



TOWN OF COLLIERVILLE

# ADA Self-Evaluation and Transition Plan



Prepared by:

**Kimley»Horn**

In associate with:

**ACCESSOLOGY**



# Table of Contents

- Abbreviations ..... iv
- 1.0 Introduction ..... 1
  - 1.1 Legislative Mandate ..... 1
  - 1.2 ADA Self-Evaluation and Transition Plan Development Requirements and Process ..... 1
  - 1.3 Discrimination and Accessibility ..... 1
    - 1.3.1 Physical Barriers ..... 2
    - 1.3.2 Programmatic Barriers ..... 2
    - 1.3.3 Ongoing Accessibility Improvements ..... 2
    - 1.3.4 Town of Collierville Approach ..... 2
- 2.0 Public Outreach ..... 3
  - 2.1 Web Survey ..... 3
- 3.0 Self-Evaluation and Summary of Findings ..... 5
  - 3.1 Programs, Procedures, and Policies Review ..... 5
    - 3.1.1 ADA/504 Coordinator (Title I / Title II) ..... 6
    - 3.1.2 Roles and Responsibilities of the ADA/504 Coordinator ..... 6
    - 3.1.3 ADA Grievance Policy, Procedure, and Form with Appeals Process for the ADA ..... 7
    - 3.1.4 Public Notice Under the ADA ..... 8
    - 3.1.5 ADA Liaison Committee ..... 8
    - 3.1.6 Employment Practices Review ..... 8
    - 3.1.7 Job Description Review ..... 12
    - 3.1.8 Emergency Management Plan Review ..... 13
    - 3.1.9 Town Ordinance Review ..... 15
  - 3.2.0 Design Standard Review ..... 17
  - 3.3 Facilities Review ..... 18
    - 3.3.1 Buildings ..... 18
    - 3.3.2 Parks ..... 19
    - 3.3.3 Signalized Intersections ..... 19
    - 3.3.4 Sidewalk Corridors ..... 21
  - 3.4 Maintenance Versus Alterations ..... 24
  - 3.5 FHWA Guidance on Closing Pedestrian Crossings ..... 25
  - 3.6 Prioritization ..... 25
    - 3.6.1 Prioritization Factors for Facilities ..... 26
  - 3.7 Conclusion ..... 31
- 5.0 Facility Costs ..... 33
  - 5.1 Facilities Cost Projection Overview ..... 33
  - 5.2 Implementation Schedule ..... 33
  - 5.3 Funding Opportunities ..... 34
    - 5.3.1 Federal and State Funding ..... 34
    - 5.3.2 Local Funding ..... 36
    - 5.3.3 Private Funding ..... 36
  - 5.4 Next Steps ..... 36
- Appendix ..... 37



Appendix A: Public Outreach..... 37  
 ADA Advisory Committee Meeting Notes ..... 37  
 Public Meeting Notes ..... 37  
 Survey Results ..... 37  
 Appendix B: Grievance Procedure ..... 37  
 Title I Grievance Procedure..... 37  
 Title I Grievance Form ..... 37  
 Title II Grievance Procedure..... 37  
 Title II Grievance Form ..... 37  
 Public Notice Under ADA..... 37  
 Appendix C: Programs, Services, and Activities (PSA) Review..... 37  
 Job Description Review ..... 37  
 Appendix D: Design Standard Review ..... 37  
 Appendix E: Facility Maps..... 37  
 Buildings ..... 37  
 Parks 37  
 Signalized Intersections ..... 37  
 Public Rights-of-Way Sidewalk Corridors..... 37  
 Appendix F: Facility Reports..... 38  
 Buildings ..... 38  
 Parks 38  
 Signalized Intersections ..... 38  
 Public Rights-of-Way Sidewalk Corridors..... 38  
 Appendix G: Action Log ..... 38  
 Action Log for all facilities ..... 38

## List of Tables

Table 1. Summary of Buildings Reviewed..... 18  
 Table 2. Summary of Parks Reviewed ..... 19  
 Table 3. Summary of Curb Ramp Issues at Signalized Intersections ..... 20  
 Table 4. Summary of Push Button Issues ..... 21  
 Table 5. Summary of Curb Ramp Issues at Unsignalized Intersections ..... 23  
 Table 6. Prioritization Factors for Buildings/Parks ..... 27  
 Table 7. Prioritization Factors for Signalized and Unsignalized Intersections..... 28  
 Table 8. Prioritization Factors for Sidewalk Corridors ..... 29  
 Table 9. Prioritization Summary Signalized Intersections ..... 30  
 Table 10. Prioritization Summary for Sidewalk Corridors ..... 30  
 Table 11. Prioritization Summary for Unsignalized Intersections ..... 31  
 Table 12. Summary of Facility Costs ..... 33  
 Table 13. Implementation Schedule ..... 34  
 Table 14. Funding Opportunities ..... 35



TOWN OF COLLIERVILLE  
ADA Self-Evaluation and Transition Plan





## List of Figures

Figure 1. Maintenance versus Alteration Projects .....25

## Abbreviations

---

ADA – Americans with Disabilities Act

CFR – Code of Federal Regulations

CIP – Capital Improvement Program

DOJ – United States Department of Justice

EITA – Electronic and Information Technology Accessibility

FHWA – Federal Highway Administration

MUTCD – Manual on Uniform Traffic Control Devices

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

PSA – Programs, Services, and Activities

WAVE – Web Accessibility Evaluation Tool

## PROWAG Definition

Sidewalks, street crossings, and other elements in the public right-of-way can pose challenges to accessibility. The United States Access Board’s ADA and ABA Accessibility Guidelines focus mainly on facilities on sites. While they address certain features common to public sidewalks, such as curb ramps, further guidance is necessary to address conditions and constraints unique to public rights-of-way.

The Board is developing new guidelines for public rights-of-way that will address various issues, including access for blind pedestrians at street crossings, wheelchair access to on-street parking, and various constraints posed by space limitations, roadway design practices, slope, and terrain. The new guidelines will cover pedestrian access to sidewalks and streets, including crosswalks, curb ramps, street furnishings, pedestrian signals, parking, and other components of public rights-of-way. The Board’s aim in developing these guidelines is to ensure that access for persons with disabilities is provided wherever a pedestrian way is newly built or altered, and that the same degree of convenience, connection, and safety afforded the public generally is available to pedestrians with disabilities. Once these guidelines are adopted by the Department of Justice, they will become enforceable standards under title II of the ADA.



## 1.0 Introduction

---

### 1.1 Legislative Mandate

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

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

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

The Town of Collierville is obligated to observe all requirements of Title I in its employment practices; Title II in its policies, programs, and services; any parts of Titles IV and V that apply to the Town and its programs, services, or facilities; and all requirements specified in the 2010 ADA Standards and 2011 Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG) that apply to facilities and other physical holdings.

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

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

This document describes the process developed to complete the evaluation of the Town of Collierville's PSAs and facilities, provides possible solutions to remove programmatic barriers, and presents a Transition Plan for the modification of facilities and public rights-of way to improve accessibility, which will guide the planning and implementation of necessary program and facility modifications over the next 30 years. The ADA Self-Evaluation and Transition Plan is significant in that it establishes the Town's ongoing commitment to the development and maintenance of PSAs and facilities that accommodate all its citizenry.

