



City of Bartlett
A. Keith McDonald, Mayor

BOARD OF MAYOR AND ALDERMEN MEETING AGENDA

TUESDAY, AUGUST 13, 2019 - CITY HALL ANNEX - 5:30 PM

PRESENTATION

- I **Americans with Disabilities Act Transition Plan (Rick McClanahan, Director of Engineering)**

**Board of Mayor and Aldermen**

6400 Stage Road
Bartlett, TN 38134

SCHEDULED**AGENDA ITEM**

Meeting: 08/13/19 05:30 PM

Department: Engineering

Category: Proposal

Prepared By: Stefanie McGee

Department Head: Rick McClanahan

Americans with Disabilities Act Transition Plan

Americans with Disabilities Act Transition Plan

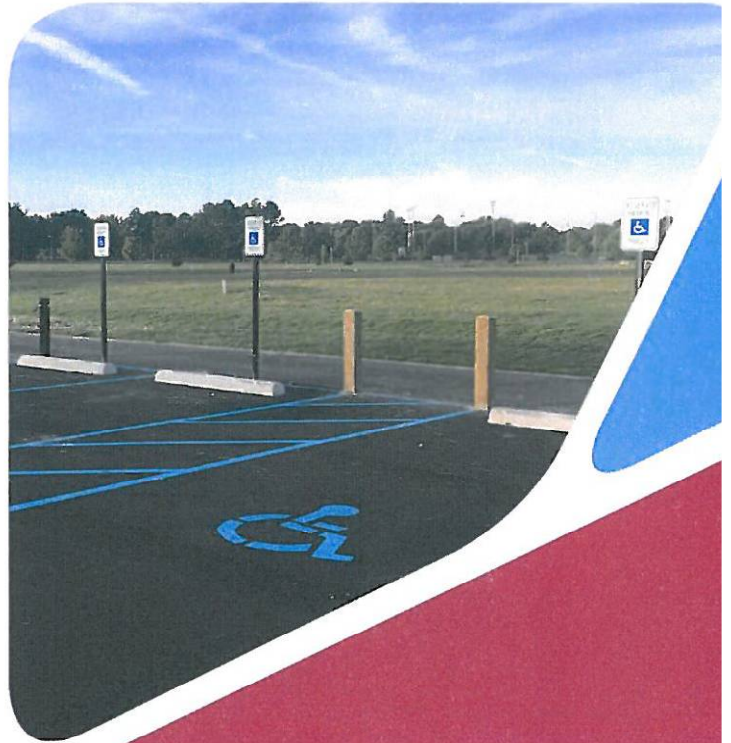
When the original Americans with Disabilities Act was passed in the early 1990's the act required a Transition Plan to be prepared to address shortcomings in the built environment. The City of Bartlett had started to address handicap ramps by spending about \$50,000 per year in removal and replacement of ramps on Major roads then collector roads and then local roads and trying to address these shortcomings as we paved new subdivisions. The City also worked on making our public buildings accessible by installing automatic doors and modifying other impediments to make their facilities accessible however no formal evaluations were performed. Rest rooms in public buildings and Parks were also addressed.

In 2012 on the anniversary of the signing of the ADA act a study was prepared by FHWA to evaluate the effectiveness of the implementation of the act at all Department of Transportation agencies across the country and the findings were not good. Many of the agencies did not have a Transition plan and implementation was not acceptable. This evaluation shed light on the shortfall of meeting the requirements of the ADA act. The Department of Transportation at the State of Tennessee implemented their plan and required all local agencies to perform an evaluation of their facilities and use that evaluation to prepare a Transition plan for adoption to address specific shortfalls, or if this was not done, the State of Tennessee and FHWA would cease funding on all projects containing Federal funds.

The Transition plan before you outlines changes that need to be made in the website and in the city organization to address ADA needs. It also addressed 5 buildings that have the highest public use and 7 parks. It also addressed changes at 29 signalized intersections and 640 non signalized intersections prioritizing modifications based on high, medium and low priority. The transition plan does not include all the changes needed; however it reflects a 20 year plan to address the needs evaluated in this study.

The cost estimates are approximately \$9.5 million range over the 20 year timeframe for completion. That translates into approximately 500,000 per year to complete the plan. (See section 4.0 of the plan) Seven million of the plan cost is for Handicap ramp and signal modification. I have included a request for Federal Assistance at an 80% match to begin to address this cost for the next 4 year Transportation improvement Plan which has been funded. Our match is 20% or \$100,000 per year and I am asking for \$500,000 per year for 4 years or 2 million for the 4 year TIP. We will continue to ask for money to address this issue in future TIPS at the MPO until all the Handicap ramps and signal work outlined is addressed. The balance of the building modification funding (approximately 2 million) will have to be funded with local money or by grants from CDBG.

Any questions can be addressed by the consultants at Kimley Horn.



Attachment: ADA Plan (2610 : ADA Transition Plan)

City of Bartlett

ADA Self-Evaluation and Transition Plan

Prepared by:
Kimley»Horn

6750 Poplar Avenue
Suite 600
Memphis, TN 38138

November, 2018



In Association with:





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Abbreviations

ADA – Americans with Disabilities Act

CFR – Code of Federal Regulations

CIP – Capital Improvement Projects

DOJ – United States Department of Justice

EITA – Electronic and Information Technology Accessibility

FHWA – Federal Highway Administration

MUTCD – Manual on Uniform Traffic Control Devices

PROWAG – Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way

PSA – Program, Services, and Activities

WAVE – Web Accessibility Evaluation Tool



1.0 Introduction

1.1 Legislative Mandate

The Americans with Disabilities Act (ADA) is a civil rights law that mandates equal opportunity for individuals with disabilities. The ADA prohibits discrimination in access to jobs, public accommodations, government services, public transportation, and telecommunications. Title II of the ADA also requires that all programs, services, and activities (PSAs) of public entities provide equal access for individuals with disabilities.

