



City of Manhattan

Americans with Disabilities Act (ADA) Self-Evaluation & Transition Plan

September 2023

Prepared by:

Kimley»Horn

801 Cherry Street
Unit 11, Suite 1300
Fort Worth, Texas 76102

In association with:



Table of Contents

Abbreviations	iv
1.0 Introduction	1
1.1 Purpose	1
1.2 Background	1
1.3 Legislative Mandate.....	1
1.4 ADA Self-Evaluation and Transition Plan Development Requirements and Process	1
1.5 Discrimination and Accessibility.....	2
1.5.1 Physical Barriers	2
1.5.2 Programmatic Barriers	2
1.5.3 Ongoing Accessibility Improvements	2
1.5.4 City of Manhattan Approach.....	2
1.5.5 Exceptions and Exemptions.....	3
1.6 New Construction and Alterations	3
1.7 Existing City Programs that Implement ADA Upgrades.....	5
2.0 Public Outreach	7
2.1 Web Survey.....	7
2.2 Web Map	7
3.0 Self-Evaluation and Summary of Observations	9
3.1 Programs, Procedures, and Policies Review.....	9
3.1.1 ADA/504 Coordinator (Title I / Title II)	9
3.1.2 Roles and Responsibilities of the ADA/504 Coordinator	10
3.1.3 ADA Staff Committee	11
3.1.4 ADA Implementation Coordinator.....	12
3.1.5 Roles and Responsibilities of the ADA Implementation Coordinator.....	12
3.1.6 ADA Grievance Policy, Procedure, and Form with Appeals Process for the ADA	12
3.1.7 Public Notice Under the ADA	13
3.2 Programs, Services, and Activities (PSA) Review	14
3.2.1 MHK Airport.....	15
3.2.2 City Manager – Animal Shelter	15
3.2.3 City Manager – Clerk’s Office	16
3.2.4 City Manager – Communications Office.....	16
3.2.5 Finance – Customer Service Department	17
3.2.6 Finance – Utility Billing Department	18
3.2.7 Fire – Emergency Services	18
3.2.8 Fire – Risk Reduction.....	19
3.2.9 Human Resources – Personnel Department.....	19
3.2.10 Human Resources – Risk Management Department.....	20
3.2.11 Human Resources – Payroll Department.....	20
3.2.12 Legal Services – Municipal Court.....	21
3.2.13 Parks and Recreation – Aquatics	21
3.2.14 Parks and Recreation – Flint Hills Discovery Center.....	22
3.2.15 Parks and Recreation – Parks	22
3.2.16 Parks and Recreation – Recreation	23
3.2.17 Parks and Recreation – Sunset Zoo	23

3.3	Facilities Self-Evaluation Action Plan	24
3.4	Facilities Review	24
3.4.1	Buildings.....	24
3.4.2	Parks.....	25
3.4.3	Paved Trails	26
3.4.4	Signalized Intersections	26
3.4.5	Sidewalk Corridors.....	28
3.5	Maintenance Versus Alterations	31
3.6	FHWA Guidance on Closing Pedestrian Crossings.....	33
3.7	Prioritization.....	33
3.7.1	Prioritization Factors for Facilities	33
3.8	Conclusion.....	39
4.0	Staff Training	41
	Customer Contact Overview – Serving Customers with Disabilities (2 hours).....	41
	First Responders – Serving Citizens with Disabilities (2 hours).....	41
	Disability Employment Training for Human Resources, Staff, Managers/Supervisors (2 hours).....	41
	Accessible Recreational Facilities (Parks & Rec) (2 hours).....	42
5.0	Facility Costs	43
5.1	Facilities Cost Projection Overview	43
5.2	Implementation Schedule	43
5.3	Funding Opportunities	44
5.3.1	Federal and State Funding.....	44
5.3.2	Local Funding.....	44
5.3.3	Private Funding.....	45
5.4	Next Steps.....	45
	Appendix.....	47
	Appendix A: Web Survey Results	
	Appendix B: Public Notice Under the ADA	
	Appendix C: Federal Highway Administration ADA Transition Plans Memo	
	Appendix D: Facility Maps	
	Buildings	
	Parks	
	Paved Trails	
	Signalized Intersections	
	Public Rights-of-Way Sidewalk Corridors	
	Appendix E: Facility Review Summaries	
	Buildings	
	Parks	
	Paved Trails	
	Signalized Intersections	
	Public Rights-of-Way Sidewalk Corridors	
	Unsignalized Intersections	
	Appendix F: ADA Action Log	

