



January 2010

Approved by Commissioners Court on March 30, 2010

**Transition Plan for Pedestrian Facilities within
Unincorporated Bexar County Rights-Of-Way**

BACKGROUND

The Americans with Disabilities Act (ADA) of 1990 is a civil rights statute that prohibits discrimination against persons who have disabilities. Under the ADA, designing and constructing facilities for public use that are not usable by people who have disabilities constitutes discrimination. The ADA addresses access to state and local governmental services. (Title II). The ADA under Title II, subpart A, covers public rights-of-way.

The Bexar County Department of Community Resources is responsible for coordinating the efforts of the unincorporated area of Bexar County to comply with Title II and for receiving any complaints that the County has violated Title II. The Department of Community Resources forwards those complaints to the appropriate Bexar County office for investigation and action.

The Bexar County Department of Community Resources provides a specific contact with knowledge and information about the ADA so that questions by staff can be answered efficiently and consistently. In addition, the Bexar County Department of Community Resources coordinates compliance measures and can be instrumental in ensuring that compliance plans move forward.

The Bexar County ADA Complaint Procedure can be found in Bexar County Administrative Policy 02.7.01. For further information, please contact the Bexar County Department of Community Resources at 210-335-3666, (FAX) 210-335-6788 or write:

Bexar County Department of Community Resources
Title II ADA Coordinator
233 North Pecos Suite 590
San Antonio, Texas 78207

TRANSITION PLAN

In compliance with 28 C.F.R. §35.150 (Sept. 12, 2006), Bexar County is continuing the periodic update of its 1992 Transition Plan for pedestrian facilities within unincorporated

Bexar County rights-of-way (Transition Plan). This Transition Plan provides that pedestrian access upgrades or new construction to public pedestrian facilities, sidewalks, and walkways in unincorporated Bexar County Rights-Of-Way (ROW) should be current with Texas Accessibility Standards (TAS). To a large degree this plan will mirror the City of San Antonio's Transition Plan to ensure consistency throughout the County.

Bexar County will maintain strict compliance with TAS. While TAS are not exactly the same as the Americans with Disabilities Act Accessibility Guidelines (ADAAG), they have been certified as equivalent by the United States Department of Justice as of September 23, 1996.

Note: A separate Transition Plan exists for pedestrian access upgrades to County offices and facilities, transportation, and places of public accommodation.

This Transition Plan will:

1) Continue to follow existing Texas Accessibility Standards and City of San Antonio (CoSA) regulations for Bexar County financed construction of new pedestrian facilities.

Objectives

- Ensure all newly constructed pedestrian facilities that are constructed by Bexar County meet the most current TAS standards.

Tasks:

- All Bexar County projects with pedestrian amenities with costs of \$50,000 or more are reviewed and approved by an independent Registered Accessibility Specialist (RAS) and the final construction is inspected by an independent RAS in accordance with the Texas Department of Licensing and Regulation (TDLR) Administrative Rule 68.20 and 68.102.

Timeline:

- On-going

Lead:

- Bexar County Departments of Infrastructure Services and of Community Resources

2) Conduct an inventory of all public access pedestrian facilities within the unincorporated areas of Bexar County.

Objectives:

- Establish a database of all pedestrian facilities in the unincorporated areas of Bexar County.

Tasks:

- Contractor has conducted an inventory of all Bexar County maintained ROWs to include
 - Names of street sections with pedestrian facilities,
 - Length of those facilities, and
 - Obstructions and tripping hazards within those facilities,

- Contractor will develop a database of all pedestrian access points (curb ramps, etc) within those facilities.

Timeline:

- December 2010

Lead:

- Bexar County Department of Infrastructure Services

3) Using the inventory created in item 2, develop a prioritized list of needed accessibility upgrades and repairs to be completed as part of the County's on-going Capital Investments Projects (CIP).

Objectives:

- Add conditions and TAS compliance assessment notes to pedestrian facility inventory cited above.