The City of Bartlett has undertaken a comprehensive evaluation of its PSAs to determine the extent that individuals with disabilities may be restricted in their access.

1.2 ADA Self-Evaluation and Transition Plan Development Requirements and Process

The City of Bartlett 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 the City and its programs, services, or facilities; and all requirements specified in the 2010 ADA Standards and 2011 Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG) that apply to facilities and other physical holdings.

Title II has the broadest impact on the City. Included in Title II are administrative requirements for all government entities employing more than 50 people. These administrative requirements are:

- Completion of a Self-Evaluation;
- Development of an ADA complaint procedure;
- Designation of at least one (1) person who is responsible for overseeing Title II compliance; and
- Development of a Transition Plan to schedule the removal of the barriers uncovered by the Self-Evaluation process. The Transition Plan will become a working document until all barriers have been addressed.

This document describes the process developed to complete the evaluation of the City of Bartlett's PSAs and facilities, provides possible solutions to remove programmatic barriers, and presents a Transition Plan for the modification of facilities and public rights-of way to improve accessibility, which will guide the planning and implementation of necessary program and facility modifications over the next 20 years. The ADA Self-Evaluation and Transition Plan is significant in that it establishes the City's ongoing commitment to the development and maintenance of PSAs and facilities that accommodate all its citizenry.

1.3 Discrimination and Accessibility

Program accessibility means that, when viewed in its entirety, each program is readily accessible to and usable by individuals with disabilities. Program accessibility is necessary not only for individuals with mobility needs, but also to individuals with sensory and cognitive disabilities.

Accessibility applies to all aspects of a program or service, including but not limited to physical access, advertisement, orientation, eligibility, participation, testing or evaluation, provision of auxiliary aids, transportation, policies, and communication.



The following are examples of elements that should be evaluated for barriers to accessibility:

1.3.1 Physical Barriers

- Parking
- Path of travel to, throughout, and between buildings and amenities
- Doors
- Service counters
- Restrooms
- Drinking fountains
- Public telephones
- Path of travel along sidewalk corridors within the public rights-of-way
- Access to pedestrian equipment at signalized intersections

1.3.2 Programmatic Barriers

- Building signage
- Customer communication and interaction
- Non-compliant sidewalks or curb ramps
- Emergency notifications, alarms, and visible signals
- Participation opportunities for City sponsored events

1.3.3 Ongoing Accessibility Improvements

City PSAs and facilities evaluated during the Self-Evaluation will continue to be evaluated on an ongoing basis, and the ADA Transition Plan will be revised to account for changes that have been or will be completed since the initial Self-Evaluation. This Plan will be posted on the City's website for review and consideration by the public.

1.3.4 City of Bartlett Approach

The purpose of the Transition Plan is to provide the framework for achieving equal access to the City of Bartlett's programs, services, and activities within a reasonable timeframe. The City's elected officials and staff believe that accommodating persons with disabilities is essential to good customer service, ensures the quality of life Bartlett residents seek to enjoy, and guides future improvements. This Plan has been prepared after careful study of all the City's programs, services, activities, and evaluation of a select number of City facilities.

The City of Bartlett should make reasonable modifications in PSAs when the modifications are necessary to avoid discrimination based on disability, unless the City can demonstrate that making the modifications will fundamentally alter the nature of the program, service, or activity. The City of Bartlett will not place surcharges on individuals with disabilities to cover the cost involved in making PSAs accessible.



2.0 Public Outreach

The City hosted a public meeting on September 26, 2018 at 6:30 PM, to provide a summary of the transition planning process and receive feedback on any concerns related to accessibility. The City will continue to solicit feedback from the public on the Transition Plan.



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3.0 Self-Evaluation and Summary of Findings

The City of Bartlett's Americans with Disabilities Act (ADA) Transition Plan reflects the results of a comprehensive review of the programs, services, and activities provided to employees and the public. The review identifies programmatic barriers to individuals with disabilities interested in accessing the programs, services, and activities offered by the City.

3.1 Programs, Procedures, and Policies Review

3.1.1 ADA/504 Coordinator (Title I / Title II)

Under the ADA Title II, when a public entity has 50 or more employees based on an entity-wide employee total count, the entity is required to designate at least one (1) qualified responsible employee to coordinate compliance with ADA requirements. The name, office address, and telephone number of this individual must be available and advertised to employees and the public. This allows for someone to assist with questions and concerns regarding disability discrimination to be easily identified.

ADA/504 Coordinator: Self-Evaluation Findings

The City of Bartlett has appointed Ted Archdeacon as the ADA Coordinator for Title I and Becky Bailey as ADA/504 Coordinator for Title II. Below is their contact information:

Ted Archdeacon, ADA Title I
City of Bartlett
Director of Personnel
6400 Stage Rd.
Bartlett, TN 38134
Office: 901-385-5515
Tennessee Relay Service: 7-1-1
tarchdeacon@cityofbartlett.org

Becky Bailey, ADA Title II/504 Coordinator
City of Bartlett
Traffic Engineer
6382 Stage Rd.
Bartlett, TN 38134
Office: 901-385-6499
Tennessee Relay Service: 7-1-1
bbailey@cityofbartlett.org

ADA/504 Coordinator: Possible Solutions

Ted Archdeacon was recently appointed as the Title I Coordinator and Becky Bailey was recently appointed as the Title II ADA/504 Coordinator. This information should be prominently displayed in common areas that are accessible to all employees and areas open to the public. Also, the ADA/504 Coordinator contact information must be included in all materials that are distributed from the City. This includes posting this information on the City's website.

