

ADA Framework Plan



Table of Contents

Abbreviations	iii
1.0 Purpose	1
2.0 Introduction	3
2.1 Legislative Mandate.....	3
2.2 ADA Self-Evaluation and Transition Plan Development Requirements and Process	3
2.3 Discrimination and Accessibility.....	3
2.3.1 Physical Barriers	4
2.3.2 Programmatic Barriers	4
2.3.3 Ongoing Accessibility Improvements	4
2.3.4 City of Lebanon Approach.....	4
2.4 Exceptions and Exemptions	4
2.5 New Construction and Alterations	5
2.6 Maintenance Versus Alterations	7
2.7 FHWA Guidance on Closing Pedestrian Crossings.....	8
2.8 Existing and Scheduled City Programs that Implement ADA Upgrades	9
3.0 Public Outreach	11
3.1 Web Survey.....	11
4.0 Self-Evaluation and Summary of Findings	13
4.1 Programs, Services, and Activities Review.....	13
4.1.1 ADA/504 Coordinator (Title I / Title II)	14
4.1.2 Roles and Responsibilities of the ADA/504 Coordinator	14
4.1.3 ADA Grievance Policy, Procedure, and Form with Appeal Process for the Americans with Disabilities Act.....	15
4.1.4 Public Notice Under the ADA	16
4.1.5 ADA Liaison Committee	17
4.2 Program, Services, and Activities Inventory	18
4.3 Facilities Review.....	21
4.4 Existing Facility Inventory	22
4.4.1 Buildings.....	22
4.4.2 Parks.....	23
4.4.3 Greenways and Pedestrian Bridges.....	23
4.4.4 Signalized Intersections	23
4.4.5 Sidewalk Corridors.....	23
4.4.6 Railroad Crossings with Pedestrian Accommodation.....	24
4.4.7 Transit Stops.....	24
4.5 Self-Evaluation Action Plan	24
4.6 Schedule and Implementation Methods	27
4.7 Action Log	31
5.0 Facility Evaluation Cost and Schedule	33
5.1 Estimated Facility Evaluation Cost and Schedule.....	33
5.2 Funding Opportunities	33
5.2.1 Federal and State Funding.....	34

5.2.2	Local Funding.....	36
5.2.3	Private Funding.....	36
6.0	Next Steps.....	38
	Appendix	40
	Appendix A: Grievance Procedure and Notice under the Americans with Disabilities Act	
	A-1: City of Lebanon Title VI Statement of Nondiscrimination	
	A-2: City of Lebanon Grievance Procedure	
	A-3: Notice Under the Americans with Disabilities Act	
	Appendix B: City of Lebanon Documents, Forms, and Videos to Review	
	B-1: Documents, Forms, and Videos to Review	
	B-2: Public Access Survey Responses	
	Appendix C: Federal Highway Administration ADA Transition Plan Process Memo	
	Appendix D: Park Facility and Amenity Inventory	
	Appendix E: Facility Maps	
	E-1: Buildings	
	E-2: Parks.....	
	E-3: Greenways and Pedestrian Bridges	
	E-4: Signalized Intersections	
	E-5: Sidewalk Corridors.....	
	E-6: Railroad Crossings with Pedestrian Accommodations.....	
	Appendix F: City of Lebanon 2004 ADA Transition Plan	
	F-1: City of Lebanon 2004 ADA Transition Plan	
	F-2: Existing and Scheduled City Programs that Implement ADA Upgrades	
	Appendix G: Sample Action Log	

List of Tables

Table 1. Summary of Buildings to be Reviewed	22
Table 2. Summary of Parks to be Reviewed	23
Table 3. Prioritization Factors for Buildings/Parks.....	28
Table 4. Prioritization Factors for Signalized and Unsignalized Intersections.....	29
Table 5. Prioritization Factors for Sidewalk Corridors, Greenways and Railroad Crossings	30
Table 6. Summary of Self-Evaluation Cost and Schedule.....	33
Table 7. Funding Opportunities.....	35

List of Figures

Figure 1. Maintenance versus Alteration Projects.....	8
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Abbreviations

ADA - Americans with Disabilities Act

ADAAG - Americans with Disabilities Act Accessibility Guidelines

CFR - Code of Federal Regulations

CIP - Capital Improvement Projects

DOJ - United States Department of Justice

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

RTA – Regional Transit Authority

TDOT - Tennessee Department of Transportation

WCAG - Web Content Accessibility Guidelines

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1.0 Purpose

The purpose of this Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan is to summarize the activities completed to-date related to ADA compliance and to create a roadmap for the City of Lebanon to update their ADA Transition Plan. Prioritization methodology for evaluating and implementing improvements was developed based on the applicable 2010 ADA Standards, 2011 Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG), and the details are provided in this document.

This document includes an overview of the ADA and provides recommendations for the City of Lebanon based on guidance from the Federal Highway Administration (FHWA) and U.S. Department of Justice (DOJ) to improve accessibility for the public.

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2.0 Introduction

2.1 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 Lebanon will undertake a comprehensive evaluation of its PSAs to determine the extent that individuals with disabilities may be restricted in their access.

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

The City of Lebanon 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 Lebanon'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 5 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.

2.3 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:

2.3.1 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

2.3.2 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

2.3.3 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.

2.3.4 City of Lebanon Approach

The purpose of the Transition Plan is to provide the framework for achieving equal access to the City of Lebanon'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 Lebanon residents seek to enjoy, and guides future improvements.

The City of Lebanon 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 Lebanon will not place surcharges on individuals with disabilities to cover the cost involved in making PSAs accessible.

2.4 Exceptions and Exemptions

A municipality is not required to take any action that would create any undue financial or administrative burden for the public entity, create a hazardous condition for other people, or threaten or destroy the historic significance of a historic property.

In determining whether an alteration would impose an undue financial or administrative burden on a covered entity, factors to be considered include: (i) the nature and cost of the alteration needed under this chapter; (ii) the overall financial resources of the facility or facilities involved in the provision of the reasonable accommodation; the number of persons employed at such facility; the effect on expenses and resources, or the impact otherwise of such accommodation upon the operation of the facility; (iii) the overall financial resources of the covered entity; the overall size of the business of a covered entity with respect to the number of its employees; the number, type, and location

of its facilities; and (iv) the type of operation or operations of the covered entity, including the composition, structure, and functions of the workforce of such entity; the geographic separateness, administrative, or fiscal relationship of the facility or facilities in question to the covered entity.

In determining whether an alteration would threaten or destroy the historic significance of a historic property, the City should first confirm if the property is on the National Register of Historic Places. Based on a search of the National Register of Historic Places NPGallery Database (<https://npgallery.nps.gov/nrhp>) and the associated geodatabase (<https://irma.nps.gov/DataStore/Reference/Profile/2210280>), there are 4 registered historical places within the City of Lebanon. The list is as follows:

1. Greenlawn Historic District
2. E. Spring Street Historic District
3. Cumberland University Historic Preservation District
4. Square Historic Preservation District

The City has established the Historic Preservation Commission. The purpose of the Commission is to act in an advisory capacity to the City Council in matters relating to issues affecting the historic part of the City, and to protect, enhance, and perpetuate resources which represent distinctive and significant elements of the City's historical, cultural, social, economic, political archaeological, and architectural identity. The Historic Preservation Commission should take the ADA into consideration when providing recommendations to ensure the current standards are being met when facilities are altered.

