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December 30, 2019

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RE: City of Cleveland ADA Self-Assessment and Transition Plan

Dear Ms. Mahler:

Please find attached the City of Cleveland ADA Self-Assessment and Transition Plan. Thank you for your guidance in this process. I look forward to any questions or comments that you may have.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Greg Thomas', is written over a light blue circular stamp.

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# AMERICANS WITH DISABILITIES ACT (ADA) SELF-ASSESSMENT AND TRANSITION PLAN

CITY OF CLEVELAND, TENNESSEE

December 9, 2019



**CLEVELAND**  
TENNESSEE

EST. 1842

***Doing the right thing is a Cleveland value. Sometimes that involves changing how things are. Making Cleveland's facilities, programs, and services accessible to all people regardless of disability is the right thing to do. How can people report problems with disability access and how does Cleveland respond? How can Cleveland systematically evaluate what it offers to discover barriers to accessibility? How does Cleveland plan for accessibility improvements?***

# **ACKNOWLEDGEMENTS**

**Kevin Brooks, Mayor**  
**Avery Johnson, Council Member At-Large, Vice-Mayor**  
**Ken Webb, Council Member At-Large**  
**Charlie McKenzie, Council Member District 1**  
**Bill Estes, Council Member District 2**  
**Tom Cassada, Council Member District 3**  
**David May, Council Member District 4**  
**Dale Hughes, Council Member District 5**

**Joe Fivas, City Manager**  
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**Tommy Myers, Public Works Director**  
**Ron Harrison, Fire Chief**  
**Mark Gibson, Police Chief**  
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**Mark Fidler, Cleveland Jetport Director of Operations/Airport Manager**

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## I. Introduction

Due to concerns of justice and societal impacts of discrimination against persons with disabilities, the Federal and state governments have enacted various laws that affect government-provided facilities, programs, and services, and public accommodations that are privately owned (restaurants, hotels, stores, etc.). This document is concerned with the portion of these laws prohibiting discrimination on the basis of disability which is applicable to the government facilities, programs, and services provided by the City of Cleveland, Tennessee, whether by the City alone or in cooperation with another organization. Generally speaking, the topics addressed in this document, and the document's organization, follow Tennessee Department of Transportation (TDOT) ADA Coordinator Margaret Z. Mahler's presentation *ADA Compliance for Municipalities*.

Section 504 of the Rehabilitation Act of 1973 states that "no qualified handicapped person shall, solely by reason of his disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity that receives Federal financial assistance administered by the Department of Transportation" (49 CFR Part 27). The Americans with Disabilities Act of 1991 (Title II) states that "no qualified individual with a disability shall, on the basis of a disability, be excluded from participation in or be denied the benefits of the services, programs, or activities, of a public entity, or be subjected to discrimination by any public entity" (28 CFR Part 35).

Cleveland's public buildings fall under the requirements the "Tennessee Public Buildings Accessibility Act" TCA 68-120-201. The Act declares it "to be the policy of the state of Tennessee to make all public buildings accessible to and functional for persons who have a physical disability". The Act defines "public building" as "any building, structure, or improved area owned or leased by the state of Tennessee or its political subdivisions, and any building, structure, or improved area used primarily by the general public as a place of gathering or amusement, including, but not limited to, theaters, restaurants, hotels, factories, office buildings, stadiums, hospitals, voting areas, shopping areas, convention centers and all other public accommodations" (the applicable standards are addressed below)

Title II of the ADA (implementing regulations found at 28 CFR 35) addresses requirements of the law for local governments. Facilities, programs, and services offered by the local government have to be made accessible to persons with disabilities. This would apply to new facilities, programs, and services, as well as existing ones in most cases. The investments in making facilities, programs, and services accessible can be significant but cost is not generally a defense against loss of Federal funds for non-compliance, or actions brought through public complaint or ADA enforcement by the U.S. Department of Justice (DOJ). "Programs" has been construed to include almost anything that a local government provides. TDOT ADA Coordinator Margaret Z. Mahler in her presentation *ADA Compliance for Municipalities* has noted the following: DOJ has determined that sidewalks and curb ramps are "programs" within the meaning of the

ADA, and “programs” encompass “any areas where what you do interacts with employees or the general public, either directly or indirectly”.

The DOJ has overall authority for ADA and the DOJ can act on any ADA Title II-covered “program” as it often does through its Project Civic Access program that invites the public to report ADA complaints on programs operated by local governments. The U.S. Department of Housing and Urban Development (HUD) leads in the enforcement of ADA in multi-family housing and housing authority cases. The U.S. Department of Education is responsible for ADA enforcement in K-12 schools. The U.S. Department of Transportation (DOT) enforces ADA in transportation-related areas, including bus and train stations and transit/paratransit operations. The FAA is responsible for ADA compliance in airports. State government partners across various program areas work with local governments to ensure ADA Title II compliance.

In Tennessee the lead agency for furthering the compliance of local governments with Title II of the ADA and related laws is the Tennessee Department of Transportation (TDOT). TDOT has articulated a process that local governments can follow to ensure ADA compliance in transportation and other areas. The TDOT process elements, highlighted here and further developed below for Cleveland, follow the requirements within the ADA implementing regulations and generally include designating an **ADA Coordinator** (“responsible employee”), providing **public notice** about ADA requirements, establishing a **grievance procedure**, **“assessing where we are”** by identifying local facilities, programs, and services likely to be impacted by ADA, developing **design standards** for facilities, programs, and services, and developing a **self-evaluation** and **transition plan** (including schedule, budget, implementation, monitoring, and updating).

## **II. ADA Coordinator Appointment**

The rule regarding the ADA Coordinator is found at 28 CFR Part 35.107 (a):

- (a) *Designation of responsible employee.* A public entity that employs 50 or more persons shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under this part, including any investigation of any complaint communicated to it alleging its noncompliance with this part or alleging any actions that would be prohibited by this part. The public entity shall make available to all interested individuals the name, office address, and telephone number of the employee or employees designated pursuant to this paragraph.

The New England ADA Center has published the *ADA Title II Action Guide for State and Local Governments* (<https://www.adaactionguide.org/ada-title-ii-requirements#introduction>) and it notes the following concerning the work of the ADA Coordinator: “most states and many counties and municipalities have an overall ADA Coordinator and also have ADA Coordinators at the agency and department level.... [Job Functions]...”

- Interact and consult with staff, boards and commission on the ADA.
- Develop and distribute notice about ADA compliance.
- Coordinate requests for auxiliary aids and services and reasonable modifications of policies, practices and procedures.
- Respond to general inquiries about the public entity and the ADA.
- Conduct a self-evaluation.
- Create a transition plan.
- Develop a grievance procedure.
- Investigate complaints.
- Train staff, boards and commissions on ADA requirements.
- Coordinate on going compliance.

The ADA coordinator is the key player in ensuring ADA compliance. The coordinator must have the authority, knowledge, and motivation to implement the regulations effectively". As communicated to TDOT Deputy Commissioner Paul Degges, PE by letter dated December 5, 2016, City Manager Joe Fivas appointed Greg Thomas as the ADA Coordinator.

### **III. Public Notice**

The rule regarding public notice is found at 28 CFR Part 35.106:

A public entity shall make available to applicants, participants, beneficiaries, and other interested persons information regarding the provisions of this part and its applicability to the services, programs, or activities of the public entity, and make such information available to them in such manner as the head of the entity finds necessary to apprise such persons of the protections against discrimination assured them by the Act and this part.

Tennessee Department of Transportation (TDOT) ADA Coordinator Margaret Z. Mahler's presentation *ADA Compliance for Municipalities* recommends the following with regard to public notice:

- The public must be notified about rights under the ADA and the responsibility of the agency under the ADA.
- Notice should be on-going/continuous.
- Each entity must decide what is effective (accessible website is recommended at a minimum)
- Provide the ability to offer comments and follow-up
- Public outreach should involve activists, advocacy groups, general citizens, organizations that support the rights of the disabled, elected official, Governor's Council, as well as other agencies (local and State).

The ADA public notice by the City of Cleveland is as follows:

In accordance with the requirements of title II of the Americans with Disabilities Act of 1990 ("ADA"), the City of Cleveland, Tennessee will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

**Employment:** the City of Cleveland, Tennessee does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under title I of the ADA.

**Effective Communication:** the City of Cleveland, Tennessee will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City of Cleveland, Tennessee's programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

**Modifications to Policies and Procedures:** the City of Cleveland, Tennessee will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the City of Cleveland, Tennessee, should contact the office of Greg Thomas, ADA Coordinator, 423-472-4551, [gthomas@clevelandtn.gov](mailto:gthomas@clevelandtn.gov) as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the City of Cleveland, Tennessee to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

Complaints that a program, service, or activity of the City of Cleveland, Tennessee is not accessible to persons with disabilities should be directed to Greg Thomas, ADA Coordinator, 423-472-4551, [gthomas@clevelandtn.gov](mailto:gthomas@clevelandtn.gov) .

The City of Cleveland, Tennessee will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

## **IV. Grievance Procedures**

The rule regarding ADA grievance procedures is found at 28 CFR Part 35.107 (b):

*Complaint procedure.* A public entity that employs 50 or more persons shall adopt and publish grievance procedures providing for prompt and equitable resolution of complaints alleging any action that would be prohibited by this part.

The following is the Cleveland ADA grievance procedure adopted December 12, 2016:

**City of Cleveland, Tennessee  
Grievance Procedure under  
The Americans with Disabilities Act**

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). It may be used by anyone who wishes to file a complaint alleging discrimination on the

basis of disability in the provision of services, activities, programs, or benefits by the City of Cleveland, Tennessee. The City of Cleveland, Tennessee's Personnel Policy governs employment-related complaints of disability discrimination.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation.to:

**Greg Thomas**  
**ADA Coordinator**  
**P.O. Box 1519, Cleveland, TN 37364-1519**

Within 15 calendar days after receipt of the complaint, the ADA Coordinator or his designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, the ADA Coordinator or his designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the City of Cleveland, Tennessee and offer options for substantive resolution of the complaint.

If the response by ADA Coordinator or his designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the **City Manager** or City Manager's designee.

Within 15 calendar days after receipt of the appeal, the **City Manager** or City Manager's designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the **City Manager** or City Manager's designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by the ADA Coordinator or his designee, appeals to the City Manager or City Manager's designee, and responses from these two offices will be retained by the City of Cleveland, Tennessee for at least three years.

## **V. ADA Compliance Status and Program Inventory**

It is necessary to inventory the facilities, programs and services being offered to the public by the local government. This inventory, coupled with standards that meet the requirements of the ADA and related laws, will form the basis of the self-assessment and inform the transition plan.

The TDOT process suggests that the City ask the following questions of itself:

### **A. Is there an existing ADA Transition Plan and, if so, how complete is it?**

The ADA Coordinator researched City records and was unable to determine that an ADA Transition Plan had been developed. Therefore, this document is to provide

supporting documentation for an ADA Transition Plan to be developed by the City of Cleveland.

## **B. Is ADA a line item in the budget?**

ADA has not historically been a line item in the City's budget. However, the proposed ADA Transition Plan will recommend budgeting for ADA improvements.

## **C. Has anyone reviewed new construction for ADA compliance?**

The City has a building inspections division and a Building Official with professional training in building codes, plans review, and inspections. The City maintains current building codes, including accessibility codes, in compliance with the requirements of the Tennessee State Fire Marshal's office. The Building Official works with the architect of record to ensure that plans comply with accessibility requirements and the building inspections team ensures that planned accessibility features are constructed. The Building Official and the City Engineer work cooperatively to ensure that exterior accessibility features (parking, signage, ramps, etc.) meet ADA requirements.

## **D. Has HR updated job descriptions, hiring/firing practices, promotions/benefits/awards, etc. for ADA compliance?**

The City of Cleveland is an Equal Opportunity Employer. Job advertisements and applications contain equal opportunity language. Job applications are linked to advertised positions and a description of job requirements; applicants are asked to indicate whether they are capable of meeting those requirements. Maintaining ADA compliance with respect to personnel issues is among the stated job duties of the Human Resources Director.

The following information was found regarding recommended ADA-related employment practices---SHRM ADA/ADAAA policy consulted 12/10/2019

<https://www.shrm.org/resourcesandtools/tools-and-samples/policies/pages/adaadaapolicy.aspx> :

### **Purpose**

The Americans with Disabilities Act (ADA) and the Americans with Disabilities Amendments Act (ADAAA) are federal laws that require employers with 15 or more employees to not discriminate against applicants and individuals with disabilities and, when needed, to provide reasonable accommodations to applicants and employees who are qualified for a job, with or without reasonable accommodations, so that they may perform the essential job duties of the position.

It is the policy of [Company Name] to comply with all federal and state laws concerning the employment of persons with disabilities and to act in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission (EEOC). Furthermore, it is the company policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment.

## **Procedures**

When an individual with a disability requests accommodation and can be reasonably accommodated without creating an undue hardship or causing a direct threat to workplace safety, he or she will be given the same consideration for employment as any other applicant. Applicants who pose a direct threat to the health, safety and well-being of themselves or others in the workplace when the threat cannot be eliminated by reasonable accommodation will not be hired.

[Company Name] will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of a job unless doing so causes a direct threat to these individuals or others in the workplace and the threat cannot be eliminated by reasonable accommodation or if the accommodation creates an undue hardship to [Company Name]. Contact human resources (HR) with any questions or requests for accommodation.

All employees are required to comply with the company's safety standards. Current employees who pose a direct threat to the health or safety of themselves or other individuals in the workplace will be placed on leave until an organizational decision has been made in regard to the employee's immediate employment situation.

Individuals who are currently using illegal drugs are excluded from coverage under the company ADA policy.

The HR department is responsible for implementing this policy, including the resolution of reasonable accommodation, safety/direct threat and undue hardship issues.

## **Terms Used in This Policy**

As used in this ADA policy, the following terms have the indicated meaning:

- **Disability:** A physical or mental impairment that substantially limits one or more major life activities of the individual, a record of such an impairment, or being regarded as having such an impairment.

- Major life activities: Term includes caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating and working.
- Major bodily functions: Term includes physical or mental impairment such as any physiological disorder or condition, cosmetic disfigurement or anatomical loss affecting one or more body systems, such as neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, immune, circulatory, hemic, lymphatic, skin and endocrine. Also covered are any mental or psychological disorders, such as intellectual disability (formerly termed “mental retardation”), organic brain syndrome, emotional or mental illness and specific learning disabilities.
- Substantially limiting: In accordance with the ADAAA final regulations, the determination of whether an impairment substantially limits a major life activity requires an individualized assessment, and an impairment that is episodic or in remission may also meet the definition of disability if it would substantially limit a major life activity when active. Some examples of these types of impairments may include epilepsy, hypertension, asthma, diabetes, major depressive disorder, bipolar disorder and schizophrenia. An impairment, such as cancer that is in remission but that may possibly return in a substantially limiting form, is also considered a disability under EEOC final ADAAA regulations.
- Direct threat: A significant risk to the health, safety or well-being of individuals with disabilities or others when this risk cannot be eliminated by reasonable accommodation.
- Qualified individual: An individual who, with or without reasonable accommodation, can perform the essential functions of the employment position that such individual holds or desires.
- Reasonable accommodation: Includes any changes to the work environment and may include making existing facilities readily accessible to and usable by individuals with disabilities, job restructuring, part-time or modified work schedules, telecommuting, reassignment to a vacant position, acquisition or modification of equipment or devices, appropriate adjustment or modifications of examinations, training materials or policies, the provision of qualified readers or interpreters, and other similar accommodations for individuals with disabilities.
- Undue hardship: An action requiring significant difficulty or expense by the employer. In determining whether an accommodation would impose an undue hardship on a covered entity, factors to be considered include:

- The nature and cost of the accommodation.
  - 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 of such accommodation on the operation of the facility.
  - The overall financial resources of the employer; the size, number, type and location of facilities.
  - The type of operations of the company, including the composition, structure and functions of the workforce; administrative or fiscal relationship of the particular facility involved in making the accommodation to the employer.
- Essential functions of the job: Term refers to those job activities that are determined by the employer to be essential or core to performing the job; these functions cannot be modified.

The examples provided in the above terms are not meant to be all-inclusive and should not be construed as such. They are not the only conditions that are considered to be disabilities, impairments or reasonable accommodations covered by the ADA/ADAAA policy.

### **E. Have programs ever been reviewed for ADA compliance (note broad definition of “programs” in overview section above)?**

The ADA Coordinator was unable to document that any comprehensive evaluation of City programs for ADA compliance had been undertaken in the past. The City has evaluated its programs for ADA compliance and developing an ADA Transition Plan to bring about compliance where it is determined to be lacking. The ADA Coordinator, who is also engaged in the City’s transportation planning process, has evaluated pedestrian and transit systems. City buildings and recreational facilities have also been evaluated. This document will present the initial report on ADA compliance.

### **F. Does the Emergency Plan include people with disabilities?**

The applicable emergency plan is prepared by the Bradley County Emergency Management Agency, with input from various entities including the City of Cleveland. As a Bradley County product, the emergency management plan is mostly beyond the scope of this ADA transition plan effort and would be a part of Bradley County’s ADA transition planning process. Nonetheless, the following background information is offered: a review of Bradley County EMA’s 2015 edition of the Emergency Operations plan did not reveal particular policies and procedures for assisting persons with

disabilities in the event of a disaster. But participants in the County's emergency planning, such as the EMA and the local Red Cross, are themselves connected with a variety of resources. The Centers for Disease Control (CDC) offers guidance and resources directed toward people with disabilities and their caregivers, emergency managers, first responders and community-based organizations <https://www.cdc.gov/ncbddd/disabilityandhealth/emergencypreparedness.html> .

The aforementioned CDC resource contains links to the following Federal agency resources, noting that these “can be used to develop disability inclusive emergency preparedness and response plans”:

[Nobody Left Behind](#) is the result of a three-year study to investigate 30 county level or equivalent emergency management sites across the United States that had experienced a recent disaster. The researchers aimed to determine the readiness of these sites to assist persons with mobility limitations during disasters.

[Preparing for Disaster for People with Disabilities and other Special Needs](#) is a booklet from the Federal Emergency Management Agency (FEMA) and the American Red Cross that helps people with disabilities prepare for all kinds of emergencies.

[Effective Emergency Preparedness Planning for Employers](#) is a website that includes resources related to workplace emergency preparedness and the needs of employees with disabilities.

[emPOWER Map](#) is a tool to find electricity-dependent equipment claims at the U.S. state, territory, county, and zip code level. Over 2.5 million people rely upon electricity-dependent medical and assistive equipment.

[Guidance on Integrating People with Access and Functional Needs into Disaster Preparedness Planning for States and Local Governments](#): This guidance will introduce and connect you to available resources and inclusive strategies for integrating the access and functional needs of at-risk individuals into emergency preparedness, response, and recovery planning at all jurisdictional levels.

[Centers for Disease Control and Prevention Public Health Workbook Cdc-pdf\[1.98 MB, 64 pages\]](#): To Define, Locate, and Reach Special, Vulnerable, and At-risk Populations in an Emergency: This CDC workbook is intended to provide public

health and emergency preparedness planners with better ways to communicate health and emergency information to at-risk individuals with access and functional needs for all-hazards events through step-by-step instructions, resources guides and templates.

## **G. What “programs” are offered by the City (including those offered jointly with another entity?)**

This section provides a short identification of “programs” to be addressed in the self-evaluation and transition plan. More detailed information is found in Section VIII Self-Evaluation of the report and in the Transition Plan.

### **1. Streets, sidewalks, greenways, and transit**

The City has a surface transportation network that includes pedestrian and transit facilities that are a significant the focus of the ADA self-evaluation. A brief summary of that system is here:

- ▶ 358 centerline miles of streets
- ▶ 54 miles of sidewalks
- ▶ 6+ miles of greenway
- ▶ 70 traffic lights, some with pedestrian signals
- ▶ 5 transit routes
- ▶ 1 para-transit service
- ▶ 1 transit station

### **2. Public Buildings, Parks, and Recreation Facilities**

The City of Cleveland has several parks with various features as well two community centers offering various indoor recreational activities.

### **3. Recreation, sports, arts, and cultural programs and activities**

The City of Cleveland offers various activities for all ages through its parks and Recreation Department.

### **4. Housing programs**

The City has housing programs administered through the Cleveland Housing Authority, and other government-assisted housing, along with private efforts to improve affordable housing.

### **5. Children and Senior programs**

The City of Cleveland and Bradley County offer various programs for children and seniors, as do private organization such as churches and the YMCA.

### **6. Land use programs**

Land use programs (planning, zoning, etc.) are carried out by the City of Cleveland.

### **7. Website, social media, and other communications**

The City of Cleveland maintains a website and a social media presence.

## **H. City contracts, leases, parking agreements, and the like**

The City of Cleveland, Tennessee seeks to comply with the ADA and other civil rights laws in the contracts, leases, parking agreements, and the like that it enters with other parties.

## **VI. Outreach to Interested Parties for Accessibility Dialogue**

Part of assessing where the City is with respect to things that may be impacted by ADA, is input from the disability community and others regarding the City's facilities, programs, and services. In order to obtain that input, a strategy for outreach to the disability community and others needs to be developed. Identifying key organization contacts will be important. Some important agency contacts are:

### **A. Statewide Advocacy Organization:**

Tennessee Disability Coalition

955 Woodland Street

Nashville, TN 37206

615-383-9442 (voice)

615-292-7790 (tty)

888-643-7811 (toll free)

Fax: 615-383-1176

<http://www.tndisability.org>

Contact: Donna DeStefano, Assistant Executive Director

615-383-9442 ext. 8615 (voice)

615-292-7790 (tty)

Contact: Carol Westlake, Executive Director  
615-383-9442 (voice)  
615-292-7790 (tty)

## **B. Local ADA Network Affiliate:**

Tri-State Resource & Advocacy Corporation, Inc.  
**Serves Bledsoe, Bradley, Grundy, Hamilton, Marion, McMinn, Meigs, Polk, Rhea, and Sequatchie counties**  
6925 Shallowford Rd Ste 300  
Chattanooga, TN 37421  
423-892-4774 (v/tty)  
Fax: 423-892-9866  
<http://www.1trac.org/>

## **C. Responsible State Agency:**

Southeast Tennessee Area Agency on Aging and Disability  
P.O. Box 4757, Chattanooga, TN 37405  
100 Riverfront Parkway, Chattanooga TN 37402  
866-836-6678  
<http://www.setaad.org>

## **D. Local Disability Service Provider:**

Life Bridges, Inc.  
P.O. Box 29  
Cleveland, TN 37364-0029  
423-472-5268  
<https://lifebridgesonline.com>

Each of these organizations was sent an email on November 18, 2019 regarding the December 3, 2019 public meeting on the City of Cleveland ADA Self-Evaluation and Transition Plan. The organizations were advised that the meeting would be at 6:00 p.m. in the Cleveland Bradley County Public Library. Follow-up phone calls were made on November 27, 2019.

Public presentations were made to City Council regarding the ADA Self-Evaluation and Transition Plan on November 18, 2019, and previously as early as December 2016 with the adoption of the ADA Grievance Procedure and the appointment of the ADA Coordinator.

The December 3, 2019 ADA meeting at the library was attended by Sara Scott of Family Voices of Tennessee, a program of the Tennessee Disability Coalition <http://www.tndisability.org>, and Jack Richmond, retired President of the Amputee Coalition <http://www.amputee-coalition.org>, Tim Siniard from the Cleveland Daily Banner, City Manager Joe Fivas, and ADA Coordinator Greg Thomas. Ms. Scott and

Mr. Richmond both expressed a willingness to help raise awareness of the ADA transition plan process within the disability community. Ms. Scott suggested that transit was an area of particular interest to many people with disabilities. She also suggested forming some sort of advisory group or focus group to gather input from persons with disabilities. Jack Richmond described the Amputee Coalition and suggested that they might provide contact information for firms offering mobility aids and related services and that these firms might be a way of reaching their customer base with disabilities. He also noted the new development in the Paul Huff Parkway corridor and pointed to the importance of having sidewalk there. Tim Siniard, reporter for the Cleveland Daily Banner, asked about funding for the needed improvements.

## **VII. Conditions Possibly Influencing Demand for Accessibility**

The *ADA Title II Action Guide for State and Local Governments* notes that protections extend to any qualified person who:

1. has a physical or mental impairment that substantially limits one or more major life activities; or
2. has a history or record of a physical or mental impairment that substantially limited one or more major life activities; or
3. is regarded as having an impairment, whether the person has the impairment or not.

The definition also applies to people whose impairment substantially limits a major life activity but can be moderated or mitigated (e.g. through the wearing of a hearing aid or prosthetic leg). The definition encompasses persons who might be discriminated against based upon the erroneous perceptions and concerns of others, e.g. concerns over public reaction to someone's disfigurement, or over the rumor that someone is infected with a dread disease.

Protections under the ADA are afforded to qualified individuals with disabilities. The definition of "qualified" has two forms.

1. For determining participation in programs, services and activities, a person is qualified if the person meets the essential eligibility requirements for the receipt of services or participation in programs.
2. For purposes of employment, a person is qualified if the person is able to perform the essential functions of the job with or without reasonable accommodation.

The *Action Guide* states "the 'essential eligibility requirements' for participation in many activities is minimal. Most public entities provide information about their programs, activities, and services upon request. In such situations, the only 'eligibility requirement' for receipt of such information would be to request it. Under other circumstances, the 'essential eligibility requirements' may be more specific". A person who poses a direct threat to the health and safety of others is not qualified in some cases, e.g. a volunteer tutor with an active case of tuberculosis.

Making the City's programs accessible is a general goal that must be achieved in many particular ways. One factor that the City is encouraged to consider in prioritizing accessibility improvements is complaints, particular accessibility problems that someone is experiencing and bringing to the attention of the City. The could occur anywhere with any "program". But it is also good to consider information that may be known in advance about and whether there might be any discernable geographic distribution of disability populations that might affect the priority for improvements, and what geographic pattern might exist in pedestrian demand with disability populations contributing proportionally to that demand.

