



**Lake Houston  
Redevelopment Authority**

Lake Houston Redevelopment Authority

ADA Accessibility Plan

May 2024

DRAFT

## 1. Introduction

The City of Houston created Reinvestment Zone Number Ten, City of Houston, Texas (herein referred to as the “TIRZ”) is to set forth goals, expectations, redevelopment plans and programs needed to facilitate planned residential, and commercial developments and in a manner consistent with the Kingwood Annexation Service Plan, included as an Exhibit to Ordinance 96-1115, adopted by City Council on October 23, 1996 and which annexed Kingwood into the City of Houston City Limits.

The City created the TIRZ by Ordinance No. 1997-1589, adopted by City Council on December 17, 1997, within an area covering approximately 1,426 acres, and located primarily in the vicinity of Lake Houston, and also known as Kingwood. The City adopted a Plan for the area on April 21, 1999 by Ordinance No. 1999-0387. On September 11, 1999, by Ordinance 1999-0825, City Council approved an Amended Project Plan and Reinvestment Zone Financing Plan for the TIRZ. Subsequently, after recommendation by the TIRZ, City Council, by Ordinance 1999-0853, approved the annexation of approximately 508 additional acres into the TIRZ. The enlarged TIRZ included areas for which several property owners requested annexation including the Kingwood Lakes South, North Tract, Woodstream Forest and Riverchase Village Subdivisions; in addition, several public rights-of-ways were also included in the annexed area including Mills Branch Drive, North Park Drive, Kingwood Drive and Woodland Hills Drive. On April 23, 2008, by Ordinance 2008-0337, City Council adopted an Amended Project Plan and Reinvestment Zone Financing Plan for the TIRZ, as to provide provisions for the design and construction of public benefit facilities. By Ordinance 2011-0741, adopted by the City on August 24, 2011, the City added 975.4 acres to the TIRZ. On the same day, by Ordinance 2011-0742, the City adopted an Amended Project Plan and Reinvestment Zone Financing Plan for the TIRZ. The Amended Plan included provisions for land acquisition, design and construction of a fire station, to be located within the TIRZ. On April 2, 2014, The City, by Ordinance 2014-0254, annexed an additional 496.38 acres into the boundaries of the TIRZ, and by Ordinance 2014-0255, amended the Project Plan and Reinvestment Financing Plan of the TIRZ. On, December 12, 2018, the City adopted Ordinance 2018-997, amending the Project Plan and Reinvestment Zone Financing Plan of the TIRZ, and extended the duration of the TIRZ to December 31, 2048, and by Ordinance 2018-997, annexed an additional 36.18 acres of territory into the boundaries of the TIRZ. On December 16, 2020, by Ordinance 2020-1082, the City annexed an additional 349 acres of land consisting primarily of a drainage channel commonly referred to as Taylor Gully, and various tracks of contiguous parcels designated to be developed into the future Woodridge Detention Basin and a future City of Houston regional wastewater treatment plant. On December 6, 2023, by Ordinance 2023-1060, the City annexed an additional 14.29 acres of land, consisting of road right-of-way on Northpark Drive, within the limits of unincorporated Montgomery County.

In 2014, the City created the Lake Houston Redevelopment Authority (the “Authority”), delegating to the Authority the responsibility of implementation of this Project Plan and Reinvestment Zone Financing Plan, and assigning to the Authority the tax increment revenues for such purpose pursuant to an Agreement by and Among the City of Houston, Texas, Reinvestment Zone No. 10, City of Houston, Texas, and the Lake Houston Redevelopment Authority, by Ordinance 2014-0050, dated January 30, 2014 (the “Tri-Party Agreement”).

## 2. Overview

The Authority understands its duty to provide accessibility for all users of its services and programs, including persons with disabilities. We are striving to provide accessible public services and facilities for persons using Texas’s state roadways and other transportation facilities. The Authority continues to expand its outreach activities to include local agencies, advocacy groups and coordination with other agency civil rights programs: Title VI, Limited English Proficiency, Environmental Justice, etc.