### 1.3 Discrimination and Accessibility

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

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



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

### 1.3.1 Physical Barriers

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

### 1.3.2 Programmatic Barriers

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

### 1.3.3 Ongoing Accessibility Improvements

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

### 1.3.4 Town of Collierville Approach

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

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



## 2.0 Public Outreach

---

The Town hosted a public meeting on July 16th, 2019 at 4:00 PM, to provide a summary of the transition planning process and receive feedback on any concerns related to accessibility. In addition, the Town contacted local disability organizations to form an ADA Advisory Committee and hosted an ADA Advisory Committee meeting on June 6, 2019, at 9:00 AM. The Town will continue to solicit feedback from the public on the Transition Plan.

The public meeting and ADA Advisory Committee meeting notes are provided in Appendix A.

### 2.1 Web Survey

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

[https://www.surveymonkey.com/r/Collierville\\_ADA](https://www.surveymonkey.com/r/Collierville_ADA)

The web survey is also available at the Town's web page. The survey will remain online through the end of 2019 and serve as a tool to solicit feedback from the public on the Transition Plan.





*[Page intentionally left blank]*



## 3.0 Self-Evaluation and Summary of Findings

---

The Town of Collierville's ADA Transition Plan reflects the results of a comprehensive review of the PSAs provided to employees and the public. The review identifies programmatic barriers to individuals with disabilities interested in accessing the PSAs offered by the Town.

### 3.1 Programs, Procedures, and Policies Review

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

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

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

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

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

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

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



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

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

#### ADA/504 Coordinator: Self-Evaluation Findings

The Town of Collierville has appointed Jay Jeffries as ADA/504 Coordinator for Title I and Title II. Below is his contact information.

Jay Jeffries  
ADA/504 Coordinator  
Town of Collierville  
Director, Human Resources  
500 Poplar View Parkway  
Collierville, Tennessee 38017  
(901) 457-2290  
Email: [jjeffries@collierville.tn.gov](mailto:jjeffries@collierville.tn.gov)

#### ADA/504 Coordinator: Possible Solutions

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

### 3.1.2 Roles and Responsibilities of the ADA/504 Coordinator

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

- Familiarity with the entity's structures, activities, and employees;
- Knowledge of the ADA and other laws addressing the rights of people with disabilities, such as Section 504 of the Rehabilitation Act;
- Experience with people with a broad range of disabilities;
- Knowledge of various alternative formats and alternative technologies that enable individuals with disabilities to communicate, participate, and perform tasks;
- Ability to work cooperatively with local entities and people with disabilities;
- Familiarity with any local disability advocacy groups or other disability groups;
- Skills and training in negotiation and mediation; and
- Organizational and analytical skills.

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

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



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

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

### 3.1.3 ADA Grievance Policy, Procedure, and Form with Appeals Process for the ADA

#### *Title I*

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

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

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

- An ADA-specific grievance policy, procedure, and form with appeals process for Title I was not found on the Town's website or in the employee manual.
- No ADA grievance form was found.
- No ADA complaint log was provided by the Town.

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

- An ADA grievance policy, procedure, and form with appeals process for Title I should be developed. These documents should be adopted Town-wide, posted on the Town's website, and publicized in common areas that are accessible to all employees and areas open to the public.
- The Town should maintain an ADA complaint log. This log shall be confidential and should include an internal complaint number, details about the complaint, and specifics regarding the resolution.



### 3.1.4 Public Notice Under the ADA

The ADA public notice requirement applies to all state and local governments covered by Title II, including entities with fewer than 50 employees. The target audience for the public notice includes applicants, beneficiaries, and other people interested in the entities' PSAs. This notice is required to include information regarding Title II of the ADA and how it applies to the PSAs of the public entity. Publishing and publicizing the ADA notice is not a one-time requirement. State and local government entities should provide the information on an ongoing basis, whenever necessary.

#### Public Notice Under the ADA: Self-Evaluation Findings

- The Town does not have a Public Notice Under the ADA.

#### Public Notice Under the ADA: Possible Solutions

- The Town should develop a Public Notice Under the ADA that includes the DOJ required information as well as the name and contact information of the ADA/504 Coordinator. Publishing and publicizing the ADA notice is not a one-time requirement and the Town should provide the information on an ongoing basis, whenever necessary. A draft of a Public Notice Under the ADA is provided in Appendix B.

### 3.1.5 ADA Liaison Committee

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

#### ADA Liaison Committee: Self-Evaluation Findings

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

#### ADA Liaison Committee: Possible Solutions

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

### 3.1.6 Employment Practices Review

All public entities must ensure that no qualified individual with disabilities be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program, service, or activity administered by that entity, including employment. Public entities must provide an equal opportunity for employment.

The Collierville Personnel Policies & Procedure Manual, employment forms, and documents were reviewed for consistency with current accessibility requirements and standards.



Town of Collierville Employee Handbook Review: Self-Evaluation Findings

- Chapter 1 Definitions does not contain any ADA related definitions.
- Chapter 2 Section 2.01 General Personnel Policy contains a variation of a non-discrimination statement. However, disability is not listed in the prohibited discrimination list.
- Chapter 2 Section 2.09 Job Announcements does not have the Town's non-discrimination statement in the list of items to be included in all job announcements.

Town of Collierville Employee Handbook Review: Self-Evaluation Findings (cont.)

- Chapter 6 Promotions, Demotions and Transfers does not mention filling job vacancies on an equal opportunity basis, nor does it provide the Town's EEO/non-discrimination statement.
- Chapter 12 Section 12.06 is a general grievance procedure and is not specific to an ADA grievance policy and procedure for Title I.
- Chapter 16 Substance Abuse Policy outlines the Town's perspective on alcoholism and drug use, but it does not provide information on requesting reasonable accommodations.
- No reasonable accommodation policy and procedure was found.
- No service animal guidance was found.
- No retaliation or coercion policy was found.

Town of Collierville Employee Handbook Review: Possible Solutions

- Chapter 1 should be revised to include ADA relevant definitions such as Americans with Disabilities Act, Reasonable Accommodation, Service Animal, etc. The U.S. Department of Justice and the ADA National Network provide guidance here:
  - <https://www.ada.gov/>
  - <https://adata.org/glossary-terms>
- The Town should develop a consistent Town-wide non-discrimination statement for Title I - employment activities and should incorporate this statement into Chapter 2 (Sections 2.01 and Section 2.09) and Chapter 6. This statement should include language that provides contact information for the ADA/504 Coordinator regarding an accommodation, modification, or alternate formats. While these statements are not a specific ADA requirement, the U.S. Department of Justice (DOJ) requires that all Title II entities adopt and distribute a public notice about the relevant provisions of the ADA to all people who may be interested in its programs, services, and activities. It is recommended that a non-discrimination statement be included in all information distributed by the Town to comply with 28 CFR 35.106 ([https://www.ada.gov/regs2010/titleII\\_2010/titleII\\_2010\\_regulations.htm#a35106](https://www.ada.gov/regs2010/titleII_2010/titleII_2010_regulations.htm#a35106)).
- The Town should develop a Town-wide ADA specific grievance policy, procedure, and form for Title I and incorporate in Chapter 12 Section 12.06. See Section 3.1.1 ADA Grievance Policy, Procedure, and Form with Appeals Process for the ADA (Title I).





Town of Collierville Employee Handbook Review: Possible Solutions (cont.)

