will provide a comprehensive condition report. The report will serve as a basis for future repair plans.

- 2018 Sidewalk Design Package: bond funded sidewalk design and construction package which includes downtown segments.
- 2019 Sidewalk Design Package: bond funded design package. Construction funding is still to be identified. (includes McKinney, Locust, Parkway, & Oakland near downtown)
- Mews Streets Plan: The goal of the plan is to design improvements to the four streets and adjacent sidewalks that are one block out from The Square (Pecan, Austin, Walnut, Cedar).
- Hickory Street Repaving Project: Hickory Street is in the process of being completely repaved. All adjacent sidewalk segments are being repaired and improved to ADA standards as part of the project.
- TxDOT project to improve ADA curb ramps on Elm St. (Eagle to Sherman) Denton is working to improve sidewalks throughout the city but especially in older areas with high pedestrian density. Improvements will come at a steady pace as the aforementioned projects progress.

Topics for future discussion.

King mentioned that he is unable to use the back in parking on E. Hickory because his electric wheelchair comes out the back and the sign posts are in the way. Others are unable to park because of the lack of side space to unload their wheelchairs.

Henry asked if general information could be included in the Resident update regarding what committee it doing.

Spears Williams would like information on Quiet Zones for the railroad and if Denton can be considered a quiet zone.

Haswell-Kirkby would like information on election poll places and ADA compliance. She would like more signage and assistance with voting for disabled voters.

Haswell-Kirkby asked for more research on Sub committees.

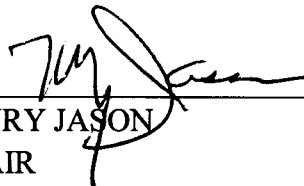
Canizares asked that future topics come through the committee meetings and not e-mailed to staff directly.

Oliphant reminder the committee about completing the required Texas Open meetings act training. He will send link again.


Set Future Meeting Date.

The next committee meeting will be held on Thursday, April 18, 2019 at 6:00 pm.

With no further business, the meeting was adjourned at 8:35 p.m.



HENRY JASON
CHAIR
CITY OF DENTON, TEXAS



KARISA RICHARDS
RECORDING SECRETARY
CITY OF DENTON, TEXAS