A municipality is not necessarily required to make each of its existing facilities accessible to and usable by individuals with disabilities. In the event the City determines a proposed action would generate undue financial or administrative burden, create a hazardous condition for other people, or threaten or destroy the historic significance of a historic property, a municipality has a responsibility to communicate and document the decision and the methodology used to reach it. If an action would result in such an alteration or such burdens, a municipality shall take any other actions that would not result in such an alteration or such burdens but would nevertheless ensure that individuals with disabilities receive the benefits or services provided by the City.

2.5 New Construction and Alterations

If the start date for construction is on or after March 15, 2012, all newly constructed or altered state and local government facilities must comply with the 2010 ADA Standards for Accessible Design. Before that date, the 1991 Standards (without the elevator exemption), the Uniform Federal Accessibility Guidelines, or the 2010 ADA Standards may be used for such projects when the start of construction commences on or after September 15, 2010.

The most recent standard is the 2010 ADA Standards for Accessible Design, which sets the minimum requirements – both scoping and technical – for newly designed and constructed or altered state and local government facilities, public accommodations, and commercial facilities to be readily accessible to and usable by individuals with disabilities. It is effectuated from 28 CFR 35.151 and the 2004 Americans with Disabilities Act Accessibility Guidelines (ADAAG). However, the FHWA and DOJ recommend using the *Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way* (PROWAG) for designing facilities within the public rights-of-way as a best practice until it is adopted at the federal level. The Manual on Uniform Traffic Control Devices (MUTCD) is also incorporated by reference within PROWAG. The Tennessee Department of Transportation (TDOT) officially adopted PROWAG on November 7, 2014. It is recommended that the City of Lebanon adopt PROWAG so that it becomes an enforceable document for all City projects within the public rights-of-way, regardless of its adoption status at the state and federal level.

2010 ADA Standards for Accessible Design

The Department of Justice's revised regulations for Titles II and III of the Americans with Disabilities Act of 1990 (ADA) were published in the Federal Register on September 15, 2010. These regulations adopted revised, enforceable accessibility standards called the 2010 ADA Standards for Accessible Design, "2010 Standards." On March 15, 2012, compliance with the 2010 Standards was required for new construction and alterations under Titles II and III. March 15, 2012 is also the compliance date for using the 2010 Standards for program accessibility and barrier removal.

PROWAG

The U.S. Access Board is developing new guidelines for public rights-of-way that will address various issues, including access for blind pedestrians at street crossings, wheelchair access to on-street parking, and various constraints posed by space limitations, roadway design practices, slope, and terrain. The new guidelines will cover pedestrian access to sidewalks and streets, including crosswalks, curb ramps, street furnishings, pedestrian signals, parking, and other components of public rights-of-way. The Board's aim in developing these guidelines is to ensure that access for persons with disabilities is provided wherever a pedestrian way is newly built or altered, and that the same degree of convenience, connection, and safety afforded the public generally is available to pedestrians with disabilities. Once these guidelines are adopted by the Department of Justice, they will become enforceable standards under Title II of the ADA. However, in a memorandum date January 23, 2006 from the Federal Highway Administration, the draft PROWAG is the recommended best practice and can be considered the state of the practice that could be followed for areas not fully addressed by the 2010 ADA Standards for Accessible Design.

MUTCD

Traffic control devices shall be defined as all signs, signals, markings, and other devices used to regulate, warn, or guide traffic, placed on, over, or adjacent to a street, highway, pedestrian facility, bikeway, or private road open to public travel by authority of a public agency or official having jurisdiction, or, in the case of a private road, by authority of the private owner or private official having jurisdiction. The Manual on Uniform Traffic Control Devices is incorporated by reference in 23 Code of Federal Regulations (CFR), Part 655, Subpart F and shall be recognized as the national standard for all traffic control devices installed on any street, highway, bikeway, or private road open to public travel in accordance with 23 U.S.C. 109(d) and 402(a). The policies and procedures of the Federal Highway Administration (FHWA) to obtain basic uniformity of traffic control devices shall be as described in 23 CFR 655, Subpart F.

2.6 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 Lebanon staff.

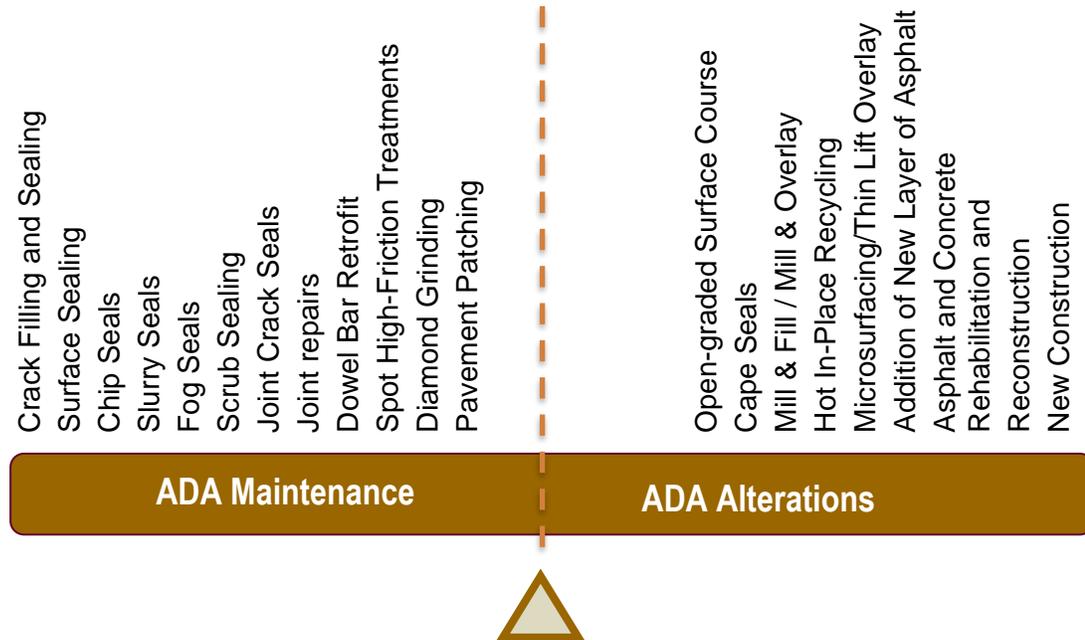
The Americans with Disabilities Act of 1990 (ADA) is a civil rights statute prohibiting discrimination against persons with disabilities in all aspects of life, including transportation, based on regulations promulgated by the United States Department of Justice (DOJ). DOJ's regulations require accessible 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

2.7 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 alternation 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.
- A sign should be used to 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 Lebanon 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.