- The Town should develop a reasonable accommodation policy, procedure, and request form and should be incorporated into Chapter 16. The policy and procedure should describe a reasonable accommodation process, such as providing details on how to file a request and participation in the interactive process. The Equal Employment Opportunity Commission provides enforcement guidance for reasonable accommodations and undue hardship under the ADA here: <https://www.eeoc.gov/policy/docs/accommodation.html>.
- The Town should develop Town-wide guidance for staff to reference when dealing with service animals as reasonable accommodations or modifications for applicants, employees, and the public. Each Town Department should integrate this guidance into their Department-specific standard operating procedures. In doing so, this policy and procedure should be customized to fit each Department's situations and provide guidance as to when a service animal is an effective reasonable accommodation or modification.
  - The U.S. Equal Employment Opportunity Commission created enforcement guidance for Reasonable Accommodations and undue hardship under the ADA (<https://www.eeoc.gov/policy/docs/accommodation.html>).
  - The U.S. Department of Justice created a publication providing guidance on service animals and the ADA: U.S Department of Justice Service Animal Guidance ([https://www.ada.gov/service\\_animals\\_2010.htm](https://www.ada.gov/service_animals_2010.htm)).
- The Town should develop a Town-wide retaliation and coercion policy that is accessible to all and should be incorporated into the policies and procedure manual. The U.S. Equal Employment Opportunity Commission provides guidance on retaliation and related issues here: <https://www.eeoc.gov/laws/guidance/retaliation-guidance.cfm>.
- The Human Resources Department should provide new employees with the newly revised Town of Collierville Employee Handbook that includes adopted ADA policies and procedures from this transition plan process.

Town of Collierville Hiring, Testing, and Recruitment Information Review: Self-Evaluation Findings

- The Human Resources Department administers the hiring process for all Departments. However, no hiring and testing guidance was found.
- The Human Resources Department does not provide alternate formats of applications for employment, nor does the website provide information on if alternate formats are available or how to obtain alternate formats.
- The Town's employment applications do not contain the Town's non-discrimination statement.
- The Town's employment applications contains a question on possessing a valid driver's license.

Town of Collierville Hiring, Testing, and Recruitment Information Review: Possible Solutions

- The Human Resources Department should develop hiring and testing guidelines. These guidelines should include information on ADA compliant testing in the hiring process and should be available to all Departments who administer testing for their Department. While these guidelines are not an ADA requirement, these guidelines would assist Town staff in being consistent in the testing process to achieve ADA compliance. The U.S. Equal Employment Opportunity Commission and the U.S. Department of Justice provide guidance here:



Town of Collierville Hiring, Testing, and Recruitment Information Review: Possible Solutions (cont.)

- <https://www.eeoc.gov/>
- <https://www.ada.gov/>
- The Town should develop and adopt an alternate format policy, procedure and form. The Human Resources Department's webpage should be revised to include information on the Town's adopted alternate format request policy, procedure, and form. This policy and procedure should provide guidance to staff regarding the process of obtaining an alternate format and utilizing the Town's vendor database to obtain vendor information for alternate formats, if applicable. The alternate format policy, procedure, and form would apply to all Town documents including employment applications, job announcements, and other documents.
- The Town should develop a Town-wide ADA non-discrimination statement policy for Title I and include a statement in all employment applications. This statement should include language that provides contact information for the ADA/504 Coordinator regarding an accommodation, modification, or alternate formats. While these statements are not a specific ADA requirement, the U.S. Department of Justice (DOJ) requires that all Title II entities adopt and distribute a public notice about the relevant provisions of the ADA to all people who may be interested in its programs, services, and activities. It is recommended that a non-discrimination statement be included in all information distributed by the Town to comply with 28 CFR 35.106 ([https://www.ada.gov/regs2010/titleII\\_2010/titleII\\_2010\\_regulations.htm#a35106](https://www.ada.gov/regs2010/titleII_2010/titleII_2010_regulations.htm#a35106)).
- Applications for employment should be revised to ask if the applicant possesses a valid state issued id or driver's license. The requirement of a valid driver's license should only be required if it is a bona fide occupational qualification (BFOQ). See Section 3.1.3 Job Description Review.

Town of Collierville New Employee Orientation: Self-Evaluation Findings

- Information regarding the Town's new employee orientation process was not found.

Town of Collierville New Employee Orientation: Possible Solutions

- The Human Resources Department should develop a new employee orientation process. This process should include guidelines that provide detailed information on the on-boarding process, as well as a review of employee's ADA rights and obligations, introduction to the ADA/504 Coordinator(s), and typical employment functions and benefits.

Town of Collierville Training Program Review: Self-Evaluation Findings

- Information regarding ADA specific training for Town staff on Title I or Title II was not found.

Town of Collierville Training Program Review: Possible Solutions

- The Town should provide annual ADA specific training to all Town staff, including executive staff, volunteers, and board members. This training should include policies and procedure developed from this transition plan process, employee rights and obligations regarding employment-related training, as well as training for ADA elements within the public rights-of-way. While training is not a specific ADA requirement, as a Title II entity, the Town is obligated to provide equal access to programs, services, and activities. Furthermore, this training would provide individuals with the tools needed to ensure ADA compliance.



### 3.1.7 Job Description Review

The ADA does not require an employer to develop or maintain job descriptions. Nevertheless, employers can certainly benefit from having well-written job descriptions that spell out the “essential functions” for each employment position. When job descriptions are written, they must be non-discriminatory.

A written job description can help employers identify whether an applicant will be able to perform the essential tasks required for a position. During the interview process, employers are not allowed to ask if an individual has a disability that would prevent them from performing certain job tasks. Employers may, however, ask applicants whether they can perform the “essential functions” of a position, such as the ability to meet attendance expectations or to operate a particular machine. If an applicant notifies the employer that he or she is unable to perform an essential job function because of a disability, the employer must then consider whether it is possible to reasonably accommodate the disability.

Ten (10) job descriptions were reviewed. The following section provides a summary of the findings and possible solutions. A complete summary of the job description reviews is provided in Appendix C.

#### Job Description Review: Self-Evaluation Findings

- Job descriptions did contained headings for clarification. However, most positions were missing recommended headings such as a job summary.
- Most job descriptions contained discriminatory language. When describing actual job duties, there are some physical demands. However, specific language must be used so that someone with a disability can disqualify themselves.
- Some job descriptions state that a driver’s license is required. It is unclear whether this requirement is bona fide occupational qualification (BFOQ).
- Job descriptions do contain a variation of a non-discrimination statement. However, the statement is not an official Town-wide non-discrimination statement and it does not include the recommended language.

#### Job Description Review: Possible Solutions

- Job descriptions should separate information under specific headings for better clarification. Under these headings, the Town may use as many sub-headings as necessary to cover all aspects of the job description. These recommended headings are Job Title, Job Summary, Essential Functions, Non-Essential Functions, and Job Specifications.
- When listing physical demands in a job description, the wording must be such that someone with a disability can disqualify themselves. ADA compliant equivalent language must be used. For example: Instead of “carry” or “lift,” use “move,” “transport,” “position,” “install,” “remove,” “hoist” and “transfer.” See the Appendix C for Equivalent Language Guidance.
- When a driver’s license is a requirement, the Town must ensure this is a BFOQ. If a driver’s license is not necessary as a part of the essential job functions, this should be revised to require a state-issued identification instead of a state-issued driver’s license.



Job Description Review: Possible Solutions (cont.)