3.1.2 Roles and Responsibilities of the ADA/504 Coordinator

Below is a list of qualifications for ADA Coordinators that are recommended by U.S. Department of Justice:

- Familiarity with the entities structures, activities, and employees;
- Knowledge of the ADA and other laws addressing the rights of people with disabilities, such as Section 504 of the Rehabilitation Act;
- Experience with people with a broad range of disabilities;
- Knowledge of various alternative formats and alternative technologies that enable individuals with disabilities to communicate, participate, and perform tasks;
- Ability to work cooperatively with local entities and people with disabilities;



- Familiarity with any local disability advocacy groups or other disability groups;
- Skills and training in negotiation and mediation; and
- Organizational and analytical skills.

Roles and Responsibilities of the ADA/504 Coordinator: Self-Evaluation Findings

No information regarding the roles and responsibilities of the ADA/504 Coordinator is provided on the City's website or in City documents.

Roles and Responsibilities of the ADA/504 Coordinator: Possible Solutions

The City should document the roles and responsibilities of the ADA/504 Coordinator. These roles and responsibilities should be consistent with the Department of Justice's guidance for "An Effective ADA Coordinator" (<https://www.ada.gov/pcatoolkit/chap2toolkit.htm>).

3.1.3 ADA Grievance Policy, Procedure, and Form with Appeal Process for the Americans with Disabilities Act

Title I

Title I of the ADA prohibits private employers, state and local governments, employment agencies, and labor unions from discriminating against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, job training, and other terms, conditions, and privileges of employment. The ADA covers employers with 15 or more employees based on an entity-wide employee total count, including state and local governments.

The purpose of the ADA grievance procedure is to provide a mechanism for the resolution of discrimination issues at the City level, rather than require the complainant to resort to resolution at the federal level.

ADA Grievance Policy, Procedure, and Form with Appeals Process for the Americans with Disabilities Act (Title I): Self-Evaluation Findings

- An ADA grievance policy and procedure with appeals process was not found on the City's website.
- No ADA grievance form was found.
- No ADA complaint log was provided by the County.

ADA Grievance Policy, Procedure, and Form with Appeals Process for the Americans with Disabilities Act (Title I): Possible Solutions

- An ADA grievance policy, procedure, and form with appeals process for Title I was developed as a part of this project. These documents should be adopted City-wide, posted on the City's website, and publicized in common areas that are accessible to all employees and areas open to the public. See **Appendix B** for a copy of the policy, procedure, and form.



Title II

Local governments with 50 or more employees are required to adopt and publish procedures for resolving grievances in a prompt and fair manner that may arise under Title II of the ADA.

ADA Grievance Policy, Procedure, and Form with Appeals Process for the Americans with Disabilities Act (Title II): Self-Evaluation Findings

- An ADA grievance policy and procedure with appeals process was not found on the City's website.
- No ADA grievance form was found.
- No ADA complaint log was provided by the County.

ADA Grievance Policy, Procedure, and Form with Appeals Process for the Americans with Disabilities Act (Title II): Possible Solutions

- An ADA grievance policy, procedure, and form with appeals process for Title II was developed as a part of this project. These documents should be adopted City-wide, posted on the City's website, and publicized in common areas that are accessible to all employees and areas open to the public. See **Appendix B** for a copy of the policy, procedure, and form.

3.1.4 ADA Liaison Committee

The ADA Liaison Committee is comprised of representatives from each City department, and the director of each department serves as the representative. These individuals work closely with ADA/504 Coordinator to resolve issues regarding the needs of their department and the programs under their management. The ADA/504 Coordinator works closely with the ADA Liaison Committee to coordinate the implementation of plans, programs, policies, and procedures.

ADA Liaison Committee: Self-Evaluation Findings

The City of Bartlett has established an ADA Liaison Committee and is comprised of a representative from each City department. These representatives are tasked with serving as the ADA contact for their department and will consult with the ADA/504 Coordinator regarding all ADA issues impacting their department. Each representative is responsible for keeping a detailed log for all ADA inquiries within their department. This log shall be shared with ADA/504 Coordinator and shall be retained for at least three (3) years.

ADA Liaison Committee: Possible Solutions

The ADA Liaison Committee information should be publicized in common areas that are accessible to employees and areas open to the public. This includes posting this information on the City website.



3.2 Facilities Review

3.2.1 Buildings

Five (5) buildings within the City of Bartlett were evaluated. All buildings included in the evaluation are listed in **Table 1** and shown on the map in **Appendix C**.

Table 1. Summary of Buildings Reviewed

Buildings	
1.	Bartlett Animal Control
2.	Bartlett City Hall
3.	Bartlett Senior Center
4.	Bartlett Station Municipal Center
5.	Singleton Community Center

Buildings: Self-Evaluation Findings

Areas evaluated for each building included parking lots, path of travel from the parking lot to the building, access into the building, signage, drinking fountains, telephones, bathrooms, and counter heights. A complete list of issues is provided in the building facility reports (see **Appendix D**). Common issues identified included:

- Non-compliant accessible parking
- Non-compliant building entrances
- Non-compliant transaction counters
- Non-compliant room signs
- Non-compliant restrooms

Buildings: Possible Solutions

A complete list of possible solutions is provided in the building facility reports (see **Appendix D**).

3.2.2 Parks

Seven (7) parks within the City of Bartlett were evaluated. All parks included in the evaluation are listed in **Table 2** and shown on the map in **Appendix C**.

