



## **Questions & Answers Old Sixth Ward TIRZ Projects & Americans With Disabilities Act Compliance**

3/1/19

To help answer questions regarding sidewalks in the Old Sixth Ward TIRZ (TIRZ) and their compliance with the Americans With Disabilities Act (ADA), please see the information below.

### **The TIRZ installed sidewalks in the Old Sixth Ward several years ago. Are these sidewalks compliant with the ADA?**

Each state and local government has the authority to adopt and enforce its own building codes, but such codes/standards must meet or exceed those contained in the ADA. Texas has its own guidelines, the Texas Accessibility Standards (TAS). The TAS have received equivalency certification status from the Department of Justice, which simply means they meet or exceed the federal guidelines, the Americans With Disabilities Act Accessibility Guidelines (ADAAG). In this Q&A, these terms will be interchangeable.

The TIRZ relies upon outside contractors for projects – it has no employees and the board is comprised of volunteers. The sidewalk project was primarily to replace a number of brick sidewalks that were lost over the years and to create a consistent sidewalk scheme for much of the neighborhood. The project also involved constructing ramps in certain areas. For the project, the TIRZ used a large civil engineering firm to design and supervise the construction of TAS/ADA compliant sidewalks. In turn, the engineering firm hired Accessible Design Solutions, a registered accessibility inspection firm, to confirm that TIRZ sidewalks complied with the applicable standards. Both firms have confirmed that the sidewalks constructed were TAS/ADA compliant. Upon completion the TIRZ received the compliance letter that can be found [here](#) along with certification from the State of Texas that can be found [here](#).

### **How can the TIRZ installed sidewalks be TAS/ADA compliant when there is a lack of ramps in places, some of the ramps seem really old or there are places with major obstructions in the sidewalk?**

The TIRZ sidewalk project involved many places where the street right of way was constrictive, power and telephone poles, street signs and other infrastructure were placed at awkward locations or gradients were problematic. (Please take a look at driveway slopes around the area for a better appreciation.) It's important to be aware that the TAS/ADA is much more complex than some recent social media posts indicate – existing facilities/conditions that cannot easily be moved do not result in failure under the TAS/ADA. Consequently, a TAS/ADA compliant sidewalk project doesn't mean a sidewalk is perfect, and the TIRZ understands that there are plenty of sidewalks that are imperfect. Wherever the TIRZ improved sidewalks, the goal was always to make things better. The sidewalk project greatly improved many sidewalks, but the sidewalk system in the neighborhood remains imperfect. By way of comparison, it's worth a drive through Woodland Heights to see many houses with no sidewalks or with sidewalks so broken by tree roots they are very difficult to navigate.

## **Why didn't the TIRZ install TAS/ADA compliant ramps everywhere in the neighborhood?**

The TIRZ allocated a large sum of money for the sidewalk project and built as much sidewalks and ramps as the funds allowed. The sidewalk project added some new ramps where it was feasible, but ramps were not installed everywhere. If the TIRZ installs a ramp, it must meet the slope and other technical requirements of the TAS/ADA. Certain locations in the sidewalk project involved slopes, obstacles or other conditions that prevented construction of a TAS/ADA compliant ramp without major modifications to the street that would have required the TIRZ to far exceed the funds available for the project.

Making our area in complete compliance with the ADA would take far more money than the TIRZ will ever have. That being said, the TIRZ has always planned to undertake more projects that will continue to improve sidewalks and intersections in our area, such as additional phases of pedestrian (and vehicle) street improvements. If enough people in the community want the TIRZ to forego other projects – such as the Washington Avenue improvements, HAWK crossing, Hemphill Street improvement project, Taylor Street improvement project, etc. – the TIRZ can consider reprioritizing its Capital Improvement Plan (CIP) (subject to City of Houston approval) within the bounds of its legal authority. Each year, the TIRZ prepares a new budget for the coming fiscal year that addresses short-term and long-term projects – its CIP. There is a finite amount of money available to improve the area and choosing the priorities of capital projects is a difficult process. Anyone with interest in these projects should participate in this process.

## **What about the ramp at Silver and Washington? How is that compliant with the TAS/ADA?**

The ramp at this intersection was not rebuilt by the TIRZ, but the TIRZ is currently working with urban planning and design firm Asakura Robinson on a project that would add more TAS/ADA compliant sidewalks and ramps as part of a larger streetscape project for Washington Avenue.

## **Is the TIRZ finished with sidewalks projects in the community?**

Absolutely not. In the short term, the TIRZ's plans to identify all problematic sidewalk/ramp areas in the community using an engineering consultant and input/feedback from the community and to begin to prioritize such problem areas based on cost and community input. Also, the TIRZ has plans to convert Hemphill and Taylor from open-swale streets to curb-and-gutter streets. These projects will include adding ramps at all intersections to ensure TAS/ADA compliance.

## **Is the community the sole voice for capital projects within the TIRZ?**

The TIRZ selects projects with input from the community, and the City of Houston and the Houston City Council must approve the TIRZ's budget (and capital projects) every year. Sometimes the City of Houston directs TIRZs to focus on certain projects, such as storm water projects following Hurricane Harvey.

In the end, the TIRZ must remain responsive to the community. Our meetings are always open, and we appreciate emails, calls, texts, etc. from people providing input on community needs – just ask the residents of Sabine Street who made it very clear that the street was in dire need of a massive repair. And they were right. The bottom line is that the TIRZ exists for the community, and we can only succeed if people continue to give us input. We are working to improve community input by soliciting comments directly to the TIRZ website. The goal is to make it even easier for people to weigh in about priorities and expectations.

*If anyone desires more information, please don't hesitate to reach out to any TIRZ Board member or **Contact Us.***