

COMMITTEE ON PERSONS WITH
DISABILITIES

MINUTES

May 16, 2019

After determining that a quorum was present, the Committee on Persons with Disabilities convened in a meeting on May 16, 2019 at 6:03 p.m. in the City Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas.

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

STAFF PRESENT: Marc Oliphant, Ryan Adams, Becky Owens

OTHERS PRESENT: Assistant Police Chief Bobby Smith

Consider approval of the minutes for the Committee on Persons with Disabilities meeting held on April 18, 2019.

Val Vera motioned, and Judy Thurmond seconded to approve the minutes. The motion carried unanimously.

Receive a report and hold a discussion regarding options for enforcement of accessibility laws by the City.

Ryan Adams made a presentation recapping the inquiries and internal staff report on the City's authority and obligation to investigate and enforce violations of the state and federal disability statutes.

The Americans with Disabilities Act provides protections in 5 key areas, including public accommodations and service animals (with conditions). It is enforced by the Department of Justice. Violations are reported to and investigated by the DOJ. Civil lawsuits are an available remedy. The Texas Statutes and codes were reviewed and discussed. These mirror the ADA in content.

Local investigation and enforcement practices were presented and questions addressed regarding the enforcement process and challenges. The City of Denton through its Police Department has authority to investigate and enforce the Texas Human Resources Code statutes, but not the Health and Safety Code statutes. Upon receipt, the Police Department would handle the report like any other report, including conducting an investigation into the allegations made by the complainant.

A significant number of violations most often occur due to a simple lack of knowledge of what the state requires and does not require with respect to accessibility and service animals, rather than an “intentional or willful” disregard of the law. For these reasons, staff and the Denton Police Department recommend a steady information campaign to educate businesses and food establishments about the state and federal laws.

The focus will be directed towards education as the best tool for the members of the community and participation in these meetings and the disabled citizens on what is available to them.

Suggested materials and methods of distribution, and associated health inspections were discussed along with targeted education in the future. Service dogs and the required credentials, methods of sharing their purpose, acceptance and means public education and training for the community were reviewed for ideas on ways to communicate with business owners and participating patrons.

One effort staff has initiated is to prepare and distribute informational materials to restaurants by health inspectors. The information would be distributed during regular health inspections and the health inspectors would be available to answer any service animal questions as it relates to health codes.

Once educational material is prepared, the City can also partner with the Denton Chamber of Commerce to distribute information to non-restaurant and non-food service businesses and establishments.

Any persons who wishes to report a violation of the Texas Human Resources Code with respect to accessibility may file a report with the Denton Police Department by calling the non - emergency number: (940) 349-8181.

The complainant may also file a report with the DOJ to notify Federal authorities of possible violations of Federal law. As a final option the complainant may pursue a civil action against the establishment.

The ADA is very complex with numerous exceptions made for special cases and both businesses and persons with disabilities should become familiar with the requirements that apply to their specific circumstances.

Receive a report and hold a discussion regarding DCTA bus stops and those that are a top priority for improvement.

Marc Oliphant shared a presentation with the committee about bus stop considerations with area maps and satellite images to highlight the number of stops throughout the city. Specific locations of particular interest and the greatest priority for improvement were requested from the Committee to target for improvement.

Providing safe and accessible bust stops is a priority for DCTA, the City, and TxDOT. These agencies must work cooperatively to provide safe access to the transit system.

Locations requested included:

- Route 5, Stuart at Kings Row regularly used by a Veteran where there is pour drainage and no sidewalks or ramps
- Bonnie Brae by the Fire Station by North Lakes Park, on the northwest corner, elevation challenges and no access or sidewalks to access the crossings. It was noted Bonnie Brae is slated for road improvements with future development plans.
- 2400 block of east McKinney near Veranda on both the north and south side of the road, Route 3 no connections to the existing side walk across the drainage channels
- University at Kayewood Drive the bus stop is slightly to the east and is on very steep slope and there are no connecting sidewalks to the ramp on the west corner or the parking lot entrance to the east.
- Loop 288 at Shady Oaks, southbound, route 4
- Colorado across from the Community Based Outpatient Clinic Requested additional crossing signs similar to the one near City Hall. (The Clinic is scheduled to move to a new location in the future because parking is an issue and clients park across the street in the mall parking lot.
- Route 3 on McKinney across from the County Courthouse does not have a ramp near the bus stop and there are no crosswalks from the north side of the street to the south side and no crosswalk across the entrance drive. There is not a ramp or sidewalk from private drive near the Route 3 sign location to the west all the way to N. Ruddell Street.
- On Scripture at the Presbyterian and surgical center drive way, Route 7 stop does not have a landing or enclosure only a sidewalk and access ramp to the street.
- Medical City Denton Building Shelter is not covered on the sides and not very close to the facility entrance.
- Teasley near Guyer High School and all along Teasley through the construction. Have been working with TxDOT on temporary corrective actions.
- Questioned whether or not there was a stop near Brookdale North or Denton Good Samaritan. No stop there currently and missing sidewalk segments. (Brookdale is a locked down assisted living facility)
- Village and Carriage House and several other assisted living centers were named for additional review.

