NOTICE: JCPRD open meeting agendas are subject to change prior to and/or during the course of the meeting.
ADA NOTICE: Persons needing accommodations should contact ADA Coordinator Jo Ann Courtney no later than 48 hours in advance of the meeting at joann.courtney@jocogov.org or 913-826-3405.

BOARD OF PARK AND RECREATION COMMISSIONERS

Steven Baru, Chair
Leslee Rivarola, Vice Chair
George Schlagel, Secretary
Paul Snider, Treasurer
Jeff Meyers, Asst Secretary
Heather Rubesch, Asst Treasurer
Bob Carlson, Board Member
Steven C. Klika, Board Member

COMMITTEE OF THE WHOLE MEETING

JCPRD Administration Building Boardroom
7900 Renner Road, Shawnee Mission, KS  66219
May 6, 2019  6:00 pm

MEETING AGENDA

CALL TO ORDER/ROLL CALL

DISCUSSION & ACTION

A.  ADA Self-Evaluation & Transition Plan – Cliff Middleton, Planning & Development Manager; Barbara Thorpe, DAC Consultants

OTHER BUSINESS

ADJOURNMENT
JOHNSON COUNTY PARK AND RECREATION DISTRICT
BOARD OF PARK AND RECREATION COMMISSIONERS
BRIEFING SHEET

Presented to: Committee of the Whole  Meeting Date: 05/06/2019
Project Name/Identification: ADA Self-Evaluation & Transition Plan
Contact: Cliff Middleton, Planning & Development Manager  Phone: (913) 826-3425

ISSUE: Consider accepting the contractual deliverables per the August 15, 2018 Agreement between the Johnson County Park & Recreation District and Disability Access Consultants, LLC (DAC) of Arlington Heights, Illinois for their professional services of RFP PRK-2018-010 JCPRD ADA Self-Evaluation & Transition Plan.

BACKGROUND: The Americans With Disabilities Act requires local governmental agencies to periodically evaluate their facilities and programs to identify physical barriers to access, as well as insuring program access under Title II of the Act. On August 6 2018, the Johnson County Board of Park & Recreation Commissioners approved Disability Access Consultants, LLC (DAC) to provide professional services for RFP PRK-2018-010 JCPRD ADA Self-Evaluation and Transition Plan. DAC has completed and submitted the facility assessment for physical barriers; evaluation of the JCPRD website for accessibility; the review of JCPRD agreements, programs and communications; and the presentation and survey of public input.

ANALYSIS: JCPRD Administrative and Planning & Development staff have reviewed DAC’s deliverables including the results of DAC’s on-site accessibility evaluations, the database of identified issues, and the executive summary. Planning & Development Staff are currently developing a long range plan to address the scheduling and implementation of barrier removal. Staff anticipates ADA improvement costs will be phased over the next fifteen (15) years. Funding for ADA improvements will be recommended in the Capital Improvement Program (CIP) and included in the annual budgeting process. DAC has provided order of magnitude estimates to remove all architectural barriers at approximately $10 million dollars. Further design and scoping of individual projects by JCPRD staff or other design professionals will be required to refine the initial estimates provided by DAC. Planning & Development staff will work through those estimates as we implement ADA improvements and architectural barrier removal. Funding to address ADA barrier removal has already begun with $332,400 included in the 2019 capital projects budget and $2,662,220 included in the 2020-2024 CIP.

DAC will present an overview of the evaluation process, their findings and the Transition Plan to the Board.

FUNDING REVIEW: Are there funding implications involved?  □ No  □ Yes  If Yes, explain:  JCPRD is required by the American with Disabilities Act to complete a self-evaluation and develop a transition plan to remove architectural barriers. Accepting DAC’s work does not allocate funding for any projects, but it does provide a tool for JCPRD to set priorities and track progress toward the removal of those barriers. Funding for ADA improvements will be by authority of the Board through adoption of the CIP and approval of annual capital project budgets.

ALTERNATIVES:  Staff Recommendation

• Recommend consent approval as recommended by staff .................................................................  □
• Recommend consent approval as determined/modified by committee ................................................  □
• Recommend discussion and action by the full Board at Board Meeting ...............................................  □
• Recommend denial of request ...........................................................................................................  □
• Table for additional consideration ....................................................................................................  □
• Take no action ...................................................................................................................................  □
• Other: ..................................................................................................................................................  □

   If other, explain:
Consequences or additional Information (if any): N/A

LEGAL REVIEW: Is legal counsel review required?  ☒ No  ☐ Yes  If yes, explain:

SUGGESTED RECOMMENDATION/MOTION:

It is the consensus of the Committee of the Whole to recommend Board consideration at the Regular Board Meeting on May 15, 2019, of the ADA Self-Evaluation & Transition Plan as completed by Disability Access Consultants, LLC (DAC) and further consideration to direct staff to continue implementation of the ADA Transition Plan through the CIP and annually appropriated capital project funds.