List of Tables

Table 1. 2023 ADA Staff Committee	11
Table 2. Summary of Buildings Reviewed.....	24
Table 3. Summary of Parks Reviewed	25
Table 4. Summary of Curb Ramp Issues at Signalized Intersections	27
Table 5. Summary of Push Button Issues	28
Table 6. Summary of Curb Ramp Issues at Unsignalized Intersections	30
Table 7. Prioritization Factors for Buildings/Parks/Paved Trails.....	34
Table 8. Prioritization Factors for Signalized and Unsignalized Intersections.....	35
Table 9. Prioritization Factors for Sidewalk Corridors	36
Table 10. Prioritization Summary Signalized Intersections	37
Table 11. Prioritization Summary for Sidewalk Corridors	37
Table 12. Prioritization Summary for Unsignalized Intersections	38
Table 13. Summary of Facility Costs	43
Table 14. Implementation Schedule	44

List of Figures

Figure 1. Maintenance versus Alteration Projects.....	32
---	----

Abbreviations

ABA – Architectural Barriers Act

ADA – Americans with Disabilities Act

ADAAG – Americans with Disabilities Act Accessibility Guidelines

CFR – Code of Federal Regulations

CIP – Capital Improvement Program

DOJ – United States Department of Justice

FHWA – Federal Highway Administration

MUTCD – Manual on Uniform Traffic Control Devices

PROWAG – Proposed Public Rights-of-Way Accessibility Guidelines

PSA – Programs, Services, and Activities

1.0 Introduction

1.1 Purpose

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

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

1.2 Background

From 1992-1995, City of Manhattan completed an ADA Self-Evaluation and developed an ADA Transition Plan. The Self-Evaluation included a comprehensive review of the policies and practices utilized in providing programs, services, and activities at the time of the review. The Transition Plan included barriers identified during the evaluation of select buildings and parks. Additional building and park evaluations were completed as part of the 1984 City of Manhattan Section 504 of the Rehabilitation Act Transition Plan. No public rights-of-way evaluations were completed as part of the original ADA Transition Plan, but a limited inventory was developed to quantify rights-of-way pedestrian facilities (primarily curb ramps). The City recognized a need to update their ADA Self-Evaluation and Transition Plan and plans to do so in multiple phases. The first phase of updates was completed in 2022 - 2023.

1.3 Legislative Mandate

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

The City of Manhattan has begun a comprehensive evaluation of its PSAs to determine the extent that individuals with disabilities may be restricted in their access.

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

The City of Manhattan is obligated to observe all requirements of Title I in its employment practices; Title II in its policies, programs, and services; any parts of Titles IV and V that apply to the City and its programs, services, or facilities; and all requirements specified in the 2010 ADA Standards and 2011 PROWAG that apply to facilities and other physical holdings.

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

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

This document describes the process developed to complete the evaluation of the City of Manhattan'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 25 years. The ADA Self-Evaluation and Transition Plan update is significant in that it establishes the City's ongoing commitment to the development and maintenance of PSAs and facilities that accommodate all its residents.

1.5 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:

1.5.1 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

1.5.2 Programmatic Barriers

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

1.5.3 Ongoing Accessibility Improvements

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

1.5.4 City of Manhattan Approach

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

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

1.5.5 Exceptions and Exemptions

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

In determining whether an alteration would impose an undue financial or administrative burden on a covered entity, factors to be considered include: (i) the nature and cost of the alteration needed; (ii) the overall financial resources of the facility or facilities involved in the provision of the reasonable accommodation; the number of persons employed at such facility; the effect on expenses and resources, or the impact otherwise of such accommodation upon the operation of the facility; (iii) the overall financial resources of the covered entity; the overall size of the business of a covered entity with respect to the number of its employees; the number, type, and location of its facilities; and (iv) the type of operation or operations of the covered entity, including the composition, structure, and functions of the workforce of such entity; the geographic separateness, administrative, or fiscal relationship of the facility or facilities in question to the covered entity.

In determining whether an alteration would threaten or destroy the historic significance of a historic property, the City should first confirm if the property is on the National Register of Historic Places. Based on a search of the National Register of Historic Places NPGallery Database (<https://npgallery.nps.gov/nrhp>) and the associated geodatabase (<https://irma.nps.gov/DataStore/Reference/Profile/2210280>), there are 31 registered historical places within the City, but there may be other documentation available not provided on these websites.