## A. Geography of Disability

It is likely that many persons who would potentially seek access to programs offered by the City of Cleveland would have some form of disability covered by the ADA. The *2015 Disability Status Report: Tennessee*, published by Cornell University Yang Tan Institute on Employment and Disability (YTI), has disclosed the following information regarding disability in Tennessee:

In 2015, the prevalence of disability in TN by age was:

15.6 percent for persons of all ages

0.9 percent for persons ages 4 and under

5.9 percent for persons ages 5 to 15

5.8 percent for persons ages 16 to 20

14.3 percent for persons ages 21 to 64

30.0 percent for persons ages 65 to 74

54.9 percent for persons ages 75+

The Cornell YTI study notes that *there is no single accepted definition of disability. Different definitions and disability questions may identify different populations with disabilities and result in larger or smaller estimates.*

*Below are the six questions used in the ACS to identify persons with disabilities. Note that the Census Bureau refers to each of the individual types as "difficulty" while in this report the term "disability" is used.*

**Hearing Disability** (asked of all ages):

*Is this person deaf or does he/she have serious difficulty hearing?*

**Visual Disability** (asked of all ages):

*Is this person blind or does he/she have serious difficulty seeing even when wearing glasses?*

**Cognitive Disability** (asked of persons ages 5 or older):

*Because of a physical, mental, or emotional condition, does this person have serious difficulty concentrating, remembering, or making decisions?*

**Ambulatory Disability** (asked of persons ages 5 or older):

*Does this person have serious difficulty walking or climbing stairs?*

**Self-Care Disability** (asked of persons ages 5 or older):

*Does this person have difficulty dressing or bathing?*

**Independent Living** (asked of persons ages 15 or older):

*Because of a physical, mental, or emotional condition, does this person have difficulty doing errands alone such as visiting a doctor's office or shopping?*

The Cornell YTI study showed that in 2015, the prevalence of the six disability types among persons of all ages in TN was:

3.1% reported a Visual Disability

4.3% reported a Hearing Disability

9.2% reported an Ambulatory Disability

6.3% reported a Cognitive Disability

3.3% reported a Self-Care Disability

7.1% reported an Independent Living Disability

A review of 2013-2018 5-year ACS data for Bradley County shows that 17.9% of the total population experienced a disability. The age-related breakdown in the disability data for Bradley County are 6.6% for those under age 18, 10.6% for those ages 18-34, 18.9% for those ages 35-64, and 41.6% for those ages 65 and over. Among the total Bradley County population, the 2013-2018 ACS data showed that 3.9% reported a visual disability, 5.5% reported a hearing disability, 9.3% reported an ambulatory disability, 6.7% reported a cognitive disability, and 3.2% reported a self-care disability. According to the 2013-2018 ACS, approximately 6800 persons in Bradley County, TN reported having some type of disability.

The following table (Figure 1) and map (Map 1) explore the geographic distribution of disability types by Bradley County Census Tract based upon the 2013-2018 ACS data. Higher concentrations of disabilities in some areas versus others may, other things being equal, indicate a relatively greater need for ADA-related improvements. The ACS data disability categories analyzed included ambulatory difficulty, vision difficulty, hearing difficulty, and "any disability" which includes all of the aforementioned plus self-care difficulty and cognitive difficulty. (This methodology gives relatively more weight to disabilities that are likely to be more directly impacted by accessibility measures that can be taken within the pedestrian system such as curb ramps, truncated domes, and different pedestrian signals.) The Census Tracts were ranked from highest to lowest

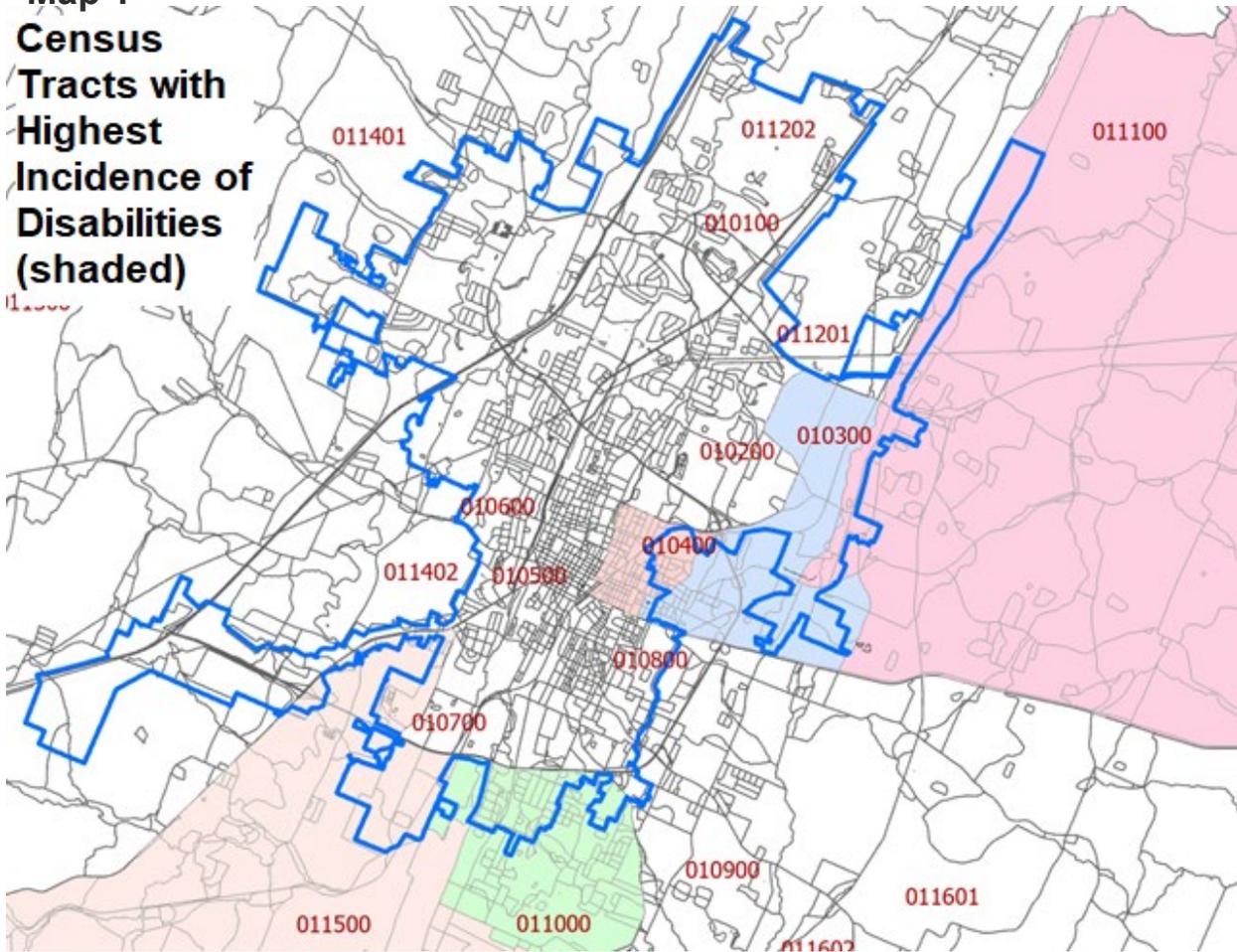
according to the percentage of the population experiencing disability in the categories just described. The rankings for each Census Tract across all categories were averaged and these averages were then ranked in a composite ranking. the highlighted Census Tracts 103, 104, 110, 111, and 115 have the highest composite rankings for the measured disability categories. Disabilities seem to be concentrated mostly along the eastern and southern perimeter of the City. Census Tract 103 is particularly noteworthy because of its number one rank across all disability categories.

Figure 1: Disability By Census Tract

BRADLEY COUNTY, TN CENSUS TRACT	Composite Ranking	Average Rank	Percent with Any Disability	Rank	Percent with Ambulatory Difficulty	Rank	Percent with Vision Difficulty	Rank	Percent with Hearing Difficulty	Rank
CT 101	15	14.00	14.3	14	9.7	10	1.5	18	3.8	14
CT 102	19	17.75	9.5	19	5.6	19	1.6	17	3.5	16
CT 103	1	1.00	29.5	1	16.2	1	7.4	1	9.6	1
CT 104	5	6.75	23.5	5	15	2	7.2	2	3.2	18
CT 105	18	15.25	12.1	17	6	18	3.6	11	3.6	15
CT 106	11	11.00	14.3	15	7.3	17	4.9	6	6.1	6
CT 107	9	9.25	20.7	7	10.2	9	5.8	4	3.5	17
CT 108	7	7.75	24.3	2	14.3	3	3.1	14	4.2	12
CT 109	8	8.50	20.8	6	12.5	4	2.6	16	5.6	8
CT 110	3	5.50	23.8	3	11.3	5	4	10	7.1	4
CT 111	4	5.75	19.1	9	10.8	7	5.3	5	7.8	2
CT 112.01	6	7.00	19.2	8	8.7	14	7.2	3	6.1	3
CT 112.02	14	12.75	16.3	10	9.6	11	1.5	19	5.1	11
CT 113	10	10.25	16.1	12	10.7	8	3.2	12	5.4	9
CT 114.01	17	14.75	14.2	16	8.6	15	2.8	15	3.9	13
CT 114.02	16	14.00	11.5	18	9.1	12	4.5	7	1.3	19
CT 115	2	5.25	23.8	4	11.1	6	4.5	8	7.8	3
CT 116.01	13	11.25	15	13	8.9	13	4.4	9	5.3	10
CT 116.02	12	11.25	16.2	11	7.7	16	3.2	13	6.3	5

Data are from 2013-2018 ACS. "Composite Rank" sorts average rank lowest to highest and compares highest contributing values in the event that averages are tied. The top five disability census tracts are highlighted in orange.

**Map 1  
Census  
Tracts with  
Highest  
Incidence of  
Disabilities  
(shaded)**

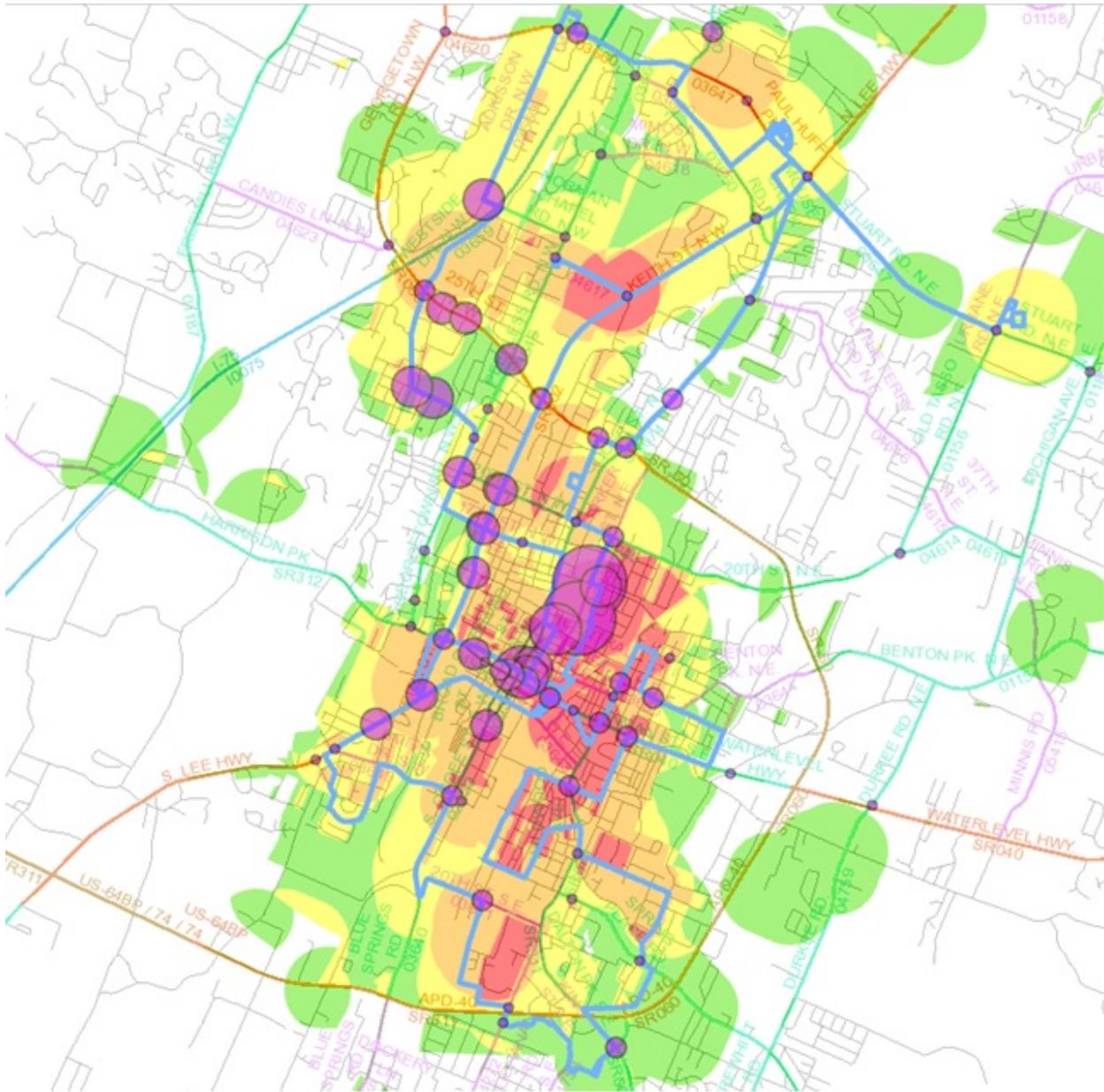


These data show that ambulatory disabilities occur at relatively higher rates than other disability types so accessibility features like curb ramps that affect those using wheelchairs and other mobility devices may be particularly important. Among the highlighted Census Tracts, the existing sidewalk network is more concentrated in Census Tracts 103 and 104. Identifying needed corrections in these areas could be particularly important to residents.

## **B. Geography of Pedestrian Demand**

The distribution of actual or likely pedestrian demand throughout the City is important, as there are likely similarities between the demand patterns displayed by the disability population and those of the general population. The irregularly shaped shaded areas in Map 2 below are from the 2008 Bicycle and Pedestrian Plan's Sidewalk Priority Index (SPI) with warmer colors show greater proximity to urbanized area, CDBG target area, pedestrian generators (schools, parks, shopping, etc.). Purple dots, stratified by size, indicate larger or smaller pedestrian volume estimates, mostly from counts made 2016-2018. Heavy blue lines are transit routes which are indicative of pedestrian demand.

## Map 2: Geography of Pedestrian Demand



## VIII. Design Standards and Policies

### A. Design Standards

The Tennessee Public Buildings Accessibility Act”, TCA 68-120-201, addresses standards for buildings built or substantially improved after July 1, 2012, and it requires various entertainment-oriented facilities to provide a near level viewing area for persons in wheelchairs. Tennessee Public Chapter 517 required building plans submitted after July 1, 2012 to comply with the 2010 ADA Standards for Accessible Design (plans to 2002 North Carolina Handicapped Code with 2004 Amendments no longer accepted);

UFAS and ADAAG referenced in statute prior to Public Chapter 517 are no longer enforced but 2010 ADA Standards for Accessible Design will be enforced (Notice from Chris Bainbridge, Director of Codes Enforcement, State Fire Marshal's Office, 3/21/2012).

With respect to pedestrian systems within public rights of way (ROW)---sidewalks, curb ramps, and crossings, as well as multi-use paths like the Greenway, the draft Public Right of Way Accessibility Guidelines (PROWAG) standards promulgated in 2011 by the United States Access Board have been adopted by TDOT and are now the standard of design for local communities in Tennessee and elsewhere. Cleveland has approximately 250,000 feet of sidewalks within its street ROW. These sidewalks have been systematically reviewed for ADA compliance using the PROWAG standards. The examination included documentation of the overall condition of sidewalks and substandard conditions involving cross slopes, trip hazards, and obstructions. The evaluation also included the condition of curb ramps. More information on the City's sidewalks, curb ramps, and crossings is provided in the ADA self-assessment which follows.

Design standards for ADA compliance are available for pedestrian facilities within public ROW, and for other types of public facilities (public buildings, parks, parking lots, etc.). For purposes

## **B. ADA-related Design Policies**

The TDOT guidance recommends design policies in several areas in order to implement ADA requirements: detectable warnings; accessible pedestrian signals (APS); transit/paratransit operations and access to stations; furniture and landscaping zones; and shared use paths.

### **1. Detectable Warnings Policy**

A detectable warning is "a distinctive surface pattern of domes detectable by cane or underfoot that alert people with vision impairments of their approach to street crossings and hazardous drop-offs. They are used to indicate the boundary between pedestrian and vehicular routes where there is a flush instead of a curbed connection. Detectable warnings also indicate unprotected drop-offs along the edges of boarding platforms at transit stations and stops" <https://www.access-board.gov/guidelines-and-standards/streets-sidewalks/public-rights-of-way/guidance-and-research/detectable-warnings-update>. Viewed 11/13/2019.

TDOT Roadway Design Guidelines Section 9 Multimodal Design (2/15/19) addresses detectable warning surfaces on pages 9-26 and 9-27:

Detectable warning surfaces indicate the boundary between pedestrian and vehicular routes where there is a flush connection. They serve the need of people with vision impairments. Typical placement locations include at curb ramps and pedestrian refuge islands. However, PROWAG guidance notes that

detectable warning surfaces are not required at cut-through pedestrian refuge islands that are less than six feet in length because detectable warning surfaces must extend two (2) feet (minimum) on each side of the island and be separated by a minimum two (2)-foot length of island without detectable warning surfaces. Installing detectable warning surfaces at cut-through pedestrian islands that are less than six feet in length would compromise the effectiveness of detectable warning surfaces. Where a cut-through pedestrian refuge island is less than six feet in length and the pedestrian street crossing is signalized, the signal should be timed for a complete crossing of the street. Detectable warning surfaces should also not be provided at crossings of residential driveways since the pedestrian right-of-way continues across residential driveway aprons. However, where commercial driveways are provided with yield or stop control, detectable warning surfaces should be provided at the junction between the pedestrian route and the driveway vehicle route. Detectable warning surfaces shall contrast visually with the adjacent gutter, street, or pedestrian facility surface; either light-on-dark or dark-on-light. On TDOT projects, detectable warning surfaces are bright yellow. Detectable warning surfaces extend two (2) feet in the direction of pedestrian travel. At curb ramps, detectable warning surfaces extend the full width of the ramp. Examples of TDOT-compliant detectable warning surfaces are shown in TDOT Standard Drawing MM-CR-1.

The United States Access Board 2011 proposed guidelines include requirements for detectable warnings which are included in the PROWAG standards adopted by TDOT. The detectable warnings are required at curb ramps and blended transitions at street corners, at cut-through pedestrian refuge islands (excluding those less than six feet wide), at pedestrian at-grade rail crossings, and at the edges of boarding platforms not protected by screens or guards.

The detectable warning surface policies offered for Cleveland's consideration and adoption are:

- a. Include detectable warning surfaces on curb ramps, blended transitions, and in cut-through pedestrian islands that are six feet or more in width.
- b. Include detectable warning surfaces at commercial driveway crossings where these are regulated by a yield or stop control.
- c. Follow TDOT Roadway Design Guidelines Section Multimodal Design and TDOT Standard drawings including MM-CR-1 with respect to application of detectable warning surfaces, and the minimum standards for detectable warning surfaces and, in particular, truncated domes and truncated dome mats.
- d. Detectable warning surfaces should provide for a strong visual contrast from the surrounding surface; bright yellow is the preferred color.

## **2. Accessible Pedestrian Signals (APS) Policy**

According to the Accessible Pedestrian Signals Guide to Best Practices, [http://www.apsguide.org/chapter1\\_aps.cfm](http://www.apsguide.org/chapter1_aps.cfm) viewed 11/13/2-19, an APS is "an integrated device that communicates information about the WALK and DON'T WALK intervals at

signalized intersections in non-visual formats (i.e., audible tones and vibrotactile surfaces) to pedestrians who are blind or have low vision” (*Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way*, Advisory R209)

TDOT Roadway Design Guidelines Section 9 Multimodal Design (2/15/19) addresses APS on pages 9-33 and 9-34:

APS - At all locations where pedestrian signals are newly installed, replaced, or significantly modified, the installation of accessible pedestrian signals (APS) and countdown pedestrian displays is required. When APS and countdown pedestrian display improvements are made, they are to be made for all locations associated with the system being improved. APS includes audible and vibrotactile indications of the WALK interval. Installation of these devices may require improvements to existing sidewalks and curb ramps to ensure ADA compliance. APS includes:

- APS pushbuttons shall have a locator tone that operates during the DON'T WALK and the flashing DON'T WALK intervals only
- APS pushbuttons must have both audible and vibrotactile indications of the WALK interval
- APS pushbutton controls and signs shall be installed facing the intersection and be parallel to the crosswalk served
- An APS pushbutton shall have a tactile arrow that indicates the crossing direction activated by the pushbutton
- An APS pushbutton provides high contrast (light-on-dark or dark-on-light) against its background
- If extended pushbutton press features are available, the APS pushbutton shall be marked with three braille dots forming an equilateral triangle in the center of the pushbutton
- If additional crossing time is provided by an extended pushbutton press feature, then an R10-32P (MUTCD) plaque shall be mounted adjacent to or integral with the APS pushbutton
- If the pedestrian clearance time is sufficient only to cross from the curb or shoulder to a median to wait for the next cycle, then an additional APS pushbutton shall be provided in the median
- The desirable spacing between the APS pushbuttons is 10 feet minimum (5 feet minimum spacing on medians and islands), if feasible
- If the spacing between the APS pushbuttons is 10 feet or greater, the audible WALK indication shall be a percussive tone
- If the spacing between the APS pushbuttons is less than 10 feet, the audible WALK indication shall be a speech walk message, and a speech pushbutton information message shall be provided

The APS policies offered for consideration and adoption by Cleveland are:

- a. When pedestrian signals are newly installed, replaced, or significantly modified, Accessible Pedestrian Signals (APS) and countdown pedestrian displays will be provided.
- b. When Accessible Pedestrian Signals (APS) is provided, installation will be guided by TDOT Roadway Design Guidelines Section 9 Multimodal Design (2/15/19) as given on pages 9-33 and 9-34 of the Guidelines.
- c. When evaluating possible locations for pedestrian signal upgrades that would lead to the installation of Accessible Pedestrian Signals (APS), the City will consider requests by visually impaired pedestrians and reasonable indications that an intersection might serve relatively more pedestrians and/or relatively more visually impaired pedestrians.

### **3. Transit/Paratransit Operations and Access to Stations Policy**

The City of Cleveland does not operate any sort of rail system that would have stations. It does have a transit center providing transfers for riders on its transit buses. The City presently provides a fixed-route transit system that allows for flag stops and minor route deviations. The City also has a complementary paratransit system. The policies given for consideration and adoption by the City of Cleveland regarding transit/paratransit operations and access to stations are:

- a. When a fixed-route transit system is provided within the City of Cleveland, to operate the system so as to provide accessible areas for boardings and alightings by users with disabilities.
- b. When a fixed-route transit system is provided within the City of Cleveland, to provide a complementary para-transit service within the City for transit users with disabilities who are unable to access stops along the fixed route and who are not otherwise served by route deviations.
- c. Equip and operate transit and paratransit buses in accordance with the requirements found in Federal Transit Administration (FTA) regulations for compliance with the Americans with Disabilities Act (ADA) including those found at 49 CFR 37 “TRANSPORTATION SERVICES FOR INDIVIDUALS WITH DISABILITIES (ADA)”.
- d. Provide required ADA accessibility features at the transfer facility serving the transit and paratransit system.

### **4. Furniture/Landscaping Zones Policy**

According to the National Association of City Transportation Officials (NACTO) the street furniture zone is defined as the section of the sidewalk between the curb and the through zone in which street furniture and amenities, such as lighting, benches, newspaper kiosks, utility poles, tree pits, and bicycle parking are provided. The street

furniture zone may also consist of green infrastructure elements, such as rain gardens or flow-through planters” <https://nacto.org/publication/urban-street-design-guide/street-design-elements/sidewalks/> (accessed 12/04/2019). The recommended policies for the City of Cleveland with regard to furniture/landscaping zones are as follows:

- a. Where sidewalks are provided, to design and construct the sidewalks with a clear travel path that meets ADA standards.
- b. Where obstructions, such as those within the NACTO definition of street furniture (utility poles, tree wells, etc.), are found within the travel path on existing sidewalks, to plan and implement an ADA Transition Plan improvement to the sidewalk such that a clear travel path is provided.

## **5. Shared Use Paths Policy**

TDOT Roadway Design Guidelines Section 9 Multimodal Design (2/15/19) addresses ADA compliance on shared use paths on page 9-54:

Shared-use paths must meet all applicable ADA/PROWAG requirements to the maximum extent feasible or to the extent it is not structurally impracticable.

Shared use paths, e.g. the Greenway, are an integral part of improving pedestrian and bicycle mobility within Cleveland. These may be found in different contexts such as along creeks or in flood-prone areas, adjacent to streets, or within re-purposed street right-of-way. Greenways also function to some extent as linear parks that have occasional events and programming, public art, restrooms, access to playgrounds and other amenities, etc.

The recommended Shared Use Path policies for Cleveland are:

- a. For primary shared use paths or Greenway extensions along creeks, etc. or within street right-of-way, the design should be guided by TDOT Roadway Design Guidelines Section 9 Multimodal Design (2/15/19) Chapter 6 on Shared-Use Paths on pages 9-53 through 9-57.
- b. For secondary connector extensions of shared-use paths or Greenways, the City may consider reduced path widths, different surfaces, pairing with adjacent very low speed one-way vehicular traffic, etc.
- c. The City will provide an ADA-compliant sidewalk system that includes accessible connections to the shared-use paths or Greenways.
- d. When provided in the context of shared-use paths and Greenways, other features (playgrounds, restrooms, parking, etc.) will be provided in a manner that complies with ADA requirements

## IX. Self-Evaluation

### A. Regulatory Background for Self-Evaluation

The rule regarding self-evaluation is found at 28 CFR Part 35.105:

- (a) A public entity shall, within one year of the effective date of this part, evaluate its current services, policies, and practices, and the effects thereof, that do not or may not meet the requirements of this part and, to the extent modification of any such services, policies, and practices is required, the public entity shall proceed to make the necessary modifications.
- (b) A public entity shall provide an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the self-evaluation process by submitting comments.
- (c) A public entity that employs 50 or more persons shall, for at least three years following completion of the self-evaluation, maintain on file and make available for public inspection:
  - (1) A list of the interested persons consulted;
  - (2) A description of areas examined and any problems identified; and
  - (3) A description of any modifications made.
- (d) If a public entity has already complied with the self-evaluation requirement of a regulation implementing section 504 of the Rehabilitation Act of 1973, then the requirements of this section shall apply only to those policies and practices that were not included in the previous self-evaluation.

The *ADA Title II Action Guide for State and Local Governments* summarizes the current requirements for ADA self-evaluation by local governments

(<https://www.adaactionguide.org/ada-title-ii-requirements#administrativerequirements>):

“The self-evaluation is the key activity to determine what needs to be done to make sure the public entity is in compliance with the ADA ... Because changes were made to the Title II regulations and the ADA Standards for Accessible Design in 2010, an updated self-evaluation is recommended....