2.8 Existing and Scheduled City Programs that Implement ADA Upgrades

The City of Lebanon currently implements ADA compliant designs through the following efforts:

- The City of Lebanon has shown its commitment to accessibility by establishing the City of Lebanon ADA Sidewalk Maintenance Account. This account maintains and repairs sidewalks and curb ramps to make an accessible and usable community for as many people as possible regardless of age, ability, or circumstance.
- The City of Lebanon has made numerous programmatic, building, park, sidewalk and curb ramp changes, alterations and evaluations as a result of the City's 2004 ADA Self-Evaluation and Transition Plan. These include but are not limited to:
 - \$162,000 for sidewalk and ADA ramp installations along E. Main Street, S. College, S Cumberland Street, and E. Gay Street via Project No: CLO4401.
 - 57 new or altered curb ramps, 15 power pole obstructions, as part of roadway resurfacing, sidewalk, and/or signalized intersection projects from 2003-2007.
 - \$1,740,228.98 of sidewalk improvements were made from 2004-2018.
 - \$673,435.25 of new sidewalks were constructed from 2013-2018.
 - \$376,873.00 of sidewalk improvements are currently under construction.
 - 3R Resurfacing Project is planned to happen in the near future.

A copy of the 2004 Transition Plan as well as previous sidewalk improvements is provided in **Appendix F-1** and **Appendix F-2**.

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3.0 Public Outreach

The City has established an external ADA Advisory Committee consisting of dedicated volunteers, working to identify areas in the City's right-of-way where there might be a barrier for accessibility. The committee's purpose is to identify various issues relating to pedestrian access to sidewalks and streets, including crosswalks, curb ramps, street furnishings, pedestrian signals, parking, and other components of public right -of-way and report them to the Sidewalk Committee. Immediate hazard issues will be reported directly to the Commissioner of Public Services. The ADA Advisory Committee also makes recommendations regarding various programs, city buildings, properties, recreational facilities, etc. The City meets with the ADA Advisory Committee quarterly and plans to introduce the ADA Self-Evaluation and Transition Plan process, seek feedback from the committee how the City is doing regarding accessibility, and to identify high priority areas within the City where programs, services, activities, or facilities that have barriers to access at its next scheduled meeting. Local organizations that can be contacted for participation include:

- Greater Nashville Regional Council – Aging and Disability Services
- The Arc Davidson County and Greater Nashville
- Tennessee Services for the Blind and Visually Impaired
- Tennessee Disability Coalition
- Disability Rights Tennessee
- Paralyzed Veterans of America
- Tennessee Council of the Blind, Mid Tennessee
- Tennessee Council on Developmental Disabilities
- Tennessee School for the Deaf
- National Multiple Sclerosis
- Down Syndrome Association of Middle Tennessee
- Hellen Keller National Center
- Something Extra
- Empower
- Bridges
- Vista Points
- Autism Society of Middle Tennessee

3.1 Web Survey

The City has also developed a web survey that was open to the public. The survey was designed to help the City locate areas of greatest concern to the public and help provide better access to the community. The survey was accessed via the following link:

<https://www.surveymonkey.com/r/LebanonADA>

The web survey was posted on the City's web page and was emailed to the ADA Advisory Committee for redistribution.

A summary of public access survey responses to date can be found in **Appendix B-2**.

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4.0 Self-Evaluation and Summary of Findings

The City of Lebanon's Americans with Disabilities Act (ADA) Transition Plan will include the results of a comprehensive review of the programs, services, and activities provided to employees and the public. The Plan will also include the findings from facility evaluations of all City-owned/maintained buildings and associated parking lots, parks and associated parking lots, park sidewalk and associated curb ramps, signalized intersections, public rights-of-way sidewalks and associated curb ramps, and transit stops.

4.1 Programs, Services, and Activities Review

Under the ADA, the City of Lebanon is required to complete a Self-Evaluation of the City's facilities, programs, policies, and practices. The Self-Evaluation identifies and provides possible solutions to those policies and practices that are inconsistent with Title II requirements. To be compliant, the Self-Evaluation should consider all the City's programs, services, and activities, as well as the policies and practices the City uses to implement its various programs and services.

To comply with requirements of the plan, the City must take corrective measures to achieve program accessibility through several methods, including, but not limited to:

- (1) Relocation of programs to accessible facilities;
- (2) Modifications to existing programs so they are offered in an accessible manner;
- (3) Structural methods such as altering an existing facility;
- (4) Policy modifications to ensure nondiscrimination; and
- (5) Auxiliary aids needed to provide effective communication.

When choosing a method of providing program access, the City should attempt to give priority to the method that promotes inclusion among all users, including individuals with disabilities.

Programs, services, and activities offered by the City to the public must be accessible. Accessibility applies to all aspects of a program, services, or activity, including advertisement, orientation, eligibility, participation, testing or evaluation, physical access, provision of auxiliary aids, transportation, policies, and communication.

However, the City does not have to take any action that will result in a fundamental alteration in the nature of a program or activity, create a hazardous condition for other people, or result in an undue financial and/or administrative burden. This determination can only be made by the ADA/504 Coordinator and/or an authorized designee of the City, such as the City Mayor or his designee, and must be accompanied by a written statement detailing the reasons for reaching the determination.

The determination of undue burden must be based on an evaluation of all resources available for use. If a barrier removal action is judged unduly burdensome, the City must consider all other options for providing access that will ensure that individuals with disabilities receive the benefits and services of the program or activity. This process must be fully documented.

4.1.1 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 Lebanon has appointed Kathleen Vail as ADA/504 Coordinator for Title I and Title II. Below is her contact information. However, this information is not published on the City website or in other City documents:

Kathleen Vail, ADA/504 Coordinator
Planning Administrator Assistant III
Planning Department
200 N. Castle Heights Ave. Lebanon, TN 37087
Office: 615-443-2805 ext. 2320
kathleen.vail@lebanontn.org

ADA/504 Coordinator: Possible Solutions

Kathleen Vail was recently appointed as the Title I and 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 website.

4.1.2 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 entity's 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/pccatoolkit/chap2toolkit.htm>).

4.1.3 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 ADA (Title I): Self-Evaluation Findings

- The City of Lebanon does have a Title VI Statement of Nondiscrimination available on the City's document center webpage (<https://www.lebanontn.org/DocumentCenter/View/212/Statement-Of-Nondiscrimination-PDF?bidId=>).
- An ADA grievance procedure was found on the City's website. However, the City does not have an ADA-specific grievance policy, procedure, and form with appeals process for Title I.
- No ADA complaint log was provided by the City.

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

The City should post the Nondiscrimination statement in the same area of the website as the other ADA information. The City should develop a Title I-specific grievance policy and form. A copy of the current Nondiscrimination statement and grievance policy is provided in **Appendix A-1** and **Appendix A-2**.