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

1.6 New Construction and Alterations

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

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

U.S. Access Board has developed the 2013 Outdoor Developed Areas guidelines, specifically for hike/bike trails and camping facilities. While a requirement for federal parks at this time, it is considered a best practice for state and local government-owned or operated outdoor developed areas. It is recommended that the City of Manhattan also adopt the 2013 Outdoor Developed Areas so it can be locally enforced.

2010 ADA Standards for Accessible Design

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

PROWAG

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

MUTCD

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

2013 Outdoor Developed Areas Guidelines

The Access Board is responsible for developing accessibility guidelines for the construction and alteration of facilities covered by the ADA and the Architectural Barriers Act (ABA) of 1968, which include outdoor developed areas. The Outdoor Developed Areas guidelines ensure that the facilities are readily accessible to and usable by people with disabilities. The Access Board issued the current guidelines in 2004. The 2004 guidelines contain provisions for several types of recreation facilities, including boating facilities, fishing piers and platforms, golf facilities, play areas, sports facilities, and swimming pools. The Access Board amended the 2004 guidelines in 2013 by adding new provisions for trails, picnic and camping facilities, viewing areas, and beach access routes constructed or altered by federal agencies or by non-federal entities on federal land on behalf of a federal agency pursuant to a concession contract, partnership agreement, or similar arrangement.

The new provisions for trails, picnic and camping facilities, viewing areas, and beach access routes are not included in the DOJ's 2010 ADA Standards and have no legal effect on state and local governments and private entities subject to DOJ's ADA regulations. State and local governments and private entities may, however, use the provisions for guidance when designing trails, picnic and camping facilities, viewing areas, and beach access routes. State and local governments and private entities are cautioned to check with DOJ about using the technical requirements for outdoor recreation access routes, instead of accessible routes, to connect elements at picnic and camping facilities, viewing areas, and trailheads.

1.7 Existing City Programs that Implement ADA Upgrades

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

- **Community Development Block Grant (CDBG) Program** – The City of Manhattan receives funding from the Department of Housing and Urban Development to invest in community improvements throughout Manhattan. The City of Manhattan adopts a CDBG Annual Action Plan outlining use of funds, for which ADA improvements are eligible.
- **Street Maintenance Program** – Each year the City of Manhattan bids concrete and asphalt street repair projects to take place throughout the summer. Based on Pavement Condition Index (PCI) values, streets within close proximity to each other are selected for repairs based on material type – asphalt or concrete. The close proximity reduces the contractor's mobilization and traffic control costs, which can reduce overall bids for the projects. As part of these street maintenance projects and if funding allows the pedestrian access route within the associated street crossings may be brought into ADA compliance. The adjacent curb ramps serving these pedestrian street crossings are generally also brought into ADA compliance at the time of construction if deficiencies were identified.
- **Curb Ramp Repairs** – Curbs are generally fixed when the City of Manhattan is already in the area doing street repairs, with the exception of said curb interfering with the use of a disability assistance ramp or a storm intake drain.
- **Sidewalk Repairs** – Kansas State Statute (K.S.A. 12-1808) requires the property owner to be responsible for the maintenance and repair of the sidewalk adjacent to their property. Conditions that require repair or replacement may include settlement, broken or deteriorated concrete, elevation offsets or other similar defects. The City of Manhattan Risk Reduction Department issues notices to property owners with portions of sidewalk that are in need of repair and the repairs are typically completed in compliance with ADA Standards within 30 – 60 days.

[Page intentionally left blank]

2.0 Public Outreach

The City formed an ADA Advisory Group comprised of local disability organization representatives and interested members of the public. A complete list of group members is provided on the City website: <https://www.cityofmhk.com/3182/ADA-Advisory-Group>.

The purpose of the ADA Advisory Group is to assist with input and public outreach for the City's ADA Self-Evaluation and Transition Plan project. This advisory group met on March 8, 2023, at 4:00 PM and April 25, 2023, at 4:00 PM to discuss the process, timeline, and expectations associated with this project, as well as to provide any input on the evaluation results and the ADA plan implementation. This group also provided input as to how to provide a broader public input opportunity. The group met on September 19, 2023 at 4 PM to review the final draft of the ADA Self-Evaluation and Transition Plan. Notes from the ADA Advisory Group meetings are posted on the City's website: <https://www.cityofmhk.com/3182/ADA-Advisory-Group>.

The City will continue to solicit feedback from the public on the Transition Plan.