- The Town should develop a Town-wide Non-Discrimination Statement Policy for Title I to be included in every Town job description and vacancy announcement. This statement should include language that provides contact information for the ADA/504 Coordinator regarding an accommodation, modification, or alternate formats. While these statements are not a specific ADA requirement, the U.S. Department of Justice (DOJ) requires that all Title II entities adopt and distribute a public notice about the relevant provisions of the ADA to all people who may be interested in its programs, services, and activities. It is recommended that a non-discrimination statement be included in all information distributed by the Town to comply with 28 CFR 35.106 ([https://www.ada.gov/regs2010/titleII\\_2010/titleII\\_2010\\_regulations.htm#a35106](https://www.ada.gov/regs2010/titleII_2010/titleII_2010_regulations.htm#a35106)).

### 3.1.8 Emergency Management Plan Review

Emergency planning and management has become increasingly important today. All community emergency plans and emergency management teams must include the necessary information on how to properly assist citizens in the community who may have a disability. Identifying the citizens with disabilities is paramount to rescuing them. The Town of Collierville should have an Emergency Management Plan in place that details how to help the citizens with disabilities in the event of a local emergency.

Disabilities manifest themselves in varying degrees and the functional implications of the variations are important for emergency evacuation. A person may have multiple disabilities, while another may have a disability whose symptoms fluctuate. Everyone needs to have a plan to be able to evacuate a building, regardless of his or her physical condition.

While planning for every situation that may occur in every type of an emergency is impossible, being as prepared as possible is important. One way to accomplish this is to consider the input of various people and entities, from executive management, human resources, and employees with disabilities to first responders and other businesses, occupants, and others nearby. Involving such people in the development of the Town's Emergency Management Plan will help everyone understand the evacuation plans and the challenges that businesses, building owners and managers, and people with disabilities face.

The following programs, services or documents were reviewed:

- Shelby County Basic Emergency Operations Plan 2014 - 2018

Emergency Management Plan Review: Self-Evaluation Findings

- The County Emergency Management Plan is organized into four (4) parts: The Introduction, the Basic Plan, Attachments, and the fifteen Emergency Support Functions (ESF). The Plan does make provisions for medical assistance shelter operations. However, no other information or guidance for providing for individuals with disabilities is mentioned.
- Upon review of Town provided documents, it appears that the Town of Collierville does not have an emergency management plan for the public.
- It appears that the Town of Collierville does not have an emergency evacuation plan for employees and visitors.



### Emergency Management Plan Review: Possible Solutions

- The County should update their plan to incorporate FEMA's emergency plan guidance for individuals with disabilities in the eighteen Emergency Support Function. In addition, the Town should develop a plan to provide for individual with disabilities in the community during times of emergency or disaster. The U.S. Department of Justice and FEMA provides guidance here: <https://www.ada.gov/pccatoolkit/chap7emergencygmtadd1.htm>  
[https://www.fema.gov/media-library-data/1437608810237-65bce1c81c720e99c260ea740e98901d/Language\\_Guidelines-Inclusive\\_Emergency\\_Preparedness.pdf](https://www.fema.gov/media-library-data/1437608810237-65bce1c81c720e99c260ea740e98901d/Language_Guidelines-Inclusive_Emergency_Preparedness.pdf).
- The Town should develop a support network with the local disability organizations and include them in the emergency planning process.
- The Town should create a volunteer registration process that identifies the location of individuals with disabilities, and the type of disability they have. The registry will help with the planning process for accessible transportation needs.
- The Town should ensure they have access to accessible transportation for evacuations or transporting people to a medical clinic. Accessible transportation options can be obtained by working with local or private services, public transportation, or paratransit.
- Evacuation plans should include how to evacuate people with assistive equipment and how to replace equipment if it is lost or destroyed, as well as a plan on how to evacuate people who have service animals.
- Training should be provided to volunteers as well as all department heads who will be involved in the execution of the Emergency Plan. Training ensures the emergency plan is executed as planned and ensures clear and proper communication to individuals with disabilities. Training should include how to identify people wearing medical alert tags or bracelets, and various ways to communicate with people with visual, hearing, or cognitive impairments.
- The Town should prepare alternative ways to help individuals who use medical equipment during a power outage.
- The Town should identify the location and availability of more than one facility for dialysis for people who will need dialysis as part of a health maintenance plan or routine or other life-sustaining treatment. In addition, the Town should develop a resource list that includes the location of all types of durable medical equipment (DME) available in the Town, as well as qualified American Sign Language interpreters, wheelchair repair, therapeutic oxygen, hearing aids and repair, medications, etc. The resource list should be comprehensive and included in the Emergency Planning Manual.
- The Town should host an "Emergency Planning Preparedness" class for individuals with disabilities. The class will teach them how to develop a "kit" they can keep for emergencies and allow them to sign up for the emergency registry.
- The Town should develop an emergency evacuation plan for employees and visitors. Evacuation plans should consider the impact of internal and external emergencies regarding Town's operations and should be tailored to the workplace environment. The Great Lakes ADA Center provides guidance on Emergency Preparedness and Using Employee Information here: <http://adagreatlakes.org/BusinessToolkit/?section=1&id=6>



### 3.1.9 Town Ordinance Review

Eight (8) ordinances were reviewed for consistency with current accessibility requirements and standards.

#### Town Ordinance Review: Self-Evaluation Findings

Title I Chapter 10: General Provisions

Title V: Public Services

Title VII: Traffic Code

Title XIII: General Offenses

- These titles do not contain ADA-related language, nor was it required.

Title III: Administration

- Chapter 32 Police Department states reserves are required to be physically and psychologically fit. However, no definitions or qualifications are provided.
- Chapter 34 Town Court states that a judges' disability can result in a judge being unable to serve in the position. Also, the disability of a town judge is determined by the Board of Mayor and Aldermen which is not in alignment with the Americans with Disability Act.

Title IX: General Regulations

- Chapter 90 Public Parks and Facilities does not contain guidance or policy and procedure information regarding service animals.
- Chapter 92 Streets and Sidewalks does contain provisions to provide safe alternate routes for travelers when sidewalks are blocked due to construction. However, no definitions or standards are provided to determine what is considered safe.
- Chapter 94 Animals does not contain guidance or policy and procedure information regarding service animals. In addition, this chapter contains outdated language that is considered discriminatory.

Title XI: Business Regulations

- Chapter 111 Charitable Solicitors uses outdated and discriminatory language such as crippled and handicapped.

Title XV: Land Usage

- Chapter 151 Zoning Regulations provides information on the classification of special events, and the process required to hold a special event. However, it does not include reviewing information for ADA accessibility prior to issuing special event permits.

#### Town Ordinance Review: Possible Solutions

The below Town ordinances should be updated as noted in the following section. While these updates are not specifically an ADA requirement, these updates provide information and clarification to the public to ensure ADA compliance.

Title III: Administration

- Chapter 32 Police Department: The definitions and qualification information that outlines the physical and psychologically requirements of the reserves position should be added to this chapter so individuals can disqualify themselves from the position.





Town Ordinance Review: Possible Solutions (cont.)

- Chapter 34 Town Court: The qualifications and position requirements for the town judge should be added to this chapter so individuals can disqualify themselves from the position. In addition, the removal of a town judge by the Board of Mayor and Aldermen from office due to disability should be removed from this chapter. Town judges, as well as all other employees of the Town should be provided their rights and responsibilities under the Americans with Disabilities Act and afforded the right to requests reasonable accommodations using the interact reasonable accommodation process.