1. Survey facilities and determine whether there are physical barriers to access programs. If structural changes are needed, include them in the transition plan.
2. Determine whether employees and officials are familiar with the public entity’s ADA obligations.
3. Determine whether employees and officials know how to arrange for auxiliary aids and services, such as sign language interpreters, material in Braille and

assistive listening systems; to ensure that communication with people with disabilities is as effective as others.

4. Review service, activity and program's policies and procedures to determine whether they ensure an equal opportunity for people with disabilities to participate and benefit.

## **B. Self-Evaluation Support for the Transition Plan**

After the self-evaluation, determine what actions are needed to bring the public entity into compliance. The actions may require the public entity to: Add or change policies or procedures; purchase auxiliary aids, such as an assistive listening device; identify places to arrange for auxiliary services, such as sign language interpreters; and provide training for staff on ADA obligations and the public entity's procedures for responding to requests and resolving complaints.

If structural changes to facilities are needed to ensure program access, such as adding a ramp to an entrance, installing Braille and raised character signage, or altering a toilet room, public entities with 50 or more employees must develop a transition plan...".

## **C. Cleveland, TN ADA Self-Evaluation**

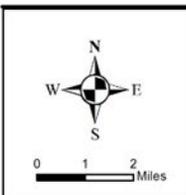
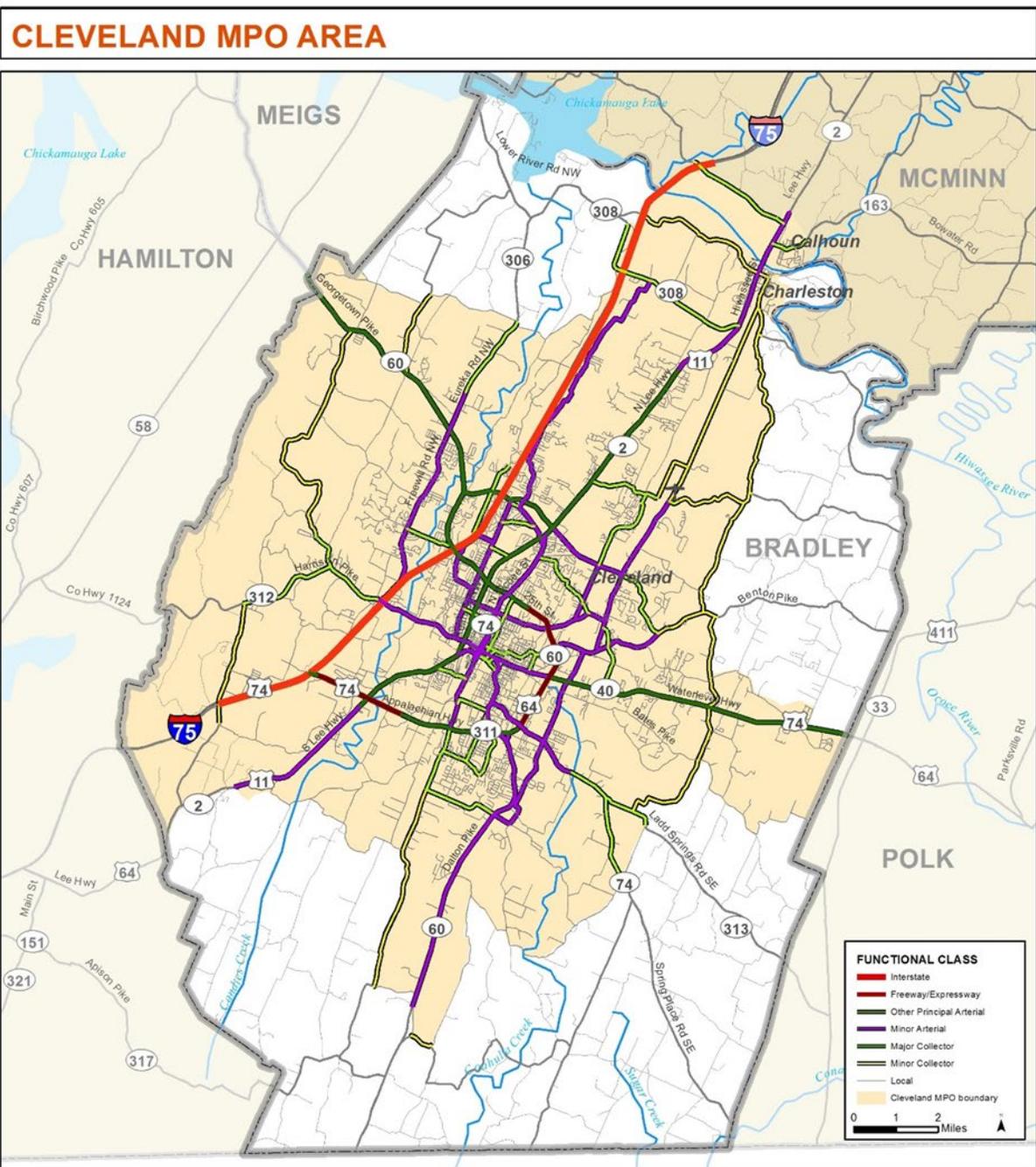
The City of Cleveland offers a variety of facilities and services to its residents. The ADA requires that the "programs" offered by the City be accessible to persons with disabilities. These could include anything from sidewalks, to utility bill payment, to greenways, to police services, to library story times, to government meetings, to the City website.

### **1. Streets, Greenways, Sidewalks, and Transit**

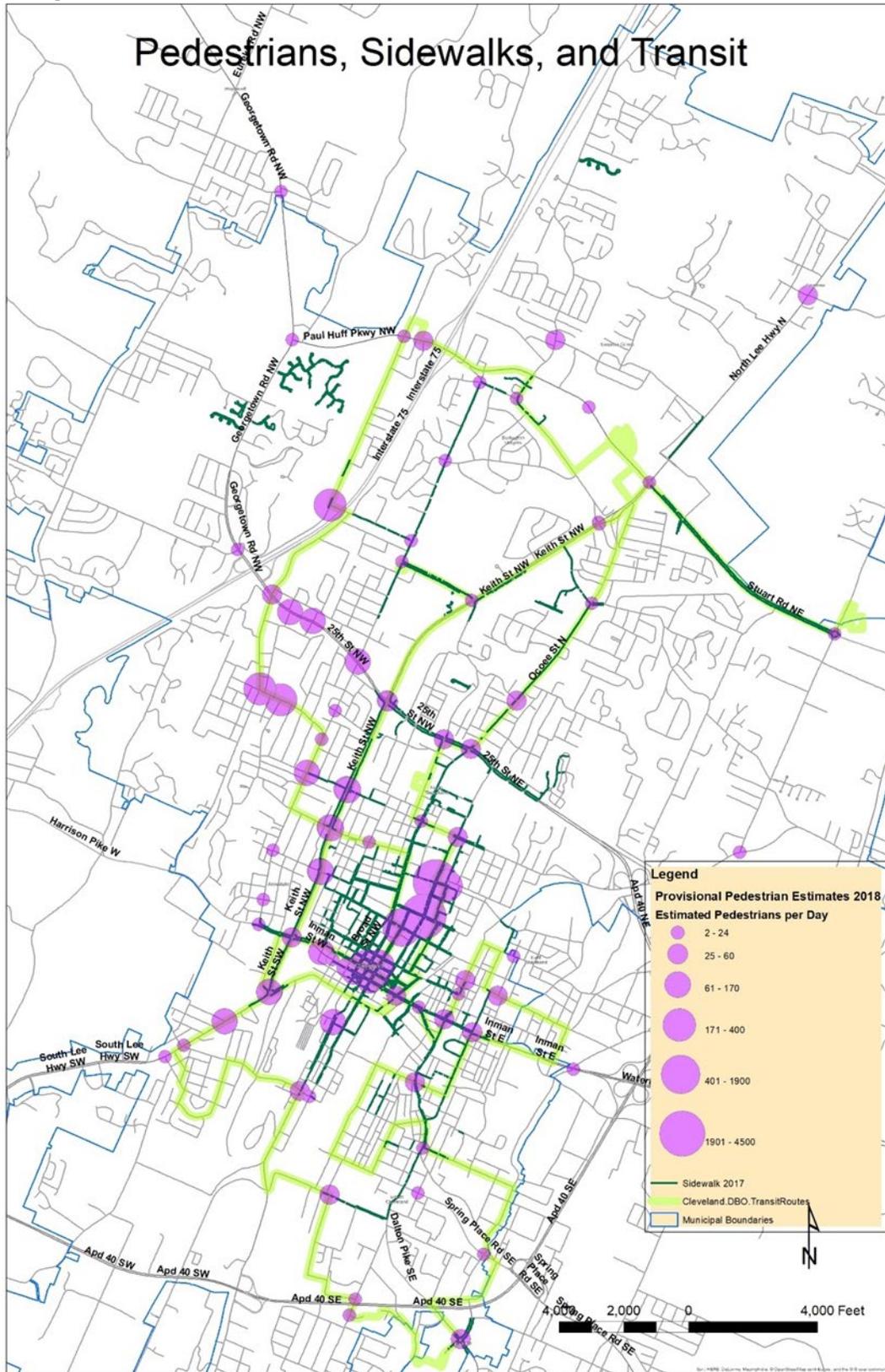
#### **a. Streets**

The City of Cleveland has a system of public streets, sidewalks, greenways. Cleveland's street network is represented by functional class in Map 3 below (the map extends beyond the city limits). Interstates and Freeways/Expressways are limited access roadways not open to pedestrian traffic or transit stops that would require ADA compliance. Sidewalks and transit routes (see separate discussion of transit) are sometimes located on Principal Arterials and Minor Arterials and Collectors. A map of sidewalks and transit routes (Map 4) is provided below with estimates of pedestrian activity in various locations; the total length of existing sidewalks is approximately 250,000 feet and these are described further in the Section VII Self Evaluation. In some locations, pedestrian activity occurs along Principal Arterials and Minor Arterials and Collectors where sidewalks are not present; not all of these non-sidewalk pedestrian locations are documented but some are indicated in the maps which follow. It is not the policy of the City of Cleveland to encourage pedestrian use on Principal Arterials and Minor Arterials and Collectors where sidewalks do not exist due to a number of factors which could be present and affect pedestrian safety, e.g. narrow shoulders, traffic speeds, traffic volumes, etc. The bottom tier of streets in the functional classification is Local Streets, these streets may or may not be served with sidewalks, but they are likely to exhibit lower traffic volumes and speeds and may also experience pedestrian use.

### Map 3: Cleveland MPO Area Major Streets



**Map 4: Pedestrians, Sidewalks, and Transit**



Concerning areas with considerable pedestrian activity but no existing sidewalks, the City of Cleveland is attempting to address this problem through the construction of new sidewalks, much of which is being covered by TDOT grants that are already funded (25<sup>th</sup> Street/Peerless Road TA project; Wildwood/Dalton Pike MMA project). Cleveland MPO U-STBG funds are also being used for these sidewalks (Adkisson Drive, Norman Chapel Road, 17<sup>th</sup> Street, 20<sup>th</sup> Street, Gaut Street, and Central Avenue). Additional grant applications for other needed pedestrian facilities are under review (25<sup>th</sup> Street Multi-use path MMA application).

Another issue affecting ADA compliance and streets is that of pedestrian crossings. Cleveland is attempting to follow TDOT policy in upgrading signalized crossings with pedestrian signals to Accessible Pedestrian Signal (APS) devices. At this time, Cleveland has APS devices in two locations, at Keith/20<sup>th</sup> Street and at North Ocoee/Blythe Ferry/Ocoee Crossing. Other locations are either included in currently funded improvements projects or they could be. Map 5 below describes “APS Opportunities”: red dots show existing APS; yellow dots show locations where APS is included in current projects or could be; blue dots show locations where APS would serve areas mostly in the core downtown or in neighborhoods adjacent to it; and green dots show APS opportunities mostly further away from the downtown core.

A table (Figure 2) identifies possible locations for APS and other crossing upgrades: APS Opportunity 1 locations are those already having APS (2 locations); APS Opportunity 2 locations are those where projects are currently underway that either do or potentially could incorporate APS and other crossing upgrades (8 locations); APS Opportunity 3 locations are downtown planning locations where crossing upgrades are to be considered (18 locations); APS Opportunity 4 locations are more on the perimeter but may be considered for APS and other crossing improvements (10 locations); and APS Opportunity 5 locations are not presently under consideration for APS and crossing improvements (10 locations).

The cost of upgrading a particular pedestrian crossing is going to vary depending upon the conditions at that location, including any existing signal hardware and software, as well curb ramps, pavement markings, etc. The general range for an APS upgrade is \$30K-\$50K.

# Map 5: APS and Pedestrian Crossing Improvement Opportunities

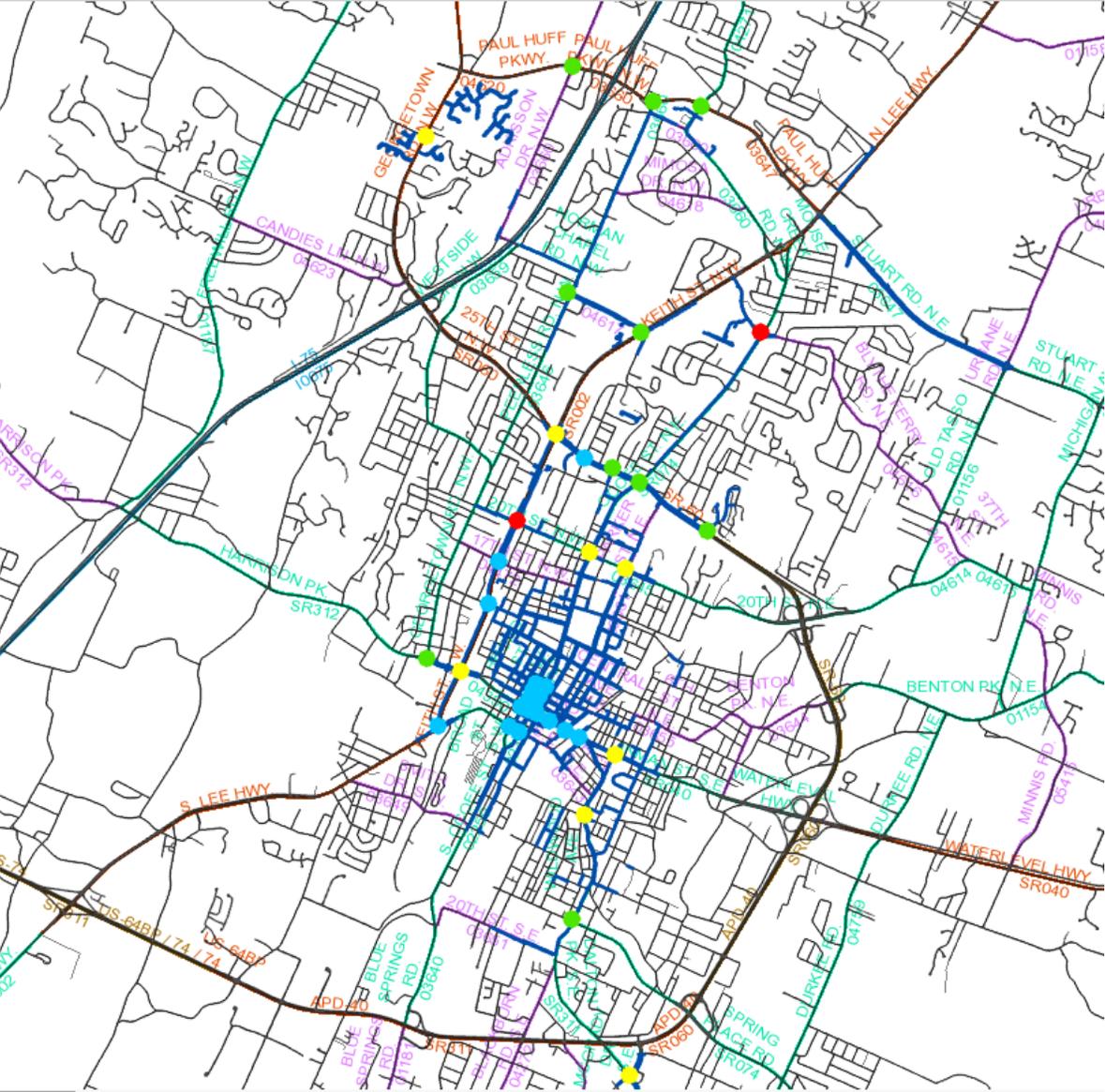


Figure 2

PLANNING FOR ACCESSIBLE PEDESTRIAN SIGNALS AND OTHER CROSSING UPGRADES						
EXISTING APS- APS OPPORTUNITY 1						
CURRENT PROJECT- INCLUDES APS OR COULD INCLUDE APS AND OTHER CROSSING IMPROVEMENTS- APS OPPORTUNITY 2						
DOWNTOWN SIDEWALK PLANNING AREA- CROSSING IMPROVEMENTS - APS OPPORTUNITY 3						
PERIMETER EXISTING OR PLANNED SIDEWALK AND CROSSING-APS OPPORTUNITY 4						
NO FURTHER CROSSING IMPROVEMENTS ANTICIPATED AT THIS TIME-APS OPPORTUNITY 5						
PHYSICAL LOCATION	LOCATION ID	APS OPPORTUNITY LEVEL	Accessible Pedestrian Signals?	Push Button?	Marked Pedestrian Crossing?	Curb Ramps
1. Georgetown @ Villa Dr.	000100	2	No--Current Project	No--Current Project	No--Current Project	Yes
2. Georgetown @ Crown Colony	000101	5	No	No	Yes	Yes
3. Georgetown @ Candies Ln.	000102	5	No	No	Yes	Yes
6. 25 <sup>th</sup> St. @ Keith St.	000105	2	No--Current Project	No--Current Project	Yes	Yes
7. 25 <sup>th</sup> St. @ Chambliss	000106	4	No--Perimeter	No--Perimeter	No--Perimeter	Yes
8. 25 <sup>th</sup> St. @ Ocoee St.	000107	4	No--Perimeter	No--Perimeter	No--Perimeter	Yes
10. Keith @ 3rd / Grove Ave.	000109	3	No--Downtown	No--Downtown	No--Downtown	No--Downtown
11. Keith @ Inman	000110	2	No--Current Project	No--Current Project	Yes	Yes
12. Keith @ Willow	000111	3	No--Downtown	No--Downtown	No--Downtown	Yes
13. Keith @ 17 <sup>th</sup>	000112	3	No--Downtown	No--Downtown	No--Downtown	Yes
14. Keith @ 20 <sup>th</sup>	000113	1	Yes--Existing	Yes	Yes	Yes
16. Keith @ Raider	000115	4	No--Perimeter	No--Perimeter	No--Perimeter	Yes
17. Peerless @ Raider	000116	4	No--Perimeter	No--Perimeter	Yes	Yes
22. Keith @ Paul Huff/N.Lee/Stuart	000121	5	No	No	Some	No
24. Ocoee @ 3 <sup>rd</sup>	000123	3	No--Downtown	No--Downtown	No--Downtown	yes
25. Ocoee @ Inman	000124	3	No--Downtown	No--Downtown	yes	yes
26. Ocoee @ 1 <sup>st</sup>	000125	3	No--Downtown	No--Downtown	Yes	Yes
27. Ocoee @ 2 <sup>nd</sup>	000126	3	No--Downtown	No--Downtown	Yes	Yes
28. Ocoee @ Central	000127	3	No--Downtown	No--Downtown	Yes	Yes
29. Ocoee @ 20 <sup>th</sup>	000128	2	No--Current Project	No--Current Project	No--Current Project	Yes
30. Ocoee @ Blythe Ferry	000129	1	Yes--Existing	Yes	Yes	Yes
32. Inman @ Gaut/Dooley	000131	2	No--Current Project	No--Current Project	No--Current Project	Yes
34. Inman @ Edwards	000133	3	No--Downtown	No--Downtown	No--Downtown	Yes
35. Inman @ Parker	000134	3	No--Downtown	No--Downtown	No--Downtown	Yes
36. Inman @ Church	000135	3	No--Downtown	No--Downtown	yes	yes

Figure 2 (cont.)

PLANNING FOR ACCESSIBLE PEDESTRIAN SIGNALS AND OTHER CROSSING UPGRADES							
EXISTING APS-- APS OPPORTUNITY 1							
CURRENT PROJECT-- INCLUDES APS OR COULD INCLUDE APS AND OTHER CROSSING IMPROVEMENTS-- APS OPPORTUNITY 2							
DOWNTOWN SIDEWALK PLANNING AREA-- CROSSING IMPROVEMENTS -- APS OPPORTUNITY 3							
PERIMETER EXISTING OR PLANNED SIDEWALK AND CROSSING--APS OPPORTUNITY 4							
NO FURTHER CROSSING IMPROVEMENTS ANTICIPATED AT THIS TIME--APS OPPORTUNITY 5							
37. Inman @ Broad	000136	3	No--Downtown	No--Downtown	yes	yes	
38. Georgetown @ Harrison Pk.	000137	4	No--Perimeter	No--Perimeter	yes	yes	
39. Broad @ 2 <sup>d</sup>	000138	3	No--Downtown	No--Downtown	yes	yes	
40. Broad @ 1 <sup>st</sup>	000139	3	No--Downtown	No--Downtown	yes	yes	
41. Broad @ 3 <sup>d</sup>	000140	3	No--Downtown	No--Downtown	yes	yes	
42. Inman @ Bates/Linden	000141	3	No--Downtown	Yes	No--Downtown	Yes	
43. Wildwood @ 9 <sup>th</sup>	000142	2	No--Current Project	No--Current Project	No--Current Project	Yes	
44. Dalton Pk @ Springplace	000143	4	No--Perimeter	No--Perimeter	No--Perimeter	Yes	
46. APD 40 @ McGrady	000145	5	No	No	No	Yes-- some access restrictions	
47. APD 40 @ Blackburn	000164	5	No	No	No	Yes-- some access restrictions	
49. Dalton Pk @ McGrady	005817	2	No--Current Project	No--Current Project	Yes	Yes	
51. Stuart @ Old Tasso	000150	5	No	No	No	On one side	
53. Paul Huff @ Hickory Grove	000152	5	No	No	No	Yes	
54. Paul Huff @ Mouse Creek	000153	4	No--Perimeter	No--Perimeter	No--Perimeter	Yes-- some access restrictions	
55. Paul Huff @ Peerless	000154	4	No--Perimeter	No--Perimeter	No--Perimeter	Yes-- some access restrictions	
56. Paul Huff @ Adkisson	000155	4	No--Perimeter	No--Perimeter	No--Perimeter	No--Perimeter	
68. Broad @ Central	002233	3	No--Downtown	No--Downtown	yes	yes	
69. 20 <sup>th</sup> @ Parker	000171	2	No--Current Project	No--Current Project	yes	yes	
70. Freewill @ Candies	002733	5	No	No	No	No Sidewalks	
71. 25 <sup>th</sup> @ Oakland Dr.	003220	3	No--Downtown	No--Downtown	No--Downtown	Yes	
72. 25th/APD-40 @ Spring Creek	004052	4	No--Perimeter	No--Perimeter	No--Perimeter	Yes-- some access restrictions	
81. Benton Pike @ Michigan Ave.	006979	5	No	No	No	No Sidewalks	
86.APD-40 @ King Street	008330	5	No	No	No	Yes-- some access restrictions	

## b. Greenways

Cleveland has a Greenway system, a multi-use path, which has proven extremely popular since it was begun in the early 2000s. It provides pedestrian connectivity for transportation purposes and it also serves recreational purposes. It is also design as a linear park, with accessible parking, restrooms, playgrounds, etc. in various locations throughout its length. The parks and restrooms were separately evaluated. The Greenway is connected to the sidewalk and bikeway system at various points. These Greenway access areas are professionally designed and constructed to meet ADA requirements. The Greenway path itself is generally located adjacent to creeks and within a floodway; the path is generally level following the gentle contours of the creek. Where roadways are crossed, the Greenway path is designed to pass underneath bridges. The Greenway crosses creeks in a few places with pedestrian bridges and elevation changes at bridge approaches are as minimal as conditions would allow.

## c. Sidewalks

The main focus of this pedestrian-related section of the ADA self-evaluation will be on the sidewalk system. Under the guidance of the City's Transportation Engineer, interns performed a walking evaluation of existing sidewalks using measuring tapes, laser levels, and cameras. While in the field, the interns entered measurements, photographs, comments, and coordinates via a computer tablet that transferred the data into the City's GIS system. Altogether, about 250,000 feet of sidewalk in 1100 segments were evaluated with over 600 measurement points. The interns evaluated over 990 curb ramps or locations where curb ramps should be present. Over 500 sidewalk obstructions or other hazards were identified. Cross slopes, sidewalk widths, and general condition of the sidewalks were also evaluated.

Figure 3

### TRANSPORTATION SELF ASSESSMENT: SIDEWALKS

- ▶ Evaluated over 1100 sidewalk segments (about 250,000 feet)
- ▶ Checked over 600 sidewalk measurement points
- ▶ Evaluated over 990 curb ramps
- ▶ Identified over 500 sidewalk obstructions and other hazards

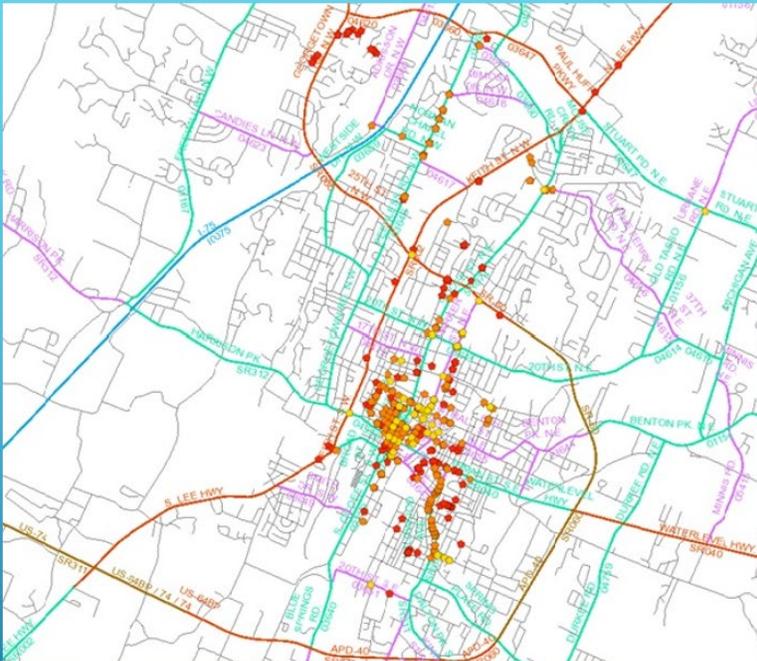
Figure 4



## SIDEWALK CONDITIONS

- ▶ Warmer colors indicate worse sidewalk conditions, with red being the worst, followed by orange and yellow. Green sidewalks were assessed as the better ones.