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. Neither Title II nor its implementing regulations describe what ADA grievance procedures must include; however, the U.S. Department of Justice suggests the follow content:

- A description of how and where a complaint under Title II may be filed with the government entity;
- If a written complaint is required, a statement notifying potential complainants that alternative means of filing will be available to people with disabilities who require such an alternative;
- A description of the time frames and processes to be followed by the complainant and the government entity;
- Information on how to appeal an adverse decision; and
- A statement of how long complaint files will be retained.

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

The City does not have a Title II-specific grievance policy or form.

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

The City should establish a Title II ADA grievance policy and form with an appeals process, which should be distributed to all City department heads, and copies should be posted in public spaces of public buildings and on the City's website. The ADA grievance procedure must be available in alternative formats so that it is accessible to all people with disabilities.

4.1.4 Public Notice Under the ADA

The ADA public notice requirement applies to all state and local governments covered by Title II, including entities with fewer than 50 employees. The target audience for the public notice includes applicants, beneficiaries, and other people interested in the entities programs, services, and activities. This notice is required to include information regarding Title II of the ADA and how it applies to the programs, services, and activities of the public entity. The Department of Justice suggests including brief statements about:

- Employment;
- Effective communication;
- Making reasonable modifications to policies and programs;
- Not placing surcharges on modifications or auxiliary aids and services; and
- Filing complaints.

The notice should also include the name and contact information of the ADA/504 Coordinator. Publishing and publicizing the ADA notice is not a one-time requirement. State and local government entities should provide the information on an ongoing basis, whenever necessary.

Public Notice Under the ADA: Self-Evaluation Findings

- The City of Lebanon Notice of ADA Requirements is posted on the City's website. The notice includes statements about employment, effective communication, auxiliary aids, and the availability of alternate formats of the document. A copy of the current City of Lebanon Notice of ADA Requirements is provided in **Appendix A-3**.

Public Notice Under the ADA: Possible Solutions

- The City should add additional language regarding reasonable modifications to policies and procedures and statements regarding surcharges for the auxiliary aides in accordance to the U.S. Department of Justice guidelines. This notice should be adopted by the City, posted on the web, and publicized in common areas that are accessible to all employees and areas open to the public. The U.S. Department of Justice guidelines can be found here: <https://www.ada.gov/pcatoolkit/chap2toolkit.htm>.

4.1.5 ADA Liaison Committee

The ADA Liaison Committee is comprised of representatives from each City department. 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.

The City hosted an ADA Liaison Committee kick-off meeting on October 14th, 2019 at 9:00 AM to provide a summary of the transition planning process and receive feedback on any concerns related to accessibility.

ADA Liaison Committee: Self-Evaluation Findings

The City of Lebanon 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.

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4.2 Program, Services, and Activities Inventory

The City of Lebanon has compiled a list of all City programs, services, and activities (PSAs) required to be reviewed for compliance with Title II of the ADA. The City will evaluate current status regarding ADA requirements including eligibility requirements, participation requirements, facilities used, staff training, tours, transportation, communication, notifications, public meetings, the use of contracted services, purchasing, maintenance of accessible features, and emergency procedures.

The Self-Evaluation of these PSAs will be completed over an estimated (5) year period and updates to the City's Transition Plan will be made to include findings and possible solutions for identified barriers. The following sections detail the identified PSAs for review.

Boards and Commissions

- ADA Advisory Committee
- Beautification Commission
- Board of Adjustments and Appeals
- Board of Zoning & Appeals
- Citizen's Police Review Board
- City of Lebanon Beer Board
- Comprehensive Plan Committee
- Historic Lebanon
- Historic Preservation Commission
- Housing Authority Commission
- Joint Economic Community Development Board
- Lebanon Airport Commission
- Lebanon Cable Committee
- Lebanon Senior Citizens Board of Directors
- Neighborhood Revitalization Task Force
- Planning Commission
- Public Safety Committee
- Transportation / Public Works Committee
- Wilson County/Lebanon Development Board
- Wilson County Board of Equalization
- Visioning Committee

Departments

- Airport
- Building Inspection
- Codes
- Economic Development
- Engineering
- Fire Department
- Finance Department
- Gas Department
- GIS Department
- Human Resources
- Legal Department

Departments (cont.)

- Planning Department
- Police Department
- Public Safety
- Public Works
- Recreation Department
- Stormwater Utility
- Utilities

Policy / Procedures / Guidelines

- Non-Discrimination Statement Policy

The City does not have policies, procedures, or guidelines related to the following and should consider the development of these documents:

- ADA Grievance Procedure and Grievance Form with Appeals Process (Title I and Title II);
- Reasonable Accommodation Request Policy, Procedure, and Request Form;
- Service Animal Guidance for Reasonable Accommodations;
- Service Animal Guidance for Reasonable Modifications in Public Places;
- ADA Grievance Procedure and Grievance Form with Appeals Process for Section 508 of the Rehabilitation Act Retaliation or Coercion Policy;
- Non-Discrimination Clause Policy;
- ADA Assurance;
- Alternate Format Policy, Procedure, and Request Form;
- Policies and Procedures for ADA Transition Plan Updates and Corrections (Title I);
- Review of Previous ADA Complaint Log and Summary (Title I and II);
- Entity-Wide ADA Training; and
- Community Disability Organization Listing.

Documents / Forms / Videos

All documents, forms, and videos available to the public should be reviewed. Examples include lease agreements, planning documents, contracts, department-specific handbooks, standard operating procedures, meeting agendas, and meeting minutes, online forms, applications, PDF forms, checklists, and videos. An inventory of documents, forms, and videos posted on the City's website is provided in **Appendix B-1**.

Employment Practices

- Employment practices
- City job descriptions for discriminatory language and identification of essential, secondary, and non-essential job functions
- City of Lebanon Employee Handbook
- Hiring and new employee procedures
- Recruiting procedures
- Training programs

Design Standards

The City of Lebanon has adopted the 2018 International Building Code. The City is not responsible for these codes. The following City standards should be evaluated for consistency with the 2010 ADA Standards for Accessible Design and the 2011 Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG). An inventory of the design standard links is provided in **Appendix B**:

- Subdivision Regulations
 - Update and include newly revised (June 2019) construction drawings.
- Sign Ordinance
- City of Lebanon Development Standards
- City of Lebanon Stormwater Management Policies and Procedures Manual
- City of Lebanon Water and Sewer Specifications

Website

A review of the City website for compliance with Section 508 of the Rehabilitation Act of 1973 and Web Content Accessibility Guidelines (WCAG) 2.0 should be completed.

Emergency Management Plan

The City of Lebanon is incorporated in the Wilson County Emergency Management Plan. This plan should be evaluated for evacuations and emergency operations for consistency with current accessibility requirements and standards.