Title IX: General Regulations

- Chapter 90 Public Parks and Facilities: The Town should adopt a service animal policy and incorporate the policy into this chapter. In addition, the definition of a service animal as defined by the United States Department of Justice should be added to this chapter.
- Chapter 92 Streets and Sidewalks: The Town should develop standards for Town employees and contractors that perform work in the public right-of-way to provide safe alternate routes for travelers when sidewalks are blocked due to construction. While these guidelines are not a specific ADA requirement, the Town is obligated to ensure equal access to all Town program, services, and activities.
- Chapter 94 Animals: The definition of a service animal as defined by the United States Department of Justice and the Town's stance on service animals should be added to this chapter specifically in Sections 94.29 and 94.30. In addition, language referencing seeing-eye dogs and being confined to a wheelchair should be removed from Sections 94.29 and 94.30.

Title XI: Business Regulations

- Chapter 111 Charitable Solicitors: Remove outdated language and discriminatory language, such as crippled and handicapped, from section 111.01. See the Appendix C for Equivalent Language Guidance.

Title XV: Land Usage

- Chapter 151 Zoning Regulations: The Town should develop ADA specific guidelines for event holders to ensure ADA compliance. While these guidelines are not a specific ADA requirement, the Town is obligated to ensure equal access to all Town program, services, and activities. These guidelines would provide event holders the tools necessary to ensure all events are accessible to the maximum extent feasible.



### 3.2.0 Design Standard Review

The Town of Collierville Transportation Plan, Standard Construction Details, and Traffic Specifications were reviewed for compliance with the 2010 Standards for Accessible Design and 2011 PROWAG.

#### Design Standard Review: Self-Evaluation Findings

Common findings include:

- Slopes are shown as ratios, which is inconsistent with PROWAG
- Detectable warning surface contrast requirement is inconsistent with PROWAG
- Detectable warning surface hatching is shown on the entire length of the curb ramp run.

A complete list of findings is provided in Appendix D.

#### Design Standard Review: Possible Solutions

Possible solutions include:

- Use design slope percentages per PROWAG.
- Change note to "Detectable warning surface shall contrast visually with the adjacent gutter, street or highway, or pedestrian access route surface, either light-on-dark or dark-on-light."
- Consider showing detectable warning surface hatching only 2' in the direction of pedestrian travel.

A complete list of possible solutions is provided in Appendix D.



### 3.3 Facilities Review

#### 3.3.1 Buildings

3 buildings within the Town of Collierville were evaluated. All buildings included in the evaluation are listed in Table 1 and shown on the map in Appendix E.

Table 1. Summary of Buildings Reviewed

Buildings	
1. Town Hall	500 Poplar View Pkwy.
2. Library	501 Poplar View Pkwy.
3. Community Center	440 W Powell Rd.

#### Buildings: Self-Evaluation Findings

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

- Non-compliant accessible parking
- Non-compliant transaction counters
- Non-compliant seating
- Non-compliant restroom elements

#### Buildings: Possible Solutions

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



### 3.3.2 Parks

Three (3) parks within the Town of Collierville were evaluated. All parks included in the evaluation are listed in Table 2 and shown on the map in Appendix E.

Table 2. Summary of Parks Reviewed

Parks	
1. HW Cox Park	440 W Powell Rd.
2. WC Johnson Park	419 WC Johnson Park Dr.
3. Suggs Park	163 E South St.

#### Parks: Self-Evaluation Findings

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

- Non-compliant accessible parking
- No accessible seating
- No accessible route to amenities (picnic tables)
- Non-compliant restroom elements

#### Parks: Possible Solutions

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

### 3.3.3 Signalized Intersections

Forty-three (43) signalized intersections within the Town of Collierville were evaluated. Signalized intersection evaluations cataloged the conditions and measurements along the pedestrian path of travel, which includes street crossings, curb ramps, sidewalk adjacent to the curb ramps, and pedestrian signal equipment and adjacent clear spaces.

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

#### Signalized Intersections: Self-Evaluation Findings

Common curb ramp issues included curb ramp turning space (landing) running slope exiting 2%, no detectable warning surface color contrasts, ponding in curb ramp, turning space, and obstruction in curb ramp, turning space. Table 3 provides a summary of the curb ramp issues at signalized intersections.

About 11% percent of pedestrian crossings at signalized intersections did not have pedestrian signal heads and 48% of pedestrian push buttons. Pedestrian push buttons and signal heads were recommended to be installed at all signalized intersection pedestrian crossings where they did not exist. Common issues associated with the existing pedestrian push buttons included non-existent or inaccessible push button clear spaces, excessive push button clear cross slopes. Table 4 provides a summary of the push button issues.



Signalized Intersections: Possible Solutions

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

Table 3. Summary of Curb Ramp Issues at Signalized Intersections

Curb Ramp Element	Number Evaluated	Number Compliant	Percent Compliant
Curbed sides at 90°	46	45	97.8%
Curb ramp does not have traversable sides	46	44	95.7%
Curb ramp lands in crosswalk	191	179	93.7%
Curb ramp running slope $\leq$ 8.3%	203	180	88.7%
Curb ramp present where curb ramp is needed	238	203	85.3%
Curb ramp width $\geq$ 48"	203	169	83.3%
Curb ramp counter slope $\leq$ 5%	203	153	75.4%
Curb ramp turning space (landing) cross slope $\leq$ 2%	203	138	68.0%
Curb ramp turning space (landing) exists	203	138	68.0%
Presence of detectable warning surface	203	136	67.0%
48" crosswalk extension exists	87	58	66.7%
Curb ramp cross slope $\leq$ 2%	203	135	66.5%
Flare cross slope $\leq$ 10%	157	102	65.0%
Flush transition to roadway exists	203	127	62.6%
Curb ramp turning space (landing) running slope $\leq$ 2%	138	78	56.5%
Detectable warning surface color contrasts with adjacent curb ramp surface	203	113	55.7%
No ponding in curb ramp, turning space (landing), or flares	203	77	37.9%
No obstruction in curb ramp, turning space (landing), or flares	203	39	19.2%



Table 4. Summary of Push Button Issues

Push Button Element	Number Evaluated	Number Compliant	Percent Compliant
Pedestrian head exists where pedestrian head is needed	439	390	88.8%
Push button diameter is 2"	230	182	79.1%
Push button offset from crosswalk $\leq$ 5'	218	169	77.5%
Clear space exists and can be accessed	230	152	66.1%
Push button orientation is parallel to crossing direction	230	142	61.7%
Clear space cross slope $\leq$ 2%	165	99	60.0%
Push button offset from curb $\leq$ 10'	230	134	58.3%
Push button exists where push button is needed	439	230	52.4%

### 3.3.4 Sidewalk Corridors

The sidewalk corridor evaluations documented conditions and measurements along the pedestrian path of travel, which includes the sidewalk, railroad crossings, curb ramps, pedestrian crossings at driveway openings, and pedestrian crossings at unsignalized intersections with cross streets. Approximately ten (10) miles of sidewalk were evaluated. The included sidewalk corridors were selected due to their high level of pedestrian activity as well as their proximity to pedestrian traffic generators. A map of the evaluated sidewalk corridors is provided in Appendix E.