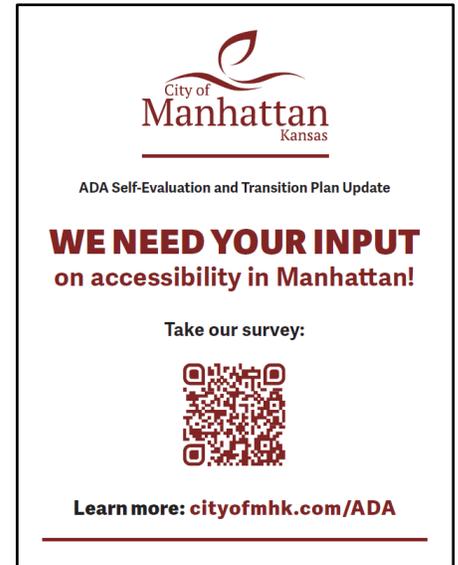
2.1 Web Survey

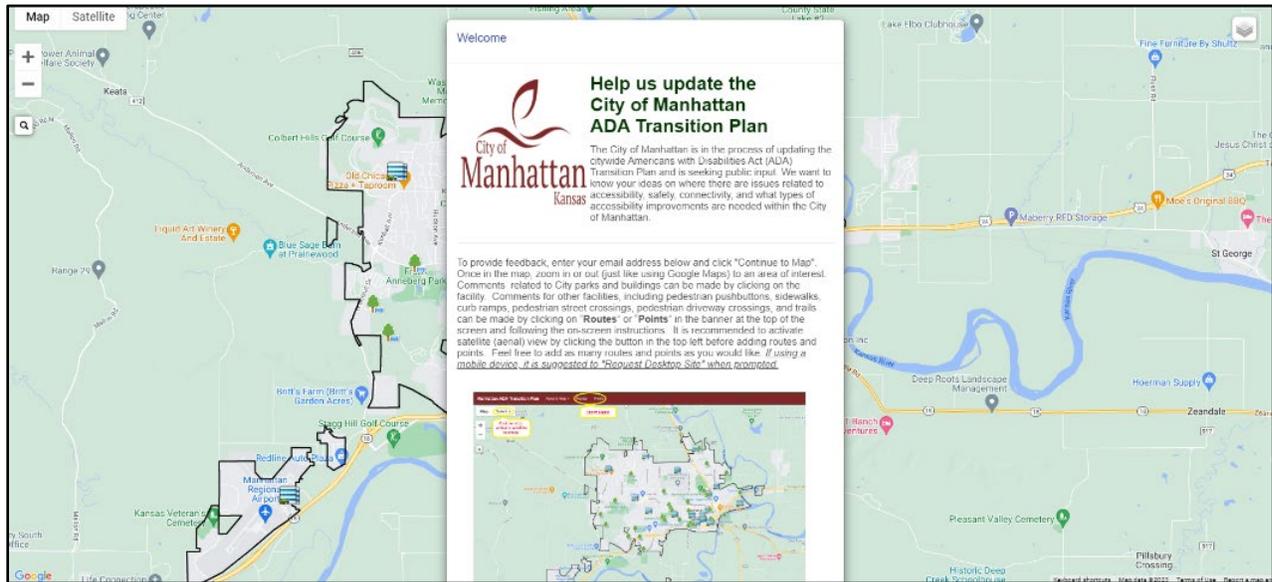
The City developed a web survey open to the public. The survey was designed to help the City locate areas of greatest concern to the public and help provide better access to the community. ADA Advisory Group members pushed the survey to their constituents and peers, and the City promoted the survey through various marketing efforts. The survey was made available via a public link, and feedback was documented between May 2, 2023 and June 9, 2023:

Results from the web survey are provided in **Appendix A**. The City has reviewed the comments/feedback received and will be using this information to help develop an implementation plan to remove identified barriers to access.

2.2 Web Map

The City developed an online map to allow the public to identify specific locations where they experience issues related to accessibility, safety, connectivity, or suggestions for accessibility improvements that are needed in Manhattan. ADA Advisory Group members pushed the web map to their constituents and peers, and the City promoted the web map through various marketing efforts. The map was made available via a public link, and feedback was documented between May 2, 2023 and June 9, 2023 within the transition plan, and continued to be made available through February 20, 2024.





The web survey and map were posted on the City’s web page, sent out through social media, and emailed to the ADA Advisory Group for redistribution. These resources serve as a tool to solicit feedback from the public on the City’s Self-Evaluation and Transition Plan.

Below is a summary of comments received via the web map:

- A pedestrian signal was requested at Dickens Ave. and Wreath Ave.
- A pedestrian signal was requested at Dickens Ave. and N Seth Child Rd.
- An audible pedestrian signal requested at the midblock crossing along Anderson Ave. between N. 16th St. and N. 14th St.
- A difficult crossing was reported at Dickens Ave. and Browning Ave.

