



# EAST RIDGE PUBLIC HEARING

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

MAY 23, 2019

5:00 PM EDT

# THE LAW AND ADA

The legal background for ADA compliance is based on the following Acts and Regulations:

Architectural Barriers Act (ABA – originated 1968); Rehabilitation Act (1973) – Section 504

(49 CFR Part 27); Civil Rights Restoration Act (1987); Americans with Disabilities Act (ADA)

(1990); and, DOJ Implementing Regulations (28 CFR 35)

There are Five Titles of ADA:

Title I Employment;

Title II State & Local Governments (28 CFR Part 35);

Title III Public Accommodations (retail, commercial, sports complexes, movie theaters, etc.) (28 CFR Part 36);

Title IV Telecommunications; and,

Title V, Misc., including requirements for the U.S. Access Board to develop design guideline.

The focus for the City of East Ridge for ADA compliance is Title II.



# City's Responsibilities Under the Law

Under Title II, the City of East Ridge must meet these general requirements:

Must operate their programs so that, when viewed in their entirety, the programs are accessible to and useable by individuals with disabilities (28 C.F.R. Sec. 35.150).

May not refuse to allow a person with a disability to participate in a service, program or activity simply because the person has a disability (28 C.F.R. Sec. 35.130 (a)).

Must make reasonable modifications in policies, practices and procedures that deny equal access to individuals with disabilities unless a fundamental alteration in the program would result (28 C.F.R. Sec. 35.130(b) (7)).

May not provide services or benefits to individuals with disabilities through programs that are separate or different unless the separate or different measures are necessary to ensure that benefits and services are equally effective (28 C.F.R. Sec. 35.130(b)(iv) & (d)).



## City's Responsibilities Continued

Must take appropriate steps to ensure that communications with applicants, participants and members of the public with disabilities are as effective as communications with others (29 C.F.R. Sec. 35.160(a)).

Must designate at least one responsible employee to coordinate ADA compliance [28 CFR Sec. 35.107(a)]. This person is often referred to as the "ADA Coordinator." The public entity must provide the ADA coordinator's name, office address, and telephone number to all interested individuals [28 CFR Sec. 35.107(a)].



# City's Responsibilities Continued

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Must provide notice of ADA requirements. All public entities, regardless of size, must provide information about the rights and protections of Title II to applicants, participants, beneficiaries, employees, and other interested persons [28 CFR Sec. 35.106]. The notice must include the identification of the employee serving as the ADA coordinator and must provide this information on an ongoing basis [28 CFR Sec. 104.8(a)].

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Must establish a grievance procedure. Public entities must adopt and publish grievance procedures providing for prompt and equitable resolution of complaints [28 CFR Sec. 35.107(b)]. This requirement provides for a timely resolution of all problems or conflicts related to ADA compliance before they escalate to litigation and/or the federal complaint process.

## Purpose and Need of the Transition Plan

- The major purpose of a Transition Plan as it relates to buildings and facilities owned and operated by a public entity is to document the existing barriers to persons with disabilities, and to propose the structural and non-structural steps to be undertaken to provide program accessibility.
- Many components contributed to the development of this Transition Plan including:
- Comprehensive surveys and evaluation of the architectural barriers present at City owned, operated, or utilized facilities. The term “facilities” is intended to include buildings, structures, or any part of real property that involves a specific use by persons. The surveying process was conducted between July 2018 and September 2018, leading up to the drafting of the Transition Plan.



## Purpose and Need of the Transition Plan Continued

The City of East Ridge has undertaken a comprehensive evaluation of its policies, programs, and facilities (both structural and transportation) to determine the extent to which individuals with disabilities may be restricted in their access to City services and activities.

The report describes the process developed to complete the evaluation of East Ridge's activities, provides policy and program recommendations, and presents a Transition Plan for the modification of facilities and programs to ensure accessibility.