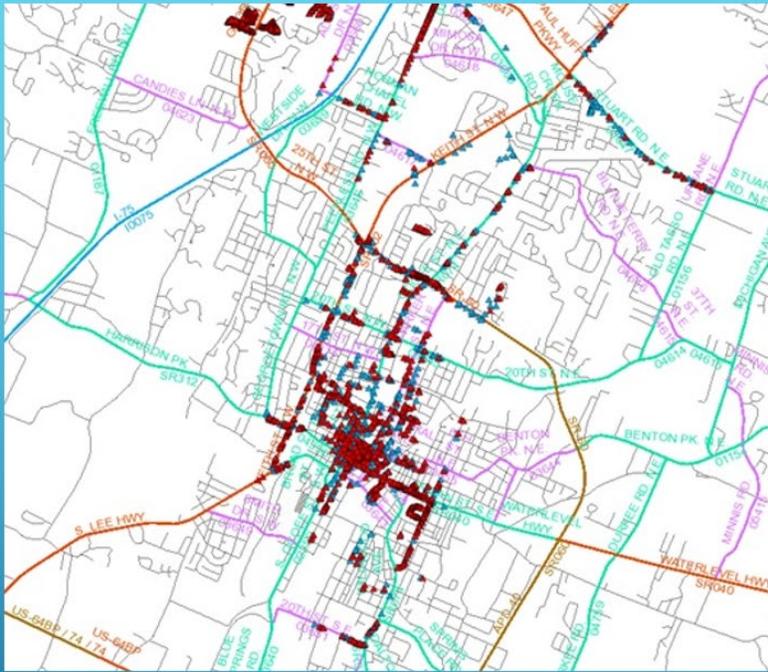
Figure 5



## CURB RAMP CONDITIONS:

- ▶ Red dot: no curb ramp, damaged curb ramp, or a curb ramp with hazard.
- ▶ Orange dot: ramp without landing area and no truncated dome
- ▶ Yellow dot: has landing area but no truncated dome

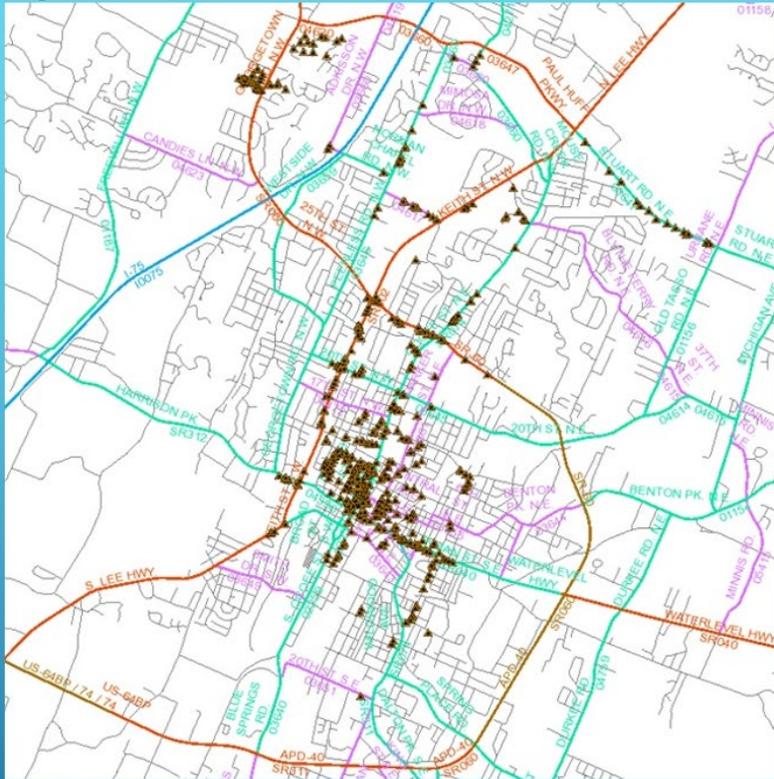
Figure 6



## CROSS SLOPES

- ▶ Blue dots: cross slope measurement locations greater than 2% but less than 4%
- ▶ Red dots: cross slope measurement locations 4% or greater.

Figure 7



## HAZARDS

- ▶ Obstructions like utility poles, etc.
- ▶ Broken, buckled concrete
- ▶ Improper drainage structures, etc. in travel path

Figure 8

## SIDEWALK HAZARDS:



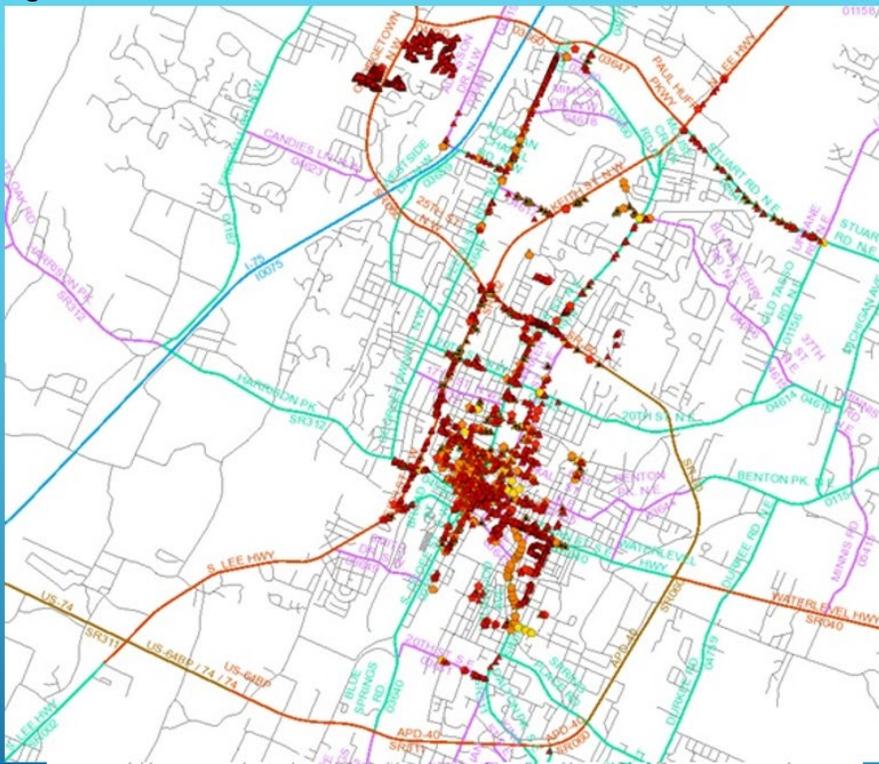
Figure 9



- ▶ Severity and Density of Sidewalk Accessibility Problems
- ▶ Actual or Likely Pedestrian Demand
- ▶ Public Input: Complaints and Recommendations about Sidewalk Conditions or Accessibility
- ▶ Proximity to Persons with Disabilities

## FACTORS POTENTIALLY AFFECTING PRIORITIZATION OF ADA REPAIRS TO SIDEWALKS

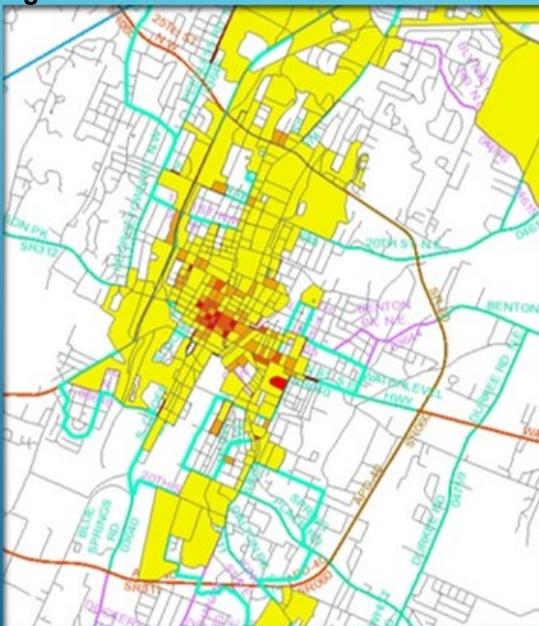
Figure 10



## DENSITY AND SEVERITY OF SIDEWALK PROBLEMS

- ▶ Hazards, Curb Ramp Problems, Cross Slopes over 4%

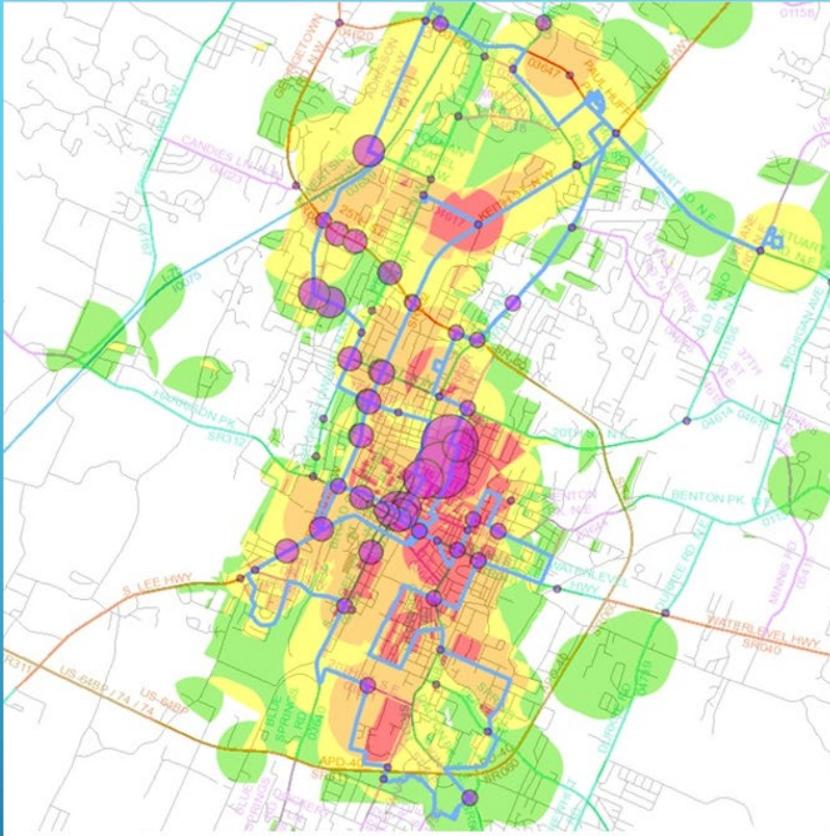
Figure 11



- ▶ Map shows density of sidewalk problems (hazards, bad curb ramps, cross slopes over 2%, sidewalks under 4 feet wide) using Census Blocks as a unit of analysis. Results were adjusted for sidewalk length within each block and block area. Red blocks had the highest density of problems followed by orange, gold, and yellow.

## DENSITY OF SIDEWALK PROBLEMS

Figure 12



## ACTUAL OR LIKELY PEDESTRIAN DEMAND

- ▶ Purple dots: larger dots are larger pedestrian counts; and smaller dots are smaller pedestrian counts
- ▶ Shaded areas: Sidewalk Priority Index (SPI) warmer colors show greater proximity to urbanized area, CDBG target area, pedestrian generators (schools, parks, shopping, etc.)
- ▶ Blue lines are transit routes which need sidewalks for bus stops

Figure 13



## PUBLIC INPUT: COMPLAINTS ABOUT SIDEWALK CONDITIONS OR ACCESSIBILITY (IN PROCESS)

- ▶ Left: design solution to Accessible Pedestrian Signal (APS) complaint at Treasury Drive and Dalton Pike
- ▶ Center: curb ramp missing at Church St. and 2<sup>nd</sup> St. downtown
- ▶ Need space to turn power chair onto ramp on 25<sup>th</sup> St. by Springcreek Apartments



strategy of ADA-related sidewalk repairs that prioritizes downtown and adjacent neighborhoods.

The anticipated cost range for ADA-related sidewalk repairs is given in the table below (Figure 7). The information is for a hypothetical average 100 feet of sidewalk including the various repair cost items that would be encountered. Column 1 is estimated locally funded contractor costs to the City. Column 2 is cost for completing the work with a new City crew and equipment. Column 3 is the cost to complete the work with an existing City crew and equipment that were added to the city budget in FY 2018 for the express purpose of sidewalk construction, including sidewalk repairs that were anticipated as part of the ADA Transition Plan.

**Figure 16**

<b>COMPARATIVE ESTIMATED AVERAGE COSTS FOR 100 FEET OF 5' SIDEWALK ADA-RELATED REPLACEMENT AND TOTAL COSTS FOR 200,000 FEET</b>			
<b>COST ITEM</b>	<b>CONTRACTOR</b>	<b>CITY PUBLIC WORKS (NEW CREW AND ADDITIONAL EQUIPMENT)</b>	<b>CITY PUBLIC WORKS (EXISTING CREW AND EQUIPMENT)</b>
DEMOLITION & PREP	\$1,400	\$780	\$0
4" CONCRETE AND BASE	\$2,100	\$1,570	\$790
ALLOWANCE FOR DRIVEWAYS-VARIES BY BLOCK	\$700	\$470	\$160
ALLOWANCE FOR CURB RAMPS--1000 OVER 250,000 FT OF SIDEWALK	\$320	\$160	\$54
ALLOWANCE FOR CURB REPLACEMENT -VARIES BY LOCATION	\$180	\$120	\$40
ALLOWANCE FOR RETAINING WALL REPLACEMENT -VARIES BY LOCATION	\$1,240	\$820	\$279
ALLOWANCE FOR RELOCATION OR AVOIDANCE OF UTILITY POLES, ETC. -VARIES BY LOCATION	\$140	\$140	\$140
ALLOWANCE FOR DRAINAGE REPAIRS AND OTHER MISCELLANEOUS. - VARIES BY LOCATION	\$180	\$120	\$40
<b>AVERAGE 100' ESTIMATE</b>	<b>\$6,260</b>	<b>\$4,180</b>	<b>\$1,503</b>
<b>TOTAL FOR 200,000' OF SIDEWALK</b>	<b>\$12,520,000</b>	<b>\$8,360,000</b>	<b>\$3,006,000</b>

## d. Transit

Cleveland has a transit system, Cleveland Urban Area Transit System (CUATS) that is operated by the Southeast Tennessee Human Resources Agency (SETHRA). The CUATS system comprises fixed route service on 15-passenger buses serving various locations within the City along five fixed routes. The buses are equipped with lifts and other features to serve passengers with disabilities. The system is presently operated as a “flag stop” system with passengers accessing the bus at signed stops or at safe locations along the route where they may hail the approaching bus for a ride. The system relies upon a transit hub located in a restored passenger rail depot where passengers may change buses from one route to another (the depot was restored with architectural plans that addressed ADA requirements). The City of Cleveland and the Cleveland Urban Area MPO are working with CUATS to add bus shelters and similar improvements as the CUATS begins to transition from a “flag stop” design to a fixed stop design where sidewalk access to the bus stop will be provided. The City and the MPO are also working with CUATS on needed route extensions where sidewalks are also planned. SETHRA also provide a demand-response para-transit system within the Cleveland area which provides door-to-door service for persons whose disability and lack of an accessible path would prohibit them from accessing the regular CUATS fixed route transit service for their transportation needs.

*Staff asked its on-call transportation planning consultant WSP, Inc. to assist with the ADA Transition Plan process by performing the analysis of the transit system. The italicized sections that are included in the analysis below represent staff comments based upon local knowledge that would affect the transition plan effort.*

### 1. Transit Rolling Stock

#### **Requirements**

As part of the Americans with Disabilities Act, Cleveland Urban Area Transit System (CUATS) must ensure that its fleet of revenue rolling stock vehicles meet the guidelines for compliance as stated in Federal regulations. Public entities operating a fixed-route system shall ensure that the vehicle is readily accessible and usable by individuals with disabilities, including but not limited to individuals who use wheelchairs. These requirements are outlined in [49 CFR Part 38](#).

The main requirements for transit vehicles are broken down by category and discussed below.

In regards to *mobility aid accessibility*:

- A vehicle lift/platform design load of at least 600 pounds with handrails on two sides;
- In vehicles in excess of 22 feet in length (all CUATS bus vehicles), at least one securement device shall secure the wheelchair or mobility aid facing forward

toward the front of the vehicle; Additional securement devices shall secure the wheelchair or mobility aid facing forward, or rearward with a padded barrier;

- A securement location for each wheelchair or mobility aid should have a clear floor area of at least 30 inches by 48 inches; and
- For each wheelchair or mobility aid securement device, a passenger seat belt and shoulder harness shall be provided, and should not be provided or used in lieu of a device which secures the wheelchair or mobility aid to the bus vehicle.

In regards to *doors, steps, and thresholds*:

- All step edges, thresholds, and the boarding edge of ramps or light platforms shall have a band running the full width of the step or edge that contrasts from the main color of the step or edge; and
- All aisles, steps, and floor areas where people walk should have slip-resistant surfaces.

In regards to *seating*:

- Each vehicle should contain signage that indicates that seats in the front of the vehicle are priority seats for person with disabilities, and that other passengers should make such seats available to those who wish to use them;
- At least one set of forward facing seats shall be designated as priority seats; and
- Each securement location [for wheelchairs and mobility aids], shall have a sign designating it as such.

In regards to *lighting*:

- At least two (2)-foot candles of illumination on each step or lift platform when the door is open; and
- All vehicle doorways shall have outside lights which, when the door is open, provide at least one (1)-foot candle of illumination on the street surface for a distance of three (3) feet and shall be shielded to protect the eyes of boarding and alighting passengers.

In regards to *public information system(s)*:

- Vehicles used in multiple-stop, fixed-route service, shall be equipped with a public-address system permitting the driver, or recorded or digitized human speech messages, to announce stops and provide passenger information within the vehicle.

In regards to *stop request systems*:

- Vehicles must provide controls adjacent to securement locations for requesting stops which alert the driver that a mobility aid user wishes to disembark; such a system shall provide auditory and visual indications that the request has been made.

In regards to *destination and route signs*:

- Vehicles should have destination and route information displayed on the exterior front and boarding side of the vehicle.

## Transit Rolling Stock Inventory-Self Assessment

### Inventory

As of November 2019, CUATS has a fleet of 21 vehicles (fixed-route and paratransit) as outlined in Figure 17 below. The Southeast Tennessee Human Resource Agency (SETHRA) owns these vehicles and is responsible for ensuring its fleet of transit rolling stock vehicles meets the guidelines for compliance as required by Federal regulations.

Figure 17: CUATS Transit Rolling Stock Inventory

Asset Category	Vehicle/Asset Type	# of Assets	Lift Capacity (lbs) <i>Federal requirement is 600 lb.</i>
Rolling Stock	Cutaway Bus-2011 Model	2	800
	Cutaway Bus-2013 Model	3	800
	Cutaway Bus-2016 Model	5	800
	Cutaway Bus-2017 Model	11	1,000

### Self-Assessment

The following is a self-assessment of CUATS transit rolling stock inventory (fixed-route and paratransit) based on the Federal guidelines discussed above.

In regards to *mobility aid accessibility*:

- All 21 CUATS revenue vehicles are equipped with a lift with a minimum capacity of at least 800 lbs., which exceeds the Federal requirement of 600 lbs. minimum.
- Newer vehicles (2017 and newer) have a lift capacity of 1,000 lbs. Lifts are located on the rear passenger boarding (opposite of driver) side of all vehicles and all lifts are equipped with hand rails on both sides (Figure 18).
- A total of four securement devices are available for each wheelchair or mobility aid, with a lap and shoulder belt also available. All securement devices allow two wheelchair or mobility aids, or any combination of two, to be able to be secured facing forward towards the front of the vehicle.
- Securement locations for each wheelchair or mobility aid have a clear floor area of at least 30 inches by 48 inches.

Figure 18: CUATS Bus and On-board Lift



In regards to *doors, steps, and thresholds*:

- All step edges, thresholds, and the boarding edge of ramps or light platforms have a band running the full width of the step or edge that contrasts from the main color of the step or edge.
- All aisles, steps, and floor areas where people walk have slip-resistant surfaces.

In regards to *seating*:

- Each bus does contain signage that indicates that seats in the front of the vehicle are priority seats for person with disabilities, and that other passengers should make such seats available to those who wish to use them. The first row of seats on the driver's side of the vehicle is designated as "priority seating" and signage is displayed about the seat.
- Each securement location [for wheelchairs and mobility aids] has a sign designating it as such.

In regards to *lighting*:

- At least two (2)-foot candles of illumination on each step or lift platform is present when the door is open for boarding or alighting.
- All vehicle doorways have outside lights which, when the door is open, provide at least one (1)-foot candle of illumination on the street surface for a distance of three (3) feet and is shielded to protect the eyes of boarding and alighting passengers.

In regards to *public information system(s)*:

- Currently, drivers announce the three permanent stops in the CUATS system: Cleveland Depot, the Bradley Square Mall, and the Walmart Supercenter. The rest of the stops in the system are flag stops. A public-address system is not available onboard any bus; drivers announce all stops without the use of any type of electronic system.

In regards to *stop request systems*:

- Vehicles do not have controls adjacent to securement locations for requesting stops which alert the driver that a mobility aid user wishes to disembark. All stop requests are orally requested.

In regards to *destination and route signs*:

- Vehicles have destination and route information displayed on the exterior front and boarding side of the vehicle.

### **Transit Rolling Stock Inventory – Recommendations for ADA Compliance**

CUATS buses do not meet the minimum guidelines for ADA compliance in two categories: public information systems and stop request systems. None of the 21 CUATS buses have an onboard public-address system to announce stops or other information nor do they have a stop request system. CUATS buses meet the minimum guidelines for all other categories.

Priorities for meeting ADA guidelines include the following:

**Priority #1:** Implement public-address system to adequately advise riders of upcoming stops and important transit or trip information onboard buses.

A standard Jepsen public-address system complete with microphone and two audio speakers would cost approximately \$300 per bus. Additional speakers (if required) would be available for an additional \$35 per speaker. Note that these costs are for parts only and do not include labor for installing the system onboard the cutaway buses.

**Priority #2:** Implement stop request system to allow riders to request stops at will without having to previously discuss with the driver or announce while enroute.

A standard stop request pull cord system costs between \$600 and \$2,000 per bus, depending on manufacturer, brand, fleet size, and other factors. This is contingent on whether the system is being purchased as an add-on as part of a new vehicle purchase, or a standalone device. Touch tape request devices at wheelchair locations range from \$100 to \$250 per wheelchair location, and vary based on similar factors

## 2. Fixed Route Accessibility

### **Requirements**

As part of the self-evaluation, Cleveland has conducted an inventory and evaluation of pedestrian facilities within its public rights of way. This information is described in the preceding sidewalks analysis discussion. While sidewalks and other features are often outside a transit agency's jurisdiction, an accessible pathway to a bus stop is nevertheless an essential element of overall accessible fixed-route service. FTA encourages transit agencies to inventory the location of their bus stops in relation to accessible pedestrian routes, and coordinate with owners of public rights-of-way to help ensure connections to stops are as accessible as possible. (Source: [FTA Circular 4710.1](#))

### **Fixed-Route Accessibility – Self Assessment**

One of the City's goals is to increase the proportion of people with reasonable access to fixed-route transit service. It is also the goal of CUATS and the City of Cleveland to have fixed-route transit be fully accessible via sidewalks. CUATS operates five flag-stop fixed-route routes in Cleveland. Each route originates at the Cleveland Depot, a transit center located in downtown Cleveland near the intersection of Edwards and Inman Streets. Routes operate from 6:00 am to 7:00 pm Monday through Friday with no service on weekends or major holidays. All routes operate at an hourly headway from the Cleveland Depot. A map of CUATS fixed-route services (Map 6) is presented following the route descriptions.

CUATS has formal policies regarding ADA operations and complaint procedures, as well as a formal ADA application form available in both English and Spanish. These established policies and procedures enable the agency to monitor its current ADA practices and better identify gaps in service.

**Red Line** – The Red Line operates between the Cleveland Depot and the Walmart Supercenter located on Treasury Drive SE near Dalton Pike in south Cleveland. The route provides service to the industrial area just to the east of downtown Cleveland and the predominantly low density residential areas of southeast Cleveland. The route operates along the major corridors of Inman Street, Blythe Avenue, and 14th Street. Important destinations along the route include the Walmart Supercenter, the various retail and commercial establishments along McGrady Drive and Treasury Drive near the Walmart, the Boys & Girls Club of the Ocoee Region – Blythe Unit on Blythe Avenue, and the various industrial warehouses and employers located around 6th and 7th Streets SE just east of downtown Cleveland.