SUPPORTING DOCUMENTATION:

1. Executive Summary - Americans with Disabilities Act Self-Evaluation and Transition Plan
Executive Summary

Americans with Disabilities Act
Self-Evaluation and Transition Plan

Johnson County Park & Recreation District
7900 Renner Road
Shawnee Mission, KS 66219
Executive Summary of the JCPRD ADA Self-evaluation and Transition Plan

Introduction and Purpose

The purpose of the Johnson County Park & Recreation District (JCPRD) Americans with Disabilities Act (ADA) Title II and Section 504 Self-evaluation and Transition Plan is to document the results of JCPRD's updated review of access to programs, services, activities, events, facilities, parks, trails, playgrounds, parking lots, shelters, and athletic fields by individuals with disabilities.

This Executive Summary is provided as a general overview of the primary areas of the project and the activities of JCPRD. The full version of the JCPRD ADA Project Report is available as a separate document that provides a detailed profile of findings and recommendations regarding not only potential physical barriers but barriers that may deny access to JCPRD programs, services and activities. Surveys and input from the public and staff are included in more detail in the full report.

The JCPRDADA Title II Self-evaluation has been prepared by Disability Access Consultants, LLC (DAC), with the collaboration and assistance of JCPRD staff and input by other interested individuals and community members. DAC was contracted to conduct a comprehensive JCPRD ADA Self-evaluation and Transition Plan. The goal of JCPRD is that potential physical, programmatic and policy barriers for accessibility are identified and removed over time in accordance with a plan that is approved and funded by JCPRD.

To further JCPRD's commitment to provide programs, services and activities in a nondiscriminatory manner for individuals with disabilities, JCPRD is conducting an ADA/504 Self-evaluation of programs, services, and activities. The ADA/504 Self-evaluation provides a current benchmark for accessibility efforts by JCPRD and provides an updated framework for implementation. The current study also incorporates recent code changes, updates in accessibility standards and regulations in addition to accessibility trends.

As programs, parks and facilities have been added during the rapid growth of JCPRD, it is important that JCPRD maintains compliance with both the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973. The JCPRD Self-evaluation and Transition plan is meant to be a self-regulated plan and by definition is meant to be a “living” and planning document for JCPRD to manage its long-term commitment to serving persons with disabilities. The JCPRD ADA/504 Self-evaluation and Transition Plan serves to demonstrate the ongoing compliance efforts by JCPRD and will provide a road map for maintaining and enhancing compliance.

Background

The ADA and Section 504 of the Rehabilitation Act requires state and local governments, such as JCPRD to ensure that their facilities, policies, procedures and practices are accessible and do not discriminate against persons with disabilities. JCPRD is considered a public entity under Title II of the ADA. Compliance with Section 504 of the Rehabilitation Act of 1973 is a requirement for public entities that receive federal or state funding. The requirements of Section 504 are very similar to those of the ADA that was passed by congress in 1990. Section 504 of the 1973 Rehabilitation Act (Public Law 93-112) prohibits discrimination on the basis of disability in federally assisted programs. The Americans with Disabilities Act (ADA, 1990, Public Law 101-336) is a broader civil rights statute that prohibits discrimination against people with disabilities. As such, completion of a comprehensive JCPRD ADA Self-evaluation and Transition Plan is an accepted practice to take the place of an updated Section 504 plan. As such, the JCPRD ADA/504 Self-evaluation and Transition Plan meets the requirements of not only the ADA plan, but the Section 504 plan as well. By completing this comprehensive plan, JCPRD will continue to meet its ADA and Section 504 compliance requirements.
An additional reason for the updated study was due to changes that were made to Title II regulations along with the 2010 updates to the ADA Standards for Accessible Design. A few examples of these policy updates and updated design areas that were not required prior to 2010 include:

- Recreation areas such as play areas, fishing piers, boat docks, and golf courses
- Residential facilities
- Event ticketing policies
- Policies concerning other-power-driven mobility devices
- Service animals
- Specifications for video-remote-interpreting
- Web-site accessibility

**Regular Self-Evaluation and Transition Plan Updates**

The JCPRD ADA/504 Self-evaluation and Transition Plan is a living, ongoing document and requires regular updates to keep it current. As barriers are removed it is important to update the plan to reflect the current barrier removal progress. Accessibility standards and regulations may change and should be incorporated into the plan. Many park and recreation agencies have a practice of updating their plan on an ongoing basis and prepare an annual progress update. In its continuing efforts to maintain compliance, JCPRD has several mechanisms in place to provide for an ongoing update of the self-evaluation.