The document will guide the planning and implementation of necessary program and facility modifications. It is intended to be a living document, updated and refreshed as changes occur.

The ADA Self-Evaluation and Transition Plan establishes the City's commitment to the development and maintenance of policies, programs, and facilities that include all its citizenry.

# The Self Evaluation

- In 2018, the City conducted an evaluation of its policies, programs, and procedures to determine current levels of service and the extent to which its policies and programs created barriers to accessibility for persons with disabilities. The City examined its policies in the following areas:
- Customer service,
- Outreach and printed information
- City of East Ridge website,
- Training and staffing,
- Public meetings,
- Facility information and signage,



## Self Evaluation Continued

- Public telephones and communication devices
- Purchasing accessible/adaptive equipment,
- Emergency evacuation procedures, and
- Maintaining accessible programs.
- Additionally, when a policy, program, or procedure creates an accessibility barrier unique to a department or a certain program, the City's ADA Coordinator will coordinate with the Director of Community Services to address the matter in the most reasonable and accommodating manner.
- The City has established a procedure for anyone wishing to file a complaint alleging discrimination based on disability in the provision of services, activities, programs or benefits by the City of East Ridge.



# East Ridge ADA Coordinator, ADA Policy and Grievance Policy



## City of East Ridge

1517 Tombras Avenue  
East Ridge, Tennessee 37412  
(423) 867-7711

East Ridge ADA Coordinator

January 5, 2017

**RE: ADA Coordinator for the City of East Ridge**

The ADA Coordinator for the City of East Ridge is Finance Director Diane Qualls. Her contact information is:

Diane Qualls  
Finance Director  
City of East Ridge  
1517 Tombras Avenue  
East Ridge, TN 37412  
(423) 867-7711 ext 103  
[dqualls@eastridgetn.gov](mailto:dqualls@eastridgetn.gov)

This will be in effect until further notice. Feel free to contact her with any questions relating to the Americans with Disabilities Act (ADA).

  
J. Scott Miller  
City Manager  
City of East Ridge



## EAST RIDGE ADA POLICY



## NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

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

**Employment:** The **City of East Ridge** 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 East Ridge** 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 East Ridge'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 East Ridge** 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 The **City of East Ridge** 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 East Ridge**, should contact the office of **Diane Qualls, Finance Director at 423-805-3187 or email at [dqualls@eastridgetn.gov](mailto:dqualls@eastridgetn.gov)** soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the **City of East Ridge** 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 East Ridge** is not accessible to persons with disabilities should be directed to **Diane Qualls, Finance Director at 423-805-3187 or email at [dqualls@eastridgetn.gov](mailto:dqualls@eastridgetn.gov)**. The **City of East Ridge** 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.



## East Ridge ADA Grievance Procedure

The Americans with Disabilities Act is a comprehensive piece of Federal legislation that provides disabled individuals legal protection from discrimination in a broad range of public sector activities.

- a) This grievance procedure provides an adequate and fair means by which disabled individuals may convey concerns to City of East Ridge officials regarding encountered barriers.
- b) This grievance procedure applies to all disabled individuals who are: participants in City of East Ridge programs and services; City of East Ridge employees; and /or prospective City of East Ridge employees. A grievance is defined as any matter of concern or dissatisfaction arising from a condition which limits a disabled individual's participation in City of East Ridge activities, programs, services and/or employment.
- c) Every disabled individual shall have the right to present a grievance in accordance with these procedures, with or without a representative, free from interference, coercion, restraint, discrimination, penalty or reprisal.
- d) An individual must file a grievance, either orally or in writing, with the City of East Ridge ADA Coordinator. A grievance should include the location of the barrier and the difficulty encountered. The Coordinator shall determine whether or not the grievance is covered under ADA.
  1. If the grievance is not covered under ADA, the Coordinator shall document the reasons(s) why it is not covered and will notify the individual presenting the grievance. Notification shall be made no later than five (5) workdays following the filing date of the grievance.
  2. If the grievance is covered under ADA, the Coordinator shall notify the appropriate department and plan remedial action. The plan of action shall include components required by ADA including a timetable and the name of the individual in charge of the action. The individual who presented the grievance shall be notified of the plan. Notification shall be made no later than ten (10) workdays following the filing date of the grievance.
- e) All documentation, records and reports will be retained for a minimum of three (3) years and shall be held by the ADA Coordinator. The records will be subject to review by the grievant, the City Manager and open to the public.
- f) The existence of the grievance procedure does not preclude any individual from pursuing any other remedies available under the law.