Ordinances

A review of City ordinances for consistency with current accessibility requirements and standards should be completed. The current City of Lebanon Code of Ordinances can be found online here:
<https://www.lebanontn.org/177/Lebanon-Municipal-Code-Charter>

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4.3 Facilities Review

The Federal Highway Administration (FHWA) has provided guidance on the ADA Transition Plan process in their “INFORMATION AND ACTION: ADA Transition Plan Process” memo dated November 17, 2015 (see **Appendix C**). While this memo specifically addresses State Departments of Transportations, FHWA also recommends this guidance for local municipalities until municipality-specific guidance is developed by FHWA. Provided in the memo is a checklist for elements to be included in an ADA Transition Plan and other ADA requirements that agencies must fulfill.

Items included in the FHWA checklist related to the public rights-of-way are:

- **Inventory of Barriers** (identification of physical obstacles)
 - Identify intersection information, including curb ramps and other associated accessibility elements.
 - Require an Action Plan to develop an inventory of sidewalks (slopes, obstructions, protruding objects, changes in level, etc.), signals (including accessible pedestrian signals), bus stops (bus pads), buildings, parking, rest areas (tourist areas, picnic areas, visitor centers, etc.), mixed use trails, linkages to transit.
 - Discuss jurisdictional issues/responsibilities for sidewalks.

- **Schedule**
 - Show a strong commitment toward upgrading ADA elements identified in the inventory of barriers in the short-term (planned capital improvement projects).
 - Show a strong commitment over time toward prioritizing curb ramps at walkways serving entities covered by the ADA.
 - Schedule should include prioritization information, planning, and investments directed at eliminating other identified barriers over time.
 - Dedicate resources to eliminate identified ADA deficiencies.

- **Implementation Methods**
 - Describe the methods that will be used to make the facilities accessible and include the governing standard (e.g., 2010 ADA Standards, 2011 PROWAG).

The City of Lebanon has compiled a list of all City-owned and/or maintained facilities to be evaluated for compliance with 2010 ADA Standards for Accessible Design and 2011 Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG). The City’s Action Plan to complete the evaluation of these facilities will be completed an estimated (5) year period and updates to the City’s Transition Plan will be made to include findings and possible solutions for identified barriers.

4.4 Existing Facility Inventory

The first step in completing a Self-Evaluation is understanding what facilities the City is responsible for maintaining and where each of these facilities is located. The City completed a facility inventory in 2019 and the results are documented in the following sections.

4.4.1 Buildings

Table 1 is a list of all City of Lebanon-owned buildings with public access.

Table 1. Summary of Buildings to be Reviewed

Buildings	
Location Name	Property Address
1. Cedar Grove Cemetery	609 S Maple St.
2. City Hall	200 N Castle Heights Ave
3. Farmer's Market	143 S Maple St.
4. Fire Administration	520 Coles Ferry Pike
5. Fire Station 1	209 E Gay St.
6. Fire Station 2	306 Babb Dr.
7. Fire Station 3	4300 Lebanon Rd.
8. Fire Station 4	6202 E Division St.
9. Gas Department	215 Maddox-Simpson Pkwy.
10. Gas Department (Unoccupied)	112 Hartmann Dr.
11. Jimmy Floyd Life Center	511 N Castle Heights Ave.
12. Lebanon Airport	760 Franklin Rd.
13. Lebanon Police Station	406 Tennessee Blvd.
14. Mitchell House	106 N Castle Heights Ave.
15. Neddy Jacobs Log Cabin	110 N Cumberland St.
16. Public Safety	1017 Sparta Pike
17. Public Works	410 Park Dr.
18. Senior Citizens Center	670 Coles Ferry Pike
19. Water/Sewer Department	200 Carver Lane

All buildings with public access (see **Table 1**) will be evaluated for compliance with the 2010 ADA Standards for Accessible Design including parking lots, path of travel from the parking lot to the building, access into the building, signage, drinking fountains, telephones, bathrooms, and counter heights. Approximately one and a half (1.5) miles of on-site sidewalk and all associated curb ramps, ramps, stairs, and other paths of travel required to be ADA compliant will also be evaluated.

If a City of Lebanon employee requests an accommodation to be able to work at one of the buildings without public access, the City will evaluate the property at the time of the request.

A map of City owned buildings to be evaluated is included in **Appendix E-1**.

4.4.2 Parks

Table 2 is a list of all City of Lebanon-owned parks.

Table 2. Summary of Parks to be Reviewed

Parks	
Location Name	Property Address
1. Baird Park	416 Baird Park Cir
2. Don Fox Community Park	955 W Baddour Pkwy
3. Elkins Park – Hobbs Field	713 Elkins Dr
4. Lebanon Dog Park	408 Jim Draper Blvd
5. Pocket Park	S Hartman Blvd (Cedar City Trail)

All existing parks (see **Table 2**) will be evaluated for compliance with the 2010 ADA Standards for Accessible Design including 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 park facilities and amenities are provided in **Appendix D**. Approximately one and a half (1.5) miles of on-site sidewalk and all associated curb ramps, ramps, stairs, and other paths of travel required to be ADA compliance will also be evaluated.

A map of City parks to be evaluated is included in **Appendix E-2**.

4.4.3 Greenways and Pedestrian Bridges

Using aerial imagery, the City developed a GIS-based inventory of City-maintained greenways and pedestrian bridges. Based on the inventory, the City of Lebanon maintains approximately three and a quarter (3.25) miles of paved greenway and four (4) pedestrian bridges. All associated curb ramps, ramps, handrails and stairs, along this path of travel required to be ADA compliant will be evaluated.

A map of City greenways and pedestrian bridges to be evaluated is included in **Appendix E-3**.

4.4.4 Signalized Intersections

The City of Lebanon owns and maintains fifty-eight (58) signalized intersections. Thirty-three (33) of these intersections currently accommodate pedestrians and will need to be evaluated for accessibility compliance.

A map of the signalized intersections to be evaluated is included in **Appendix E-4**.

4.4.5 Sidewalk Corridors

Using aerial imagery, the City developed a GIS-based inventory of City-maintained sidewalk corridors and cross street locations along these corridors. Based on the inventory, the City of Lebanon maintains approximately eighty (80) miles of sidewalk corridors, including pedestrian street and driveway crossings. There are approximately seven hundred (700) unsignalized intersections along the City-maintained sidewalk corridors.

All City-maintained pedestrian paths of travel will be evaluated for compliance with PROWAG based on the conditions and measurements along the pedestrian path of travel, which includes the sidewalk, curb ramps, pedestrian crossings at driveway openings, and pedestrian crossings at unsignalized intersections with cross streets. At intersections where existing sidewalk does not cross the curb and curb ramps are not installed, no evaluations are needed. Locations where curb ramps are missing, but are required, will also be identified and included in the Transition Plan.

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.”

A map of the sidewalk corridors to be evaluated is included in **Appendix E-5**.

4.4.6 Railroad Crossings with Pedestrian Accommodation

To the best knowledge of City staff, the City of Lebanon is not responsible for the maintenance of pedestrian facilities within the railroad right-of-way. The Regional Transportation Authority of Middle Tennessee (RTA) operates the Music City Star regional rail along the tracks belonging to the Nashville & Eastern Railroad Authority. Since these eight (8) crossings affect the pedestrian path of travel along the City of Lebanon maintained sidewalk, it is important to evaluate the crossings for compliance with PROWAG.