Table 2. Summary of Parks Reviewed

Parks	
1.	Blue Lagoon
2.	Dixon Brewer Park
3.	Ellendale Park
4.	Freeman Smith Park
5.	Municipal Park
6.	Quail Ridge Park
7.	Shadowlawn Park



Parks: Self-Evaluation Findings

Areas evaluated for each park included parking lots, path of travel from the parking lot to the park amenities, access into facilities, signage, drinking fountains and restrooms. A complete list of issues is provided in the park facility reports (see **Appendix D**). Common issues identified included:

- No accessible route or non-compliant accessible route to park amenities (playground equipment, benches, picnic tables, restrooms)
- Non-compliant playground surfaces
- Non-compliant restrooms

Parks: Possible Solutions

A complete list of possible solutions is provided in the park facility reports (see **Appendix D**).

3.2.3 Signalized Intersections

Twenty-nine (29) signalized intersections within the City of Bartlett were evaluated. Signalized intersection evaluations cataloged the conditions and measurements along the pedestrian path of travel, which includes street crossings, curb ramps, sidewalk adjacent to the curb ramps, and pedestrian signal equipment and adjacent clear spaces.

All signalized intersections included in the evaluation are listed on a map included in **Appendix C**.

Signalized Intersections: Self-Evaluation Findings

Common curb ramp issues included no presence of color contrast or texture contrast, excessive landing running slopes and cross slopes, excessive curb ramp counter slopes, and excessive curb ramp running, cross and counter slopes. **Table 3** provides a summary of the curb ramp issues at signalized intersections.

About three percent (3%) of valid pedestrian crossings at signalized intersections did not have pedestrian signal heads or pedestrian push buttons. These were typically locations where "No Pedestrian Crossing" signs were present, but the existing sidewalk, curb ramp, or crosswalk orientations created a valid pedestrian crossing. Pedestrian push buttons and signal heads were recommended to be installed at all valid signalized intersection pedestrian crossings where they did not exist. Common issues associated with the existing pedestrian push buttons included non-existent or inaccessible push button clear spaces, excessive push button clear space cross and running slopes, push buttons installed at locations inconsistent with the current *Manual on Uniform Traffic Control Devices (MUTCD)* guidance, and push button diameters less than two (2) inches. **Table 4** provides a summary of the push button issues.

Signalized Intersections: Possible Solutions

A complete list of possible solutions can be found in the signalized intersection reports provided in **Appendix D**.



Table 3. Summary of Curb Ramp Issues at Signalized Intersections

Curb Ramp Issue	Number Evaluated	Number Compliant	Percent Compliant
Curbed sides < 90°	52	52	100.0%
Curb ramp does not land in crosswalk	114	113	99.1%
Traversable sides	52	51	98.1%
No flush transition to roadway	114	109	95.6%
No 48" crosswalk extension	100	95	95.0%
Curb ramp width < 48"	114	107	93.9%
No curb ramp where curb ramp is needed	133	119	89.5%
No landing	114	99	86.8%
Flare cross slope > 10%	62	53	85.5%
Landing cross slope > 2%	99	81	81.8%
Obstruction in curb ramp, landing, or flares	114	91	79.8%
Ponding in curb ramp, landing, or flares	114	82	71.9%
Curb ramp cross slope > 2%	114	80	70.2%
Curb ramp running slope > 8.3%	114	79	69.3%
Landing running slope > 2%	99	67	67.7%
Curb ramp counter slope > 5%	114	69	60.5%
No color contrast	114	66	57.9%
No texture contrast	114	61	53.5%



Table 4. Summary of Push Button Issues

Push Button Issue	Number Evaluated	Number Compliant	Percent Compliant
Missing pedestrian head where pedestrian head is needed	244	236	96.7%
Missing push button where push button is needed	244	236	96.7%
Push button orientation not parallel	207	193	93.2%
Push button offset from crosswalk > 5'	207	188	90.8%
Push button height > 48"	207	177	85.5%
No clear space or no access	207	157	75.8%
Clear space running slope > 2%	157	115	73.2%
Clear space cross slope > 2%	157	111	70.7%
Push button offset from curb > 10'	207	123	59.4%
Push button diameter not 2"	207	110	53.1%

3.2.4 Unsignalized Intersections

The unsignalized intersection evaluations documented conditions and measurements at curb ramps and pedestrian crossings at unsignalized intersections with cross streets. Twenty-nine (29) unsignalized intersections were evaluated. The unsignalized intersections were selected due to their high level of pedestrian activity as well as their proximity to pedestrian traffic generators. A map of the evaluated unsignalized intersections is provided in **Appendix C**.

Unsignalized Intersections: Self-Evaluation Findings

Common curb ramp issues at unsignalized intersections included curb ramps having excessive landing running slopes and cross slopes, no presence of color contrast or texture contrast, and excessive curb ramp running, cross and counter slopes. A summary of the unsignalized intersection curb ramp issues is provided in **Table 5**. Non-compliant curb ramps, sidewalk, and pedestrian paths of travel along driveways and street crossings at unsignalized intersections were recommended to be removed and replaced.

The ADA of 1990, Section 35.150, Existing Facilities, requires that the Transition Plan include a schedule for providing curb ramps or other sloped area at existing pedestrian walkways, which applies to all facilities constructed prior to 1992. For any sidewalk installations constructed from 1992 to March 15, 2012, the curb ramps should have been installed as part of the sidewalk construction project per the 1991 Standards for Accessible Design, Section 4.7 Curb Ramp, which states, "curb ramps complying with 4.7 shall be provided wherever an accessible route crosses a curb." For sidewalk installations constructed on or after March 15, 2012, similar guidance is provided in the 2010 Standards for Accessible Design, Section 35.151 of 28 CFR Part 35, New Construction and Alterations, which states, "newly constructed or altered street level pedestrian walkways must contain curb ramps or other sloped area at any intersection having curb or other sloped area at intersections to streets, roads, or highways."