# Buildings (ADAAG)

# Building Assessments



Amphitheater restroom toilet flush handles to be moved to the open side of the toilet.



Amphitheater restroom ADA signs to be places on the wall at the latch side of the doors.



Amphitheater men and women rooms add grab bars and insulate pipes



Amphitheater toilet flush handle to be moved to the open side



# Priorities for Buildings

City Hall 1

Camp Jordan Park 2

Library 3

Fire and Police Service Center 4

Animal Shelter 5

Historical Center 6

Pioneer Frontier Playground 7



# Summary of Building Assessment

## REMEDATION ESTIMATED COSTS OF PUBLIC BUILDINGS, OTHER CITY FACILITIES AND PARKS ACCESSIBILITY

LOCATION	PRIORITY 1 EST COSTS	PRIORITY 2 EST COSTS	PRIORITY 3 EST COSTS	PRIORITY 4 EST COSTS	TOTAL EST COSTS
CITY HALL	\$ 27,200	\$ 20,200	\$ 5,025	\$ -	\$ 52,425
ANIMAL SHELTER	\$ 29,000	\$ -	\$ -	\$ -	\$ 29,000
COMMUNITY CENTER	\$ 45,242	\$ 1,050	\$ 1,075	\$ -	\$ 47,367
HISTORICAL CTER	\$ 16,700	\$ 100	\$ -	\$ -	\$ 16,800
PIONEER FRONTIER PLAYGROUND	\$ -	\$ -	\$ -	\$ -	\$ -
LIBRARY	\$ 9,200	\$ 650		\$ -	\$ 9,850
FIRE AND POLICE SERVICE CENTER	\$ 5,391	\$ 9,725	\$ 300	\$ -	\$ 15,416
CAMP JORDAN PARK					
CAMP JORDAN ARENA	\$ 69,080	\$ 8,750	\$ 4,250	\$ -	\$ 82,080
CAMP JORDAN AMPHITHEATRE	\$ 21,000	\$ -	\$ 250	\$ -	\$ 21,250
CAMP JORDAN SOCCER RESTROOMS		\$ -	\$ 120		\$ 120
CAMP JORDAN SOCCER CONCESSIONS	\$ -	\$ 12,800	\$ -	\$ -	\$ 12,800
CAMP JORDAN PAVILION	\$ 5,300	\$ -	\$ 1,280	\$ -	\$ 6,580
<b>TOTALS</b>	<b>\$ 228,113</b>	<b>\$ 53,275</b>	<b>\$ 12,300</b>	<b>\$ -</b>	<b>\$ 293,688</b>

# Timeframe for Building Completion

## Projected Project Completion Schedule

- Period A January – December 2019
- Period B January – December 2020
- Period C January – December 2021
- Period D January – December 2022
- Period E January – December 2023
- Period F January – December 2024
- Period G January – December 2025
- Period H January – December 2026
- Period I January – December 2027
- Period J January – December 2028



# Sidewalks, Signals, Crosswalks, Barriers (PROWAG)



Sidewalks, Signals, Crosswalks, Barriers (PROWAG)

