

## **MEMORANDUM**

**To:** Mayor and City Council

**From:** Jessica Guinn

**Date:** November 09, 2015

**Subject:** **ADA Transition Plan**

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### **ITEM DESCRIPTION**

The Americans with Disabilities Act of 1990 (ADA) prohibits discrimination on the basis of disability, with Title II specifically requiring that access be provided to any aid, benefits, or services of public entities for all qualified individuals, regardless of disabilities. In order to ensure that this is achieved, local governments employing fifty or more individuals must conduct an evaluation of current services, policies and practices; designate a responsible employee to coordinate efforts to comply with the requirements of ADA and to investigate any complaints of alleged noncompliance; and adopt and publish a grievance procedure for complaints alleging violation of ADA requirements. Furthermore, public entities employing fifty or more individuals must develop a Transition Plan to identify physical obstacles in public facilities limiting accessibility of programs and activities to persons with disabilities, establish steps that will be taken and a schedule to make the facilities accessible, and appoint a responsible party for implementation of the Transition Plan.

The City of Dunwoody intends, through the adoption of this ADA Transition Plan, to ensure that access is provided to all of its programs and activity to all qualified individuals, without regard to disability. Implementation of this plan is essential to maintaining the level of customer service, quality of life, and effectiveness of governance which residents, businesses, and visitors to Dunwoody have come to enjoy and expect for the foreseeable future.

### **BACKGROUND**

### **RECOMMENDED ACTION**

Approval

**STATE OF GEORGIA  
CITY OF DUNWOODY**

**RESOLUTION 2015-11-XX**

**A RESOLUTION ADOPTING THE DUNWOODY ADA TRANSITION PLAN**

**WHEREAS,** the governing authority of the City of Dunwoody, Georgia, in compliance with Title II of the Americans with Disabilities Act (ADA) is required to address the subject of ensuring that City of Dunwoody services and facilities are accessible to those with disabilities; and

**WHEREAS,** the governing authority of Dunwoody, Georgia now desires to adopt the "ADA Transition Plan" attached hereto as Exhibit "A" and including any attachments thereto, said exhibit being by reference fully included in this resolution as if specifically set out herein;

**NOW, THEREFORE, BE IT RESOLVED,** by the Mayor and City Council of the City of Dunwoody, while in session on November 9, 2015, that the ADA Transition Plan is hereby adopted.

**SO RESOLVED AND EFFECTIVE** this 9<sup>th</sup> day of November 2015.

Approved:

\_\_\_\_\_  
Michael G. Davis, Mayor

Attest:

\_\_\_\_\_  
Sharon Lowery, City Clerk

Seal

## 1. PURPOSE

The Americans with Disabilities Act of 1990 (ADA) prohibits discrimination on the basis of disability, with Title II specifically requiring that access be provided to any aid, benefits, or services of public entities for all qualified individuals, regardless of disabilities. In order to ensure that this is achieved, local governments employing fifty or more individuals must conduct an evaluation of current services, policies and practices; designate a responsible employee to coordinate efforts to comply with the requirements of ADA and to investigate any complaints of alleged noncompliance; and adopt and publish a grievance procedure for complaints alleging violation of ADA requirements. Furthermore, public entities employing fifty or more individuals must develop a Transition Plan to identify physical obstacles in public facilities limiting accessibility of programs and activities to persons with disabilities, establish steps that will be taken and a schedule to make the facilities accessible, and appoint a responsible party for implementation of the Transition Plan.

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## 2. STANDARDS FOR ACCESSIBILITY

The City of Dunwoody adheres to the following guidelines, manuals, standards, and details:

- 2010 ADA Standards for Accessible Design (2010 Standards)
- The Americans with Disabilities Act Accessibility Guidelines (ADAAG)
- Federal Highway Administration Manual on Uniform Traffic Control Devices
- Georgia Department of Transportation Pedestrian and Streetscape Guide

## 3. SELF EVALUATION

In order to ensure that City facilities, programs, and activities are accessible to all, it is important to understand that many potential barriers to accessibility are physical barriers, while others are programmatic barriers. Examples of physical barriers may include inadequate parking for individuals with disabilities, narrow doorways and passages, restrooms that are not accessible, or broken or incomplete sidewalks, just to name a few. Programmatic barriers are

those such as building signage, participation in City sponsored events or meetings, internet and telephone communication, and other that may affect individuals with speech, cognitive, vision or hearing disabilities rather than mobility disabilities.