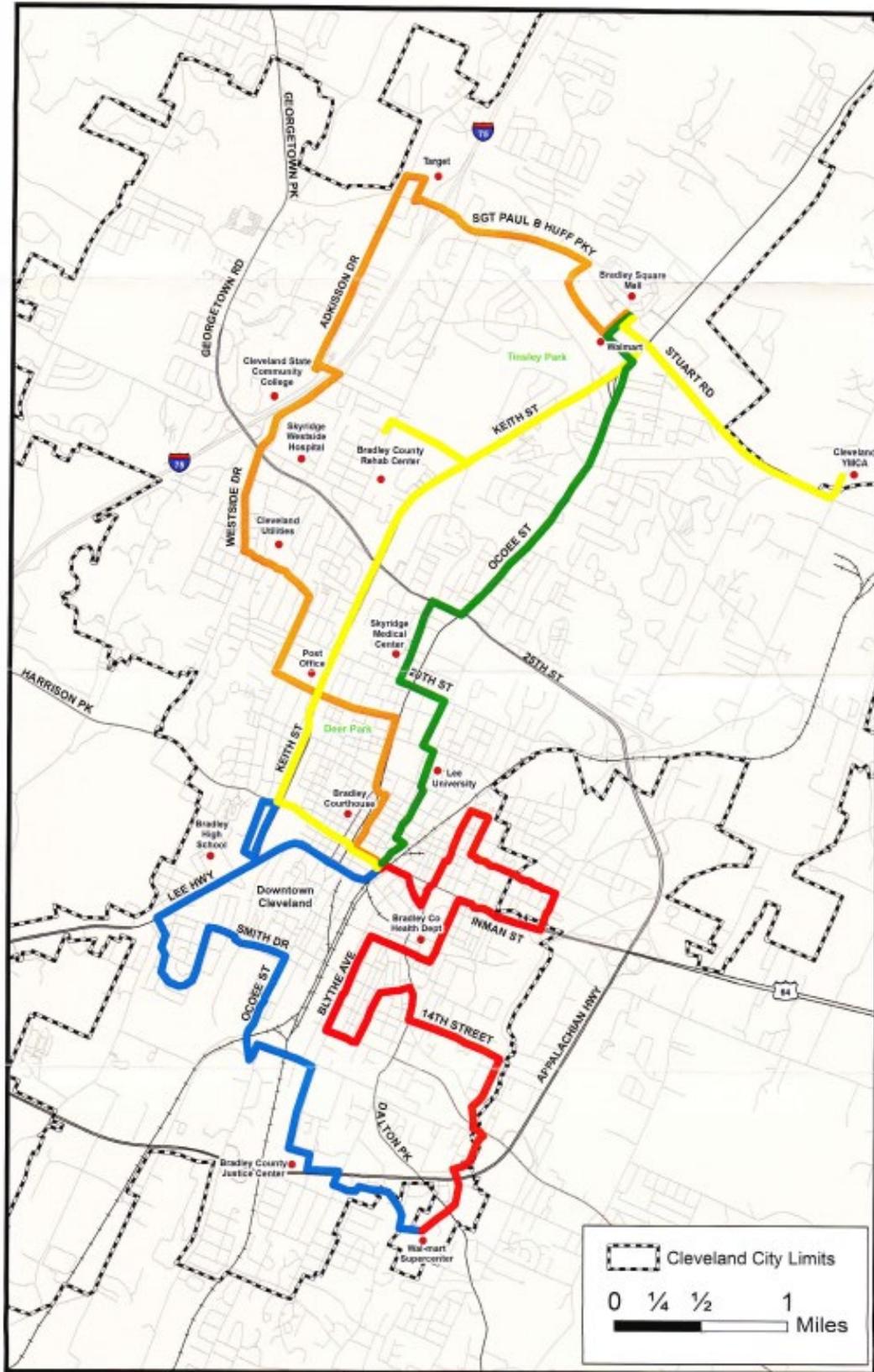
**Blue Line** – Like the Red Line, the Blue Line also operates between the Cleveland Depot and the Walmart Supercenter located on Treasury Drive SE near Dalton Pike in south Cleveland, but along a different alignment. The route provides service to the retail and commercial areas along Lee Highway to the southwest of downtown Cleveland, the industrial area along 20th Street SE, the retail and commercial areas along Fritz Street SE near the Appalachian Highway, and the low density residential areas located in south and southeast Cleveland. The route operates along the main corridors of Lee Highway, S. Ocoee Street, 20th Street SE, and Blythe Avenue SE. Important destinations along the route include the Walmart Supercenter, the South Forke Plaza shopping center, the Waters Edge Apartments, the Bradley County Jail and Criminal Court, the various industrial warehouses and employers located on 20th Street SE and S. Ocoee Street, Bradley-Central High School, and the various commercial and retail establishments on Lee Highway, Keith Street SW, and Grove Avenue SW.

**Gold Line** – The Gold Line operates between the Cleveland Depot and Bradley Square Mall in north Cleveland via Keith Street NW. The route provides service to the numerous retail and commercial areas located along the busy Keith Street NW corridor. The route also provides on-request service to the Bradley Healthcare & Rehab Center on Peerless Road NW, the Cleveland Family YMCA and the Bradley-Cleveland Senior Activity Center both located on Urbane Road NE just off Stuart Road. The route operates along the main corridors of Inman Street in downtown Cleveland, Keith Street NW, and Paul Huff Parkway. Important destinations along the route include downtown Cleveland, the retail and commercial establishments and shopping centers located on Keith Street including the Village Green shopping center (Keith Street and Inman Street), United States Postal Service office (Keith Street near 20th Street NW), Cleveland Corners shopping center (Keith Street NW and 25th Street NW), Food City and Express Employment Professionals on Ocoee Crossing NW, and Bradley Square Mall.

**Green Line** – The Green Line also operates between the Cleveland Depot and Bradley Square Mall but via the Lee University Campus, and N Ocoee Street. The route provides service to the Lee University Campus, and the low and medium-density residential areas in central and north Cleveland. The route operates along the main corridors of 20th Street NE, Chambliss Avenue NW, and N. Ocoee Street. Important destinations along the route include Lee University, the North Cleveland Towers Apartments, Tennova Healthcare – Cleveland, Walgreen (N. Ocoee Street), Walmart Supercenter (Keith Street NW and Paul Huff Parkway), and the Bradley Square Mall.

**Orange Line** – Like the Gold and Green routes, the Orange Line also operates between the Cleveland Depot and the Bradley Square Mall but via downtown Cleveland, the Lee University and Cleveland State Community College campuses, and the Cleveland Town Center in north Cleveland. The route provides service to the downtown Cleveland area, the low and medium-density residential areas in central and northwest Cleveland, the Lee University and Cleveland State Community College campuses, and the various retail and commercial centers along Paul Huff Parkway in north Cleveland. The route operates along the main corridors of N. Ocoee Street, 20th Street, Georgetown Road NW, Adkisson Drive NW, and the Paul Huff Parkway. Important destinations along the route include downtown Cleveland, the Lee University campus, the Cleveland Public Library – Main Branch, the various retail and commercial establishments along Georgetown Road near 25th Street NW, the Cleveland State Community College campus, the area around Adkisson Drive NW and James Asbury Drive NW where a number of hotels and dining establishments are located, the Cleveland Town Center, the Mouse Creek Crossing shopping center, the Hickory Grove Shopping Mall, and the Bradley Square Mall.

Map 6: CUATS Fixed-Route Bus System as of November 2019



Federal regulations include guidance regarding paratransit as a complement to fixed-route service ([49 CFR Part 37 Subpart F](#)). It requires that each public entity operating a fixed-route system also provide paratransit or other special service to individuals with disabilities that is comparable to the level of service provided to individuals without disabilities who use the fixed-route system. CUATS operates a demand response service available to citizens who cannot access the fixed route system for medical conditions or gaps in route coverage areas. Reservations can be made Monday-Friday, 7:30 AM-4:30 PM; after these hours, requests can be left on voicemail and will be scheduled the next business day. Same day service will be provided upon request based on availability. Paratransit and demand response service operate as a curb-to-curb service, so ADA accessibility in this type of service is focused on vehicle access and amenities (discussed earlier) rather than accessibility via transportation infrastructure. With that, this assessment focuses on fixed-route stop accessibility.

### **Fixed-Route Accessibility – Recommendations for ADA Compliance**

*Staff comments: the following discussion of improvements is predicated on the goal of providing a true fixed stop system as opposed to the current flag stop system. Using the existing routes, there are areas of high-demand by transit riders that would require construction of additional sidewalks along major roadways to provide accessible transit stops. In some cases, roadway speeds and other factors may militate for the construction of bus pullouts. The sidewalks discussed in this section, apart from their transit benefit, would be new facilities and not ADA-related repairs to existing sidewalks. In the event that some of these new sidewalk sections cannot be constructed due to right-of-way constraints, costs, etc., it is recommended that the transit system adjust planned stops, provide stops at accessible locations inside parking lots, etc. as needed to keep the system in compliance. Some additional staff comments are added along with the sidewalk recommendations by WSP and these may modify the transition plan.*

Several barriers to accessibility have been identified through an analysis of sidewalk availability along transit routes. Since CUATS plans to transition from a flag-stop system to a fixed-stop system, accessibility to bus stops will become a major consideration. This also means that sidewalks constructed by the City will not only improve residents' immediate access, but will also provide safer access to cross-town travel via the bus. As the City works to make all fixed-route stops accessible, CUATS paratransit and demand response services will continue to provide curb-to-curb service to riders who require this level of personalized service, or when the nearest stop along a route is not safe or accessible for those who are mobility impaired or use a wheelchair or other mobility device.

Sidewalks and crosswalks identified as part of the priorities below may be prioritized and constructed at the same time as construction of bus shelters and bus pads at fixed stops. Bus pullouts are also recommended in areas where they would be warranted for safety reasons. Costs for bus pullouts vary widely by design and between sites. A high-

level cost estimate of \$200,000 includes the cost for earthwork, pavement, curb and gutter with stormwater drainage, construction of the sidewalk and basic bus shelter, pavement markings, signage, and would accommodate full size transit vehicles. This also includes a 5% cost for mobilization and a 10% cost for contingency items. It does not include costs for ROW acquisition or utility relocation. Areas within Cleveland with a high level of activity should be prioritized.

**Priority #1:** Prioritize sidewalk improvements identified near transit center. A total of 2,355 linear feet of sidewalk has been identified in the immediate vicinity of the transit center that will fill existing sidewalk gaps. *Staff Comment: the Transit Center and the nearby sidewalk system are in the heart of the downtown redevelopment area. Edwards Street and 2nd Street will be affected as will 3<sup>rd</sup> Street. Sidewalk improvements here should be planned in coordination with the adjacent downtown improvements.*

- **Edwards St. SE** – Approximately 400 linear feet on west side and 275 feet on east side of Edwards St. SE immediately adjacent to transit center.
- **2<sup>nd</sup> St. SE** – Approximately 615 linear feet on south side and 515 linear feet on north side of 2<sup>nd</sup> St. SE between Church and Edwards Streets.
- **3<sup>rd</sup> St. SE** – Approximately 550 linear feet on north side of 3<sup>rd</sup> St. SE between Church and Edwards Streets.

**Priority #2:** CUATS serves many commercial and retail areas and shopping centers located on multi-lane roadways with speeds greater than 35 mph. It is important to provide good pedestrian access to these trip generators, especially in cases where the bus does not enter the shopping center area. These include the following:

- **The Village Green (Keith Street and Inman Street)** – identify drop off location and improve sidewalk access into shopping center (Map 7);
  - **Keith St.** - Add sidewalk on east side of Keith St. between Inman Street and S. Lee Highway up to a maximum of 1,665 linear feet. At a minimum, ensure sidewalks and crosswalks are strategically located to allow for safe boarding and alighting at designated stops and access to and from shopping center. *Staff comment: extending sidewalk here should be further evaluated due to the adjacent guardrail and creek. Access from Inman Street to an internal circulation pathway may be preferable, though the possibility for a bus stop location near one of the Keith Street driveways to the shopping center could be evaluated. This location needs further evaluation---* it could be that the Social Security office at the back of the shopping center is an attractor for transit riders.
    - Additionally, with a roadway speed limit of 45 mph, it is recommended that a bus pullout also be constructed in this area at any designated bus stops along this segment of Keith Street to further provide a safe place for riders to wait for, board, and alight buses as well as maintain traffic flow along the corridor.

- **Inman St.** – Add up to a total of 2,200 linear feet of sidewalk on north and south sides of Inman Street between Keith St. and Worth St. At a minimum, sidewalks should be provided to allow for safe boarding and alighting of passengers. *Staff comments: this section is part of the proposed Inman Street road diet project for which the City has sought BUILD Grant funds. Staff agrees that sidewalk is needed.*
- **Cleveland Corners (Keith Street NW and 25<sup>th</sup> Street NW)** – identify drop off location and provide sidewalk access and crosswalks at all sides of intersection (Map 8);
  - Add crosswalks missing at two locations
  - **Keith St. NW** – Add up to 680 linear feet of sidewalk north of 25<sup>th</sup> St. on west side of road. If providing less, ensure that sidewalks and crosswalks are strategically located to allow for safe boarding and alighting at stops, and access to and from shopping center. *Staff Comments: adding sidewalk in this location should be carefully evaluated. The close proximity of the creek and the guardrail would make sidewalk construction here very difficult. This is an attractive location for transit riders, but the creek on the south and east side make sidewalk construction here really difficult.*
    - Additionally, with a roadway speed limit of 45mph, it is recommended that a bus pullout also be constructed in this area at any designated bus stops along this segment of Keith Street to further provide a safe place for riders to wait for, board, and alight buses as well as maintain traffic flow along the corridor.
  - **25<sup>th</sup> St. NW** – Add up to 1,445 linear feet of sidewalk west of intersection with Keith St. on north side of road. *Staff Comment: again the proximity of the adjacent creek makes this difficult. Staff is looking at a short section of sidewalk that would connect with the pedestrian crossing at 25<sup>th</sup> and Keith (a sidewalk or multi-use path is planned for the south side of 25<sup>th</sup> Street in this location).*
    - Additionally, with a roadway speed limit of 45 mph, it is recommended that a bus pullout also be constructed in this area at any designated bus stops along this segment of 25<sup>th</sup> Street NW to further provide a safe place for riders to wait for, board, and alight buses as well as maintain traffic flow along the corridor. *Staff Comment: a bus pullout is planned on the west side of Keith Street just south of the 25<sup>th</sup> Street intersection)*
- **Ocoee Crossing (Food City-- Ocoee Crossing NW and Keith Street NW)** – provide sidewalk from Keith Street to shopping center and crosswalks along Keith Street NW (Map 9);
  - **Keith St. NW** – Add up to a maximum of 1,445 linear feet on north side of road and 1,370 on south side of road. Sidewalk on south side of street would fill gap between existing sidewalks. If providing fewer feet of sidewalk, ensure that sidewalks and crosswalks are strategically located to allow for

safe boarding and alighting at stops, and access to and from shopping center.

- Additionally, with a roadway speed limit of 45 mph, it is recommended that a bus pullout also be constructed in this area at any designated bus stops along this segment of Keith Street to further provide a safe place for riders to wait for, board, and alight buses as well as maintain traffic flow along the corridor. *Staff Comment: sidewalk here would be very beneficial. It would extend existing sidewalk from the Lifecare facility, connect to a major shopping center, connect to the Greenway and Tinsley Park, and Potentially connect several neighborhoods with transit and sidewalks.*
- **Mouse Creek Shopping Center (Paul Huff Parkway/Publix)** – provide sidewalk and crosswalks from Paul Huff Parkway to shopping center (Map 10); and
  - **Paul Huff Parkway** – Add up to 1,500 linear feet on north side and 1,455 linear feet on south side of road between Peerless Rd. NW and Mouse Creek Rd. NW. If providing fewer feet of sidewalk, ensure that sidewalks and crosswalks are strategically located to allow for safe boarding and alighting at stops, and access to and from shopping center. *Staff Comment: installing sidewalk here may be difficult for a couple of reasons There is an access control fence along both sides of the roadway that would complicate the sidewalk location and turn lanes and the proximity of existing development limit the available ROW.*
    - Additionally, with a roadway speed limit of 50 mph, it is recommended that a bus pullout also be constructed in this area at any designated bus stops along this segment of Paul Huff Parkway to further provide a safe place for riders to wait for, board, and alight buses as well as maintain traffic flow along the corridor.
- **Retail and commercial establishments between Keith Street and Grove Avenue SW** – no boarding/alightings occur on Keith Street due to high speed limits so all requested stops are accommodated on Grove Avenue SW; provide sidewalks and/or midblock crosswalks along Grove Avenue SW (Map 11).
  - **Grove St.** – Add up to a maximum of 1,615 linear feet on east side of road and 1,605 on west side. These would connect to existing sidewalks in the sidewalk network. If providing fewer feet of sidewalk, ensure that sidewalks and crosswalks are strategically located to allow for safe boarding and alighting at stops, and access to and from commercial establishments. *Staff Comment: sidewalk here would be beneficial in connecting transit riders to shopping and employment. Existing sidewalk exists at both ends of this section of Grove Avenue.*

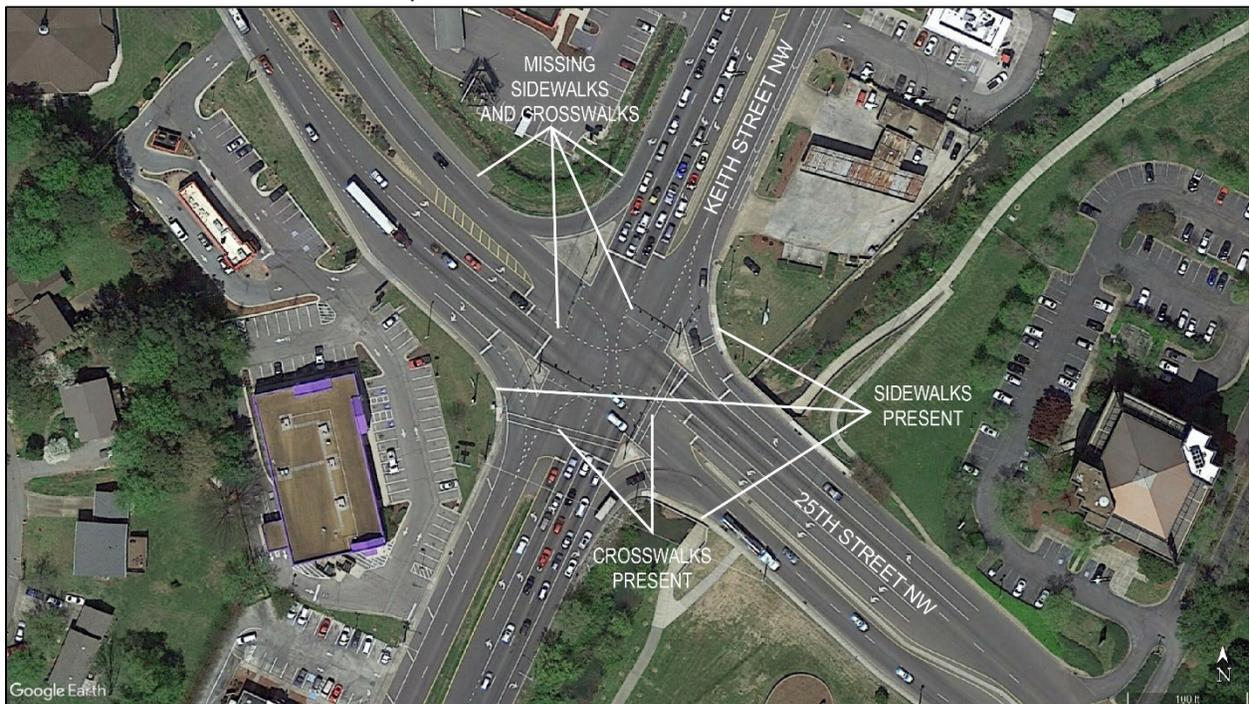
The other shopping centers currently served by CUATS either do not generate a high number of trips (based on the most recent on-board count in 2012) or are conveniently

served curbside by buses (e.g. Bradley Square Mall, Hickory Grove Shopping Mall, Cleveland Town Center).

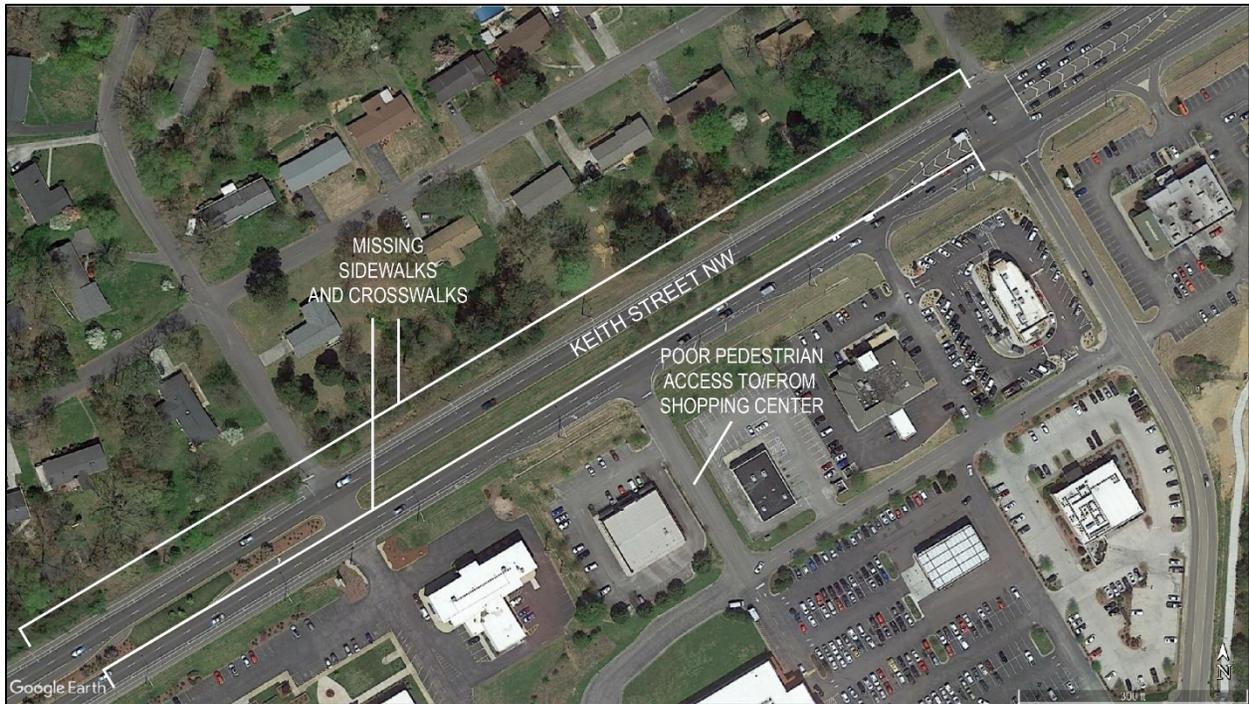
Map 7: Village Green Immediate Area



Map 8: Cleveland Corners Immediate Area



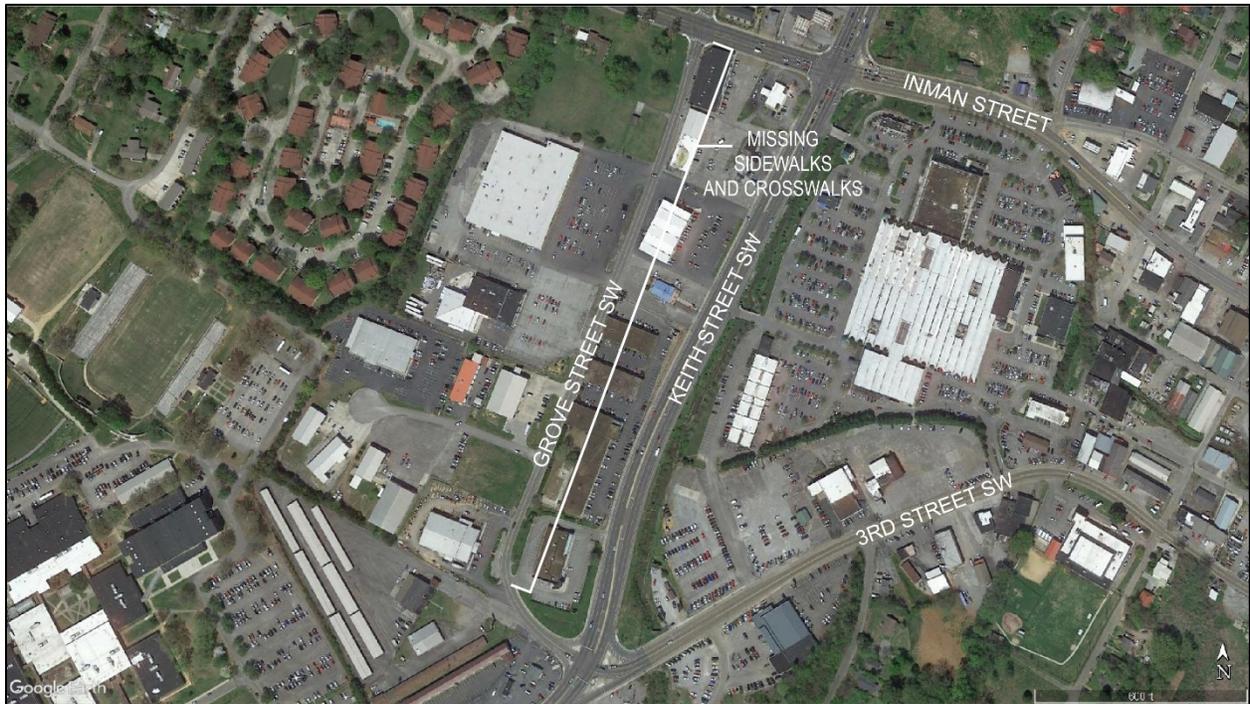
Map 9: Ocoee Crossing (Food City) Immediate Area



Map 10: Mouse Creek (Paul Huff Pkwy/ Publix) Immediate Area



Map 11: Grove Avenue SW Immediate Area



**Priority #3:** Another important destination that does not have good pedestrian access on the CUATS network is the Cleveland State Community College campus. The college campus has a limited sidewalk network along the western side of Adkisson Drive. However, there are no sidewalks along the eastern side of the street (Map 12). Only a series of crosswalks are provided between the campus on the west side of the street and the newer parking lots on the east side of the street. Due to the high pedestrian travel occurring in the area, frequency of turning movements, and narrow two-lane roadway, additional infrastructure and/or a bus pull-off near one of the existing crosswalks should be provided to provide safe access to transit on both sides of the street. Approximately 675 linear feet of sidewalk on the east side of Adkisson Drive should also be provided. *Staff Comments: these sidewalks are planned as part of the existing Adkisson Drive improvements project.*

Map 12: Cleveland State Community College Immediate Area



**Priority #4:** Prioritize sidewalk improvements near areas that have a high number of passengers boarding/alighting the bus, as identified through the 2020 on-board boarding and alightings count.

In early 2020, the MPO and CUATS will be conducting an on-board boarding and alighting count as the initial step of converting the transit system from a flag-stop to permanent stop network. Based on the information gathered from this count, and in combination with creating a service plan that identifies minimum stop spacing, CUATS will identify permanent stops, eliminating the flag-stop operation. With this, sidewalk and crosswalk improvements should be prioritized at locations that are observed to have the highest level of activity (e.g. more than 25 boardings per day) and/or locations that do

not have good pedestrian access to and from the proposed stop. *Staff Comment: staff agrees with this priority but the study is needed to identify locations.*

### 3. Transit Center

The analysis of the Transit Center uses the ADA Checklist in the following section that covers public buildings. The Transit Center is located in an historic rail passenger depot that was renovated in the early 2000s using a variety of Federal, State, and local funds. The architectural plans for the renovation addressed ADA requirements. The Transit Center is further addressed in the public buildings section below.