EAST RIDGE CURB RAMPS

PIN NO.	MAINSTREET	SIDESTREET	RAMP			REMEDATION	REMEDATION COST ESTIMATE
			CONSTRUCTED?	CONSTRUCTED CORRECTLY?	DETECTIBLE WARNING COMPLIANT?		
CR172	Anderson Avenue	Howell Ave	NO	N/A	N/A	Construct radius to repair surface material, construct curb and gutter. Construct compliant ramp and domes	\$3,975
CR173			NO	N/A	N/A	Construct radius to repair surface material, construct curb and gutter. Construct compliant ramp and domes	\$2,350
CR301			NO	N/A	N/A	Construct compliant curb ramps add domes	\$1,780
CR170		McBrien Road	NO	N/A	N/A	Construct radius to repair surface material, construct curb and gutter. Construct compliant ramp and domes	\$3,975
Anderson Avenue Curb Ramp Remediation Costs:							\$12,080
CR146	Bennett Road	Dugan Street	NO	N/A	N/A	Construct radius to repair surface material, construct curb and gutter. Construct compliant ramp and domes	\$3,280
CR147			NO	N/A	N/A	Construct radius to repair surface material, construct curb and gutter. Construct compliant ramp and domes	\$3,280
CR161		Greens Lake Road	YES	NO	NO	Construct parallel ramp. Add domes	\$1,850
CR162a			YES	NO	NO	Add yellow domes eliminate vegetation	\$550
CR162b			YES	NO	NO	Construct parallel ramp. Add domes	\$350
CR163			YES	NO	NO	Construct ped pushbutton landing, add domes	\$975
CR164a			YES	NO	NO	Construct curb and gutter and ramp as required, add domes	\$2,350
CR164b		YES	NO	NO	Add yellow domes	\$350	
CR165		Greens Lake Road	YES	NO	NO	Add yellow domes	\$350
CR166			YES	NO	NO	Add yellow domes	\$350
CR148		In front of school	NO	N/A	N/A	Construct a compliant ramp. Add domes	\$1,780
CR149			NO	N/A	N/A	Construct a compliant ramp. Add domes	\$2,150
CR154			NO	N/A	N/A	Construct a compliant ramp. Add domes	\$2,350
CR155			NO	N/A	N/A	Construct a compliant ramp. Add domes	\$1,780
CR167			NO	N/A	N/A	construct compliant ramp	\$1,950
CR144		Lee Street	NO	N/A	N/A	Construct radius to repair surface material. Construct compliant ramp and domes	\$3,280
CR145			NO	N/A	N/A	Construct radius to repair surface material. Construct compliant ramp and domes	\$3,280
CR156		Myrtle Ave	NO	N/A	N/A	Construct a radius return, construct a sidewalk section with compliant ramp to allow water flow away from ramp	\$3,780
CR157			YES	NO	NO	Construct a radius return, construct a sidewalk section with compliant ramp to allow water flow away from ramp	\$3,780
CR158		Ridgefield Circle	YES	NO	NO	Construct parallel ramp. Add domes	\$1,780
CR160	YES		NO	NO	Construct parallel ramp. Add domes	\$1,780	
CR150	YES		NO	NO	Construct parallel ramp. Add domes	\$1,780	
CR151	NO		N/A	N/A	Construct parallel ramp. Add domes	\$1,780	
CR152	NO		N/A	N/A	Construct parallel ramp. Add domes	\$2,350	
CR153	Tombras Ave	NO	N/A	N/A	Construct a pedestrian landing area to bridge around obstructions, move bench into ped landing area	\$7,850	
Bennett Road Curb Ramp Remediation Costs:							\$56,915
CR337	East Ridge Avenue	Monroe Street	NO	N/A	N/A	Add curb ramps, need domes	\$1,780
CR338			NO	N/A	N/A	Add curb ramps, need domes	\$1,780
CR339			NO	N/A	N/A	Add curb ramps, need domes	\$1,780
CR340			NO	N/A	N/A	Add curb ramps, need domes	\$1,780
East Ridge Avenue Curb Ramp Remediation Costs:							\$7,120
CR292	Glen Oaks Drive	Glen Oaks Place	NO	N/A	N/A	Construct a compliant ramp. Add domes	\$1,780
CR293			NO	N/A	N/A	Construct a compliant ramp. Add domes	\$1,780
CR294			NO	N/A	N/A	Construct a compliant ramp. Add domes	\$1,780
CR295			NO	N/A	N/A	Construct a compliant ramp. Add domes	\$1,780