A map of the railroad crossings with pedestrian accommodation to be evaluated is included in **Appendix E-6**.

4.4.7 Transit Stops

The City of Lebanon does not own or maintain any transit stops. An additional 3 stops within the City are owned and maintained by the Regional Transit Authority (RTA) and are not the responsibility of the City of Lebanon.

4.5 Self-Evaluation Action Plan

The second step in completing a Self-Evaluation is developing an Action Plan to evaluate all existing buildings, parks, signalized intersections, sidewalk corridors, unsignalized intersections along the sidewalk corridor path of travel (including cross streets and driveways), and transit stops based on the 2010 ADA Standards for Accessible Design and the most recent version of PROWAG. This Action Plan should include the identification of evaluation criteria, the development of evaluation methodology and reporting output, and a schedule to complete the evaluations. Best practices for each of these items are detailed in the following sections. Once an Action Plan has been developed, the existing facility Self-Evaluations should be started.

Evaluation Criteria

For each facility type, the following elements should be evaluated for consistency with 2010 ADA Standards for Accessible Design, PROWAG, and the 2009 Manual on Uniform Traffic Control Devices (MUTCD), where incorporated into PROWAG by reference.

Evaluation Methodology

Several technologies are currently available to aid in the data collection process. At a minimum, it is recommended that the equipment used to collect the data be capable of the following:

- Measuring slopes to the nearest tenth of a percent;
- Measuring sidewalk, curb ramp, and crosswalk dimensions to the nearest inch;
- Measuring cross street widths, driveway widths, and sidewalk segment lengths to the nearest foot;
- Isolating the measurements for each element listed in the 2010 ADA Standards for Accessible Design, PROWAG, and the 2009 MUTCD; and
- Output should be available in GIS shapefile format with geospatially referenced photos of evaluated elements.

Reporting Capabilities

When selecting a technology to aid with data collection, the City should take into consideration whether a reporting system has been developed to process the raw data. For the data to be readily usable by the City for developing their Citywide ADA Transition Plan, the reporting system should provide the following output:

- Compliance status of each element evaluated based on the 2010 Standards for Accessible Design and PROWAG;
- Recommended improvement to remove any barriers and bring the element into compliance;
- Estimated cost of recommended improvement; and
- Prioritization of the individual facility, independent of other locations of the same facility type.

The City should also establish a working database that will allow staff to track and monitor progress as projects are implemented and barriers are removed. The database should also allow staff to report progress by facility type on a periodic basis, which could be used in support of any mobility related performance metrics.

The progress monitoring database should incorporate existing City programs currently in place to implement ADA improvements, including:

- Bringing required elements into ADA compliance during road reconstructions and widenings;
- Bringing required elements into ADA compliance as new developments are constructed;
- Reviewing design plans for all new facilities to ensure ADA required elements are included and designed to meet the ADA standards; and
- Inspecting all new construction to ensure facilities were built per the design plans.

There is not a one size fits all solution to progress monitoring and the City should make a citywide collaborative effort to understand what existing City project information needs to be integrated with the ADA Self-Evaluation reporting data, or vice versa, to make the progress monitoring useable by City staff in maintaining the City's ADA Transition Plan.

Phased Self-Evaluation Approach

The deadline set by DOJ to have a Citywide ADA Transition Plan completed, including the Self-Evaluations, was January 26, 1992. Therefore, the Self-Evaluation of existing facilities should be completed as soon as practical. The DOJ does not have any requirements or guidelines on how to prioritize which facilities should be evaluated first if the City plans to phase the data collection over time. Ultimately, all facilities must be evaluated for an agency's Citywide ADA Transition Plan to be complete.

However, minimizing risk for litigation and risk for pedestrians should be the goal when determining the order in which to evaluate facilities. Several factors can increase risk at a location, including:

- **Number of existing complaints** – Locations with complaints identified by the public as problem areas should be evaluated as soon as possible to determine if the complaints are valid.

- **Proximity to pedestrian attractors** – Locations near pedestrian attractors (e.g., hospitals, retirement facilities, medical offices, parking garages, major employers, disability service providers, event facilities, bus or transit stop/routes, schools, government and public facilities, parks, libraries, and churches) are more likely to have a higher risk compared to those locations without pedestrian attractors.
- **Proximity to residential areas** – Locations near residential areas are more likely to have a higher risk than those locations adjacent to industrial areas where pedestrians are less likely to travel.
- **Number of crashes** – Locations with pedestrian-related crashes should be evaluated to determine if there is a design reason for the crashes.
- **Age of facility** – Facilities constructed after July 26, 1991 are a higher risk than those constructed before the 1991 Standards for Accessible Design were published since they were constructed out of compliance.
- **Roadway functional classification** – Arterials typically have higher pedestrian activity than local roadways and may be a higher risk.
- **Pedestrian/vehicle volumes** – Higher pedestrian/vehicle volume roadways are more likely to have higher risk than lower volume pedestrian/vehicle roadways. Pedestrian volumes may be quantified using indicators such as number of pedestrian actuations at signalized intersections.
- **Existing sidewalks** – The ADA does not require sidewalks to be installed, but existing sidewalks must be compliant and the accessible route must be maintained in an accessible condition. Locations with existing sidewalks are a higher risk than locations without existing sidewalks.
- **Public input** – Receiving and taking into consideration feedback from the public to better understand their concerns is recommended. While formal complaints may not have been filed, areas of concern to the public are more likely to have a higher risk for litigation if an issue exists and the City does not respond and/or doesn't make any improvements.

Other factors to consider include:

- **Spatial distribution of facilities** – Selecting facilities to be evaluated evenly across different areas of the City or Council districts might be more well-received by the public, assuming all the risk factors above are equal.
- **Facility type** – Selecting a variety of different facilities to be evaluated during each phase, instead of all of the same facility type, may provide a better understanding of your high-risk areas. If the sidewalks evaluated are determined to be mostly compliant and the curb ramps evaluated are determined to be mostly non-compliant, the City may want to consider including a higher percentage of curb ramps during the next phase of evaluations.

Upcoming Capital Improvement Projects (CIP) – If curb ramps will be completely removed and replaced as part of an upcoming project, the ADA compliance of the new construction should be confirmed during construction inspections and resources would be better spent evaluating curb ramps that are not planned for reconstruction.

The final step is to execute the Self-Evaluation Action Plan. The Action Plan may be modified as needed during and in between Self-Evaluation phases to account for lessons learned or budget changes.

4.6 Schedule and Implementation Methods

It is acceptable for the City to phase the Self-Evaluation over several fiscal years; however, the DOJ and FHWA will not consider the initiative to be complete until all evaluations have been completed. The City should determine and document in the Transition Plan the anticipated number of years required to complete the Self-Evaluation of City programs, services, activities, and facilities identified in **Section 4.2 Program, Services, and Activities Inventory** and **Section 4.4 Existing Facility Inventory**.