Unsignalized Intersections: Possible Solutions

To meet the federal requirements for curb ramp installations, the following recommendations were made:

- Where sidewalk leads up to the curb at an intersection, both parallel and perpendicular to the project corridor, two (2) directional curb ramps were recommended to be installed where geometry permitted. The Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG) requires two (2) directional curb ramps be installed during modifications unless there are existing physical constraints.
- Where diagonal curb ramps were installed with the intent to serve a side-street crossing only, receiving curb ramps are still required to be installed on the opposite side of the major street. However, an engineering study should be performed prior to the installation of the receiving curb ramps to determine if the major street crossing is safe to accommodate. If the engineering study determines the major street crossing is unsafe to accommodate, the existing diagonal curb ramps should be removed and replaced with directional curb ramps in addition to the other requirements noted in **Section 3.5 FHWA Guidance on Closing Pedestrian Crossings** being implemented.

A complete list of possible solutions can be found in the unsignalized intersection project reports, provided in **Appendix D**.

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Table 5. Summary of Curb Ramp Issues at Unsignalized Intersections

Curb Ramp Issue	Number Evaluated	Number Non-Compliant	Percent Non-Compliant
No 48" crosswalk extension	415	415	100.0%
Traversable sides	69	69	100.0%
Curb ramp does not land in crosswalk	421	417	99.0%
Curbed sides < 90°	69	68	98.6%
No landing	421	343	81.5%
Curb ramp width < 48"	421	338	80.3%
Ponding in curb ramp, landing, or flares	421	320	76.0%
Obstruction in curb ramp, landing, or flares	421	310	73.6%
No curb ramp where curb ramp is needed	688	482	70.1%
Landing cross slope > 2%	343	215	62.7%
Curb ramp cross slope > 2%	421	263	62.5%
No flush transition to roadway	421	261	62.0%
Landing running slope > 2%	343	186	54.2%
Curb ramp running slope > 8.3%	421	223	53.0%
Flare cross slope > 10%	352	168	47.7%
Curb ramp counter slope > 5%	421	165	39.2%
No color contrast	421	108	25.7%
No texture contrast	421	106	25.2%

3.3 Maintenance Versus Alterations

The United States Department of Justice (DOJ) has issued a briefing memorandum on clarification of maintenance versus projects. Information contained in the briefing memorandum is below. We recommend this clarification with regard to when curb ramp installation is required as part of a project be distributed to the appropriate City of Bartlett staff.

The Americans with Disabilities Act of 1990 (ADA) is a civil rights statute prohibiting discrimination against persons with disabilities in all aspects of life, including transportation, based on regulations promulgated by the United States Department of Justice (DOJ). DOJ's regulations require accessible planning, design, and construction to integrate people with disabilities into mainstream society. Further, these laws require that public entities responsible for operating and maintaining the public rights-of-way do not discriminate in their programs and activities against persons with disabilities.

FHWA's ADA program implements the DOJ regulations through delegated authority to ensure that pedestrians with disabilities have the opportunity to use the transportation system's pedestrian facilities in an accessible and safe manner.

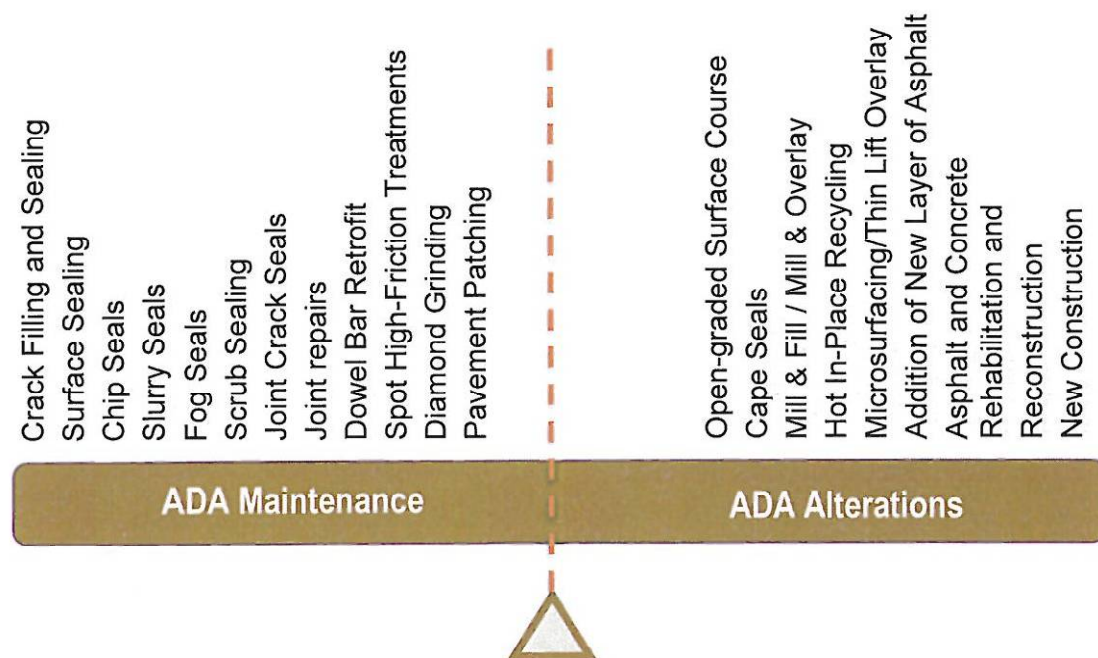


FHWA and DOJ met in March 2012 and March 2013 to clarify guidance on the ADA's requirements for constructing curb ramps on resurfacing projects. Projects deemed to be alterations must include curb ramps within the scope of the project.