# Priorities for Sidewalks, Signals, Crosswalks, Barriers

Remediation priority for the attribute classes should be as follows:

- Ringgold Road 1
- South Terrace 2
- South Germantown Road 3
- Tombras Avenue 4
- Bennett Road 5
- South Moore Road 6
- Spring Creek Road 7
- All Others 8



# Summary of Cost for Sidewalks, Signals, Crosswalks, Barriers

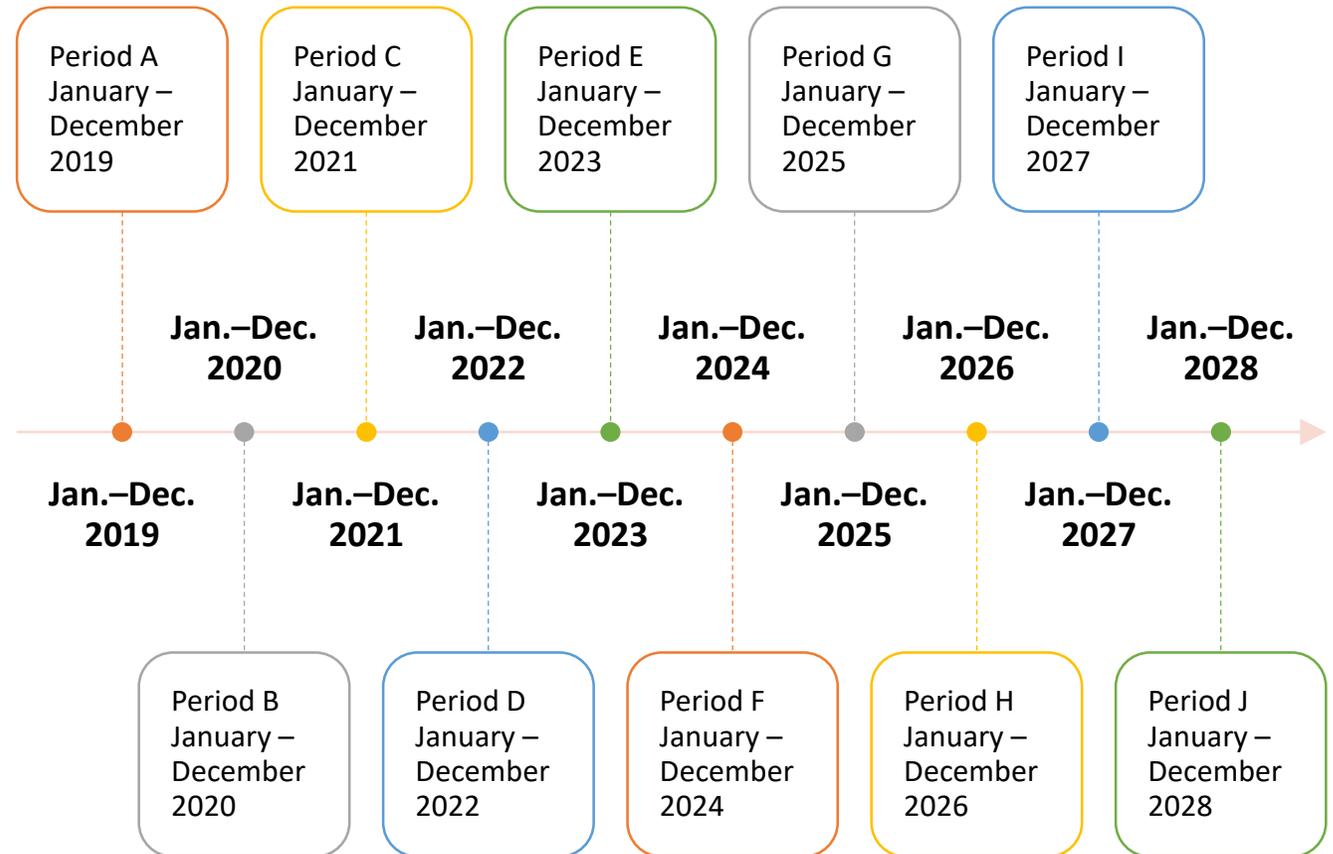
**EAST RIDGE SUMMARY OF REMEDIATION COSTS (PROWAG)**