#### Sidewalk Corridors: Self-Evaluation Findings

Common issues along the sidewalk corridors were sinking or heaving, cracking, ponding, obstructions, and excessive cross slopes. Where excessive vegetation was present, field crews attempted to assess the condition of the underlying sidewalk. Where possible, the condition of the underlying sidewalk was recorded; however, the Town of Collierville may find additional issues with the sidewalk once the temporary obstruction is removed.

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

The ADA of 1990, Section 35.150, Existing Facilities, requires that the Transition Plan include a schedule for providing curb ramps or other sloped area at existing pedestrian walkways, which applies to all facilities constructed prior to 1992. For any sidewalk installations constructed from 1992 to March 15, 2012, the curb ramps should have been installed as part of the sidewalk construction project per the 1991 Standards for Accessible Design, Section 4.7

Curb Ramp, which states, "curb ramps complying with 4.7 shall be provided wherever an accessible route crosses a curb." For sidewalk installations constructed on or after March 15, 2012, similar guidance is provided in the 2010 Standards for Accessible Design, Section 35.151 of 28 Code of Federal Regulations (CFR) Part 35, New





Construction and Alterations, which states, "newly constructed or altered street level pedestrian walkways must contain curb ramps or other sloped area at any intersection having curb or other sloped area at intersections to streets, roads, or highways."

#### Sidewalk Corridors: Possible Solutions

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

- Where sidewalk leads up to the curb at an intersection, both parallel and perpendicular to the project corridor, two (2) directional curb ramps were recommended to be installed where geometry permitted. PROWAG (R207) requires two (2) directional curb ramps be installed during modifications unless there are existing physical constraints.
- Where sidewalk parallel to the project corridor leads up to the curb at a driveway, directional curbs ramps were recommended to be installed to serve the driveway crossing.
- Where diagonal curb ramps were installed with the intent to serve a side-street crossing only, receiving curb ramps are still required to be installed on the opposite side of the major street. However, an engineering study should be performed prior to the installation of the receiving curb ramps to determine if the major street crossing is safe to accommodate. If the engineering study determines the major street crossing is unsafe to accommodate, the existing diagonal curb ramps should be removed and replaced with directional curb ramps in addition to the other requirements noted in Section 3.5 Federal Highway Administration (FHWA) Guidance on Closing Pedestrian Crossings.

The following engineering judgement or best practices recommendations were made in order to maximize pedestrian safety. It should be noted that these improvements are advised but not required per federal standards.

- For all existing or implied pedestrian street crossings at unsignalized intersections where striping is not present, striping is recommended to be installed. The 2009 MUTCD states that on approaches controlled by STOP or YIELD signs, crosswalk lines should be installed where engineering judgement indicates they are needed to direct pedestrians to the proper crossing path(s). Additionally, in conjunction with signs and other measures, crosswalk markings help to alert road users of a designated pedestrian crossing point across roadways at locations that are not controlled by traffic control signals or STOP or YIELD signs.
- For pedestrian crossings across commercial driveways, detectable warning surfaces are recommended to be installed on curb ramps or sidewalk approaches on either side of the driveway. PROWAG states that detectable warning surfaces should 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 are recommended to be provided at the junction between the pedestrian route and the vehicular route.

A complete list of possible solutions can be found in the sidewalk and unsignalized intersection facility reports provided in Appendix F.



Table 5. Summary of Curb Ramp Issues at Unsignalized Intersections

Curb Ramp Element	Number Evaluated	Number Compliant	Percent Compliant
Curbed sides at 90°	67	67	100.0%
Curb ramp does not have traversable sides	67	64	95.5%
Curb ramp turning space (landing) exists	155	107	69.0%
Curb ramp present where curb ramp is needed	260	155	59.6%
Curb ramp width $\geq$ 48"	260	149	57.3%
Flush transition to roadway exists	155	88	56.8%
Presence of detectable warning surface	155	79	51.0%
Curb ramp turning space (landing) running slope $\leq$ 2%	107	54	50.5%
No obstruction in curb ramp, turning space (landing), or flares	155	76	49.0%
No ponding in curb ramp, turning space (landing), or flares	155	71	45.8%
Curb ramp turning space (landing) cross slope $\leq$ 2%	107	48	44.9%
Curb ramp cross slope $\leq$ 2%	155	68	43.9%
Curb ramp counter slope $\leq$ 5%	155	68	43.9%
48" crosswalk extension exists	63	24	38.1%
Detectable warning surface color contrasts with adjacent curb ramp surface	155	47	30.3%
Flare cross slope $\leq$ 10%	88	20	22.7%
Curb ramp running slope $\leq$ 8.3%	155	29	18.7%
Curb ramp lands in crosswalk	155	25	16.1%



### 3.4 Maintenance Versus Alterations

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

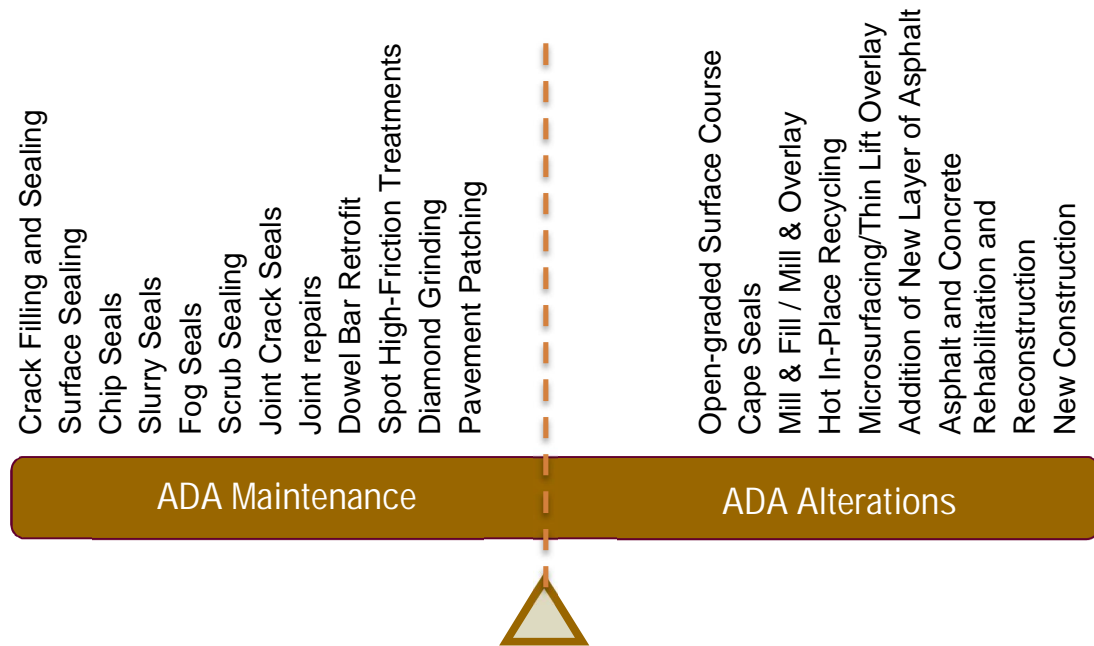
*The Americans with Disabilities Act of 1990 (ADA) is a civil rights statute prohibiting discrimination against persons with disabilities in all aspects of life, including transportation, based on regulations promulgated by the United States Department of Justice (DOJ). DOJ's regulations require accessible planning, design, and construction to integrate people with disabilities into mainstream society. Further, these laws require that public entities responsible for operating and maintaining the public rights-of-way do not discriminate in their programs and activities against persons with disabilities. FHWA's ADA program implements the DOJ regulations through delegated authority to ensure that pedestrians with disabilities have the opportunity to use the transportation system's pedestrian facilities in an accessible and safe manner.*

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

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

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

Figure 1. Maintenance versus Alteration Projects



Source: DOJ Briefing Memorandum on Maintenance versus Alteration Projects

### 3.5 FHWA Guidance on Closing Pedestrian Crossings

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

- A physical barrier is required to close a crossing at an intersection. FHWA has determined that a strip of grass between the sidewalk and the curb IS acceptable as a physical barrier.
- A sign should be used to communicate the closure.