JCPRD’s designated ADA Coordinator is empowered with oversight responsibility for implementation of the requirements of the ADA, 504 and related accessibility standards and regulation.

JCPRD has the use of a secure online accessibility management software called DACTrak, to update, document and track the findings and the implementation of the plan, including progress reports.

As public input is important to develop and prioritize the plan, JCPRD conducted public outreach as described in the public outreach portion of this document. It is recognized that input from stakeholders is a valuable component of an updated, usable and realistic plan.

**Transition Plan**

The ADA requires state and local governments to develop and implement a transition plan to achieve program accessibility. After conducting a self-evaluation, a public entity with 50 or more employees is required to develop a transition plan for structural changes that may deny access for persons with disabilities. Public entities must ensure that people with disabilities are not excluded from programs, activities and services because of inaccessible facilities.

A comprehensive transition plan should contain the following:

1. A list of the physical barriers in a public entity's facilities that limit the accessibility of its programs, activities, or services to individuals with disabilities;
2. A detailed outline of the methods to be utilized to remove these barriers and make the facilities accessible;
3. The schedule for taking the necessary steps to achieve compliance with Title II of the ADA. If the time period for achieving compliance is longer than one year, the plan should identify the interim steps that will be taken during each year of the transition period; and,
4. The name of the official or officials responsible for the plan's implementation.

**JCPRD Findings in the DACTrak Accessibility Management System**

Structural barriers in facilities are referenced in the transition plan by site and are contained in detail in individualized transition/barrier removal reports of sites inspected and are available from the ADA Coordinator and in the secure, online DACTrak Accessibility Management System. DACTrak contains photographs of all potential barriers, findings, recommendations, estimated costs and other
information to assist in the management of the plan. Custom reports and transition plan information can be generated from DACTrak to monitor and manage the implementation of the plan.

**Public Outreach and Public Input**

Title II of the ADA/504 requires opportunity for input into the self-evaluation process by individuals with disabilities, organizations representing individuals with disabilities and other interested individuals. Public entities, such as JCPRD, are required to provide opportunities for public input into the self-evaluation and are strongly encouraged to consult with individuals with disabilities and organizations that represent them to assist in the self-evaluation process.

As a regular activity, JCPRD has an online form for users to provide feedback on parks and recreation services. The ADA project also provided customized online surveys for public input and input from JCPRD staff. Hard copies of the surveys were also available at JCPRD sites. In addition, two ADA Open Houses were held for public input and discussion of JCPRD programs, services and activities for persons with disabilities and the integration of services. Detailed results from the two (2) targeted surveys from the public and the survey of JCPRD staff are contained in Appendix A of the full JCPRD Self-evaluation and Transition Plan Summary.

In addition, community organizations representing individuals with disabilities and other interested community members were provided opportunities for input via in-person, open houses, by phone, email, in writing, or online. Surveys were made available online and in written format. The surveys included questions regarding interaction with JCPRD staff and programs, if there were any current complaints or problems, what information or resources organizations could provide that would assist the JCPRD, and what general guidance or assistance organizations and community members could provide or suggest.

**Public Facilities and Parks Surveyed for Accessibility Compliance**

JCPRD facilities were inspected for accessibility compliance in accordance with federal and state requirements. Facilities included:

- Antioch Park
- Big Bull Creek
- Camp Branch Glade
- Coffee Creek Streamway Trail
- Ernie Miller Park & Nature Center
- Heritage Park
- JCPRD Administration
- Johnson County Arts & Heritage Center
- Kill Creek Park
- Lanesfield Visitor Center
- Lexington Lake Park
- Mid - America Sports Complex
- Mid - America West Sports Complex
- Mildale Farm Park
- Mill Creek Activity Center
- Mill Creek Streamway
- New Century Fieldhouse
- Roeland Park
- Shawnee Mission Park
- Shawnee Mission Park Mountain Bike Trails
- SPS Maintenance Shop and Nursery
- Stilwell Community Park
- Sunflower Nature Park
• Thomas S. Stoll Memorial Park
• Timber Ridge Adventure Center
• Tomahawk Hills Golf Course

Meadowbrook Park and Clubhouse has not yet been inspected due to the construction on the project. The inspection of Meadowbrook Park and Clubhouse will take place upon completion of construction.