The Americans with Disabilities Act (ADA) is a civil rights law that mandates an equal opportunity for individuals with disabilities. The ADA prohibits accessibility discrimination to jobs, public accommodations, government services, public transportation, and telecommunications. The Authority is required to conduct a comprehensive self-evaluation of its policies, programs, and facilities to determine the extent to which individuals with disabilities may be restricted in their access to services and activities.

Access to civic life by people with disabilities is a fundamental goal of the ADA. To ensure that this goal is met, Title II of the ADA requires state and local governments to make their programs and services accessible to persons with disabilities (28 CFR 35.149-35.151). This requirement extends not only to physical access at government facilities, programs, and events, but also to pedestrian facilities in public rights-of-way.

### 3. Applicable Laws, Regulations, Standards and Guidance

The Agency's ADA/504 Program is governed by a number of nondiscrimination laws, regulations and standards, including but not limited to:

Title VI of the Civil Rights Act of 1964 (Title VI), as amended  
[www.justice.gov/crt/about/cor/coord/titlevi.php](http://www.justice.gov/crt/about/cor/coord/titlevi.php)

Architectural Barriers Act of 1968 (ABA) NOTE: The ABA has been superseded by the 2010 ADA Regulations. Accessibility requirements of the ABA are now included in the 2010 ADA Standards for Accessible Design. Section 504 of the Rehabilitation Act of 1973, as amended  
<https://www.dol.gov/agencies/oasam/centers-offices/civil-rights-center/statutes/section-504-rehabilitation-act-of-1973>

Civil Rights Restoration Act of 1987 (CRRA)  
<https://www.congress.gov/bill/100th-congress/senate-bill/557>

Americans with Disabilities Act of 1990 (ADA)  
[www.ada.gov/pubs/ada.htm/](http://www.ada.gov/pubs/ada.htm/)

ADA Amendments Act of 2008 (ADAAA)  
<https://www.congress.gov/bill/110th-congress/senate-bill/3406>

28 CFR Part 35  
<http://www.ada.gov/regs2010/ADAregs2010.htm>

49 CFR Part 27  
<https://www.ecfr.gov/current/title-49/subtitle-A/part-27>

ADA Standards for Transportation Facilities <https://www.access-board.gov/files/ada/ADAdotstandards.pdf>

Draft Guidelines for Accessible Public Rights of Way  
<https://www.access-board.gov/prowag/>

The Authority is obligated to observe all requirements of Title I in its employment practices; Title II in its policies, programs, and services; any parts of Titles IV and V that apply to TxDOT's programs, services, or facilities; and all requirements specified in the ADA Accessibility Guidelines (ADAAG) that apply to

facilities and other physical holdings. Title II has the broadest impact on the State. Included in Title II are administrative requirements for all government entities employing more than fifty people. These administrative requirements are:

- Completion of a self-evaluation;
- Development of an ADA complaint procedure;
- Designation of a person who is responsible for overseeing Title II compliance; and
- Development of a transition plan if the self-evaluation identifies any structural modifications necessary for compliance. The transition plan must be retained for three years. Pursuant to the Rehabilitation Act of 1973, Section 504, no otherwise qualified individual with a disability in the United States, as defined in 29 U.S.C 705 (20)(B) of this title, shall, solely by reason of his or her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance or under any program or activity conducted by any Executive agency or by the United States Postal Service

For the purposes of this section, the term "program or activity" means all the operations of -(1)(A) a department, agency, special purpose district, or other instrumentality of a State or of a local government; or (B) the entity of such State or local government that distributes such assistance and each such department or agency (and each other State or local government entity) to which the assistance is extended, in the case of assistance to a State or local government.

#### 4. Discrimination and Accessibility

All Authority public involvement is conducted without regard to disability. All public notices make this affirmative assurance and provide contact information and deadlines for requesting reasonable accommodation. Persons requiring alternative forms of communication, including Braille, during public hearings, open house events or any other event where the public may be invited, may contact the event sponsor via telephone or email. The Authority's ADA/504 Program is governed by a number of nondiscrimination laws, regulations and standards.