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

### 3.6 Prioritization

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



### 3.6.1 Prioritization Factors for Facilities

Buildings and parks were prioritized on a 12-point scale, which is defined in Table 8. This prioritization methodology was developed by the Consultant Team to aid the Town in determining how the buildings should be prioritized for improvements based on the severity of non-compliance with ADA.

Signalized intersections were prioritized on a 13-point scale. The 13-point scale, which is used to prioritize both signalized and unsignalized intersections, is defined in Table 9. This prioritization methodology was developed by the Consultant Team to aid the Town in determining which signalized intersections should be prioritized for improvements over other signalized intersections based on the severity of non-compliance with ADA.

Sidewalk corridors were prioritized on a 3-point scale and were given a priority of either "High", "Medium", "Low" based on the severity of non-compliance, which is defined in Table 10. Compliant segments of the sidewalk corridor were given a priority label of "Compliant".

*[The remainder of this page intentionally left blank.]*



Table 6. Prioritization Factors for Buildings/Parks

Priority	Criteria
1 (high)	Complaint known or imminent danger present
2 (high)	<ul style="list-style-type: none"> <li>• Element is more than twice the allowable requirement. No known complaint.</li> <li>• AND (for exterior conditions) location is near a hospital, school, government building, or other pedestrian attractor.</li> </ul>
3 (high)	<ul style="list-style-type: none"> <li>• Element is more than twice the allowable requirement. No known complaint.</li> <li>• AND (for exterior conditions) location is not near a hospital, school, government building, or other pedestrian attractor.</li> </ul>
4 (high)	Issues with parking or exterior conditions (DOJ level 1) – moderately out of compliance
5 (medium)	Issues with access to goods and services (DOJ level 2) – severely out of compliance
6 (medium)	Issues with: <ul style="list-style-type: none"> <li>• Access to goods and services (DOJ level 2) – moderately out of compliance;</li> <li>• Parking or exterior conditions (DOJ level 1) – minimally out of compliance; OR</li> <li>• Restrooms (DOJ level 3) – severely out of compliance</li> </ul>
7 (medium)	Issues with: <ul style="list-style-type: none"> <li>• Access to goods and services (DOJ level 2) – minimally out of compliance;</li> <li>• Restrooms (DOJ level 3) – moderately out of compliance; OR</li> <li>• Drinking fountains or public phones (DOJ level 4 &amp; 5) – severely out of compliance</li> </ul>
8 (medium)	Issues with drinking fountains or public phones (DOJ level 4 & 5) - moderately out of compliance
9 (low)	Issues with restrooms (DOJ level 3) – minimally out of compliance
10 (low)	Issues with drinking fountains or public phones (DOJ level 4 & 5) - minimally out of compliance
11 (low)	<ul style="list-style-type: none"> <li>• Client is a Title II agency; AND</li> <li>• Elements out of compliance, but may be able to be handled programmatically or do not need to be handled unless or until the agency hires a person with a disability</li> </ul>
12 (low)	Element is fully compliant with an older standard (safe-harbored), but will need to be brought into compliance with current standards if altered





Table 7. Prioritization Factors for Signalized and Unsignalized Intersections

Priority	Criteria
1 (high)	Complaint filed on curb ramp or intersection or known accident/injury at site
2 (high)	Existing curb ramp with any of the following conditions: <ul style="list-style-type: none"> <li>• Running slope &gt; 12%</li> <li>• Cross slope &gt; 7%</li> <li>• Obstruction to or in the curb ramp or landing</li> <li>• Level change &gt; ¼ inch at the bottom of the curb ramp</li> <li>• No detectable warnings</li> </ul> AND within a couple of blocks of a hospital, retirement facility, medical facility, parking garage, major employer, disability service provider, event facility, school, government facility, public facility, park, library, or church, based on field observations.
3 (high)	<ul style="list-style-type: none"> <li>• No curb ramp where sidewalk or pedestrian path exists</li> </ul> AND within a couple of blocks of a hospital, retirement facility, medical facility, parking garage, major employer, disability service provider, event facility, school, government facility, public facility, park, library, or church, based on field observations.
4 (high)	No curb ramps, but striped crosswalk exists
5 (medium)	Existing curb ramp with any of the following conditions: <ul style="list-style-type: none"> <li>• Running slope &gt; 12%</li> <li>• Cross slope &gt; 7%</li> <li>• Obstruction to or in the curb ramp or landing</li> <li>• Level change &gt; ¼ inch at the bottom of the curb ramp</li> <li>• No detectable warnings</li> </ul> AND NOT within a couple of blocks of a hospital, retirement facility, medical facility, parking garage, major employer, disability service provider, event facility, school, government facility, public facility, park, library, or church, based on field observations.
6 (medium)	<ul style="list-style-type: none"> <li>• No curb ramp where sidewalk or pedestrian path exists</li> </ul> AND NOT within a couple of blocks of a hospital, retirement facility, medical facility, parking garage, major employer, disability service provider, event facility, school, government facility, public facility, park, library, or church, based on field observations.
7 (medium)	Existing diagonal curb ramp (serving both crossing directions on the corner) is non-compliant and should be replaced with two curb ramps, one serving each crossing direction on the corner.
8 (medium)	Existing curb ramp with any of the following conditions: <ul style="list-style-type: none"> <li>• Cross slope &gt; 5%</li> <li>• Width &lt; 36 inches</li> <li>• Median/island crossings that are inaccessible</li> </ul>
9 (low)	Existing curb ramp with either running slope between 8.3% and 11.9% or insufficient turning space
10 (low)	Existing diagonal curb ramp without a 48-inch extension into the crosswalk
11 (low)	Existing pedestrian push button is not accessible from the sidewalk and/or curb ramp
12 (low)	Existing curb ramp with returned curbs where pedestrian travel across the curb is not protected
13 (low)	All other intersections not prioritized above