In an effort to satisfy the requirements of Title II, an evaluation of both physical and programmatic barriers to access to City facilities, programs, and activities has been conducted. The findings of the self-evaluation are specified below:

<b>Facility Physical Barriers</b>		
<b>Facility Name and Location</b>	<b>Services Offered</b>	<b>Observations &amp; Recommendations</b>
Dunwoody City Hall 41 Perimeter Center East	City Council Finance and Administration Human Resources Municipal Court Permits and Licensing Police	Dunwoody City Hall is currently located in a leased facility, which was constructed prior to the adoption of the most recent ADA requirements. Adequate ADA parking is provided, along with ADA access to the facility. As the City considers new City Hall facilities in the future, ADA requirements will be met.
Brook Run Park 4770 North Peachtree Rd.	Playground Multi-Use Trail Skate Park Dog Park Community Garden Pavilions	The facilities listed are ADA Accessible and all future amenities will meet ADA requirements.
Donaldson-Bannister Farm 4831 Chamblee Dunwoody Rd. (Under Renovation)	Historic Home Future free play areas and passive recreation	Facility is currently not ADA accessible and not open to the public. Renovations will take place this year and ADA access will be provided at that time.
Dunwoody Park 5321 Roberts Dr.	Baseball Hiking Playground Picnic Areas	ADA access to some areas. The City will need to renovate existing bathroom facilities at some time to make them ADA compliant.

Dunwoody Nature Center 5343 Roberts Drive	Educational Classes Camps Field Trips	Major renovations have just been completed to make the facilities ADA accessible and the new playground is ADA compliant.
Georgetown Park 4400 Dunwoody Park Dr.	Playground Multi-Use Trail Bocce Court Gazebo	Facilities and trail are all ADA compliant.
N. DeKalb Cultural Arts Center 5339 Chamblee Dunwoody Rd.	Arts Classes Performances	Facility is ADA compliant and additional ADA parking is being added this year. The City should consider replacing the wheel chair lift in the future.
Pernoshal Park 4575 N. Shallowford Rd. (Under Construction)	Basketball Pickleball Field for Free Play Multi-Use Trail	This facility will be ADA compliant when it opens.
Vernon Oaks Park Vernon Springs Dr.	Walking Trail Seating	This park is not ADA accessible but does not have parking or amenities that cannot be viewed from the street.
Windwood Hollow Park 4865 Lakeside Dr.	Playground Tennis Courts Pavilion Nature Trails Field for Free Play	This facility is ADA accessible with a playground specifically designed for children with special needs.

In addition to the facilities specified above, City staff reviewed pedestrian facilities for compliance with ADA requirements. Currently, 69 total miles of sidewalk exist within the City boundaries, as reflected in Figure 1.

Dunwoody has an inventory of 187 signalized crosswalks; however, six of these signals are not fully accessible. Nine additional crosswalk locations lack signals. Figure 2 depicts crosswalk locations within the City.

There are 1,562 pedestrian ramps located in Dunwoody. Of these, 788 ramps do not comply with current ADA requirements. Specifically, 777 ramps lack truncated domes, and 11 require maintenance or repair. Additionally, 42 locations along sidewalks lack ramps. Ramp locations are identified on Figure 3.

Since incorporating, Dunwoody officials have outlined a plan for pedestrian improvements within the City, and implementation is well underway. As sidewalk and pedestrian facilities are added and upgraded, each facility is brought into compliance with current ADA requirements in order to ensure that these facilities are adequately accessible and navigable by individuals with disabilities.