After the Self-Evaluation is complete, possible solutions have been identified, and cost estimates have been determined for each improvement, an implementation plan can be developed. Depending on the estimated cost of improvements, a typical implementation plan for an entity the size of the City of Lebanon can range from 20 to 30 years. The implementation plan needs to show both a strong commitment toward upgrading ADA elements identified in the inventory of barriers in the short-term (planned capital improvement projects) and a strong commitment over time toward prioritizing curb ramps at walkways serving entities covered by the ADA. The implementation plan should also include prioritization information, planning, and investments directed at eliminating other identified barriers over time.

To aid in the development of the implementation plan, prioritization information should be provided for each facility with identified compliance issues. **Table 3, Table 4, and Table 5** provide proposed prioritization criteria for buildings/parks, intersections (both signalized and unsignalized), and sidewalk corridors. All compliance elements included in the prioritization schedule are based on requirements from the 2010 ADA Standards for Accessible Design and PROWAG. While every effort will be made to design and implement improvements to be consistent with the 2010 ADA Standards for Accessible Design and PROWAG, the City will provide access to the maximum extent feasible where full compliance is technically infeasible. The priorities were assigned based on DOJ priorities for facility access, previous project experience, and case law with respect to the severity of non-compliance. FHWA and DOJ have not provided any guidance on how to prioritize issues, only that prioritization information should be included as part of the schedule; however, best practices suggest that the prioritization methodology and resulting thresholds be first based on the severity of non-compliance (i.e., dangerous condition) and then second based on the barrier's proximity to pedestrian attractors (e.g., adjacent to a hospital or governmental facility with high daily pedestrian traffic). Since raw data is recommended to be collected during the Self-Evaluation, all data needed for prioritization should already be contained in the database with the exception of known complaints and proximity to pedestrian attractors. To streamline the prioritization of each facility, the proximity to pedestrian attractors should be collected when the elements contained within the 2010 ADA Standards for Accessible Design and PROWAG are evaluated.

Sidewalk corridors include the entire pedestrian path of travel, including sidewalk, cross streets, and driveways. When prioritizing a sidewalk corridor, priorities for the entire pedestrian path of travel should be reported together. However, for project design and costing purposes, the recommended improvements for cross streets are more appropriately reported with the rest of the intersection improvements.

It should also be noted that sidewalks are not required by the ADA, but if they are installed, sidewalks must be compliant. Therefore, missing sidewalk segments are given a low priority.

To determine the priority for each facility, the raw data should be compared to the criteria in **Table 3, Table 4, and Table 5**. To do this, start at Priority 1 and determine if any of the criteria apply. If yes, assign the facility a priority of 1. If no, move to Priority 2 and determine if any of the criteria apply. This process should be repeated until a priority has been assigned to all intersection and each sidewalk corridor segment.

Table 3. Prioritization Factors for Buildings/Parks

Priority	Criteria
1 (high)	Complaint known or imminent danger present
2 (high)	<ul style="list-style-type: none"> • 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)	<ul style="list-style-type: none"> • 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: <ul style="list-style-type: none"> • 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: <ul style="list-style-type: none"> • 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)	<ul style="list-style-type: none"> • 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 4. 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: <ul style="list-style-type: none"> • 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)	<ul style="list-style-type: none"> • 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: <ul style="list-style-type: none"> • 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)	<ul style="list-style-type: none"> • 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)	Existing diagonal curb ramp (serving both crossing directions on the corner) is non-compliant and should be replaced with two curb ramps, one serving each crossing direction on the corner.
8 (medium)	Existing curb ramp with any of the following conditions: <ul style="list-style-type: none"> • 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 turning space
10 (low)	Existing diagonal curb ramp without a 48-inch extension into 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 5. Prioritization Factors for Sidewalk Corridors, Greenways and Railroad Crossings

Criteria	Priority		
	1 (high)	2 (medium)	3 (low)
Cross slope of sidewalk is greater than 2%	Value > 3.5%	3.5% ≥ Value > 2.0%	
Width of sidewalk is less than 48 inches	Value ≤ 36.0"	36.0" < Value < 42.0"	42.0" < Value < 48.0"
Obstruction present along sidewalk	Obstruction - Permanent	Obstruction - Temporary	
Heaving, sinking, or cracking present on sidewalk	Heaving Sinking Cracking		
Ponding on sidewalk		Ponding	
Missing sidewalk			Missing Sidewalk
Signalized cross street cross slope is greater than 5%	Value > 9.0%	9.0% ≥ Value ≥ 7.0%	7.0% > Value > 5.0%
Unsignalized cross street cross slope is greater than 2%	Value > 6.0%	6.0% ≥ Value ≥ 4.0%	4.0% > Value > 2.0%
Cross street running slope is greater than 5%	Value > 7.0%	7.0% ≥ Value ≥ 6.0%	6.0% > Value > 5.0%
Driveway sidewalk width is less than 48 inches	Value ≤ 36.0"	36.0" < Value < 42.0"	42.0" < Value < 48.0"
Driveway (or sidewalk if applicable) cross slope is greater than 2%	Value > 6.0%	6.0% ≥ Value ≥ 4.0%	4.0% > Value > 2.0%
Driveway (or sidewalk if applicable) condition is poor or poor dangerous	Elevation change greater than 1/2 inch or gaps greater than 1 inch	Elevation change between 1/4 inch and 1/2 inch or gaps between 1/2 inch and 1 inch	
Railroad crossing excessive sidewalk vertical discontinuity	Elevation change greater than 1/4 inch or gaps greater than 1 inch)		
Railroad crossing pre-fabricated plate is plastic or does not exist	Yes – Plastic or No		
Railroad crossing flangeway gap is greater than 3 inches	Value > 3.0"		
Railroad crossing is missing detectable warning surface(s)	Yes – 1 Side Only or No – Neither Side		

4.7 Action Log

As the evaluations are completed, the City will institute an ADA Action Log to confirm follow-up on corrective actions required under the Transition Plan and documenting City 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. The ADA Action Log will be updated on an annual basis and should be available to the public upon request. See example of ADA Action Log provided in **Appendix G**.

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5.0 Facility Evaluation Cost and Schedule

5.1 Estimated Facility Evaluation Cost and Schedule

To identify funding sources and develop a reasonable transition plan development schedule, cost projection summaries for the evaluations were developed for each facility type. **Table 6** provides a summary of the estimated costs to evaluate each facility for compliance.