Street	Sidewalk Obstructions	Crosswalks	Curb Ramps	Pedestrian Crossings	Total
Ringgold Road (SR-8)	\$148,175	\$186,430.00	\$332,665.00	\$322,500	\$989,770
South Terrace	\$589,850	\$0.00	\$11,800.00	\$0	\$601,650
South Germantown Road	\$681,650	\$2,130.00	\$58,000.00	\$0	\$741,780
Tombras Avenue	\$470,900	\$12,560.00	\$31,430.00	\$0	\$514,890
Bennett Road	\$315,600	\$9,900.00	\$56,915.00	\$47,000	\$429,415
South Moore Road	\$296,625	\$15,770.00	\$37,820.00	\$0	\$350,215
Spring Creek Road	\$203,300	\$5,000.00	\$26,135.00	\$0	\$234,435
San Hsi Drive	\$155,650	\$0	\$3,560.00	\$0	\$159,210
Cedar Glen Circle	\$149,000	\$0	\$0	\$0	\$149,000
Ealy Road	\$146,625	\$0	\$0	\$0	\$146,625
Glen Oaks Drive	\$121,025	\$0	\$7,120.00	\$0	\$128,145
McBrien Road	\$104,750	\$0	\$13,830.00	\$0	\$118,580
Anderson Ave	\$71,350	\$0	\$12,080.00	\$0	\$83,430
Joshua Drive	\$78,800	\$0	\$3,630.00	\$0	\$82,430
Howell Avenue	\$68,125	\$0	\$0	\$0	\$68,125
Glen Oaks Terrace	\$63,625	\$0	\$0	\$0	\$63,625
John Ross Road	\$0	\$6,140.00	\$6,130.00	\$45,500	\$57,770
Prater Road (North)	\$41,050	\$0	\$0	\$0	\$41,050
East Ridge Road	\$22,550	\$0	\$0	\$0	\$22,550
Glen Oaks Place	\$21,875	\$0	\$0	\$0	\$21,875
Mack Smith Road	\$21,600	\$0	\$0	\$0	\$21,600
Greens Lake Road	\$19,500	\$0	\$0	\$0	\$19,500
East Ridge Avenue	\$0	\$0	\$7,120.00	\$0	\$7,120
Reneau Way	\$1,050	\$0	\$4,200.00	\$0	\$5,250
Prater Road	\$0	\$5,200.00	\$0	\$0	\$5,200
Monroe Street	\$2,850	\$0	\$0	\$0	\$2,850
South Sanctuary Road	\$0	\$0	\$2,000.00	\$0	\$2,000
<b>Total:</b>	<b>\$3,795,525</b>	<b>\$243,130</b>	<b>\$614,435</b>	<b>\$415,000</b>	<b>\$5,068,090</b>
				<b>Priority One</b>	<b>\$2,010,590</b>
				<b>Priority Two</b>	<b>\$1,968,075</b>
				<b>Priority Three</b>	<b>\$1,089,425</b>



# Timeframe for Completion of Sidewalks, Signals, Crosswalks, Barriers





Questions?