This clarification provides a single Federal policy that identifies specific asphalt and concrete-pavement repair treatments that are considered to be alterations – requiring installation of curb ramps within the scope of the project – and those that are considered to be maintenance, which do not require curb ramps at the time of the improvement. Figure 1 provides a summary of the types of projects that fall within maintenance versus alterations.

This approach clearly identifies the types of structural treatments that both DOJ and FHWA agree require curb ramps (when there is a pedestrian walkway with a prepared surface for pedestrian use and a curb, elevation, or other barrier between the street and the walkway) and furthers the goal of the ADA to provide increased accessibility to the public right-of-way for persons with disabilities. This single Federal policy will provide for increased consistency and improved enforcement.

Figure 1. Maintenance versus Alteration Projects



Source: DOJ Briefing Memorandum on Maintenance versus Alteration Projects



3.4 FHWA Guidance on Closing Pedestrian Crossings

An alteration that decreases or has the effect of decreasing the accessibility of a facility below the requirements for new construction at the time of the alteration is prohibited. For example, the removal of an existing curb ramp or sidewalk (without equivalent replacement) is prohibited. However, the FHWA has indicated a crossing may be closed if an engineering study (performed by the City and not included in the scope of this Transition Plan) determines the crossing is not safe for any user. The crossing should be closed by doing the following:

A physical barrier is required to close a crossing at an intersection. FHWA has determined that a strip of grass between the sidewalk and the curb is acceptable as a physical barrier.

The City may consider installing a sign to further communicate the closure.

The agency wishing to close certain intersection crossings should have a reasonable and consistent policy on when to do so written in their Transition Plan or as a standalone document. If safety concerns are established by an engineering study, a pedestrian crossing should not be accommodated for any user. The City of Bartlett should also develop and implement a policy on how to close those crossings that are accommodated based on the existing conditions at the crossing location (e.g., existing sidewalk leading up to the curb in the direction of the crossing or existing curb ramp or crosswalk serving the crossing) but should not be due to safety concerns.

3.5 Prioritization

The following sections outline the prioritization factors and results of the prioritization for buildings, parks, signalized intersections, sidewalks, and un-signalized intersections. Each facility type has a different set of parameters to establish the prioritization for improvements. These prioritization factors were taken into consideration when developing the implementation plan for the proposed improvements.

3.5.1 Prioritization Factors for Facilities

Buildings and parks were prioritized on a 12-point scale, which is defined in **Table 6**. This prioritization methodology was developed to aid the City in determining how the buildings should be prioritized for improvements based on the severity of non-compliance with ADA.

Signalized intersections were prioritized on a 13-point scale. The 13-point scale, which is used to prioritize both signalized and unsignalized intersections, is defined in **Table 7**. This prioritization methodology was developed to aid the City in determining which signalized intersections should be prioritized for improvements over other signalized intersections based on the severity of non-compliance with ADA.

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Table 6. Prioritization Factors for Buildings/Parks

Priority	Criteria
1 (high)	Complaint known or imminent danger present
2 (high)	- Element is more than twice the allowable requirement. No known complaint. - AND (for exterior conditions) location is near a hospital, school, transit stop, government building, or other pedestrian attractor.
3 (high)	- Element is more than twice the allowable requirement. No known complaint. - AND (for exterior conditions) location is not near a hospital, school, transit stop, government building, or other pedestrian attractor.
4 (high)	Issues with parking or exterior conditions (DOJ level 1) – moderately out of compliance
5 (medium)	Issues with access to goods and services (DOJ level 2) – severely out of compliance
6 (medium)	Issues with: - Access to goods and services (DOJ level 2) – moderately out of compliance; - Parking or exterior conditions (DOJ level 1) – minimally out of compliance; OR - Restrooms (DOJ level 3) – severely out of compliance
7 (medium)	Issues with: - Access to goods and services (DOJ level 2) – minimally out of compliance; - Restrooms (DOJ level 3) – moderately out of compliance; OR - Drinking fountains or public phones (DOJ level 4 & 5) – severely out of compliance
8 (medium)	Issues with drinking fountains or public phones (DOJ level 4 & 5) - moderately out of compliance
9 (low)	Issues with restrooms (DOJ level 3) – minimally out of compliance
10 (low)	Issues with drinking fountains or public phones (DOJ level 4 & 5) - minimally out of compliance
11 (low)	- Client is a Title II agency; AND - Elements out of compliance but may be able to be handled programmatically or do not need to be handled unless or until the agency hires a person with a disability
12 (low)	Element is fully compliant with an older standard (safe-harbored) but will need to be brought into compliance with current standards if altered