#### 5. Undue Burden

The Authority is not required to incur an undue financial burden. The decision that achieving compliance would result in an undue burden must be made by the Chairman of the Board and/or his or her designee. Representing the Authority, the Executive Director, or his or her designee has the authority to identify an undue burden.

#### 6. Designated Oversight of Implementation: The ADA Coordinator

As required by 28 CFR 35.107(1), the Authority has designated an ADA/504 Coordinator who facilitates training, complaint investigation, technical support, guidance, customer service and other ADA program services and activities. The Authority Coordinator is:

Ralph De Leon  
Executive Director  
Lake Houston Redevelopment Authority  
c/o Hunton Andrews Kurth  
600 Travis Street, Suite 4200  
Houston, Texas 77002

## 7. Policy

### 7.1 Public Notices

- 7.1.1 The Authority commits to purposefully involve the public in planning and project implementation by providing early, continuous, transparent and effective access to information and decision-making processes. The Authority will regularly update public involvement methods to include best practices in public involvement and incorporate a range of strategies to encourage broad participation reflective of the needs of the state's population.

### 7.2 Nondiscrimination Policy Notice

- 7.2.1 In accordance with the requirements of Title II of the American with Disabilities Act of 1990 (ADA), the Lake Houston Redevelopment Authority (LHRA) will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs or activities. LHRA does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of the ADA. LHRA will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in LHRA's programs, services and activities, including qualified sign language interpreters, documents in Braille and other ways of making information and communication accessible to people who have speech, hearing or vision impairments. LHRA will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services and activities. For example, individuals with service animals are welcome in LHRA offices, even where pets are generally prohibited. Anyone who requires auxiliary aids or services for effective communication, or a modification of policies and procedures to participate in a program, service or activity of LHRA, should contact ADA/504 Coordinator as soon as possible, but no later than 48 hours before the scheduled event. The American with Disabilities Act does not require LHRA to take any action that would fundamentally alter the nature of its programs or services or impose undue financial or administrative burden. Complaints that a program, services or activity of LHRA is not accessible to persons with disabilities should be directed to the ADA/504 Coordinator. LHRA will not place a fee on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids and services or reasonable modifications of policy, such as retrieving items from locations open to the public but are not accessible to persons who use wheelchairs.

### 7.3 ADA Grievance or Complaint Process

- 7.3.1 This Grievance Procedure is established in accordance with the Americans with Disabilities Act of 1990 (ADA). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services by or access to activities, programs or facilities of the Lake Houston Redevelopment Authority (LHRA). Any person who believes that he or she, individually, as a member of the disabled community, has been subject to discrimination prohibited by the

Americans with Disabilities Act, Sections 504 or 508 of the Rehabilitation Act of 1973, as amended, may file a complaint with LHRA. A complaint may also be filed by a representative on behalf of such a person or group. Complaints submitted shall be in writing and must be signed by the complainant and/or the representative.

The complaint should be submitted by the grievant and/or his or her designee as soon as possible but no later than 180 calendar days after the alleged violation to:

Ralph De Leon  
Executive Director  
Lake Houston Redevelopment Authority  
c/o Hunton Andrews Kurth LLP  
600 Travis Street, Suite 4200  
832-978-5910 (Voice)  
[ralph@tifworks.com](mailto:ralph@tifworks.com)

The Executive Director (ED) is charged with the primary responsibility of processing ADA external discrimination complaints received by LHRA. All discrimination complaints received by the LHRA must be referred to ED for review and action. ED processes complaints consistent with FHWA's External Discrimination Complaint Handling Procedures, which includes maintaining a complaint log, using form letters, and its investigative process.

In order to have the complaint considered under ADA, the complaint must be filed no later than 180 days after:

- The date of the alleged act of discrimination; or
- The date the person(s) became aware of the alleged act(s) of discrimination; or
- Where there has been a continuing course of conduct, the date on which that conduct was discovered.