**Staff Training**

JCPRD embraced the need to provide staff development for JCPRD staff as a method to continue to provide access to programs, services and activities for persons with disabilities and other stakeholders. Four courses offered included:

1. ADA Roles and Responsibilities: Management and Supervisory Staff (One 2 ½ hour sessions)
2. ADA Roles and Responsibilities: Front Line Staff (Two 3-hour sessions)
3. ADA Roles and Responsibilities: Executive Leadership (One-hour session)
4. Facilities (6-hour session)

Depending upon the training session taken, topics included, but were not limited to items such as:

- Requirements of the ADA and Section 504
- Requirements for facilities and parks
- Requirements for the public right-of-way (PROW)
- Individuals with Disabilities
- Acceptable Terminology and Expressions
- Noncompliance Consequences and Litigation Trends
- Accessible vs. Compliant features
- Barriers – Programmatic or Physical
- Providing Services for Individuals with Disabilities
- Leased Sites
- Special Events
- Accessible Locations for Meetings
- Events & Voting
- Auxiliary Aids and Services
- Construction & Remodeling
- Maintenance of Accessible Features
- Community Donations and Construction Projects
- JCPRD ADA Responsibilities
- Notice of the ADA/Section 504 Coordinator
- Notice and Rights Posted for individuals with disabilities
- TDD/TTY/Kansas Relay System
- Assistive Listening
- Grievance/Complaint Procedures
- Statement of Accommodations
- Individuals with Disabilities Participation
- Use of County Facilities by Organizations and Individuals
- Reasonable Accommodations
- Statement of Accommodations
- Effective Communication
- Alternate and Accessible Formats
- Accessible Websites
- Volunteers
- Staff Development Benefits

**Areas of JCPRD Accessibility Compliance Review**
In addition to the review of facilities, parks and trails, the following programmatic and policy areas were reviewed for compliance as required by Title II of the ADA and Section 504 of the Rehabilitation Act:

- Designation of ADA Coordinator
- Posting and Dissemination of Rights
- Statement of Accommodations on Public Notices
- Accommodations to Access Programs, Services and Activities
- Access to Programs, Services and Activities
- Eligibility Criteria
- Fees and Surcharges
- Emergency Evacuation Procedures
- Policies for the Use of Facilities
- Leased Facilities and Lease Agreements
- Selection of Contractors and Contracted Services
- Building and Construction
- Maintenance of Accessible Features
- New Employees and Volunteer Orientation
- Appropriate Terminology
- Ticketing
- Equally Effective Communication
- Auxiliary Aids, Services, and Alternate Formats
- Interpreter Services
- Telecommunications Devices for the Deaf and Hard of Hearing
- Assistive Listening Systems for the Deaf and Hard of Hearing
- Website Accessibility

**Summary of Findings and Compliance**

JCPRD has achieved substantial compliance in all areas required by Title II of the ADA and Section 504 of the Rehabilitation Act and the areas to be enhanced are minimal. To achieve this high level of compliance is noteworthy and JCPRD should be commended for their compliance efforts for persons with disabilities and the community.

As evidenced by this study, JCPRD is committed to not only complying with the tenets of Title II of the ADA, Section 504, and other federal, state statutes and regulations to provide access for persons with disabilities, but has incorporated the culture of inclusion in its programs, services and activities. JCPRD has demonstrated its ongoing commitment to excellence in providing accessible services to all members of the community and visitors. As such, JCPRD has embraced at all levels of the organization ongoing improvement and enhancement to meet and exceed the needs of all users.

Although this study is required by Title II of the ADA and other governing and credentialing authorities and organizations, JCPRD has clearly demonstrated its commitment to serving all participants in JCPRD programs. Throughout the project, JCPRD demonstrated a commitment from the highest level of leadership with coordination of compliance activities and involvement of persons with disabilities and methodologies for compliance procedures. As evidenced in the ADA/504 Report, JCPRD understands that the ADA/504 Compliance Plan is not a static document and requires ongoing implementation, periodic updates and a commitment by all levels of JCPRD by empowering staff with not only education regarding the requirements for compliance with the ADA, but attains the highest level of not only promoting inclusion and acceptance of all users from diverse backgrounds, but modeling the concept of integration and equal access for all users.