Figure 1: Sidewalk Facilities

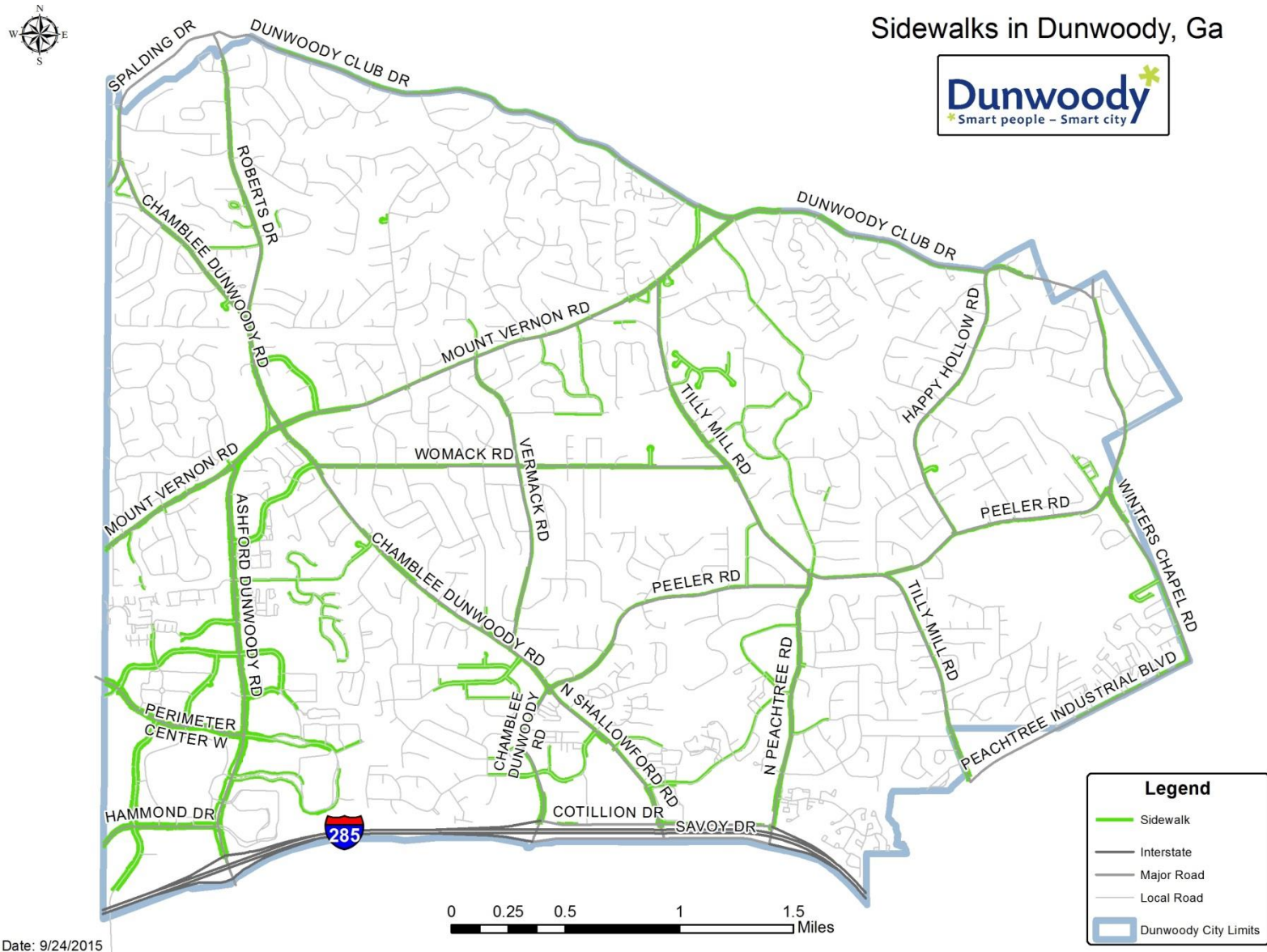




Figure 2: Crosswalks