In either case, LHRA may extend the time for filing or waive the time limit in the interest of justice, specifying in writing the reason for doing so.

Complaints shall set forth, as fully as possible, the facts and circumstances surrounding the alleged discrimination. In the event that a person makes a verbal complaint to a LHRA employee, that person shall be interviewed by ED. If necessary, LHRA will assist the person in documenting the complaint in writing and submitting the written version to the person for signature. Within ten (10) days of receipt of the complaint, ED will acknowledge receipt, inform the complainant of action proposed or taken, and advise the complainant of other avenues of redress available, such as filing with the investigation and Adjudications Unit at FHWA Headquarters Office of Civil Rights and the U.S. DOT. ADA complaints filed directly with LHRA will be processed in accordance with the FHWA approved complaint procedures as required under 23 CFR 200.9(b)(3). However, FHWA has the authority for making all final decisions, including dismissing complaints and issuing letters of findings. All complaints are investigated unless:

- The complaint is withdrawn by the complainant.
- The complainant fails to provide required information after numerous attempts.

- The complaint is not filed timely, or.
- The complaint is involving an issue other than discrimination or if the complaint is not based on the disabled protected class.

Complaints filed under ADA with LHRA in which LHRA is named as the respondent will be forwarded to FHWA within ten (10) days of receipt of the allegation for processing.

The following information will be provided to FHWA:

- Name, address, and phone number of complainant.
- Name(s) and address(es) of alleged discriminating official(s).
- Basis of complaint (i.e., disability, race, color, national origin, sex, age).
- Date of alleged discriminatory act(s).
- Date of complaint received by LHRA.
- A statement of the complaint.
- Other agencies (state, local or federal) where the complaint has been filed; and
- An explanation of the actions LHRA has taken or proposed to resolve the issue raised in the complaint.

Within sixty (60) days of receipt of the complaint, ED will conduct and complete an investigation of the allegation and based on the information obtained, will render a recommendation for action in a report of findings to FHWA. FHWA will issue final decisions in all cases, including those complaints investigated by ED. The complaint will be resolved by informal means whenever possible. Such informal attempts and their results will be summarized in the report of findings. No information is disclosed with LHRA personnel or any other party not involved in the investigative process.

An investigative Plan (IP) will be prepared to define the issues and lay out the blueprint to complete the investigation. The IP is used to keep the investigation on track and focused on the issues and sources of evidence or corroboration. The IP outline is as follows:

- Complainant name and contact information, and that of their attorney, if applicable.
- Respondent name and contact information, and that of their attorney, if applicable.
- Applicable laws and regulations.
- Basis of complaint (i.e., disability, race, color, national origin, sex, age);
- Allegation(s)/Issue(s).
- Background.
- Interviewee(s) name and contact information.
- Questions for the complainant; respondent, and interviewee(s);
- Evidence to be obtained;
- Estimated investigation timeline; and
- Remedy sought by the complainant(s).

ED maintains a complaint log, intake form and activity log to document all activity related to the complaint. The information captured on these documents includes:

- Grievance Tracking Number
- Complainant's name and if provided, disability, race, color, age, gender and national origin;
- Respondent's name;
- Basis(es) of the ADA complaint;
- Allegation(s)/Issue(s) surrounding the discrimination complaint;
- Agency/Division/District
- Investigation Activity
- Date the discrimination complaint was filed;
- Date the investigation was completed;
- Disposition/Status
- Disposition date; and
- Other pertinent information.

A Report of Investigation (ROI) will be prepared setting forth all the relevant facts obtained during the investigation. The ROI will include a finding for each issue and recommendations, where necessary. Documentation regarding any attempts and outcomes that were made to resolve the complaint prior to the initial receipt of the written complaint will be summarized in the ROI. The ROI and recommended decision will be forwarded to the FHWA for a final decision.