#### Priority One

- The Handicap Signs are not 60 inches above the ground
- The signs do not read "Van Accessible"

#### Priority Two

- Some doors have non-ADA Compliant handles

#### Priority Three

- Handle to bathroom is not ADA Compliant
- Paper towel is too high
- Toilet paper is 5 inches in front of the toilet- it needs to be 7-9 inches

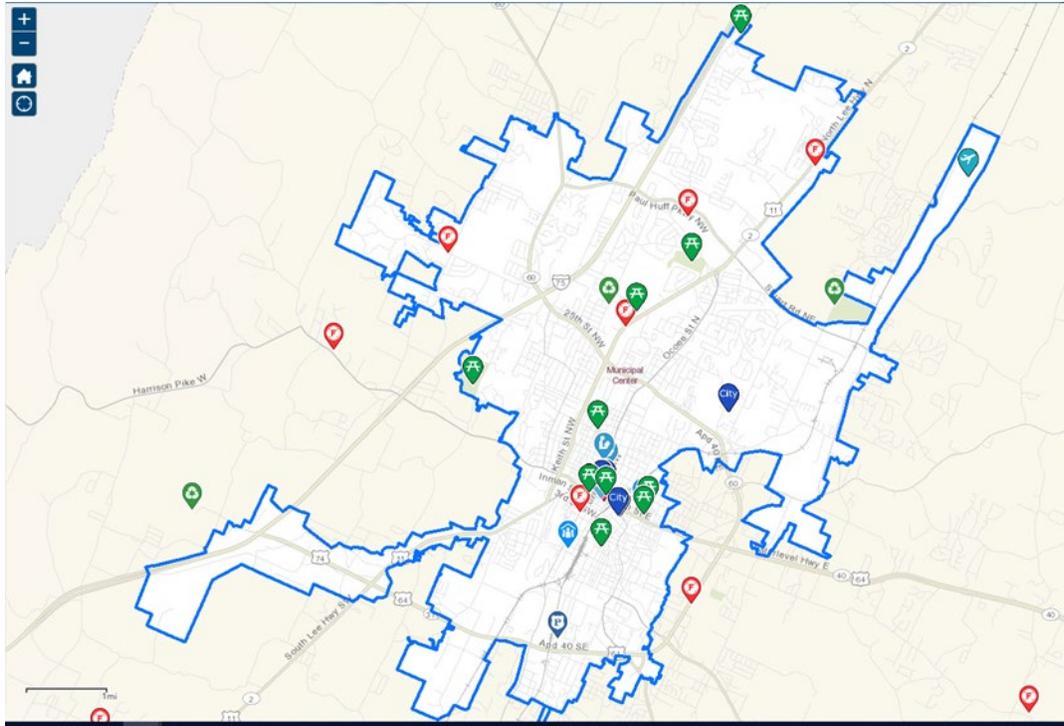
#### Priority Four

- The forward approach does not have enough space under the drinking fountain
- The spout is 8.5 inches from the rear of the drinking fountain instead of 15

## 2. Public Buildings, Parks, and Other Facilities

City buildings, parks, and other facilities (except schools) are represented in the in Map 13 below, along with some facilities operated jointly with other agencies (library, museum, etc.). Additional data can be found at <https://clevelandtn.maps.arcgis.com/apps/webappviewer/index.html?id=04e6c01a5273429eb82154266cdcce55> .

**Map 13: Buildings, Parks, and Other Facilities**



The public buildings, parks, and other facilities reviewed for this analysis were evaluated using the “ADA checklist” published by the Institute for Human Centered Design. The ADA checklist introduction notes the following: “State and local governments must ensure that services, programs and activities, when viewed in their entirety, are accessible to people with disabilities. This is part of public entities’ program accessibility obligations. Alterations to older buildings may be needed to ensure program accessibility. Generally this is a greater obligation than “readily achievable barrier removal” the standard that applies to public accommodations. State and local governments are not required to take any action that would result in undue financial and administrative burdens”. However, Margaret Mahler notes the following with respect to “undue burden” described in 28 CFR 35150(a)(3): claims of undue burden by a local government must be based on all resources available for a program; claims must be proven and accompanied by a written statement of reasons and signed by the head of the public entity; and what constitutes undue burden will often be decided in court.

Regarding alterations, Margaret Mahler notes concerning buildings that “each altered element must be accessible to and usable by people with disabilities, to the maximum extent feasible. What is ‘technically infeasible’? An alteration of a building or a facility, that it has little likelihood of being accomplished because existing structural conditions would require removing or altering a load bearing member which is an essential part of the structural frame; or because other existing physical or site constraints prohibit modifications or addition of elements, spaces, or features which are in full and strict compliance with the minimum requirements.” She goes on to emphasize that “cost is not a trigger of infeasibility in alterations”

The ADA Checklist is actually a series of checklists related to different categories of ADA issues applicable to a given local government program or facility (ADA Title II) or to a place of public accommodation (ADA Title III). There is a separate checklist, each several pages long, for four “Priorities for Accessibility”:

**Priority 1 - Accessible approach and entrance---** the purpose of this checklist is to establish that a facility meets this goal: **“an accessible route from site arrival points and an accessible entrance should be provided for everyone”**. This checklist asks about 50 questions concerning parking area accessibility (10 questions), the accessibility of the route to the entrance (6 questions), curbs along the accessible route to the entrance and curb ramp conditions (6 questions), ramps on the accessible route with slopes greater than 1:20 (12 questions), and entrance accessibility (13 questions). Questions are accompanied by illustrations and references to standards. Space is provided for the reviewer to make comments. For each question, examples of possible solutions are given for issues established by a negative response.

**Priority 2 - Access to goods and services---** the purpose of this checklist is to establish that a facility meets this goal: **“the layout of the building should allow people with disabilities to obtain goods and services and to participate in activities without assistance”**. This checklist asks about 90 questions concerning accessibility of building features designed for the delivery of goods, services, activities. It asks about: the accessibility of the interior route (8 questions); ramps (13 questions); elevators (11 questions); platform lifts (6 questions); signs (2 questions); interior doors (7 questions); rooms and spaces (3 questions); controls (2 questions); assembly areas (12 questions); seating at dining surfaces and non-employee work surfaces (4 questions); general seating in reception areas etc. (1 question); benches in locker rooms, etc. (2 questions); check-out aisles (5 questions); sales and service counters (5 questions); and food service lines (8 questions). The checklist, a form-fill document, provided illustrations, a comments section with places to add photos, and some suggestions on possible corrections for various issues that are identified.

**Priority 3 - Access to public toilet rooms---** the purpose of this checklist is to ensure that a facility meets this goal: **“when toilet rooms are open to the public they should be accessible to people with disabilities.”** This checklist asks 50 questions about bathroom accessibility. For facilities with public toilet rooms, it asks if at least one is accessible and whether signs direct people to it ( 3 questions); it asks about an accessible route (1 question); it asks about signs at toilet rooms (1 question); it asks about the entrance to the toilet room (10 questions); it asks about a clear path, turning space, and access to fixtures (5 questions); it asks about access to lavatories (7 questions); it asks about access to soap dispensers and hand dryers (2 questions); it asks about access to the toilet fixtures or water closets (11 questions); it asks about access to stalls (10 questions).

**Priority 4 - Access to other items such as water fountains and public telephones---** the purpose of this checklist is to ensure that a facility meets this goal: **“amenities such as drinking fountains and public telephones should be accessible to people with disabilities.”** It asks 20 questions about these issues, nine (9) of which

are about drinking fountains, ten (10) about public telephones (what becomes of this issue now that public telephones are becoming a thing of the past?), and one (1) about fire alarms. It is conceivable that other devices that come into common public usage within public buildings would be covered by accessibility requirements.

In addition to these four priority checklists related to existing facilities there is a series of checklists specific to recreation facilities. These are related to amusements (rides, etc.), fishing, golf, mini-golf, playgrounds, pools, boating, and miscellaneous activities. The City has some facilities for which compliance could be measured in part by application of these checklists: the fishing platform at Fletcher Park, the Cherokee Springs/Waterville golf course, playgrounds at parks, pools (Mosby, South Cleveland, Tinsley), and sports activities, team or player seating, exercise equipment, etc.

Figure 19

		<h1>ADA Checklist for Existing Facilities</h1>
Based on the 2010 ADA Standards for Accessible Design		
 <p>Produced by <b>Institute for Human Centered Design</b> <a href="http://www.HumanCenteredDesign.org">www.HumanCenteredDesign.org</a>  <b><a href="http://www.ADAchecklist.org">www.ADAchecklist.org</a></b> Copyright © 2016</p>	 <p><b>ADA National Network</b> <a href="http://www.ADAta.org">www.ADAta.org</a>  Questions on the ADA 800-949-4232 voice/tty Questions on checklist 617-695-0085 voice/tty <a href="mailto:ADAinfo@NewEnglandADA.org">ADAinfo@NewEnglandADA.org</a></p>	

## Checklist Review of Public Buildings, Parks, and Other Facilities

City facilities reviewed for this report included the following:

### a. Blythe Family Support Center

Priority 1:

- There is no marked van accessible space.
- There are no signs marking accessible spaces.
- An International Symbol of Accessibility sign needed at the accessible entrance.

Priority 2:

- The water fountain and benches protrude more than 4 inches into the path.
- There is a second level, depending on its use accessibility could be an issue as there is no elevator.
- The wall mounted signs with tactile characters at room entrances do not include Braille and the highest characters are more than 60" above the floor.

Priority Three

- The signs at toilet rooms lack raised characters and Braille, and they are not on the latch side of the door.
- The signs for the restrooms are located on the doors, not on the wall beside the doors.
- Hand dryer/towel dispenser located above obstruction.
- Toilet does not extend at least 54" from rear wall.
- Toilet compartment/stall door is not self-closing; door handles on both sides not ADA-compliant (easy to grasp, operable with one hand).

Priority 4

- The drinking bottom edge protrudes more 5" into the circulation path (4" is maximum allowed).

### b. City Hall

#### 1. City Hall--- Main

Priority 1:

- Is parking provided for the public at the municipal building? If so, where? If it is the street parking the handicap spaces will have to be moved to the street in front

of the building, and they will have to have signs and be made handicap accessible. If the guest parking is designated for the Parks building parking lot, there will need to be signs for that.

#### Priority 2:

- Access to upstairs is either by a stairwell or an elevator, both of which are behind locked doors requiring an employee to provide access.
- The elevator door only remains open for 14 seconds when activated, not the required 20 seconds.
- The door to the city council room only has 13" of clearance to the left of the door instead of the required 18".
- There is not the required seating in the waiting room for a disabled person.
- Seating in the city council room- it works, but technically we don't have enough designated handicap spots.

#### Priority Three

- There are no signs at handicap accessible restrooms pointing the way to handicap accessible restrooms, and there are no signs on handicap accessible restrooms.
- The signs for the restrooms are located on the doors, not on the wall beside the doors.
- The downstairs men's bathroom in the municipal building has a significant number of impediments to becoming ADA compliant. Because of this, I will not put the specific failures in this report. Please know that it has significant problems, and that there are better options for creating an ADA-compliant bathroom in City Hall, such as converting the downstairs women's room to a co-ed bathroom. From here on in this section, the "women's room" will be the downstairs women's room and the "men's room" will be the upstairs men/women's restrooms
- The upstairs men's restroom does not have a door handle that is ADA Compliant.
- The upstairs men's room has a door that closes in under 5 seconds.
- There is not a clear path to the soap and towels in the downstairs men's restroom or the downstairs men's restroom.
- There is no 60"x60" space for turnaround in the downstairs women's room or upstairs men's room.
- The mirror in the upstairs men's room is 43" off of the ground, that will need to be at maximum 40".
- The coat hangers in the women's room and the men's room are 65.5" and 67.5" above the ground, higher than the 48" maximum.

- The toilet isn't far enough away from the wall in the men's room- the toilet is 15 inches away from the wall, not the required 16-18".
- There is not the required space for the toilets in the women's restroom- it is a maximum of 35x58" not 60x56".
- The women's bathroom has no grab bars.
- The men's restroom has grab bars that do not meet the requirements.
- The toilet paper dispenser in the men's room is too far in front of the toilet- 22", not 7-9"
- In the women's bathroom, one of the stalls only has a 24" opening. (only the women's bathroom has stalls).
- The doors to the stalls in the women's room either do not have handles or the handles are non-ADA Compliant.
- The stalls are not 36" wide.
- The doors to the stalls in the women's room swing in, and the space in the stall is not 60x56".

#### Priority 4

- The drinking fountain's space around it is 22x48" is not the required 30x48".
- The fountain does not have a space under it, because the fountain is connected to the floor.
- The control on the fountain is not ADA Compliant.
- The spout is 44" above the ground- higher than the allowed 36".
- The bottom edge of the fountain is 18" into the path, more than the allowable 4".
- The volume control on the phone is not clearly identified, though it is easy to find it.
- The telephone does not have a TTY feature.

## 2. City Hall-- Annex

#### Priority One:

- Main entrance is not handicap accessible, and the alternative entrances cannot be used independently.
- Main entrance does not have a sign indicating the location of the handicap accessible entrance.

#### Priority Two:

- The AED is higher than 28 inches and it extends 7 inches into the walkway. It is only allowed to extend four inches at that height.

- The surface of the ramp does not extend at least 12 inches beyond the inside face of the handrail.
- There are no signs except for the secretary room.
  - There is no braille
  - The sign lettering is between 61 and 62 inches
- The door handles are non-compliant because they are doorknobs.
- Light switch by the stairs does not have a 30x48 inch approach to the light switches.

#### Priority Three:

- There is no accessible route to the public bathrooms.
- Signs on the public bathrooms are non-raised with no braille- new signs will be needed.
- Door openings for men and women are 26" not 32" wide.
- Door handle is non ADA-compliant.
- Floor space allows for a 36"x60" (male) and 43"x60" (female)- no 60"x60".
- Mirror is 46" high in the male and female bathrooms, not 40".
- In the male bathroom the sink has a 36"x33" approach not a 30x48" approach.
- There is a counter in the male and female bathroom. There is no knee room, toe room, and or leg room.
- The soap dispensers are too high- 53" not 48".
- Paper towels in the male bathroom are too high- 61" not 48.
- Neither bathroom has the required 56"x60". Male is 37x61 and female is 33x60.
- Neither toilet is the required 17"-19" the male toilet is 15" high and the female toilet is 16" high.
- There are no grab bars in either bathroom.
- The flush control is not on the open side of the bathroom.
- The toilet paper dispenser is -9 inches in the male bathroom and -7 in the female bathroom which is not 7-9 inches in front of the toilet paper.
- Toilet stalls in the male restroom.
  - Entrance is 21" not 32"
  - There are no handles to the door, and no lock
  - The compartment is 36" wide not 60"
  - When the door swings in, the area is 36x54 not 60x56

#### Priority Four

- There are no drinking fountains in the building
- There is no publicly accessible telephone

### c. Cleveland Jetport

It is unclear that analysis of the Cleveland Jetport is required for the purpose of this ADA Self-Assessment. ADA assessment for the Jetport may be a separate matter under the jurisdiction of the Federal Aviation Administration (FAA). Additional TDOT guidance is needed on this matter.

### d. Commodity Distribution Site

This facility houses Bradley Cleveland Community Services which provides various services, including distribution of agricultural commodities, mostly to low- and moderate-income persons. The building was part of the old Temple Hill School. The Bradley Cleveland Community Services offices are downstairs, whereas a weight room/work out facility for city employees is upstairs. Accessibility upgrades could be substantial (a checklist analysis is needed).

### e. Development and Engineering Services

Development and Engineering Services (DES) encompasses transportation planning, land use planning, zoning, engineering, and building inspections.

#### 1. Development & Engineering – Main

Located in this building are land use planning, zoning, building permits and other functions outside of the DES department including community development, public relations and social media, and Geographic Information Systems (GIS). This office has a high number of daily visits from developers, contractors, homeowners, and other members of the public who are in need of services. The building was constructed in the mid-1900s and remodeled at least once before becoming city offices in the early 2000s, at which time some interior walls and additional restrooms were added.

#### Priority 1: Approach and Entrance

- There needs to be one more handicap accessible space in the parking lot. The new spot does not need to be van accessible, because the current handicap accessible space that we have is van accessible.
- The current van accessible handicap spot needs a sign. The sign must say “van accessible” on it, and it must meet the other requirements such as height.
- The entrance to the building needs a new door handle. The current doorknob is considered inaccessible.

#### Priority 2: Access to Goods and Services

- Gate to the rest of the building is 35 inches not 36 inches.
- The hallway to the right once you get past the lobby- there is a filing cabinet there that needs to be moved. It makes the path less than 36 inches where it is right now. The filing cabinet needs to be moved somewhere off of the main circulation

path. It is taller than 27 inches and it protrudes more than 4 inches into the walkway.

- The two bathrooms in the front of the building need signs.
- Ladder in the back of the building needs to be moved.
- Doorways to offices in planning section of the building an engineering technician office are 31 inches wide, not 32 (these are private offices and other accessible spaces are in the building).
- Threshold (the “lip” on the ground in the doorway) to the back unused exit is one inch. Threshold to side exit is 2 inches.
- Three offices in the right cluster use door knobs.
- Light switches in the left and right clusters do not have the required clearance on the floor near them.

### Priority 3- Toilet Rooms

#### Front Bathroom:

- Need signs
- No 60x60 space to turn around, only 56x48 for men, 55x40 for women.
- No 30x48 space with door open in the mens room.
- Mirror is over 40 inches above the sink- 48.5” in men’s and 46” in women's.
- Sinks are 48x25 in womens room, not 30x48.
- No open space under the sink in the womens room- we need 17”-25.”
- Womens sink is 36” off the floor in the women's room, should be no more than 34.”
- No knee clearance under the sink in the women's room.
- No toe clearance in the women's room.
- Soap dispenser is 4” too high for where it is in the women's room.
- Toilet is too far away from the wall- 24” inches away from the wall, should be 16-”18.”
- Womens toilet seat is 22” away- should be 16-18.
- Not enough clearance in men and women’s rooms- should be 56x60. Men’s room is 37x42, women’s is 56x33.
- Toilet is too low in the mens room- 15.5”. Needs to be 17”.
- No grab bars in either men’s or women’s bathroom.
- Flush control is obstructed by closet in womens room.
- Toilet paper dispenser is not 7”-9” in front of the toilet- it is -8 in the men's room and -3 in the women's room.

#### Rear restrooms:

- When opening the door, there is not 60" of clear space, there is 48" of clear space.
- There is not enough space to turn around- 60x47". Needs to be 60x60.
- Mirror is 48"- 8" too high for where it is.
- Pipes under the sink are covered but people are not protected from them.
- Soap dispensers are 2" too high- 50" not 48".

## 2. Development & Engineering --- Building Inspections

This building houses the DES building inspections division and a conference room used for meetings of various kinds, including meetings with developers and design professionals. The building was constructed by the City as a sign shop for the manufacture of street signs; the sign shop function was re-located to a different part of Public Works, and the building was remodeled for use as the building inspection offices in the 2010s at which time accessibility codes were followed in the renovations.

### Priority 3: Bathrooms

- The grab bar on the side wall is not the required length.
- Flush handle on the toilet is facing the wall.
- Toilet paper dispenser is not 7"-9" in front of the toilet. Currently, it is 0" in front of the toilet.

## f. Emergency Shelter

### Priority One

- There is no public parking for the Cleveland Emergency Shelter.
  - As is, there is no designated handicap parking spaces
- The door closes faster than the allowed 5 seconds

### Priority Two

- There is an upstairs that does not have an elevator. However, the upstairs only has bedrooms, and there are bedrooms that are off of the main room downstairs
- The ramp is 48 inches long and 10 inches high, which is steeper than the allowed 1:12 ratio
- The top of the ramp has a 39 inch long landing, and the required space is 60 inches
- The bottom of the ramp has a 39 in long landing, and the required space is 60 inches
- Handrails are not present on both sides of the ramp.
- The top of the handrail is 39 inches high- the maximum allowed is 38

- The signs in the Emergency Shelter do not have raised text characters, they don't have braille, and the signs usually aren't mounted on the handle side of doors.
- Some of the signs need more floor space
- Lowest characters on the signs can be a maximum of 48 inches off of the ground- the signs in the Emergency Shelter have characters that are 62 inches high
- Some of the doors do not have the required 18 inches of maneuvering clearance on the other side of the door handle
- Door knobs in the building are not ADA Compliant
- Some light switches do not have the required 30x48 floor space
- The majority of the light switches are 51 inches off the ground, which is higher than the allowed maximum of 48 inches
- There is no natural 36x48 space for a person in a wheelchair to sit in the main room

## g. Fire

### 1. Fire Hall 1

Priority 1:

- Signs are needed at the handicap parking spots

Priority 2:

- The door to the grill from the kitchen is too narrow

Priority 3- (Men and Women's bathrooms are the same layout in this building, except the women's restroom has a shower instead of a urinal)

- The bathroom stalls are both too small.
- There is no 36 inch path to the toiletries
- The counter provides no leg room under the sink.

Priority 4

- The phone needs to be moved

### 2. Fire Hall 2

Priority 1:

- Signs are needed at the handicap parking spots

#### Priority 4

- The phone needs to be moved

### 3. Fire Hall 3

#### Priority 1:

- Signs are needed at the handicap parking spots

#### Priority 3

- The bathroom does not have a 60x60 inch space in it.

#### Priority 4

- The phone needs to be moved

### 4. Fire Hall 4

#### Priority 1:

- Signs are needed at the handicap parking spots

#### Priority 2

- The hallway needs to be clear. The drinking fountain and wall mounted stand are keeping the hallway from being ADA Compliant. Also, the drinking fountain is not ADA Compliant

#### Priority 3

- The bathroom is not ADA Compliant. The stalls are too small, among numerous other problems, such as the need for grab bars, moving the toilet paper, the doors aren't self closing, etc. The soap and paper towels are too high for being above the sink, the sink is located in a counter and that is non-ADA Compliant.

#### Priority 4

- The phone needs to be moved

## 5. Fire Hall 5

### Priority 1

- Signs are needed at the handicap parking spots

### Priority 3

- The bathroom is too small, no 60x60 space

### Priority 4

- The drinking fountain is too high

## 6. Fire Hall 6

This fire station was just recently opened and should meet current accessibility code.

## h. Museum Center

The Museum Center was built around 2000. It contains a museum and event and meeting space.

### Priority Two:

- Some objects protrude into the circulation path more than 4" but the reviewer noted that some of the intrusions were exhibit materials and thus were likely to be removed.
- Accessible seating area appears to be lacking in conference room (confirm).
- Clear space under work area is insufficient (confirm).

### Priority Three:

- Braille characters are lacking on bathroom signs.
- Baseline of lowest character on bathroom sign more than 60" high
- Coat hook in toilet room more than 48" above floor.
- Toilet compartment (stall) does not have at least 60" clear depth beyond 18" on latch side.
- Doors on stalls lack ADA-compliant handles that can be operated with one hand.
- Door locks on toilet stalls lack ADA-compliant handles that can be operated with one hand.

## Priority Four

- Bottom edge of drinking fountain protrudes more than 4" into circulation path.

## i. Park and Recreation Facilities

### 1. Avery Johnson Park

This park is presently being expanded and upgraded. Observations regarding the existing play area are as follows:

#### Play Area

- There is not an accessible route to the entrance of the play area
- There is no accessible route to any play components
- There is no accessible route to any elevated components
- There is no ramp to any elevated play components

### 2. Blythe-Oldfield Park

#### Priority One

- There is no van accessible handicap parking space
- The handicap parking spaces are 6 feet wide with an access aisle of 5 feet wide, instead of 8 feet by 5 feet
- There are handicap signs needed at the handicap spaces
- The handicap spaces are not the closest to the entrance

#### Priority Three

- Signs are needed
- The handle is on the closed side of the toilet
- The handles are not ADA Compliant

#### Play Areas

- There is not an accessible entry point to 50% of play components
- Need ramps and transfer systems to elevated play components

### 3. Cherokee Springs/Waterville Golf Course

#### Priority One

- The access aisles are not marked to discourage parking in them
- Handicap parking spots are not the closest to the entrance
- Door handle is not ADA Compliant
- The door closes in 3 seconds instead of 5

### Priority Two

- The signs are non ADA-Compliant. They do not have raised text, braille, and they are not mounted in the correct place
- The characters in the signs are 64-65 inches high. They can only be 48 inches maximum
- Door openings are 28 inches instead of the required 32
- Door handles are not ADA Compliant
- Door closes in 4 seconds, not 5
- Some light switches do not have the requisite floor space. The operable parts are 54 inches off of the ground and they can not be higher than 48
- There are no benches in the dressing room

### Priority Three

- Both of the sets of bathrooms- the bathrooms near the front, and the bathrooms in the dressing rooms, are not ADA Compliant. They will need substantial upgrades to become ADA Complaint

### Priority Four

- Drinking fountain is anchored on the ground, so there is no forward approach
- Drinking fountain spout is 40 inches off of the ground, it can't be higher than 36
- Spout is 12 inches from the back instead of the minimum 15
- The drinking fountain is 16 inches into the path

## 4. College Hill Recreation Center

### Priority 1

- The parking spaces are not the spaces closest to the entrance of the building.
- The main entrance door takes 3 and a half seconds to close instead of the required 5 seconds.

### Priority 2

- Not all public spaces are on an accessible route, including areas such as locker rooms/bathrooms and gym seating.
- There are multiple objects in the main path that are more than 4 inches into the path. Those objects will need to be moved.
- There are a significant number of light switches that do not meet the 30x48" requirement.
- The bleachers are staircase only, with no wheelchair spaces.
- The table that the computers are on is 29 inches high- the maximum is 27".

- If the bathrooms near the gym are being counted as locker rooms, they need at least one bench. If the bathrooms near the gym are being counted as bathrooms and not locker rooms, then they do not need benches and are fine.

#### Priority 3:

- First bathroom in Lobby:
  - Toilet Paper is too high
  - Mirror is too high
  - Toilet stall is too small for the ADA Compliance
  - There is no 60x60 area for wheelchair people to turn around.
  - There are no grab bars in the bathroom, so those will be needed.
- Bathroom by Gym
  - Toilet paper is too high.
  - Both of the stalls are too small to be ADA Compliance.
  - There are no grab bars.

#### Priority 4:

- Drinking fountain has a 27x13(+35)". The 13+35 is because there is a bump after 13 inches that may impede a disabled individual. The space is not a 30x48.
- The drinking has a 13" clear floor space under the drinking fountain, not the required 17-25"
- There are 10.5 inches of space from the rear of the drinking fountain, not the required 15"
- The public telephone has a space of 24x48 not the required 30x48
- The public telephone is at 61", not the required max of 48"
- The public telephone protrudes 5" into the circulation path not the maximum 4".
- The public telephone does not have a clear indicator for the volume
- The public telephone does not have a TTY.