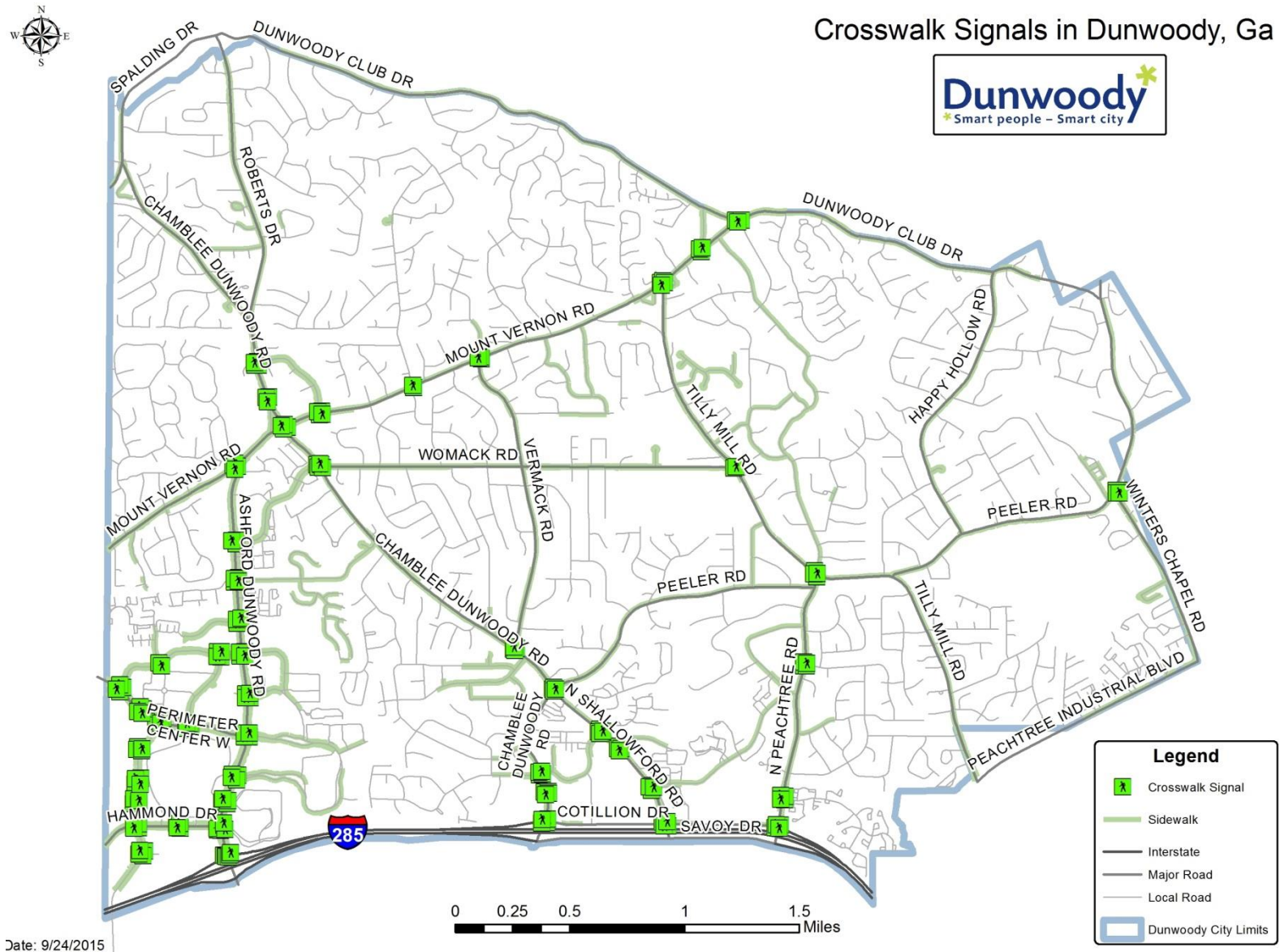
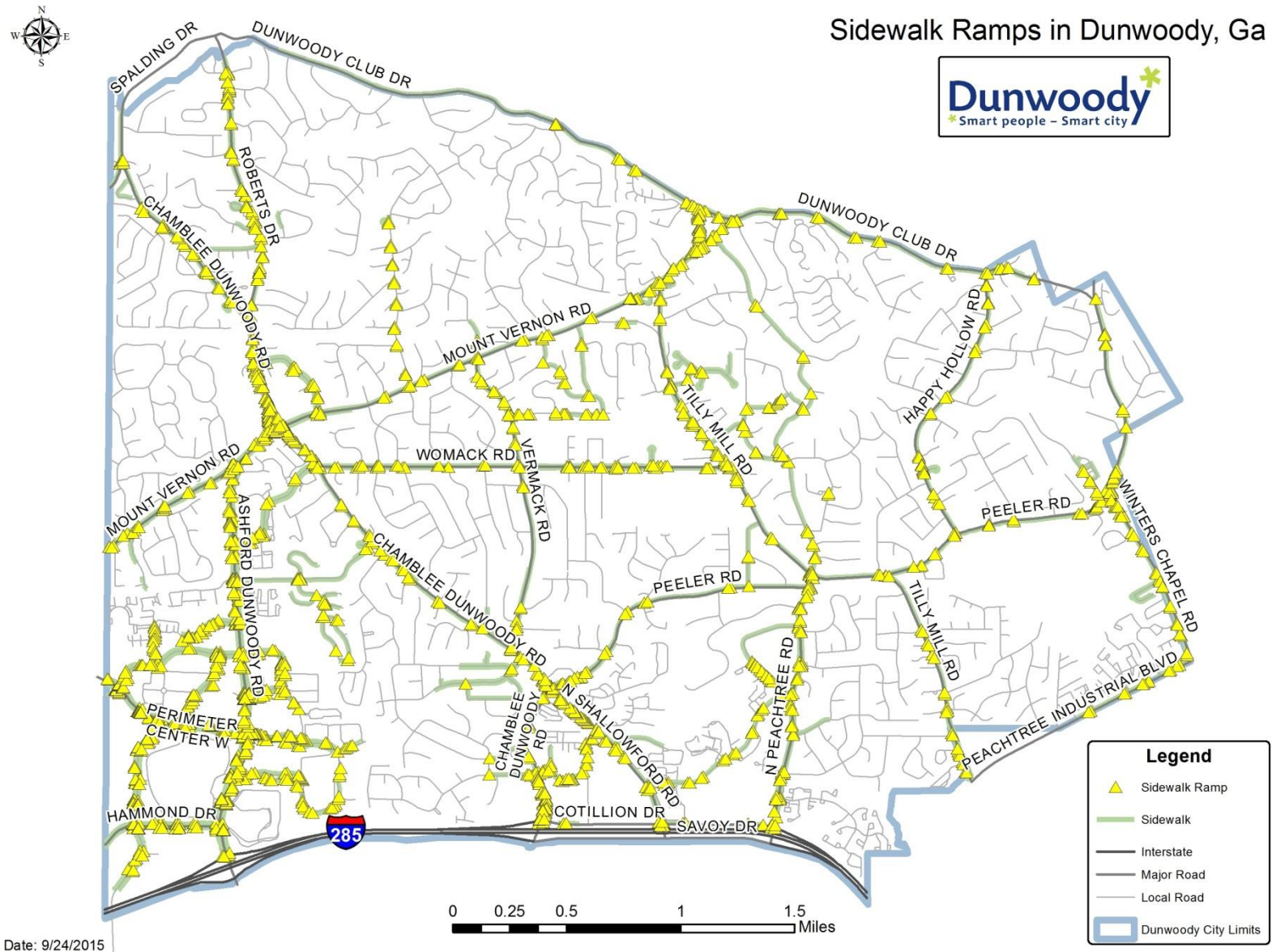