Table 7. Prioritization Factors for Signalized and Unsignalized Intersections

Priority	Criteria
1 (high)	Complaint filed on curb ramp or intersection or known accident/injury at site
2 (high)	Existing curb ramp with any of the following conditions: • Running slope > 12% • Cross slope > 7% • Obstruction to or in the curb ramp or landing • Level change > ¼ inch at the bottom of the curb ramp • No detectable warnings AND within a couple of blocks of a hospital, retirement facility, medical facility, parking garage, major employer, disability service provider, event facility, bus/transit stop, school, government facility, public facility, park, library, or church, based on field observations.
3 (high)	• No curb ramp where sidewalk or pedestrian path exists AND within a couple of blocks of a hospital, retirement facility, medical facility, parking garage, major employer, disability service provider, event facility, bus/transit stop, school, government facility, public facility, park, library, or church, based on field observations.
4 (high)	No curb ramps but striped crosswalk exists
5 (medium)	Existing curb ramp with any of the following conditions: • Running slope > 12% • Cross slope > 7% • Obstruction to or in the curb ramp or landing • Level change > ¼ inch at the bottom of the curb ramp • No detectable warnings AND NOT within a couple of blocks of a hospital, retirement facility, medical facility, parking garage, major employer, disability service provider, event facility, bus/transit stop, school, government facility, public facility, park, library, or church, based on field observations.
6 (medium)	• No curb ramp where sidewalk or pedestrian path exists AND NOT within a couple of blocks of a hospital, retirement facility, medical facility, parking garage, major employer, disability service provider, event facility, bus/transit stop, school, government facility, public facility, park, library, or church, based on field observations.
7 (medium)	One curb ramp per corner and another is needed to serve the other crossing direction
8 (medium)	Existing curb ramp with any of the following conditions: • Cross slope > 5% • Width < 36 inches • Median/island crossings that are inaccessible
9 (low)	Existing curb ramp with either running slope between 8.3% and 11.9% or insufficient landing
10 (low)	Existing diagonal curb ramp without a 48-inch extension in the crosswalk
11 (low)	Existing pedestrian push button is not accessible from the sidewalk and/or curb ramp
12 (low)	Existing curb ramp with returned curbs where pedestrian travel across the curb is not protected
13 (low)	All other intersections not prioritized above



Table 8 and Table 9 provide summaries of the prioritization classifications for signalized intersections and unsignalized intersections, respectively.

Table 8. Prioritization Summary Signalized Intersections

Priority	Number of Intersections
0 (compliant)	1
1 (high)	0
2 (high)	9
3 (high)	0
4 (high)	1
5 (medium)	11
6 (medium)	0
7 (medium)	6
8 (medium)	0
9 (low)	0
10 (low)	0
11 (low)	1
12 (low)	0
13 (low)	0
Total	29

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Table 9. Prioritization Summary for Unsignalized Intersections

Priority	Number of Intersections
0 (compliant)	0
1 (high)	0
2 (high)	60
3 (high)	8
4 (high)	5
5 (medium)	62
6 (medium)	20
7 (medium)	3
8 (medium)	0
9 (low)	0
10 (low)	0
11 (low)	0
12 (low)	0
13 (low)	0
Total	158

3.6 Conclusion

This document serves as the Americans with Disabilities Act (ADA) Transition Plan for the City of Bartlett. In developing the Transition Plan, program, services, and activities were reviewed for compliance with ADA guidelines and a Self-Evaluation was conducted on the following facilities:

- 5 buildings;
- 7 parks;
- 29 signalized intersections; and
- 640 curb ramps.

The suggested improvements were prioritized, and an implementation plan was developed to provide guidance for the City's improvement projects in the coming years. Public outreach was also conducted to aid in the development of the plan.

The City is taking the actions referenced below and will continue to look for and remedy, barriers to access to ensure that Bartlett citizens who are disabled are given access to the City's programs, services, and activities.

To confirm follow-up on corrective actions required under the Transition Plan, the City will institute an ADA Action Log, documenting its efforts at compliance with the ADA. At a minimum, the Action Log will identify items that are not ADA compliant and will include anticipated completion dates. After the adoption of the Transition Plan by the governing body of the City, the ADA Action Log will be updated on an annual basis. The ADA Action Log should be available upon request. See ADA Action Log provided in **Appendix E**.



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4.0 Facility Costs

4.1 Facilities Cost Projection Overview

To identify funding sources and develop a reasonable implementation schedule, cost projection summaries for only the facilities evaluated were developed for each facility type. To develop these summaries, recent bid tabulations from Tennessee Department of Transportation (TDOT) construction projects, along with Consultant Team experience with similar types of projects, were the basis for the unit prices used to calculate the improvement costs. A contingency percentage (20%) was added to the subtotal to account for increases in unit prices in the future in addition to an engineering design percentage (15%). All costs are in 2018 dollars. **Table 10** provides a summary of the estimated costs to bring each facility into compliance.

Table 10. Summary of Facility Costs

Facility Type	Priority			
	High	Medium	Low	Total
Buildings	\$95,580	\$613,070	\$27,776	\$736,426
Building Sidewalk	\$71,290	\$70,208	\$6,702	\$148,200
Building Unsignalized Intersections	\$87,400	\$0	\$700	\$88,100
Parks	\$31,792	\$175,028	\$10,260	\$217,080
Park Sidewalk	\$780,475	\$260,081	\$15,944	\$1,056,500
Park Unsignalized Intersections	\$11,900	\$0	\$6,200	\$18,100
Signalized Intersections	\$567,100	\$759,400	\$79,800	\$1,406,300
Public Rights-of-Way Unsignalized Intersections	\$2,722,400	\$2,943,900	\$57,600	\$5,723,900
City Totals	\$4,367,937	\$4,821,687	\$204,982	\$9,394,606



4.2 Implementation Schedule

Table 11 details the barrier removal costs and proposed implementation schedule by facility type for all City-owned facilities evaluated. This 20-year plan will serve as the implementation schedule for the Transition Plan. The City of Bartlett reserves the right to change the barrier removal priorities on an ongoing basis to allow flexibility in accommodating community requests, petitions for reasonable modifications from persons with disabilities, and changes in City programs.

It is the intent of the City to have its ADA Coordinator work together with department heads and budget staff to determine the funding sources for barrier removal projects. Once funding is identified, the ADA Coordinator will coordinate the placement of the projects in the Capital Improvement Program to be addressed on a fiscal year basis.