## 5. Deer Park

This park was being renovated at the time of the report, mostly in its play area. An architecture and planning firm was hired to complete the design for the park renovation.

#### Priority One

- An additional accessible parking space is required.
- Accessible spaces must be identified with a sign including the International Symbol of Accessibility mounted at least 60" above the ground.

### Priority Three

- Flush control not located on the open side of the toilet as required.
- Door to toilet compartment not self-closing

### Priority Four

- Drinking fountain provides less than 17” of clear floor space underneath on the forward approach

## 6. First Street Square

### Priority One

- The bottom of the handicap parking signs are 46 inches off of the ground, not 60 inches as required
- The handicap parking signs also need to have “van accessible” on them

## 7. Fletcher Park

Fletcher Park is a large park donated and designed for passive recreational use. It features a trail and boardwalk wandering through wetlands and adjacent to Candies Creek. In addition to the trail and boardwalk, there are restrooms, picnic shelters, and a handicapped accessible fishing pier in Candies Creek. Grants for the development of the parks features required attention to accessibility.

### Priority 1

- A van accessible and an additional handicap accessible parking spaces are required for this park.
- Signs, lines and other identification marks will be required. These spaces should be spread out, with one near the bathroom and first entrance, with another sport or two by the second trail entrance.
- There are cracks in the pavement on the trail that keep the trail from being handicap accessible.

### Priority 3

- New signs will be needed.
- A door will be needed for the toilet stall.

### Fishing Pier

There is an asphalt path through the floodway area. The path is crumbling in some locations; while it is not generally steep the grade does reach 6.5% in places. There are

no places on the pier where the railing height is reduced to 34" to allow fishing by persons in a wheelchair.

## 8. Greenway

The Greenway is both a bicycle/pedestrian transportation facility, a multi-use path, and a linear park. It runs mostly along South Mouse Creek from south of Willow Street to Mohawk Drive that is north of Paul Huff Parkway (other portions of the Greenway extend along Fillauer Branch, tributary to South Mouse Creek). The Greenway along South Mouse Creek features four restroom buildings at different locations, two of which are addressed separately as part of adjacent parks, and two addressed here (one adjacent to the Church of God offices and the other at the Harris Circle trailhead--- basically on about one block north and one block south of 25<sup>th</sup> Street). The Greenway has parking/trailhead locations at five locations (Keith Street, Harris Circle, Raider Drive, Tinsley park, and Mohawk Drive). There are two adjacent parks, Tinsley Park and Greenway Park, which are discussed separately in this report. As noted above, the Greenway path itself generally follows the gentle contours of the creek. Access points from adjacent sidewalks are with ADA-compliant ramps. Parking at trailheads is level.

### Priority 3

- Need compliant signs at proper locations by restroom doors (mounted at right height by latch side of door, raised characters, Braille).
- Restroom doors require 10lbs. of force to open rather than the maximum 5lbs.
- Restroom doors close in less than 5 secs from 90 degrees to within 12 degrees of the latch.

### Priority 4:

- Drinking fountain clear floor space beneath fountain on forward approach is non-compliant.

## 9. Greenway Park

Greenway Park is located along Raider Drive across from Cleveland High School. It features a performance stage for outdoor concerts, a playground, restrooms, and parking/trailhead for the Greenway. The play area was evaluated using the ADA Checklist for play areas and found to be compliant.

### Priority 3

- Restroom entrance door requires 7 lbs. of force to open rather than maximum 5 lbs.
- Restroom doors close in less than 5 secs from 90 degrees to within 12 degrees of the latch.

- Pipes below lavatory not insulated or otherwise configured to protect against contact
- Door to toilet compartment not self-closing

## 10. Johnston Park

Johnston Park is substantially a passive park, and the activities and improvements there are governed by the conditions established by the family who donated the park in the 1930s. Those conditions basically called for walkways and landscaping in this park at the center of downtown, so there will not be parking and other elements that would require much in the way of accessibility improvements. The sidewalks internal to the park are tied in at grade with the sidewalks on the adjacent streets and are accessible. The amphitheater feature was not part of the original park design from the donors so it is possible that it would be removed rather than improved to be ADA-compliant. If the gazebo is to remain, it is possible that it could be made accessible through the installation of a ramp.

### Priority One

- There is only street parking, and as such there is no designated handicap parking spots near the park. However, there are handicap parking spaces nearby.
- The path to and from the park is a sidewalk that is ADA-Compliant
- There is a ramp in Johnston Park that has a large lip that is not ADA-Compliant
- The pavilion is not ADA-Compliant as it only has stairs.
- The outdoor amphitheater does not have the required handicap seating

## 11. Mosby Park and Pool

This facility is close to the College Hill Recreation Center. Like other facilities in this historically African-American neighborhood, Mosby Park and Pool has been improved using CDBG and other resources. Recent improvements were made with accessibility as part of the design process.

### Park:

- We need an improved parking lot, with handicap accessible spaces.
- The actual park has no elevated play equipment that is accessible.
- The actual play areas are not accessible for handicap individuals.

### Pool area:

### Priority One

- handicap parking and van accessible spots are needed

### Priority Two

- new signs for the bathrooms are needed
- Need a new bench in mens/womens bathrooms. Current bench is 9.5 inches wide, needs to be 21

### Priority Three

- Toilet is 19 inches from wall, more than the 18 allowed

### Priority Four

- Need to make one of the drinking fountains at the pool between 38 and 43 inches high.

### The Actual Pool

- appears to meet requirements

## 12. Rolling Hills Nature Park

This is a passive park. It is in a wetlands mitigation area made from part of an abandoned golf course. There is a rustic trail following in part along the former golf course cart path. The park offers no facilities at this time but improvements like parking and accessibility are anticipated.

## 13. Shepard Field

This facility is located adjacent to College Hill Recreation Center. This multi-purpose sports field has received upgrades in recent years to the field, concession stands, picnic areas, etc. Nearby parking and sidewalks were also improved. The project received CDBG assistance and other funding.

### Priority One

- van accessible parking needed with sign
- International symbol of accessibility parking sign lower than required minimum 60"
- Accessible route is over 200' and lacks passing space at least 60" wide

## 14. Soccer Complex

This facility consists of soccer fields, concession stand, restrooms, and parking. There is no seating at most of the fields; spectators and participants bring their own chairs, blankets, tents, etc. There are walkway areas around the concession stand and restrooms, and from the parking lot to the field configured as a stadium. Concrete pad areas exist around the stadium seating that would provide access for wheelchair seating. Minor improvements in parking signage and restrooms are anticipated.

## 15. South Cleveland Recreation Center and Pool

This facility is an older facility containing a gym, weight room, exercise areas, pool, ball field, etc. This facility serves disability populations from Life Bridges.

### Priority One

- handicap accessible parking needs to be appropriately marked and signed
- van accessible parking with appropriate marking and signs are needed
- accessible parking needs to be on the closest accessible route
- accessible route lacks ADA-compliant curb ramp
- There is a ramp rising higher than 6" and it needs ADA-compliant hand rail on both sides
- An International Symbol of Accessibility sign is needed at the accessible entrance
- Signs are needed at inaccessible entrances directing people to the location of the nearest accessible entrance
- Door at accessible entrance closes from 90 degrees to within 12 degrees of the latch in less than 5 seconds

### Priority Two

- signs for rooms are needed with raised text and Braille at the correct height on the latch side of room doors
- some spaces have floors with carpeting in excess of maximum ½" in height

### Priority Three

- Need signs at inaccessible toilet rooms pointing to accessible toilet room
- A sign with International Symbol of Accessibility needed at entrance to accessible toilet room
- Sign at accessible toilet need raised characters and Braille
- Door handle for accessible toilet needs to be ADA-compliant and operable with one hand
- Door of accessible toilet cannot require more than 5 lbs. of force to open

- Coat hook in toilet room more than 48" from floor
- Force required to activate towel dispenser/hand dryer exceeds 5 lbs.
- Height of toilet less than 17"
- Force required to operate flush handle exceeds 5 lbs.

#### Priority Four

- Bottom edge of drinking fountain extends more than 4" into circulation path

#### 16. Stuart Park

This facility is located adjacent to Stuart Elementary School. It was Originally developed with assistance from a local civic organization with a goal of providing an accessible play area; it was at the time named the Stuart Handipark. This park has undergone significant recent renovations and the improvements were designed to meet accessibility standards.

#### 17. Taylor Springs Park

This park is now under construction and there is presently nothing to assess for purposes of ADA.

#### 18. Tinsley Park and Pool

Tinsley Park is a community park connecting with the Greenway system near the confluence of South Mouse Creek and Fillauer Branch. The park contains a playground, picnic shelters, a dog park, ball fields, tennis courts, and a swimming pool.

##### Play Area

The play area was evaluated using the ADA Checklist for play areas and found to be compliant.

##### Pool Area

The pool was evaluated using the ADA Checklists for swimming pools, wading pools & spas. No compliance issues were reported.

#### Priority 3

- Restroom entrance door requires 7 lbs. of force to open rather than maximum 5 lbs.
- Restroom doors close in less than 5 secs from 90 degrees to within 12 degrees of the latch.
- Pipes below lavatory not insulated or otherwise configured to protect against contact
- Door to toilet compartment not self-closing

## j. Police

The Police building is part of the larger downtown city hall complex. It is a relatively new building constructed in the early 2000s and equipped with elevators and other modern features. It was architecturally designed to meet ADA standards. Much of it is restricted space, housing police offices and the IT department. On the ground floor is the City Court.

### Priority One

- The Police building is served mostly by on-street parking, and the handicap spots are not close to the entrance of the building.

### Priority Two

- The signs outside of the elevators is 60-64", which is higher than the allowed 48"-60".
- There are a lot of light switches that don't have a 30x48" space under them. There aren't any structural impediments so it's just moving trash cans and things of that nature.
- The seating in public spaces needs some permanent handicap spaces. Only the courtroom appears to have permanent handicap seating.
- The tables in the front of the courtroom are not handicap accessible.

### Priority Three

- Need signs to handicap accessible bathrooms.
- Signs needed for the bathrooms.
- Doors cannot be opened easily (5+ pounds).
- Coat hook is 58"- needs to be maximum 48".
- Paper towel dispenser is 50", needs to be 48".
- The toilet paper dispenser is right next to the grab bar.

### Priority Four

- Top of the phone provided to the public is 58" high, needs to be maximum 48".
- Phone does not have TTY.

## k. Public Library

## 1. Public Library---Main

### Priority One

- The van accessible spaces are 8x7 feet, not the required 8x8 feet
- The handicap parking signs are 52 inches above the ground, not 60

### Priority Two

- There are objects in the circulation path, but there are always 36 inch wide paths to get everywhere.
- The hand rails for the ramps are 41 inches above the ground. The maximum is 38
- Some signs do not have the required floor space
- Some light switches do not have the required floor space, some do not

### Priority Three

- See evaluation sheet

### Priority Four

- The leading edge of the water fountain is 10 inches into the pathway- it can be a maximum of four

## 2. Public Library---History Branch

The public library's history branch is located in a historic building. Renovations of the history branch were performed in with architectural plans developed for the historic building, adhering to the Secretary of the Interior's standards. Some accessibility features were included in the renovations of the site and the building but the historic preservation concerns affected the manner of compliance with accessibility standards.

## I. Public Works

### 1. Public Works—Main

This building, a converted school building from the early to mid-1900s, houses public works offices and crew space as well as codes enforcement and the Keep America Beautiful office. There is adjacent parking, refueling facilities, and city equipment storage on the exterior.

### Priority 1

- The handicap accessible parking space is 12' wide- less than the 13' feet necessary, and there is no van space.
- The ramp that is used to get the entrance has too much of a slope and needs either a) a handrail or b) to be elongated.
- The vestibule entrance is 15 inches long.

## Priority 2

- The water fountain is 20 inches into the path.
- Codes is upstairs, and needs to at least partly not be because there is no elevator. They've already had problems with it.
- The entrance door to the conference room- 15" to the side- move obstructing material.
- Door handles are all door knobs.
- Move obstructions around light switches.
- Conference Room.
  - No designated wheelchair spots
  - Spaces are too narrow- around 30"
  - No forward approaches to the table
  - Space under the table is around 11 inches

## Priority 3

- Door to bathroom is 26 inches.
- Doorknobs needs to be changed to door handles.
- Paths are 30" which is not wide enough.
- No 60x60 spaces to turn around.
- Mirror is 52" above the ground.
- Sink is 32x30, not 48x30.
- No space under the sink.
- Paper towel is 53" above the ground.
- Toilet is 14" away from the wall not 16-18.
- Bathroom space is 35x64 not 56x60.
- Toilet is 14.5" off of the ground.
- There are no Grab Bars.
- Flush control is not on the open side of the door.
- Toilet paper is 10 inches in front of the bathroom.
- Door to bathroom is 26".
- Door is not self closing.
- Door knobs.
- Compartment is 35" wide.

## Priority 4

- Fountain is 15" into the path.
- Phone is not a TTY phone- and very high off of the ground.
- No fire alarm systems (*verify*).

## 2. Public Works--Fleet

This part of public works consists of a city garage and vehicle storage. An ADA checklist evaluation is needed.

### ADA Repair Impacts and Costs: Public Buildings, Parks, and Other Facilities

The following table (Figure 20) provides a cross-cutting analysis of likely impacts and cost levels for ADA-related improvements to each of the facilities discussed above. The analysis includes a provisional estimate of annual public visits to the facility (one person may make multiple visits). Visits to recreational and cultural facilities are relatively high in comparison to other facilities ranging from city hall to the homeless shelter, so this latter class of facilities was evaluated separately (there were an estimated 60,900 visits to these facilities versus 1,056,500 visits to recreational and cultural facilities).

Administrative support for core city services, basically whether a building houses city department management and administrative staff, was also considered. Low-income and disability tend to occur together so it was believed that facilities housing services which support lower income population would be important to the disability population. While City parks and their related amenities tend to be fairly new or at least updated, most of the buildings housing City services are from 70 to over 100 years old and are makeshift adaptations from other uses. High cost items (77 total) like potential need for elevators, entrance modifications, extensive bathroom modifications, etc. tended to be located in older buildings. Medium priced items (118 total) included things like modifications to water fountains, relocation of controls, etc. Low-cost items (170 total) included things like adding or changing signs and markings related to various accessibility features. Some important caveats regarding costs: sometimes one improvement triggers the need for other improvements; sometimes there may be more than one way to provide for accessibility; and new or substantially upgraded facilities that may be needed for non-ADA reasons could address ADA problems. High end provisional estimates centered around a new city hall complex and significant improvements to other outlying facilities with additional capacity and allowance for problems discovered in the design process would be in the \$8M-\$10M range. Low end provisional estimates for a more modest program of improvements would be in the \$5M-\$8M range. A figure of \$7M is squarely within the middle. (These ranges include some allowance for site upgrades, e.g. improving slopes in parking, that were not evaluated but may be necessary.)

Figure 20

COMPARATIVE IMPACTS AND COST MAGNITUDE ANALYSIS OF AMERICANS WITH DISABILITIES ACT (ADA) REPAIRS BY FACILITY IN CLEVELAND, TN									
FACILITY	PROVISIONAL ESTIMATED PUBLIC VISITS PER YEAR	% OF NON-RECREATION AND CULTURE VISITS	CORE CITY SERVICE ADMIN SUPPORT	LOW-INCOME AND DISABILITY IMPACT	# HIGH COST ITEMS	# MEDIUM COST ITEMS	# LOW COST ITEMS	% OF TOTAL HIGH AND MEDIUM COST ITEMS	% OF TOTAL LOW COST ITEMS
Blythe Family Support Center	7000	11.49%	NO	HIGH	2	5	7	4%	4%
City Hall									
City Hall--- Main	13,000	21.35%	YES	MEDIUM	9	6	14	8%	8%
City Hall--- Annex	3000	4.93%	YES	MEDIUM	9	5	11	7%	6%
Commodity Distribution Site	2000	3.28%	NO	HIGH	4	3	10	4%	6%
Development & Engineering (DES)									
DES Main	6000	9.85%	YES	MEDIUM	6	12	14	9%	8%
DES Building Inspections	2000	3.28%	NO	LOW	0	1	2	1%	1%
Emergency Shelter	4000	6.57%	NO	HIGH	6	5	7	6%	4%
Fire									0
Fire Hall 1	350	0.57%	YES	MEDIUM	4	1	1	3%	1%
Fire Hall 2	50	0.08%	NO	LOW	0	1	1	1%	1%
Fire Hall 3	50	0.08%	NO	LOW	1	0	2	1%	1%
Fire Hall 4	50	0.08%	NO	LOW	1	2	2	2%	1%
Fire Hall 5	50	0.08%	NO	LOW	1	2	1	2%	1%
Fire Hall 6	50	0.08%	NO	LOW	1	0	1	1%	1%
Museum Center	25,000		NO	MEDIUM	0	6	7	3%	4%
Parks and Recreation									0
Avery Johnson Park	15,000		NO	MEDIUM	2	4	0	3%	0%
Blythe-Oldfield Park	15,000		NO	MEDIUM	1	5	3	3%	2%
Cherokee Springs Golf Course	3500		NO	LOW	2	6	8	4%	5%
College Hill Recreation Center	14,000		NO	MEDIUM	4	11	7	8%	4%
Deer Park	25,000		NO	MEDIUM	0	3	2	2%	1%
First Street Square	4000		NO	LOW	0	0	2	0%	1%
Fletcher Park	19,000		NO	LOW	2	1	3	2%	2%
Greenway	500,000		NO	LOW	0	2	4	1%	2%
Greenway Park	26,000		NO	MEDIUM	0	0	4	0%	2%
Johnston Park	4000		NO	LOW	1	3	0	2%	0%
Mosby Park and Pool	10,000		NO	MEDIUM	3	4	3	4%	2%
Rolling Hills Nature Park	2,000		NO	LOW	3	0	0	2%	0%
Shepard Field	5000		NO	LOW	0	2	1	1%	1%

Figure 20 (cont.)

COMPARATIVE IMPACTS AND COST MAGNITUDE ANALYSIS OF AMERICANS WITH DISABILITIES ACT (ADA) REPAIRS BY FACILITY IN CLEVELAND, TN									
FACILITY	PROVISIONAL ESTIMATED PUBLIC VISITS PER YEAR	% OF NON- RECREATION AND CULTURE VISITS	CORE CITY SERVICE ADMIN SUPPORT	LOW- INCOME AND DISABILITY IMPACT	# HIGH COST ITEMS	# MEDIUM COST ITEMS	# LOW COST ITEMS	% OF TOTAL HIGH AND MEDIUM COST ITEMS	% OF TOTAL LOW COST ITEMS
Soccer Complex	100,000		NO	LOW	0	0	2	0%	1%
South Cleveland Rec Center and Pool	18,500		NO	MEDIUM	0	7	12	4%	7%
Stuart Park	8500		NO	MEDIUM	0	2	0	1%	0%
Taylor Springs Park	4,000		NO	LOW	2	0	0	1%	0%
Tinsley Park and Pool	51,000		NO	MEDIUM	0	0	4	0%	2%
Police	8,000	13.14%	YES	MEDIUM	1	2	9	2%	5%
Public Library									
Library --Main	200,000		NO	HIGH	0	3	4	2%	2%
Library--History Branch	7,000		NO	LOW	1			1%	0
Public Works								0	
Public Works-- Main	3000	4.93%	YES	LOW	10	10	13	10%	7%
Public Works-- Fleet	300	0.49%	NO	LOW	1	2	3	2%	2%
Transit Center	12,000	19.70%	NO	HIGH	0	2	6	1%	3%

### 3. Recreation, sports, arts, and cultural programs and activities

There is also an ADA Checklist for Program Accessibility. That checklist explains the following: “public entities must ensure that people with disabilities are not excluded from programs, activities, and services because of inaccessible facilities. Each facility is not necessarily required to be accessible. A public entity's services, programs, or activities, when “viewed in their entirety,” must be accessible. This standard is known as "program accessibility" and is a key requirement under Title II. Structural changes are not required where there are other feasible solutions such as moving a class to an accessible

location when a student with a disability needs to be in an accessible location or having a librarian retrieve books from an upper story. However, structural changes lead to increased integration and should be considered where feasible.” When reviewing the accessibility of these programs it will be important to refer back to the accessibility of the facilities in which they are located.

Figure 21

CLEVELAND PARKS AND RELATED FACILITIES		
<b>Blythe Oldfield Park</b>	<b>Deer Park</b>	<b>Fletcher Park</b>
Basketball courts	Benches	Bike trail
Electrical hookups	Electrical hookups	Creek
Multipurpose field	Creek	Electrical hookups
Pavilion	Pavilion	Pavilions
Picnic Tables	Picnic tables	Gazebo
Playground	Playground	Nature trail
Restrooms	Restrooms	Restrooms
Tables	Water	Tables
Walking track		Walking trail
Water	<b>Mosby Park</b>	Japanese garden
Zipline	Basketball court	Fishing pier
	Benches/chairs	Green space
<b>Mosby Pool</b>	Lighted fields	
Swimming Pool	Pavilion	<b>1<sup>st</sup> Street Square</b>
Splash pad	Picnic areas	Benches
Diving board	Playground	Electrical hookups
Locker room	Restrooms	Green space
Restrooms	Tables	Parking
Electrical hookups		Picnic areas
Chairs/tables	<b>Tinsley Park</b>	
	4 Baseball fields	<b>Sheppard Field</b>
<b>Greenway Park</b>	Bike trail	Benches
Bike trail	Dog Park	Chairs
Nature trail	Electrical hookups	Lighted fields
Pavilion	Pavilions	Picnic tables
Picnic area	Picnic areas	Restrooms
Playground	Playground	Water
Restrooms	Restrooms	
Water	Skate Park	<b>Tinsley Pool</b>
Green space	Tennis courts	Swimming Pool
Stage	Walking trail	Diving board
	Water	Locker room
<b>Stuart Handi-Park</b>		Restrooms
Pavilions	<b>Johnston Park</b>	Electrical hookups
Playground	Gazebo	Chairs/tables
Restrooms		
Electrical hookup		
<b>Cleveland Community Center Pool</b>	<b>Cleveland Community Center</b>	<b>College Hill Community Center</b>
Locker room	Softball field	Football field
Swimming Pool	Pool	Weight room
Water Slide	Basketball Court	Restrooms
Climbing wall	Weight room	Game room
Restrooms	Computer room	Computer lab
	Game room	Gym
<b>Greenway</b>	Gym	Kitchen
pedestrian/bike trail	Restrooms	
benches	Playground	<b>Blythe-Bower Park</b>
restrooms	Kitchen	(under development)
water		
public art	<b>Soccer Complex</b>	<b>Cherokee Springs Golf Course</b>

Figure 22

<b>College Hill Recreation Center Programs</b>		
<b>Program</b>	<b>Age Groups</b>	<b>Days of Week</b>
Summer Camp	6-13	Monday-Friday
Pickleball	Seniors	Tuesday/Thursday/Friday/Saturday
Basketball	2 <sup>nd</sup> -5 <sup>th</sup> Grade	Thursdays
Softball	7-12	Mondays/Wednesday
Senior Circuit Training	Seniors	Monday/Wednesday
Tutoring	Middle School	Tuesday/Thursday
<b>South Cleveland Recreation Center Programs</b>		
<b>Program</b>	<b>Ages Groups</b>	<b>Days of Week</b>
Summer Camp	5-12	Monday-Friday, June & July
Pickleball	All ages	Saturdays, March-October
Basketball	4-12	Mon-Sat, November-March
Cheer	5-13	Mon-Sat, November-March
Workout classes	18 and older	Mondays, Summer
Income tax preparation		Fridays & Saturdays, tax season

As can be seen from the lists above (Figures 21 and 22), the City of Cleveland owns and manages a variety of park and recreation venues with offerings ranging from passive to highly active. These facilities generally have ADA-compliant parking and restrooms in addition to the activity areas. The largest park is the bicycle/pedestrian Greenway which serves both recreation functions, connecting with parks, and transportation functions by connecting with the sidewalk and bicycle system and various trip generators like schools. The Greenway and its component parts like parking and restrooms are designed to meet ADA requirements. Special purpose facilities owned by the City of Cleveland include a soccer complex, operated by the Greater Cleveland Soccer Association, and the Cherokee Springs Golf Course, operated by a private contractor.

The City of Cleveland and Bradley County jointly own the Cleveland-Bradley County Public Library and the Museum Center at Five Points. The main library is located partly within an historic building and partly within a more modern addition design to comply with ADA requirements. The library’s historic branch is located within an historic home that has been improved with accessible parking and entrance. The Museum Center at Five Points was built after the adoption of the ADA and designed in compliance with it. Both the library and the museum feature meeting space and larger assembly areas. The library, of course, has storage and retrieval space for books and other media, as well as reading and study space and public access computers, and a coffee shop. The museum has exhibit spaces, an outdoor gathering space, and a gift shop.