Table 8. Prioritization Factors for Sidewalk Corridors

Criteria	Priority		
	1 (high)	2 (medium)	3 (low)
Cross slope of sidewalk is greater than 2%	Value > 3.5%	3.5% ≥ Value > 2.0%	
Width of sidewalk is less than 48 inches	Value ≤ 36.0"	36.0" < Value < 42.0"	42.0" < Value < 48.0"
Obstruction present along sidewalk	Obstruction - Permanent	Obstruction - Temporary	
Heaving, sinking, or cracking present on sidewalk	Heaving Sinking Cracking		
Ponding on sidewalk		Ponding	
Missing sidewalk			Missing Sidewalk
Signalized cross street cross slope is greater than 5%	Value > 9.0%	9.0% ≥ Value ≥ 7.0%	7.0% > Value > 5.0%
Unsignalized cross street cross slope is greater than 2%	Value > 6.0%	6.0% ≥ Value ≥ 4.0%	4.0% > Value > 2.0%
Cross street running slope is greater than 5%	Value > 7.0%	7.0% ≥ Value ≥ 6.0%	6.0% > Value > 5.0%
Driveway sidewalk width is less than 48 inches	Value ≤ 36.0"	36.0" < Value < 42.0"	42.0" < Value < 48.0"
Driveway (or sidewalk if applicable) cross slope is greater than 2%	Value > 6.0%	6.0% ≥ Value ≥ 4.0%	4.0% > Value > 2.0%
Driveway (or sidewalk if applicable) condition is poor or poor dangerous	Elevation change greater than 1/2 inch or gaps greater than 1 inch	Elevation change between 1/4 inch and 1/2 inch or gaps between 1/2 inch and 1 inch	
Railroad crossing excessive sidewalk vertical discontinuity	Elevation change greater than 1/4 inch or gaps greater than 1 inch)		
Railroad crossing pre-fabricated plate is plastic or does not exist	Yes – Plastic or No		
Railroad crossing flangeway gap is greater than 3 inches	Value > 3.0"		
Railroad crossing is missing detectable warning surface(s)	Value > 2.5"		



Table 9, Table 10, and Table 11 provide summaries of the prioritization classifications for signalized intersections, sidewalks, and unsignalized intersections, respectively.

Table 9. Prioritization Summary Signalized Intersections

Priority	Number of Intersections
0 (compliant)	1
1 (high)	0
2 (high)	12
3 (high)	1
4 (high)	5
5 (medium)	22
6 (medium)	0
7 (medium)	0
8 (medium)	0
9 (low)	0
10 (low)	0
11 (low)	0
12 (low)	0
13 (low)	2
Total	43

Table 10. Prioritization Summary for Sidewalk Corridors

Line type	Length (miles) by Priority				
	1 (high)	2 (medium)	3 (low)	Compliant	Total
Sidewalks	3.38	1.78	0.09	3.49	8.75
Driveways	0.26	0.13	0.08	0,08	0.56
Cross Streets	0.04	0.01	0.19	0.57	0.81
Total	3.68	1.93	0.36	4.14	10.11



Table 11. Prioritization Summary for Unsignalized Intersections

Priority	Number of Intersections
0 (compliant)	1
1 (high)	0
2 (high)	30
3 (high)	7
4 (high)	0
5 (medium)	30
6 (medium)	0
7 (medium)	0
8 (medium)	1
9 (low)	3
10 (low)	0
11 (low)	0
12 (low)	0
13 (low)	7
Total	79

### 3.7 Conclusion

This document serves as the ADA Transition Plan for the Town of Collierville. In developing the Transition Plan, PSAs were reviewed for compliance with ADA guidelines and a Self-Evaluation was conducted on the following facilities:

- 3 buildings;
- 3 parks;
- 43 signalized intersections; and
- 10 miles of sidewalk and all unsignalized intersections and driveways along the sidewalk corridors.

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

The Town is taking the actions referenced below and will continue to look for and remedy, barriers to access to ensure that Collierville citizens who are disabled are given access to the Town 's PSAs.

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



*[Page intentionally left blank]*



## 5.0 Facility Costs

### 5.1 Facilities Cost Projection Overview

To identify funding sources and develop a reasonable implementation schedule, cost projection summaries for only the facilities evaluated were developed for each facility type. To develop these summaries, recent bid tabulations from the Tennessee Department of Transportation (TDOT) construction projects, along with Consultant Team experience with similar types of projects, were the basis for the unit prices used to calculate the improvement costs. A contingency percentage (20%) was added to the subtotal to account for increases in unit prices in the future in addition to an engineering design percentage (15%). All costs are in 2019 dollars. Table 12 provides a summary of the estimated costs to bring each facility into compliance.

Table 12. Summary of Facility Costs

Facility Type	Priority			Total
	High	Medium	Low	
Buildings	\$160,245	\$537,719	\$79,758	\$777,722
Parks	\$243,675	\$786,409	\$13,770	\$1,043,854
Signalized Intersections	\$1,400,500	\$2,007,300	\$42,500	\$3,450,300
Public Rights-of-Way Sidewalk	\$1,102,060	\$477,897	\$81,643	\$1,661,600
Public Rights-of-Way Unsignalized Intersections	\$902,300	\$1,180,700	\$40,300	\$2,123,300
Town Totals	\$3,808,780	\$4,990,025	\$257,971	\$9,056,776

### 5.2 Implementation Schedule

Table 13 details the barrier removal costs and proposed implementation schedule by facility type for all Town -owned facilities evaluated. This 30-year plan will serve as the implementation schedule for the Transition Plan. The Town of Collierville reserves the right to change the barrier removal priorities on an ongoing basis to allow flexibility in accommodating community requests, petitions for reasonable modifications from persons with disabilities, and changes in Town programs.

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



Table 13. Implementation Schedule

Facility Type	Estimated Cost	Implementation Schedule (years)	Approximate Annual Budget
Buildings	\$777,722	30	\$25,924
Parks	\$1,043,854	30	\$34,795
Signalized Intersections	\$3,450,300	30	\$115,010
Public Rights-of-Way Sidewalk	\$1,661,600	30	\$55,387
Public Rights-of-Way Unsignalized Intersections	\$2,123,300	30	\$70,777
Town Total	\$9,056,776		
Total Annual Budget			\$301,893

### 5.3 Funding Opportunities

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

#### 5.3.1 Federal and State Funding

Table 14 depicts the various types of federal and state funding available for the Town to apply for funding for various improvements. The following agencies and funding options are represented in the chart.

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

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





Table 14. Funding Opportunities

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

Adapted from FHWA Pedestrian and Bicycle Funding Opportunities, Revised August 9, 2018:  
[https://www.fhwa.dot.gov/environment/bicycle\\_pedestrian/funding/funding\\_opportunities.cfm](https://www.fhwa.dot.gov/environment/bicycle_pedestrian/funding/funding_opportunities.cfm)



### 5.3.2 Local Funding

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

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

### 5.3.3 Private Funding

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

## 5.4 Next Steps

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

The Town will develop a budget to include the next 30 fiscal years. Projects identified in the ADA Transition Plan will be programmed within the 30-year budget based prioritization provided (see Section 3.6 Prioritization) and other factors determined by the Town, such as how barrier removal can be incorporated into existing Town projects identified for capital improvements.

The Town also intends to adopt 2011 PROWAG to enable Town enforcement of these guidelines throughout the design and construction process of pedestrian facilities in the public rights-of-way.



## Appendix

---

### Appendix A: Public Outreach

ADA Advisory Committee Meeting Notes

Public Meeting Notes

Survey Results

### Appendix B: Grievance Procedure

Title I Grievance Procedure

Title I Grievance Form

Title II Grievance Procedure

Title II Grievance Form

Public Notice Under ADA

### Appendix C: Programs, Services, and Activities (PSA) Review

Job Description Review

Equivalent Language Guidance

### Appendix D: Design Standard Review

### Appendix E: Facility Maps

Buildings

Parks

Signalized Intersections

Public Rights-of-Way Sidewalk Corridors



## Appendix F: Facility Reports

Buildings

Parks

Signalized Intersections

Public Rights-of-Way Sidewalk Corridors

## Appendix G: Action Log

Action Log for all facilities