

RESOLUTION 17-R-32 approving and authorizing transmittal of a letter to the Tennessee Department of Transportation describing the City's efforts toward the development of an ADA Transition Plan for City rights-of-way and other transportation facilities

WHEREAS, the Federal Highway Administration requires the Tennessee Department of Transportation (TDOT) to ensure that every city and county with fifty (50) or more employees have an ADA Transition Plan, such plans being necessary for the receipt of federal transportation funding; and,

WHEREAS, TDOT has provided the City with deadlines for submission of compliance documentation; and,

WHEREAS, the City has complied with the first deadline (December 2016), by which the City was required to designate the City's ADA Coordinators (the Building and Codes Director and the Assistant Human Resources Director), provide TDOT with the coordinators contact information, and publish an ADA grievance policy; and,

WHEREAS, the City must now comply with the second deadline (December 2017) by providing a written letter from the Mayor, approved by City Council, describing the City's efforts toward the development of an ADA Transition Plan; and,

WHEREAS, the attached letter sets forth the City's efforts to date toward the development of the required ADA Transition Plan and affirms the City's commitment to completing its ADA Transition Plan before December 2019.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MURFREESBORO, TENNESSEE, AS FOLLOWS:

SECTION 1. The attached letter to the Tennessee Department of Transportation Bureau of Engineering regarding the City's efforts toward the development of an ADA Transition Plan is hereby approved.

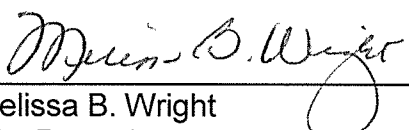
SECTION 2. The Mayor is hereby authorized to execute the appropriate legal instruments to accomplish the same.

SECTION 3. This Resolution shall be effective immediately upon its passage and adoption, the public welfare and the welfare of the City requiring it.

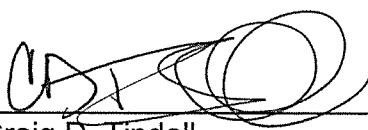
Passed: December 14, 2017


Shane McFarland, Mayor

ATTEST:


Melissa B. Wright
City Recorder

APPROVED AS TO FORM:


Craig D. Tindall
City Attorney



December 14, 2017

Via First Class U.S Mail

Paul D. Degges, Deputy Commissioner/Chief Engineer
Tennessee Department of Transportation
Bureau of Engineering
Suite 700, James K. Polk Building
505 Deaderick Street
Nashville TN 37243-1402

Re: Americans with Disabilities Act (ADA) Compliance and Transition Plan

Dear Commissioner Degges:

On behalf of the City of Murfreesboro, I am pleased to provide the Tennessee Department of Transportation with the following summary of the City's efforts to date to comply with Titles I and II of the Americans with Disabilities Act and to confirm the City's commitment to developing an ADA transition plan for public rights-of-way within the City.

For over twenty years, the City has demonstrated a commitment to ensuring equal access and expanding opportunities for individuals with disabilities within the community, to eliminating discrimination on the basis of disability in its workforce and in its programs, services, and activities, and to improving the accessibility of City facilities in accordance with ADA standards and accessibility guidelines. In 1995, City Council adopted a city-wide ADA policy that among other things designated the City's ADA coordinators, articulated specific policies and procedures with respect to employment and the offering of public services, and established an ADA complaint procedure. This policy was subsequently revised in 2011 and 2014 to ensure compliance with the ADA Amendments Act of 2008 and various federal regulations implementing that legislation. City staff put this policy into practice on a daily basis through their interactions with members of the public, through reasonable modifications of policies, practices, and procedures to avoid discrimination on the basis of disability, and by working collaboratively with employees and job applicants to identify and implement reasonable accommodations to help them perform their jobs and to ensure equal access to employment opportunities.

The City has also devoted significant effort to eliminating physical barriers that might impair the ability of individuals with disabilities from accessing and utilizing City buildings and other facilities, including parks and public rights-of-way. This effort began in 1993 with the adoption of the City's first transition plan. This plan was developed by the City's Disabled Resident Access

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Committee with the assistance of the architecture firm of Kline Swinney Associates. The City completed the accessibility-related improvements identified in the 1993 Transition Plan in the mid-1990s (excepting certain facilities and projects that were ultimately removed from that plan).

In 2011, the City initiated a second survey of City-owned facilities, as well as additional facilities used by various City programs, to identify improvements that the City would need to make to these facilities to bring them into compliance with the 2010 ADA Standards for Accessible Design issued by the U.S. Department of Justice. This survey, which is essentially an update of the City's 1993 Transition Plan, was completed in early 2014. In June 2014, the City contracted with Picklesimer Roberts Architecture Inc. to develop various scopes of work and bid documents to address the compliance issues identified in the City's updated facility survey. Construction and rehabilitation efforts in connection with this project began in 2016 and are ongoing. A key element of this project, like the City's 1993 Transition Plan, is ensuring pedestrian access to City offices and recreation facilities.

Earlier this year, as part of the City's 2017 fiscal year budget, City Council approved an initial expenditure of \$200,000 to engage an independent engineering firm to assist the City in developing a transition plan that encompasses all City-owned rights-of-way ("ADA Transition Plan for Public Rights-of-Way"). While the City has not yet selected a firm to provide this service, City staff have indicated that they will be seeking City Council's approval of a firm in early 2018. The focus of the transition plan and the related evaluation will be to identify any physical barriers in City facilities based on the 2010 ADA Standards and Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way ("PROWAG") and to prioritize those improvements in a way that maximizes accessibility within the City.

The City is committed to completing its ADA Transition Plan for Public Rights-of-Way by the December 2019 deadline established by the Federal Highway Administration, and currently, neither I nor City Council nor City staff are aware of any obstacles that would prevent the City from meeting this deadline. Moreover, I am confident that the City will continue its efforts to eliminate discrimination on the basis of disability and to ensure equal access for all to City facilities, programs, and services.

Sincerely,



Shane McFarland
Mayor

cc: Marget Z. Mahler, TDOT ADA Coordinator
Rob Lyons, City Manager
Murfreesboro City Council
Chris Griffith, City Engineer
Jim Kerr, City Transportation Director
Pam Russell, City ADA Coordinator (Title I)
Robert Holtz, City ADA Coordinator (Title II)