

RESOLUTION NO. R-25-033

A RESOLUTION OF THE CITY OF BRENHAM, TEXAS ASSURING THE TEXAS DEPARTMENT OF TRANSPORTATION THAT THE CITY OF BRENHAM WILL COMPLY WITH THE NON-DISCRIMINATION REQUIREMENTS OF TITLE II OF THE 1990 AMERICANS WITH DISABILITIES ACT AND SECTION 504 OF THE REHABILITATION ACT OF 1973

WHEREAS, the City of Brenham (“City”) receives federal assistance from the U.S. Department of Transportation, through programs administered by the Texas Department of Transportation; and

WHEREAS, as a condition of receiving these funds, and as a Title II government agency, the City of Brenham must comply with the requirements of Title II of the 1990 Americans with Disabilities Act (“ADA”); and

WHEREAS, the City Council of the City of Brenham, Texas desires to assure the Texas Department of Transportation that it will comply with these requirements; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRENHAM TEXAS AS FOLLOWS:

1. The City will conduct its programs and operate its facilities in compliance with all requirements of Title II of the ADA and Section 504 of the Rehabilitation Act of 1973.
2. The City Council hereby adopts the assurance document attached hereto as Exhibit A and incorporated herein for all pertinent purposes.
3. The Mayor and City Manager are authorized to execute the document in Exhibit A and any related documentation.
4. This Resolution is effective immediately upon passage.

PASSED and **APPROVED** on the 13th day of November 2025.

Atwood C. Kenjura
Mayor

ATTEST:

Jeana Bellinger, TRMC, CMC
City Secretary



EXHIBIT A

AMERICANS WITH DISABILITIES ACT and SECTION 504 OF THE REHABILITATION ACT OF 1973 ASSURANCE

28 Code of Federal Regulations Part 35.130, Title II of the Americans with Disabilities Act prohibits discrimination on the basis of disability by public entities. Subtitle A protects qualified individuals with disabilities from discrimination on the basis of disability in the services, programs, or activities of all state and local governments. It extends the prohibition of discrimination in federally assisted programs established by section 504 of the Rehabilitation Act of 1973 to all activities of state and local governments, including those that do not receive federal financial assistance, and incorporates specific prohibitions of discrimination on the basis of disability from Titles I, III, and V of the Americans with Disabilities Act. This rule, therefore, adopts the general prohibitions of discrimination established under section 504, as well as the requirements for making programs accessible to individuals with disabilities and for providing equally effective communications. It also sets forth standards for what constitutes discrimination on the basis of mental or physical disability, provides a definition of disability and qualified individual with a disability, and establishes a complaint mechanism for resolving allegations of discrimination.

The City of Brenham (COB), HEREBY AGREES THAT, as a condition to receiving any federal financial assistance from the U.S. Department of Transportation through the Federal Highway Administration, is subject to and will comply with all laws and regulations, and hereby gives assurance that no qualified disabled person shall, solely by reason of his or her disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discriminations, including discrimination of employment, under any program or activity that received or benefits from this federal financial assistance. The City of Brenham further assures that its programs will be conducted, and its facilities operated, in compliance with all the requirements imposed by or pursuant to 49 CFR Part 27, 28 CFR Part 35, and 42 USC §§ 12101 – 12213.

Atwood C. Kenjura
Mayor
City of Brenham

Date