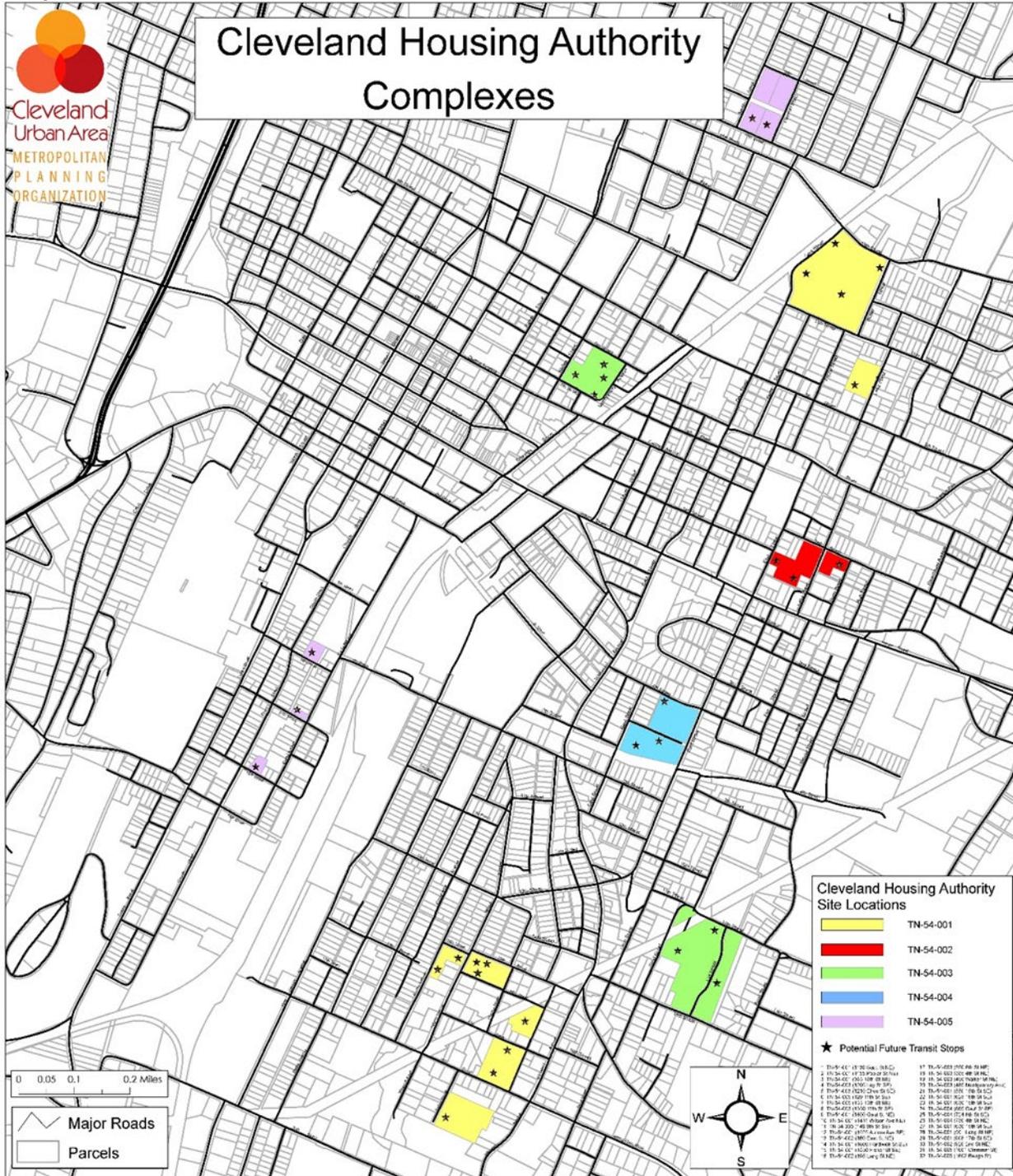
#### **4. Housing programs**

The Cleveland Housing Authority (CHA) owns and maintains various public housing sites throughout the City, with a total of 420 units, and the CHA also manages a Section

8 Rental Assistance Program that includes 200 units. Public housing is found in the locations indicated in the table (Figure 23) and Map 14 below.

<b>Figure 23</b>									
PUBLIC HOUSING IN CLEVELAND, TENNESSEE									
Map #	Public Housing Project Number	Address	Number of Units	Comments	Map #	Public Housing Project Number	Address	Number of Units	Comments
1	TN-54-001	1130 Gaut St NE			17	TN-54-003	350 6th St NE		
2	TN-54-001	1155 Poplar St NE			18	TN-54-003	385 4th St NE		
3	TN-54-001	985 18th St SE			19	TN-54-003	450 Walker St NE		
4	TN-54-003	1205 Lay St SE			20	TN-54-003	485 Montgomery Ave		
5	TN-54-003	1210 Elrod St SE			21	TN-54-001	550 15th St SE		
6	TN-54-005	129 11th St SE			22	TN-54-001	625 16th St SE		
7	TN-54-005	133 13th St SE			23	TN-54-001	630 15th St SE		
8	TN-54-003	1350 11th St SE			24	TN-54-004	669 Gaut St SE		
9	TN-54-001	1400 Gaut St NE			25	TN-54-004	724 6th St SE		
10	TN-54-001	1411 Wilson Ave NE			26	TN-54-004	730 4th St NE		
11	TN-54-005	149 9th St SE			27	TN-54-001	630 15th St SE		
12	TN-54-001	1525 Aurora Ave SE			28	TN-54-001	901 Lang St NE		
13	TN-54-002	160 East St NE			29	TN-54-001	908 17th St SE		
14	TN-54-001	1600 Hardwick St SE			30	TN-54-002	920 2nd St NE		
15	TN-54-001	1850 Fisher St SE			31	TN-54-005	1601 Clemmer St		
16	TN-54-002	195 Lang St NE			32	TN-54-005	1602 Baugh St		

Map 14



CHA operates under the oversight of the U.S. Department of Housing and Urban Development (HUD) which requires that CHA programs comply with the ADA and related laws. CHA meets targets (5%) for the proportion of its units that are handicapped accessible in all categories (number of bedrooms) and attempts to increase this proportion as modernizations occur. Recent experience has indicated additional demand for accessible two-bedroom units and CHA is working to improve its

inventory to add these units. Architects and engineers in the employ of CHA coordinate with City officials to ensure that site related improvements at the CHA properties meet ADA requirements. The CHA does not have a specific adopted policy regarding ADA compliance but CHA management understands ADA compliance to be part of its conformity to HUD program rules (ADA Coordinator interview with CHA Executive Director Paul Dellinger 10/11/2018).

The City of Cleveland is a Community Development Block Grant (CDBG) entitlement program community receiving funds directly from the United States Department of Housing and urban Development (HUD). Through its CDBG program, the City has provided some assistance to the development of affordable housing in the form of land acquisition, infrastructure (utilities and streets), and down payment assistance. In carrying out these activities, the City has worked with organizations such as Habitat for Humanity. The City has been less directly involved in housing rehabilitation and other housing assistance through other HUD programs; programs of the Tennessee Housing Development Agency (THDA) requirements include compliance with ADA requirements.

Bradley Cleveland Community Services, a state-funded community service agency, operates the local homeless shelter, the Cleveland Emergency Shelter, which is located in a former ambulance station that was built prior to ADA. Bradley Cleveland Community Services is also a provider of affordable housing.

## **5. Children and Senior programs**

The City of Cleveland has several parks and recreation centers that feature a variety of play equipment and recreation opportunities that persons with disabilities may wish to access. Persons of all ages use the City parks and recreation facilities, but the local senior center is a facility maintained and operated by Bradley County. The City of Cleveland College Hill Recreation Center and South Cleveland Recreation Center offer programs for both children and seniors as described in the tables above. Other programming for children occurs through the Boy and Girls Clubs, the YMCA, Bradley County's baseball and basketball leagues (elementary age at local schools), and Upward Sports programs through local churches. So, children and senior programming occurs in a variety of public venues; facilities that are publicly owned are generally believed to have been brought into compliance with ADA requirements when upgraded (the scope of this report does not include privately owned facilities or those operated by Bradley County or the school systems).

## **6. Land use programs**

The City of Cleveland's Development and Engineering Services Department maintains its land use program through its Planning Division. Staff are responsible for the City's long range land use planning documents, as well as current planning activities such as zoning administration, zoning variances, and site plan review. Meeting of the various boards responsible for land use planning processes are held in the City Council Chambers which is accessible. Information about the City's land use programs is

accessible through its website and social media outreach. In implementing its review processes for construction within the ROW and on private property, staff reviewers work the design professionals involved to ensure that the appropriate ADA-related regulations are being complied with.

## **7. Website, social media, and other communications**

A website accessibility checklist was completed by Brian Moran who is responsible for the City's website. The preamble to the checklist notes that "many people with disabilities use assistive technology such as screen readers, text enlargement software, and programs that enable people to control the computer with their voice, eyes or nose. Access problems occur when website designers assume that everyone sees and accesses a webpage in the same way. Accessible website design recognizes these differences and does not require people to see, hear, or use a standard mouse in order to access the information and services provided."

The website accessibility checklist has a series of seven questions designed for "yes" or "no" responses, along with a "comments" section and a "next steps" section for each question. Beyond the seven questions, the checklist provides space for any additional information that reviewers may wish to add. Information provided for each of the seven questions is provided below.

**Question 1:** Is there a policy that the public entity's webpages will be accessible, that is, in compliance with the W3C Web Content Accessibility Guidelines (WCAG) 2.0 or Section 508 Standards?

Response: "No"

Comments: The City of Cleveland is in the process of developing a formal policy to address accessibility for the city's website.

Next Steps: Once the policy is developed the Cleveland City Council will have the option to approve this policy.

**Question 2:** Are the staff and contractors who are responsible for webpage and content development aware of the policy?

Response: "No"

Comments: At this time, there is not a formal policy in place, but staff are aware Web Content Accessibility Guidelines and Section 508 Standards since our organization receives federal dollars and is also required to meet the standards under ADA.

Next Steps: The next step is for staff to create a formalized and written policy highlighting these standards to follow and adhere to.

**Question 3:** Are the staff and contractors who are responsible for webpage and content development knowledgeable about these standards?

Response: "Yes"

Comments: City staff are aware of these standards and receive annual training.

Next Steps: City staff will continue to receive training about any changes to Section 508 standards and ADA.

**Question 4:** Has the website been tested for compliance with either of these standards?

Response: "Yes"

Comments: The City of Cleveland currently uses a technology solution, Site Improve to evaluate the organization's digital certainty index, quality assurance, accessibility and search engine optimization.

Next Steps: Any discrepancies that are detected using this solution are fixed to the best of city staff's ability and technology capabilities.

**Question 5:** If yes, have people with disabilities who use screen reading software and other assistive technology participated in the evaluation?

Response: "No"

Comments: no comments

Next Steps: The City of Cleveland can partner with people with disabilities to determine how we can improve the content and navigation on our website.

**Question 6:** Is there a plan for making the existing web content accessible?

Response: "Yes"

Comments: Our organization is in the process of redesigning and improving the current website.

Next Steps: City staff can edit existing content for better accessibility.

**Question 7:** Is there a plan for making future web content accessible?

Response: "Yes"

Comments: Our organization is in the process of redesigning and improving the current website. The new website will be mobile responsive and provide more robust features and capabilities, which also include improving accessibility.

Next Steps: City staff can ensure section 508 procedures are being followed, such as making sure alternative text is implemented when a picture is uploaded to the website so a screen reader can identify the text.

The "Other" portion of the Website Accessibility Checklist was not completed. However, staff noted that the following information is offered under the "Transparency" tab of the

City of Cleveland, TN

website <http://www.clevelandtn.gov/DocumentCenter/View/14>

### **Accessibility Design Guidelines**

*Our website has been designed with the following accessibility guidelines in mind:*

*The standard font used throughout the site has been chosen to be easily legible.*

*Wherever possible, we use live text instead of graphics to reduce the download time of pages and increase your control.*

*No information is exclusively conveyed using color. This doesn't mean that colors are not used to organize information; instead it means there are also other, non-color dependent ways of doing this.*

*All images and hyperlinks, where appropriate, have an alternative text attribute. This means when an image or hyperlink is conveying important information its content is described with an alternative text.*

*We have attempted specifically to comply with Section 508 referring to website accessibility standards.*

*If you have difficulty accessing the site or have any comments or feedback, please do not hesitate to contact us.*

### **Accessibility Design Guidelines**

*Many popular browsers contain built-in accessibility tools.*

*Internet Explorer Accessibility Information*

*Firefox Accessibility Information*

In addition to its web page, the City of Cleveland has developed an active social media presence through Facebook, Twitter, and other outlets to ensure that local residents and other interested parties have up to date information about events and opportunities involving the City of Cleveland which may impact their lives and interests. A member of the City Manager's team provides authoritative, city-related social media updates on a daily basis. These social media platforms follow protocols for accessibility.

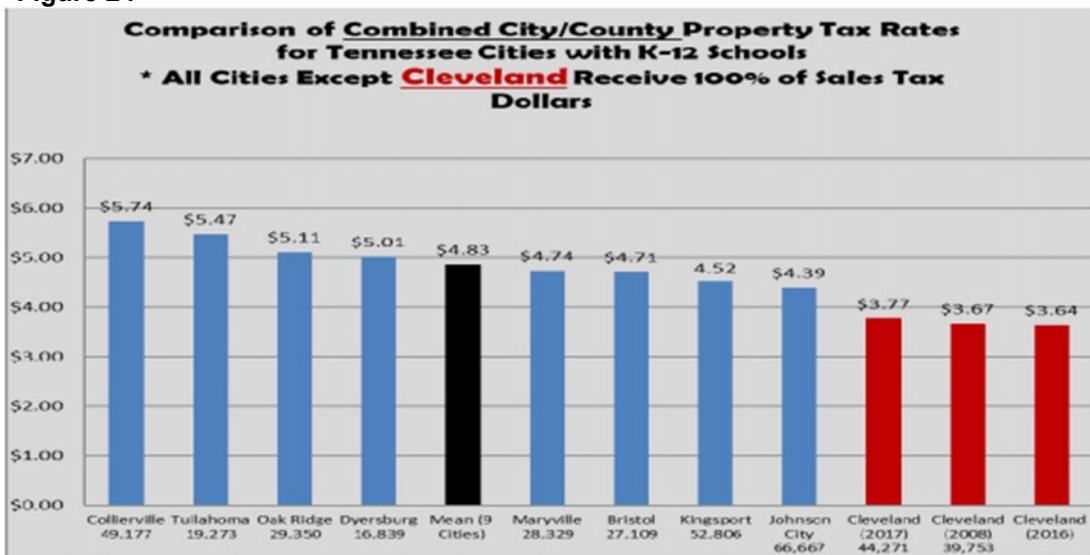
## **X. Transition Plan**

Returning to the observations made at the beginning of this document, doing the right thing is a Cleveland value. Sometimes that involves changing how things are. Making

Cleveland’s facilities, programs, and services accessible to all people regardless of disability is the right thing to do. How can people report problems with disability access and how does Cleveland respond? How can Cleveland systematically evaluate what it offers to discover barriers to accessibility? How does Cleveland plan for accessibility improvements?

In terms of available resources, Cleveland is constrained by a modest budget for all of its programs, activities, and services. Cleveland has the lowest taxes in the state among comparable cities and it is the only city contractually obligated to share its sales tax revenue with county government. The City supports a K-12 school system which takes a very large share of its revenues leaving less to be divided among other city services. The graphic below (Figure 24) is from the FY2019-2020 City budget.

Figure 24



The City has maintained conservative fiscal policies to manage debt and provide a fund balance while investing steadily in improvements. The City has been strategic in seeking out grants for major capital improvements and has used city forces where possible for maintenance activities and public improvements. The City remains committed to carrying out what is required of it as a recipient of federal funds, including the development and implementation of the ADA transition plan. However, the fiscal constraints just described will affect the pace of ADA-related improvements and the financing strategies for these improvements.

*ADA Transition Plans: A Guide to Best Management Practices* NCHRP PROJECT NUMBER 20-7 (232) states that local governments, having performed self-evaluations, are then required “to develop a **Transition Plan** to address deficiencies requiring structural modifications. The Transition Plan is intended to achieve the following:

*ADA Transition Plans: A Guide to Best Management Practices* NCHRP PROJECT NUMBER 20-7 (232) states that local governments, having performed self-evaluations, are then required “to develop a **Transition Plan** to address deficiencies requiring structural modifications. The Transition Plan is intended to achieve the following:

- (1) identify physical obstacles that limit the accessibility of facilities to individuals with disabilities,
- (2) describe the methods to be used to make the facilities accessible,
- (3) provide a schedule for making the access modifications, and
- (4) identify the public officials responsible for implementation of the Transition Plan.”

### Physical Obstacles to Accessibility

The physical obstacles that limit accessibility were identified in the Section IX Self Evaluation. The report identified the need for repairs to sidewalk and curb ramps within a sidewalk area comprising roughly 200,000 linear feet. The obstacles to sidewalk accessibility, pedestrian demand, and likely proximity to higher concentrations of persons with disabilities point to downtown Cleveland as a priority area for ADA-related sidewalk improvements. The whole 200,000 feet of ADA-related sidewalk repairs are expected to cost about \$12.5M if performed by a contractor using local funds, or about \$8.4M using a new City crew, or about \$3.0M using an existing City crew.

The need for greater accessibility in pedestrian crossings was also discussed. The analysis included 48 potential locations for crossing upgrades including Accessible Pedestrian Signals (APS). The report categorized these locations, pointing out that 8 were locations where the upgrades would or could be included in existing projects and that 18 were locations that should be improved to coincide with the downtown planning process (these overlap fairly well with the ADA sidewalk improvement priority area described above.). The APS and related crossing improvements generally range between \$30,000 and \$50,000 each.

Physical obstacles to accessibility were identified to three components of the transit system: the rolling stock, the routes, and the Transit Center. The system has 21 buses which lack an on-board public address system (\$300 per bus minimum) and a stop request pull chord (\$600 per bus minimum). Several potential sidewalk improvements to promote the transition to a fixed route system were discussed. Inman Street was included in an existing planned project and Adkisson Drive near Cleveland State Community College is part of a currently funded project. Staff comments suggest a focus on about 3400 feet of new sidewalk along Grove Avenue and about 2900 feet of new sidewalk on Keith Street near Ocoee Crossing (Food City) with perhaps a bus pullout here. The sidewalk would be approximately \$1.6M and the bus pullout about \$200K (the work on Keith Street would be eligible for TDOT’s Multi-Modal Access Grant Program). The Transit Center itself was renovated recently and the needed ADA improvements are generally minor.

A total of 365 physical obstacles to accessibility were evaluated in 39 buildings, parks, and other facilities owned, operated, or supported by the City. Many of these obstacles could be addressed at minor costs while others are potentially very expensive. A core problem seems to be that so many City services are located in very old buildings that were constructed for other purposes. Further evaluation of these buildings is recommended as is the development of a core strategy for addressing the related problems. As the City is also experiencing capacity problems within city hall and other related buildings, one strategy would be to plan and implement a new city hall complex that provided capacity while addressing the heaviest concentration of ADA problems among city buildings. This coupled with ADA improvements at other facilities is expected to be in the \$8M to \$10M range. Possible, depending on what is discovered in a more thorough analysis, a pared back approach in the \$5M to \$7M range could work.

A website accessibility checklist was developed as discussed above. Additional evaluation in partnership with persons and organizations representing the disability community is recommended. The City of Cleveland is in the process of updating and improving its website so it is hoped that the needed accessibility improvements can be identified and made as part of this process.

#### Methods to be Used to Make Facilities Accessible

Replace most sidewalk and curb ramps using City crews or City contract.

Replace short sections of sidewalk and curb ramp where appropriate under TDOT-funded contracts.

For sidewalk or multi-modal improvements on State highways, pursue Multi-modal Access Grants or other appropriate State and Federal Assistance

Remove or relocate sidewalk obstructions in cooperation with utility companies where appropriate.

Concentrate on downtown area as first priority for sidewalk and crossing improvements including APS, but not to the exclusion of transit-related opportunities where grant funds are available.

Make PA system and stop request chord improvements to buses using available transit funding.

Continue to evaluate transit routes and sidewalk needs and transition to a fixed stop system to the fullest extent practicable.

Establish a strategy for addressing the ADA deficiencies in City buildings and other facilities.

Develop website accessibility policies and make needed website accessibility improvements for existing and future website content.

Regardless of established priorities for improvements, be responsive to ADA complaints and comments.

Plan for capital expenditures to make the needed ADA-related improvements, identifying grant sources where these are potentially available and otherwise prudent to use (not entailing excessive amounts of otherwise unnecessary expenditure) while providing local funds sufficient to the need.

### Schedule for Making the Needed Improvements

The schedule envisions two time horizons, not unlike the MPO long range transition plan. The first horizon would be from years 1 through 15 of the ADA Transition Plan 2021 to 2036 (July 1, 2020 to June 30, 2035). The second horizon would be from years 16 through 30 of the ADA Transition Plan (July 1, 2035- June 30, 2050).

#### First Horizon

Plan Year 1: determine strategy for addressing building deficiencies: alternative 1: new city hall complex and other improvements; alternative 2 remodel with less new construction

Plan Years 1-3: correct all low-cost deficiencies (door knobs, signs, etc.) that are not being corrected by short term facility remodel/replacement.

Plan Years 1-3: obtain transit funding and make required improvements to rolling stock.

Plan Years 1-3: develop and implement an appropriate strategy for on-going input from people and organizations representing the disability community.

Plan Years 1-3: develop website accessibility policies and make needed website accessibility improvements for existing and future website content.

Plan Years 1-15: increase local capital fund balance dedicated to ADA improvements

Plan Years 1-5: obtain BUILD Grant or other funds to complete Inman Street project.

Plan Years 1-5: complete Adkisson Drive sidewalks

Plan Years 1-5: obtain Multi-modal Access Grant for APS and related improvement on some downtown crossings with high volumes that are on State Highways, e.g. around the courthouse

Plan Years 1-5: complete multi-modal projects already designed and/or funded with TDOT assistance on Wildwood Avenue/Dalton Pike, Gaut Street, 25<sup>th</sup> Street, and Central Avenue.

Plan Years 2-15: make required ADA improvements to 100,000 linear feet of sidewalk, beginning with downtown priority areas not otherwise covered by an existing grant.

Plan years 2-15: make 8 APS crossing improvements, not otherwise covered by a discretionary grant.

Plan Years 3-10: eliminate ADA deficiencies from City Hall, City Hall Annex and DES buildings

Plan Years 5-15: eliminate ADA deficiencies from Public Works building

Plan Years 5-15: complete 3000 linear feet of new sidewalk using City forces or City contract in locations strategically determined to further accessibility to transit, etc.

Plan Years 10-15 eliminates ADA deficiencies from Emergency Shelter and Family Services Center

Plan Years 10-15 begin systematically correcting all ADA building and facility deficiencies not otherwise addressed.

Plan Years 1-15 respond to and take corrective action for ADA complaints

### Second Horizon

Plan Years 16-30: increase local capital fund balance dedicated to ADA improvements

Plan Years 16-30 respond to and take corrective action for ADA complaints

Plan Years 16-30: complete 3300 linear feet of new sidewalk using City forces or City contract in locations strategically determined to further accessibility to transit, etc.

Plan Years 16-30: make required ADA improvements to 100,000 linear feet of sidewalk not otherwise covered by a grant..

Plan years 16-30: make 10 APS crossing improvements, not otherwise covered by a discretionary grant.

Plan Years 16-30: complete systematically correcting all ADA building and facility deficiencies not otherwise addressed.

Plan Years 16-30: continue to seek after appropriate and beneficial grant sources to fund transportation and facility related ADA improvements

Plan Years 16-30: continue to implement an appropriate strategy for on-going input from people and organizations representing the disability community.

### Project Officials Responsible for the ADA Transition Plan

The responsible project officials are the City Manager and City Department Heads, with assistance from the ADA Coordinator and other staff as needed.

## **XI. Maintaining the ADA Transition Plan**

In order to monitor, update, and implement the ADA Transition Plan for the City of Cleveland, the Cleveland ADA Coordinator will await a review of the plan by TDOT's ADA Coordinator. The Cleveland ADA Coordinator will review any comments and recommendations from the TDOT ADA Coordinator with the City Manager, Department Heads, and other appropriate parties. A summary of comments and needed

modifications will be provided to the Mayor and City Council. Appropriate amendments in response to the TDOT ADA Coordinator's comments will be made and presented for approval as directed by the mayor and City Council.

The ADA Coordinator will work with the City Manager and Department Heads to implement a summary re-appraisal of the Transition Plan every five years following its adoption. The re-appraisal will examine progress made against the work schedule and any new significant developments that may indicate changing needs or newly recognized ADA deficiencies. The five-year re-appraisal will also afford opportunity for input from persons and organizations representing the disability community. Any recommendations for needed changes to the plan or its policies can be made at this time.

At year 15, the ADA Coordinator will work with the City Manager and Department Heads to provide a more in-depth analysis of progress on the ADA Transition Plan and any needed changes.

## **XII. Adoption of the ADA Transition Plan**

The ADA Transition Plan was presented to the Mayor and City Council of the City of Cleveland, Tennessee and adopted on December 9, 2019 by Resolution 2019-119 as shown below.

**RESOLUTION NO. 2019-119**

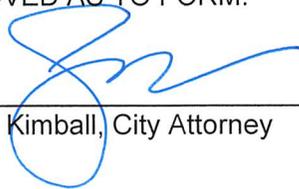
**WHEREAS**, the City's ADA Coordinator has presented the City Council with the City's proposed ADA Self-Evaluation and Transition plan; and

**WHEREAS**, a memorandum prepared by the City's ADA Director along with the proposed plan is attached to this Resolution and incorporated herein by reference; and

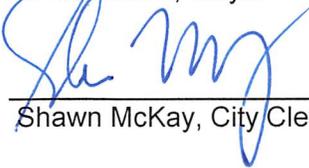
**WHEREAS**, the City Council desires to approve of the proposed ADA Self-Evaluation and Transition plan.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Cleveland, Tennessee, in regular session assembled, that the City Council does hereby approve of the proposed ADA Self-Evaluation and Transition plan as submitted to the City Council.

APPROVED AS TO FORM:

  
\_\_\_\_\_  
John F. Kimball, City Attorney

  
\_\_\_\_\_  
Kevin Brooks, Mayor

  
\_\_\_\_\_  
Shawn McKay, City Clerk



## City Council

190 Church St., NE  
Cleveland, TN 37312  
[www.clevelandtn.gov](http://www.clevelandtn.gov)

### AGENDA ITEM MEMORANDUM

**TO:** Mayor and City Council  
**FROM:** Greg Thomas, Transportation Director  
**DATE:** 12/02/2019  
**RE:** ADA Self-Evaluation and Transition Plan

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**SUMMARY:** The Americans with Disabilities Act (ADA) and related laws require the City to evaluate all of its programs, facilities, and services for ADA compliance and to develop and implement an ADA transition plan which will:

- (1) identify physical obstacles that limit the accessibility of facilities to individuals with disabilities,
- (2) describe the methods to be used to make the facilities accessible,
- (3) provide a schedule for making the access modifications, and
- (4) identify the public officials responsible for implementation of the Transition Plan.

TDOT is the lead agency for compliance within Tennessee. Access to State and Federal funding requires that the ADA Transition Plan be developed and implemented. The ADA Transition Plan is required to be in place by December 2019. Staff is working to complete the ADA Self-Evaluation and Transition Plan at this time. A public input meeting on the ADA Self-Evaluation and Transition Plan is scheduled for December 3, 2019 at the public library at 6:00 p.m.

**COMMITTEE FINDINGS:** N/A

**FISCAL ANALYSIS:** There will be multi-year impacts according to the schedule for improvements and the budget for the improvements. The schedule is anticipated to be at least 10 years and will consist mostly of sidewalk reconstruction and accessibility improvements to existing facilities. Costs will be impacted by a variety of factors, but cost ranges are being developed.

**RECOMMENDATION: Staff recommends that the Council consider the draft ADA Self-evaluation and Transition Plan to be presented in summary form at the December 9, 2019 City Council meeting and authorize the submission of the completed documents to TDOT prior December 31, 2019.**