Examples of good examples to be used as model standards shared included:

- Colorado in front of the Kwik Kar near the Social Security Administration Office has a large landing, two benches including spaces for mobility devices and canopies along with a trash can.
- In Dallas near Baylor near the College of Dentistry is the gold standard with a glass enclosure and doorway.

The on demand service previously presented by DCTA is planned as an augmentation to the regular bus routes and stops. There have been some obstacles and challenges in getting this going.

Receive a report and hold a discussion regarding volunteer opportunities within the City of Denton.

Marc Oliphant spoke of his interactions with the various city agencies and departments that offer volunteer opportunities gathering information on the types of opportunities they each have to offer and how they work. Some have training requirements and/or background checks. He also asked for information as to whether or not they had previously had any volunteers with disabilities that may have participated in the opportunities offered.

A report was shared noting a page on the City's web site that has an overview of most of the opportunities available and how to submit an application to participate.

The City provides a number of volunteer opportunities for residents. Keep Denton Beautiful (KDB), Libraries, Parks and Recreation and the Animal Shelter are some of the main or major ones. A summary of the activities for each one was also presented. There are also court mandated community service requirement participation programs.

A concern was expressed that many of the volunteer duties described would be difficult for people with disabilities to perform due to the physical requirements of walking, standing, and stooping. It was suggested the reading and storytelling activities might be inspiring. Even some of the library activities could be modified to get the right segments of a larger task suited to a disabled person such as sorting and marking. A definite interest on the part of staff to assist in getting assisting with and modifying task for a variety of levels of volunteer support.

The focus of this presentation was on City operated opportunities. The nursing homes, rehab centers and State School are privately owned and/or operated by the State. Exposure is a great step in understanding one another and expanding the exposure and interaction between people of all abilities.

Invitations to the library and the animal shelter coordinators will be extended to come to a future meeting and share opportunities and potential information distribution options for the disabled citizens. The City has a variety of community outreach programs. The Library and Parks Departments have individual social media and information publication programs to distribute information that can also incorporate or highlight special opportunities for disabled residents.

Staff update:

ADA Training:

Staff has coordinated with the Southwest ADA Center to provide ADA training for the Committee on Persons with Disabilities and select City of Denton Staff. Staff is currently evaluating potential training dates and seeks committee feedback on acceptable days and times.

Thursday afternoon in lieu of a committee meeting was suggested. It was further requested to separate the two events in having training on a different Thursday and maintaining the regular standing meeting date. The first available training date will be shared via email to the commission when it is confirmed.

Receive a report, hold a discussion, and give staff direction on potential future topics for the Committee.

For June Agenda:

- **City Facilities Overview**
- **Communication & Public Education Opportunities**
- **Social Services for the Disabled**

Future Agendas

- Right of Way Management Ordinance
- Information about US Census Complete Count Committee
- Continuing the Volunteer Conversation
- Sidewalk and ADA ramp construction
- ADA anniversary in July with a proclamation.


Items to Add to Matrix


- Notice to the public about ADA compliance obligation in the state
- A public information request has been entered to identify those outside agents that we in part give funding to that have the obligation to be program accessible to the disabled currently and future planned.
- Education in the community - The Record Chronical staff will be invited to the next meeting independent of the agenda.
- Grievance procedure with an outside agent and how it is routed
- Identify ADA Coordinator
- Invite Planning and Development for disability access and code enforcement for both public and private construction
- Cards for service animals
- Increasing recognition of invisible disabilities along with service animals and personal privacy
- DCTA bus stop capital improvement plans

Set Future Meeting Date.

The next committee meeting will be held on Thursday, June 20, 2019 at 6:00 pm.

With no further business, the meeting was adjourned at 8:30 p.m.


HENRY JASON
CHAIR
CITY OF DENTON, TEXAS


BECKY OWENS
RECORDING SECRETARY
CITY OF DENTON, TEXAS