Figure 3: Ramps



In addition to maintaining accessibility to the City's physical facilities, Dunwoody works actively to provide communication tools that meet the needs of individuals with disabilities. The City website offers alternate text for pictures, documents available in various formats, and other mechanisms to maximize the experience of website visitors with disabilities. Furthermore, monthly reports are generated by a third-party vendor that identify any issues that need to be corrected on the website, as well as potential barriers to accessibility.

The City utilizes Cisco 7900 series phones, which are fully TTY compatible, along with the current Cisco Communications system. In late-2015 some phones within City Hall will be upgraded to further improve reliability of the TTY service.

As required by ADA, during the self-evaluation phase of the ADA planning process a notice was published in the legal organ, the *Dunwoody Crier*, in order to solicit feedback from interested parties. In addition to meeting the minimum public notice requirement, a press release was generated and distributed to local media outlets. The City website was another medium utilized to share the opportunity to give input into the ADA Transition Plan, along with Connect Dunwoody.

#### 4. GRIEVANCES

The City of Dunwoody is committed to ensuring that its facilities, programs, and activities are accessible to all residents, employees, and visitors, regardless of disability. An ADA Coordinator has been identified to coordinate the City's efforts to comply with ADA requirements. All inquiries, requests, or complaints should be directed to:

**NAME**  
**ADA Coordinator**  
**City Hall**  
**41 Perimeter Center East**  
**Dunwoody, GA 30346**  
**(678) 382-6700**  
[ADA.coordinator@dunwoodyga.gov](mailto:ADA.coordinator@dunwoodyga.gov)

Any person with a disability or parent or guardian of a minor with a disability who believes they have been denied access to any facility, program, or activity of the City, or denied employment by the City, on the basis of disability may file a grievance with the City's ADA Coordinator. Complaints should be submitted either in writing or on audio tape as soon as possible, but no later than 60 days following the alleged discriminatory event. Complaints should include the name, address, and phone number of the complainant, along with the location, date, and description of the alleged discriminatory event.

Upon receipt of a complaint, the ADA Coordinator will meet with the complainant to discuss the complaint and possible resolutions within 15 calendar days. Following the meeting, within 15 calendar days a response will be issued by the ADA Coordinator, either in writing or another format accessible to the complainant, outlining the City's position on the complaint and offering any appropriate options to resolve the matter.

Within 30 calendar days of receiving the response from the ADA Coordinator, if a complainant is not satisfied by the response, the complainant and/or his/her designee may appeal the decision to City Manager. The City Manager or his/her designee will meet with the complainant within 15 calendar days of receipt of the appeal to discuss the complaint and possible resolutions. Within 15 calendar days following the meeting, the City Manager or his/her designee will issue a response, either in writing or another format accessible to the complainant with a final resolution.

Any employee who feels they have been discriminated against on the basis of disability should follow the grievance process outlined in the current Employee Handbook.