The Department of Justice (DOJ) Title II regulation requires a public entity that employs 50 or more persons to “adopt and publish grievance procedures providing for prompt and equitable resolution of complaints alleging any action that would be prohibited by this part,” but it does not mention specifically what the grievance procedures should include. 28 CFR 35.107(b). Specifically, 28 CFR 35.107(b)(4) requires the entity to have an appeals process. TxDOT's grievance appeals process is as follows:

1. Complainant may appeal outcome within 10 days of the decision. He/she must: (a) Complete form (under development) to request an appeal.
  - (b) Submit to Appeals Team for review (to be identified by Director of Civil Rights Division).
2. The Appeals Team must review the reason for the appeal. Consider the following.
  - (a) Violation with no resolution,
  - (b) Violation with a resolution but time of barrier removal is unreasonable, and (c) Do not agree with the resolution.
3. The Appeals Team reviews the request to:
  - (a) Determine if Agree/Disagree,
  - (b) Provide rational & supportive documentation, and/or (c) Provide new alternatives.
4. The Appeals Team returns the request to ADA Compliance Administrator/District/Division whichever is applicable to:
  - (a) Make necessary changes.
  - (b) Provide the response to the Complainant.
5. The ADA Administrator informs the Complainant of the decision.



#### 7.4 Policy Attachments Summary

- Attachment A: ADA Assurance is posted on website: <https://lakehoustonra.com/wp-content/uploads/10-ADA-Notice-Section-504-Act-of-1973.pdf>
- Attachment B: The Authority's ADA Policy Notice is posted on website: <https://lakehoustonra.com/wp-content/uploads/10-ADA-mission-values-goals-1.pdf>
- Attachment C: The ADA Nondiscrimination Statement is posted on website <https://lakehoustonra.com/wp-content/uploads/10-ADA-nondiscrimination-statement-1.pdf>

#### 8. Projects

The Authority has three Capital Improvement Projects either under construction or in schematic design, consisting of:

##### 8.1 CSJ # 0912-37-232

- 8.1.1 Project Description: The widening of Northpark Drive from 4 to 6 lanes, from IH 69 to Russell Palmer Road, to include a grade separation at Northpark Drive and SL 494/UPRR as shown on Attachment B. The State's review and construction oversight shall be limited to areas within the State's right of way, and such areas as may impact the State system.

##### 8.2 CSJ # 0912-37-245

- 8.2.1 Project Description: The construction of Northpark Dr. from Russell Palmer to Harris County Line, from 4 to 6 lane boulevard including a 10' side paths, drainage, reconstruction of the bridge at Kingwood diversion ditch (NBI#:121700B47595001, 121700B47595002), and signalized intersection at Woodridge Parkway.

##### 8.3 CSJ # 0912-72-618

- 8.3.1 Project Description: The construction of Northpark Dr. from Montgomery County Line to Woodlands Hill Dr., from 4 to 6 lane boulevard including a 10' side paths, drainage structure improvements along the corridor and at Bens Branch (near Woodridge Parkway/Hidden Pines Drive), a pedestrian tunnel at Glade Valley Dr., and a signalized intersection at Woodland Hill Drive.

#### 9. Facilities

- 9.1 The Authority owns no facilities or fixed assets. Real property purchased for use as roadway easements or public right-of-way is assigned to the City of Houston upon completion of a roadway construction project.

#### 10. Website

- 10.1 Link to the Authority's website: <https://lakehoustonra.com/>

#### 11. Public Outreach

- 11.1 The Authority held a NEPA Public Meeting on March 11, 2024. Link to documents can be found at (bottom of page): <https://lakehoustonra.com/t-1014-northpark-drive-reconstruction-project/>

11.2 The Authority partners with the City of Houston Council District E, at two annually occurring public meetings.

11.2.1 Kingwood Town Hall Meetings held each Spring of any given year.

11.2.2 City of Houston District E CIP Meeting held each Fall of any given year, and which includes a presentation by the Director of Public Works, City Council Member District E, the Mayor of the City of Houston, and the Chairman of the Board of the Authority.

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