Table 11. Implementation Schedule

Facility Type	Estimated Cost	Implementation Schedule (years)	Approximate Annual Budget
Buildings	\$736,426	20	\$36,821
Building Sidewalk	\$148,200	20	\$7,410
Building Unsignalized Intersections	\$88,100	20	\$4,405
Parks	\$217,080	20	\$10,854
Park Sidewalk	\$1,056,500	20	\$52,825
Park Unsignalized Intersections	\$18,100	20	\$905
Signalized Intersections	\$1,406,300	20	\$70,315
Public Rights-of-Way Unsignalized Intersections	\$5,723,900	20	\$286,195
City Total	\$9,394,606		
Total Annual Budget			\$469,730

4.3 Funding Opportunities

Several alternative funding sources are available to the City to complete the improvements in this Transition Plan. The funding opportunities include applying for resources at the federal and state level, consideration of local options, and leveraging private resources. The following sections detail some different funding source options.

4.3.1 Federal and State Funding

Table 12 depicts the various types of federal and state funding available for the City to apply for funding for various improvement. The following agencies and funding options are represented in the chart.

- BRI – Bridge - Highway Bridge Replacement and Rehabilitation Program (HBRRP)
- CMAQ – Congestion Mitigation/Air Quality
- FLH – Federal Lands Highways Program
- HSIP – Highway Safety Improvement Program
- NHPP – National Highway Performance Program



- RHC – Railway-Highway Crossing
- SRTS – Safe Routes to School (Moving Ahead for Progress in the 21st Century Act (MAP-21) now under TAP)
- STBG – Surface Transportation Block Grant
- TAP – Transportation Alternatives Program

Most of these programs are competitive type grants; therefore, the City of Bartlett is not guaranteed to receive these funds. It will be important for the City to track these programs to apply for the funds.

Table 12. Funding Opportunities

ACTIVITY	BRI	CMAQ	FLH	HSIP	NHPP	RHC	SRTS	STBG	TAP
Pedestrian plan		X		X				X	
Paved shoulders	X	X	X	X	X	X		X	X
Shared-use path/trail	X	X	X	X	X		X	X	X
Recreational trail			X						X
Spot improvement program		X		X			X	X	X
Maps		X		X			X	X	
Trail/highway intersection		X	X	X	X		X	X	X
Sidewalks, new or retrofit	X	X	X	X	X	X	X	X	X
Crosswalks, new or retrofit		X	X	X	X	X	X	X	X
Signal improvements		X		X	X	X	X	X	X
Curb cuts and ramps		X		X	X	X	X	X	X
Traffic calming				X		X	X	X	X
Safety brochure/book		X		X			X	X	X
Training		X		X	X		X	X	X

4.3.2 Local Funding

There are several local funding options for the City to consider, including:

- Community Development Block Grants (CDBG)
- Community Improvement District (CID) – A geographically defined district in which commercial property owners vote to impose a self-tax. Funds are then collected by the taxing authority and given to a board of directors elected by the property owners.
- General fund (sales tax and bond issue)
- Scheduled/funded CIP projects that are funded through bonds
- Sidewalk or Access Improvement Fee



- Special tax districts – A district with the power to provide some governmental or quasi-governmental service and to raise revenue by taxation, special assessment, or charges for services.
- Tax Allocation District (TAD) – A defined area where real estate property tax monies gathered above a certain threshold for a certain period of time (typically 25 years) to be used for a specified improvement. The funds raised from a TAD are placed in a tax-free bond (finance) where the money can continue to grow. These improvements are typically for revitalization and especially to complete redevelopment efforts.
- Tax Increment Financing District (TIF) – A TIF allows cities to create special districts and to make public improvements within those districts that will generate private-sector development. During the development period, the tax base is frozen at the predevelopment level. Property taxes continue to be paid, but taxes derived from increases in assessed values (the tax increment) resulting from new development either go into a special fund created to retire bonds issued to originate the development, or leverage future growth in the district.
- Transportation Reinvestment Zone
- Transportation User Fee / Street Maintenance Fee

4.3.3 Private Funding

Private funding may include local and national foundations, endowments, private development, and private individuals. While obtaining private funding to provide improvements along entire corridors might be difficult, it is important for the City to require private developers to improve pedestrian facilities to current ADA requirements, whether it by new development or redevelopment of an existing property.

4.4 Next Steps

The City will begin internal coordination to address the programmatic barriers identified in the Transition Plan.

The City will develop a budget to include the next 20 fiscal years. Projects identified in the ADA Transition Plan will be programmed within the 20-year budget based prioritization provided (see **Section 3.6 Prioritization**) and other factors determined by the City, such as how barrier removal can be incorporated into existing City projects identified for capital improvements.

The City of Bartlett is currently working to schedule and complete the remaining facility evaluations for elements not included in the initial Self-Evaluation. The City intends to complete the remaining facility evaluations within the next few years



Appendix

Appendix A: Public Outreach

Public Workshop Meeting Notes

Appendix B: Grievance Procedure

Title I Grievance Procedure

Title I Grievance Form

Title II Grievance Procedure

Title II Grievance Form

Appendix C: Facility Maps

Buildings

Parks

Signalized Intersections

Unsignalized Intersections

Appendix D: Facility Reports

Building Combined Cost Projection Summary

Buildings

Building Sidewalk

Building Unsignalized Intersections

Park Combined Cost Projection Summary

Parks

Park Sidewalk

Park Unsignalized Intersections

Signalized Intersections

Unsignalized Intersections

Appendix E: ADA Action Log