Table 6. Summary of Self-Evaluation Cost and Schedule

Facility Type	Estimated Cost
Project Management & Meetings	\$13,100
Programs, Services and Activities Review	\$13,100
Buildings and Associated Pedestrian Path-of-Travel	\$36,600
Parks, Associated Pedestrian Path-of-Travel and Amenities	\$22,600
Greenways and Pedestrian Bridges	\$2,400
Signalized Intersections	\$15,700
Public Rights-of-Way Sidewalk	\$89,200
Public Rights-of-Way Unsignalized Intersections	\$119,900
Railroad Crossings	\$2,500
Transition Plan Development	\$11,700
City Total	\$326,800

The City of Lebanon reserves the right to change the evaluation year on an ongoing basis to allow flexibility in accommodating community requests, petitions for reasonable modifications from persons with disabilities, and changes in City programs.

5.2 Funding Opportunities

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 the self-evaluation process. Once funding is identified, the ADA Coordinator will coordinate the placement of the projects to be addressed on a fiscal year basis.

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.

5.2.1 Federal and State Funding

Table 7 depicts the various types of federal and state funding available for the City to apply for funding for various improvements. The following agencies and funding options are represented in the chart.

- [BUILD](#) – Better Utilizing Investments to Leverage Development Transportation Discretionary Grants
- [INFRA](#) – Infrastructure for Rebuilding America Discretionary Grant Program
- [TIFIA](#) – Transportation Infrastructure Finance and Innovation Act (loans)
- [FTA](#) – Federal Transit Administration Capital Funds
- [ATI](#) – Associated Transit Improvement (1% set-aside of FTA)
- [CMAQ](#) – Congestion Mitigation and Air Quality Improvement Program
- [HSIP](#) – Highway Safety Improvement Program
- [NHPP](#) – National Highway Performance Program
- [STBG](#) – Surface Transportation Block Grant Program
- [TA](#) – Transportation Alternatives Set-Aside (formerly Transportation Alternatives Program)
- [RTP](#) – Recreational Trails Program
- [SRTS](#) – Safe Routes to School Program / Activities
- [PLAN](#) – Statewide Planning and Research (SPR) or Metropolitan Planning funds
- [NHTSA 405](#) – National Priority Safety Programs (Nonmotorized safety)
- [FLTTP](#) – Federal Lands and Tribal Transportation Programs (Federal Lands Access Program, Federal Lands Transportation Program, Tribal Transportation Program, Nationally Significant Federal Lands and Tribal Projects)

Most of these programs are competitive type grants; therefore, the City of Lebanon is not guaranteed to receive these funds. It will be important for the City to track these programs to apply for the funds. Federal-aid funding programs have specific requirements that projects must meet, and eligibility must be determined on a case-by-case basis.

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Table 7. Funding Opportunities

ACTIVITY	BUILD	INFRA	TIFIA	FTA	ATI	CMAQ	HSIP	NHPP	STBG	TA	RTP	SRTS	PLAN	NHTSA	FLTP
Access enhancements to public transportation	X	X	X	X	X	X		X	X	X					X
ADA/504 Self-Evaluation / Transition Plan									X	X	X		X		X
Bus shelters and benches	X	X	X	X	X	X		X	X	X					X
Coordinator positions (state or local)						X			X	X		X			
Crosswalks (new or retrofit)	X	X	X	X	X	X	X	X	X	X	X	X			X
Curb cut and ramps	X	X	X	X	X	X	X	X	X	X	X	X			X
Paved shoulders for pedestrian use	X	X	X			X	X	X	X	X		X			X
Pedestrian plans				X					X	X		X	X		X
Recreational trails	X	X	X						X	X	X				X
Shared use paths / transportation trails	X	X	X	X	X	X	X	X	X	X	X	X			X
Sidewalk (new or retrofit)	X	X	X	X	X	X	X	X	X	X	X	X			X
Signs / signals / signal improvements	X	X	X	X	X	X	X	X	X	X		X			X
Signed pedestrian routes	X	X	X	X	X	X		X	X	X		X			X
Spot improvement programs	X	X	X	X			X	X	X	X	X	X			X
Stormwater impacts related to pedestrian projects	X	X	X	X	X		X	X	X	X	X	X			X
Trail bridges	X	X	X			X	X	X	X	X	X	X			X
Trail / highway intersections	X	X	X			X	X	X	X	X	X	X			X
Trailside and trailhead facilities	X	X	X						X	X	X				X
Training						X	X		X	X	X	X	X	X	
Tunnels / under crossings for pedestrians	X	X	X	X	X	X	X	X	X	X	X	X			X

Adapted from FHWA Pedestrian and Bicycle Funding Opportunities, Revised August 9, 2018:
https://www.fhwa.dot.gov/environment/bicycle_pedestrian/funding/funding_opportunities.cfm

5.2.2 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

5.2.3 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.

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6.0 Next Steps

This document serves as the Americans with Disabilities Act (ADA) Transition Plan for the City of Lebanon. The City intends to complete the Self-Evaluation of programs, services, activities, and facilities identified in this document over the next [5] five years, with an approximated \$66,000 annual budget. The City will make an effort to increase the annual Self-Evaluation budget in future years to potentially shorten the anticipate completion schedule.

The next steps for the City of Lebanon are:

1. Develop an Action Plan for completing a Self-Evaluation for all City programs, services, activities, and facilities. The first phase will begin in fiscal year 2020 with a \$66,000 budget to begin evaluation of pedestrian facilities in the public rights-of-way.
2. Complete a Self-Evaluation for all City programs, services, activities, and facilities. Facility evaluations should also include the following:
 - a. Facility reports with the compliance status of each element evaluated based on the 2010 ADA Standards for Accessible Design and PROWAG;
 - b. Possible solutions to remove any barriers and bring the element into compliance;
 - c. Estimated costs of possible solutions; and
 - d. Prioritization of the individual facility, independent of other locations of the same facility type.
3. Develop an Implementation Plan, including schedule for completing the recommended facility improvements and funding sources to be used.
4. If a phased Self-Evaluation approach is used, complete remaining Self-Evaluation phases and update the City's ADA Transition Plan after each additional phase.
5. Continue to update the City's ADA Transition Plan as projects are implemented and citizen requests/complaints are received.
6. Determine the best approach for receiving public input on the ADA Transition Plan.

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Appendix

Appendix A: Grievance Procedure and Notice under the Americans with Disabilities Act

A-1: City of Lebanon Title VI Statement of Nondiscrimination

A-2: City of Lebanon Grievance Procedure

A-3: Notice Under the Americans with Disabilities Act

Appendix B: City of Lebanon Documents, Forms, and Videos to Review

B-1: Documents, Forms, and Videos to Review

B-2: Public Access Survey Responses

Appendix C: Federal Highway Administration ADA Transition Plan Process Memo

Appendix D: Park Facility and Amenity Inventory

Appendix E: Facility Maps

E-1: Buildings

E-2: Parks

E-3: Greenways and Pedestrian Bridges

E-4: Signalized Intersections

E-5: Sidewalk Corridors

E-6: Railroad Crossings with Pedestrian Accommodations

Appendix F: City of Lebanon 2004 ADA Transition Plan

F-1: City of Lebanon 2004 ADA Transition Plan

F-2: Existing and Scheduled City Programs that Implement ADA Upgrades

Appendix G: Sample Action Log