Tasks:

- Review each sidewalk for TAS compliance and needed repairs.
- Incorporate this list with current CIP projects database, prioritize as required by Title 28, Part 35.150(d)(2).
- If the needed pedestrian access upgrades are not within the scope of existing CIP projects, then a list of stand-alone pedestrian accessibility upgrade projects will be created and added to the CIP database.
- Identify funding sources for needed improvements that are not part of a scheduled CIP

Timeline:

- On-going

Lead:

- Bexar County Departments of Infrastructure Services and of Community Resources

4) Evaluate on-going Public Works Projects to ensure pedestrian accessibility is being adequately addressed.

Objectives:

- Ensure all Public Works Projects are TAS compliant.

Tasks:

- All Public Works projects with pedestrian amenities greater than \$50,000 will be reviewed, approved, and inspected by an independent RAS.

Timeline:

- On-going.

Lead:

- Bexar County Department of Infrastructure Services

5) Within the CoSA Extra Territorial jurisdiction (ETJ), assist CoSA in the enforcement of the Unified Development Standards for Sidewalks requiring Developers to build compliant sidewalks bordering their property.

Objectives:

- Use best effort to ensure current CoSA regulations requiring developers to build and/or upgrade the pedestrian facilities bordering their property to current TAS

pedestrian facility standards upon certain development and construction activities are being complied with.

Tasks:

- CoSA continues its on going review of ETJ building projects/permits to ensure pedestrian facilities meet current CoSA and TAS standards or are brought up to current CoSA and TAS standards upon issuance of certain building approvals/permits.
- Review County driveway and sidewalk permits for TAS compliance.

Timeline:

- On-going

Lead:

- CoSA Development Services, Bexar County Departments of Infrastructure Services and of Community Resources

6) Partner with CoSA, other Bexar County cities, local disability groups, and other affected citizens to ensure access issues are adequately addressed.

Objectives:

- Ensure public involvement/comment and consistency throughout Bexar County.

Tasks:

- Share this transition plan with CoSA Disability Access Office and other interested cities/departments.
- Make copies of this transition plan available on the Bexar County web site or upon request (email or hard copy).
- Include discussion of pedestrian access issues in public meetings, such as home owner association meetings, town hall meetings, etc.
- Continue to support the existing pedestrian access complaints program within the Department of Community Resources and add additional access through Bexar County's Web site.
- Share the transition plan with the Bexar County Technical Advisory Committee for Persons with Disabilities

Timeline:

- On-going

Lead:

- Bexar County departments of Infrastructure Services and of Community Resources
- Metropolitan Planning Organization (MPO)

7) Recognize the unique issues and characteristics of Bexar County to ensure appropriate accessibility is available.

Objectives:

- Ensure pedestrian facilities are designed and maintained with respect for environmental and other applicable laws, regulations, and guidances such as the Endangered Species Act (ESA), the American Association of State Highway and Transportation Officials (AASHTO), and the Manual on Uniform Traffic Control Devices (MUTCD).

Tasks:

- Review all pedestrian facility designs to ensure the appropriate design and construction in sensitive areas of Bexar County.
- Avoid construction techniques that would endanger aquifer recharge and/or place endangered species in jeopardy
- Avoid construction techniques that would jeopardize public safety

Timeline:

- On-going

Lead:

- Infrastructure Services and the Department of Community Resources

PUBLIC ACCESS AND COMMENT

This Transition Plan is a living document that can be updated as needed but will be reviewed annually with County CIP projects.

Copies of this Transition Plan can be found at www.bexar.org, by emailing awinter@bexar.org, or by calling 335-6700. This Transition Plan is always open for public review and comments. Comments will be formally reviewed as needed but not later than each annual review.

Individuals or groups interested in reviewing and commenting on this document should provide their name, organization, a description of areas examined and any problems or suggestions identified and a description/explanation of any changes/modifications they would like to see.