

Plan of Action for the County of Fresno's Americans with Disabilities Act Transition Plan

This Plan of Action (POA) is for the development of a new Americans with Disabilities (ADA) transition plan for the County of Fresno's facilities, programs and services.

This POA is a general outline of the key steps towards a new transition plan. Once the County progresses in the initial steps of this POA, more detail and information related to the POA will be added to a future and more in-depth version.

Overview of the ADA

The ADA prohibits discrimination on the basis of disability in employment, State and local government, public accommodations, commercial facilities, transportation, and telecommunications. The ADA defines a disability as physical or mental impairment that limits one or more major life activities, having a record or history of such an impairment, or being regarded as having such an impairment. Title II of the ADA, which applies to State and local governmental entities, provides that persons with disabilities shall have meaningful access to programs, services, and activities.

Under Title II of the ADA, when a service, program, or activity is located in a building or part of a building that is not accessible, a public agency may achieve accessibility for the public by doing the following 1) Providing the service in an accessible area of the building, 2) Making structural changes to the building, or 3) Relocating the program or activity to an accessible facility. Alterations to an area of a facility that contains a primary function should be made to ensure the path of travel to the altered area including the restrooms, telephones, and drinking fountains serving the altered area, are readily accessible to and usable by individuals with disabilities, unless the cost and scope of the alterations is disproportionate to the cost of the overall alteration (exceeds 20% of the total cost of alterations).

The ADA requires Fresno County, as a Public Agency, to perform the following:

- Conduct a self-evaluation;
- Develop a transition plan;
- Assign at least one employee to coordinate ADA compliance; and
- Review its public accommodation grievance process.

In providing meaningful access to its programs and services, the County has made a significant effort towards improved accessibility for persons with disabilities by implementing work groups to perform a self-evaluation and develop a countywide transition plan. The new countywide transition plan will provide the County with a method to prioritize, schedule, and implement any needed changes to provide meaningful access to County programs, services and activities for persons with disabilities and impairments. It is expected the transition plan for the County will be completed within an approximate 18-month period¹. It should be noted development of the transition plan began in December 2019.

¹ All timeframes within this Plan of Action are estimates and based on best-case scenarios. The time estimates do not account for any significant hindrances, such as staffing issues, funding, or unknowns.

The County Administrative Officer (CAO) has designated Samantha Buck, Principal Administrative Analyst in the County Administrative Office, as the County's ADA Coordinator. Samantha may be reached at sbuck@fresnocountyca.gov, or 559/600-1231. Reporting to the CAO, Samantha directly oversees the development and implementation of the new transition plan, is responsible for performing/coordinating assessments and reporting out on programs and services, and is revising County policies accordingly. She is also responsible for receiving, distributing, and the associated record keeping of ADA related complaints and reporting. Public Works & Planning (PW&P) staff is responsible for performing assessments and reporting out on roads, public right-of-ways, parking lots, and parks. Staff in the Facilities Division of the Department of Internal Services is responsible for performing assessments and reporting out on facilities.

POA Process/Timeline:

- 1. Self-Evaluation Process (12 - 18 months) – June 2021**
 - a. Department Assessments (12 – 18 months) – June 2021**
 - b. Roads (12 – 18 months) - June 2021**
 - c. Draft Transition Plan - Sept 2021**
 - d. Public Comment - Oct 2021**
- 2. Finalize Transition Plan - Winter 2021**
- 3. Transition Plan Implementation**
- 4. Ongoing Monitoring, Revisions, and Amendments to the Transition Plan**

1. Self-Evaluation Process

The self-evaluation process is the County's evaluation of services it makes available to the public, including facilities, paths of travel, public portions of websites, emergency response plans, TTY (text telephone) emergency services, programs and services, and current policies and practices. The purpose of the self-evaluation process is to identify issues and physical barriers that may limit a person with a disability access as required by Title II. In addition, the self-evaluation process identifies potential solutions to access issues.

The County is completing the current self-evaluation process in three stages as follows: 1) Facility and department assessments of programs and services, 2) Drafting a transition plan from information obtained from the assessments, and 3) Incorporate public comment on the draft plan and finalize the plan.

a. Department Assessments

The County is required under the ADA to conduct self-evaluations of the following:

- Public areas of County owned, leased or operated facilities;
- Public paths of travel;
- Public portions of websites;
- Emergency response plans;
- TTY (text telephone) emergency services;

- Programs and services; and
- Policies and Practices.

Working with County departments, Samantha is performing/coordinating assessments of countywide programs and services. Staff in Facilities oversees the use of a centralized database to coordinate the self-evaluation process in conjunction with County departments, whereas PW&P are completing the assessment of roads, public right-of-ways, parking lots, and parks.

b. Draft Transition Plan

The draft transition plan will include a process for the County to prioritize, schedule, and implement changes that may be needed in order to provide meaningful access to persons with disabilities and impairments. After identifying barriers that may limit access to programs, services and activities by persons with disabilities, the goal is analyze the barriers and to find access solutions. The draft transition plan will also include information obtained from the self-evaluation process to include, but not limited to the following:

- List of the physical barriers in facilities and/or areas that limit accessibility of its programs, activities or services to persons with disabilities. This includes public space in leased and owned facilities, e.g., parks and recreation facilities, public restrooms, civic buildings, libraries, sheriff facilities, probation facilities, jails, animal shelters, etc. (amongst these, consider priorities); public roads and right-of-ways; sidewalks; parking garages and lots; and trails (amongst these, consider priorities).
- A review of the County's website.
- A review of TTY (text telephone) to emergency services.
- A review of emergency service response plans.
- A review of whether the public has adequate notice about ADA compliance for public input.
- A review of whether county employees and volunteers are adequately trained on accessibility.
- An outline of methods to be used to remove barriers and make the facilities accessible.
- A schedule with steps to achieve meaningful access compliance under Title II of the Americans with Disabilities Act.
- The contact information of the ADA Coordinator.

c. Public Comment

After the completion of a draft transition plan, the County will provide time for public comment as part of the self-evaluation process. Public comment requires a formalized process for inviting feedback and input from the community and allows the community to weigh-in on the self-evaluation process, including the draft transition plan. The ADA Coordinator, on behalf of the County, will maintain a list of agencies, private individuals, and advocacy groups consulted during the public comment process. The information, comments, and suggestions provided through the public comment process will be included in the final version of the transition plan to the extent appropriate and beneficial.

2. Finalize the New Transition Plan

Once the transition plan is finalized, the ADA Coordinator will draft a Board agenda item to accompany the new transition plan for the Board of Supervisor's review and approval.

3. and 4. Transition Plan Implementation, Monitoring, and Amendments to the Transition Plan

The ADA Coordinator, working closely and reporting to the CAO, is the primary record keeper for the County's ADA compliance records. The ADA Coordinator will monitor the Board-adopted plan, coordinate and ensure compliance with deadlines, and maintain all necessary records regarding future amendments to the plan. In addition, the ADA Coordinator will work with County departments, to ensure the plan is properly implemented and/or amended if any issues arise during implementation. The ADA Coordinator will review the appropriateness of the plan, seek to amend, uphold, and/or reaffirm the plan on at least an annual basis.

Future Plans of Action

It is contemplated, as indicated above, that this POA will be revised, and so this version should not be considered final or conclusive. Suggestions, comments, or questions regarding the POA, including anything relating to potential edits, amendments, or modifications, should be forwarded to the ADA Coordinator.