The City has reviewed the comments/feedback received and will be using this information to help develop an implementation plan to remove identified barriers to access.

[Remainder of page intentionally left blank]

3.0 Self-Evaluation and Summary of Observations

The City of Manhattan'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 City.

3.1 Programs, Procedures, and Policies Review

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

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

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

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

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

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

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

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.

The City of Manhattan has appointed Robyn Dreher as ADA/504 Coordinator for Title I and Title II. Below is the ADA/504 Coordinator's contact information.

Robyn Dreher, ADA/504 Coordinator
Human Resource Specialist I
Human Resources
1101 Poyntz Ave
Manhattan, KS 66502
Office: 785-587-2443
KS Relay: 1-800-766-3777
robyn.dreher@cityofmhk.com

The ADA/504 Coordinator contact information must be provided to interested parties. The following distribution methods are recommended:

- Post on the City website;
- Prominently display in common areas that are accessible to all employees and areas open to the public;
- Provide in materials that are distributed by the City for meetings and events where requests for auxiliary aids or services for effective communication might be needed; and
- Provide in materials that are distributed by the City where ADA questions or concerns may arise.

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.

The responsibilities of the ADA/504 Coordinator include coordinating the City's efforts to comply with Title II and investigating any complaints related to potential violations of Title II. The role of the ADA Coordinator typically includes being the primary contact when members of the public request an auxiliary aid or service for effective communication, such as a sign language interpreter or documents in Braille. An effective ADA Coordinator will be able to efficiently assist people with disabilities with their questions. These roles and responsibilities are consistent with the Department of Justice's guidance for "An Effective ADA Coordinator" (<https://www.ada.gov/pcatoolkit/chap2toolkit.htm>).

3.1.3 ADA Staff Committee

The City of Manhattan has established an ADA Staff Committee comprised of a representative from each City department. These representatives are listed in **Table 1** and are tasked with serving as the ADA liaison 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.

To promote awareness of the committee and their activities, the ADA Staff Committee information can be publicized in common areas that are accessible to employees and areas open to the public. This includes posting this information on the City website.

Table 1. 2023 ADA Staff Committee

Department	Division	Position	Name
City Manager's Office	City Manager's Office	Assistant City Manager	Jared Wasinger
City Manager's Office	Communications	Communications Manager/ Public Information Officer	Andrew Lawson
Human Resources	Human Resources	Human Resource Specialist	Robyn Dreher
Legal	City Attorney's Office	Assistant City Attorney	Jeremy Crist
Community Development	Community Development Block	Grant Administrator	Christina L'Ecuyer
Airport	Airport	Assistant Airport Director	Kim Boice
Finance	Customer Service	Customer Service Supervisor	Susan Mullin
Parks and Recreation	Building Services	Building Maintenance Supervisor	Dustin Nelson
Parks and Recreation	Parks and Recreation	Park Planner	Alfonso Leyva
Public Works	GIS	GIS Coordinator	Elias Martinson
Public Works	Street	Street & Fleet Superintendent	Jeff Davis
Public Works	Traffic	Traffic Supervisor	Dustin Potts
Public Works	Traffic	Engineering Aide II	Theresa Britt
Public Works	Engineering	Engineer I	Jacob Harms
Fire	Risk Reduction	Assistant Chief Risk Reduction	Ryan Courtright
Fire	Risk Reduction	Assistant Building Official	Darren Emery
Fire	Fire	Deputy Fire Chief	Ryan Almes

3.1.4 ADA Implementation Coordinator

Under the ADA Title II, the City must identify the official responsible for implementing the Transition Plan. The City of Manhattan has appointed Jared Wasinger as ADA Implementation Coordinator. Below is the ADA Implementation Coordinator's contact information.

Jared Wasinger, ADA Implementation Coordinator
Assistant City Manager
City Manager's Office
1101 Poyntz Ave
Manhattan, KS 66502
Office: 785-587-2402
KS Relay: 1-800-766-3777
wasinger@cityofmhk.com

3.1.5 Roles and Responsibilities of the ADA Implementation Coordinator

The ADA Implementation Coordinator should work with the City's ADA/504 Coordinator and ADA Staff Committee to develop to create an Action Plan for barrier removal. The Action Plan should identify specific steps and tasks that need to be taken to address the issues documented as part of the Self-Evaluation and in the ADA Transition Plan. For each task, a responsible person and target date should be assigned. Where outside assistance may be needed, external resources should also be identified.

The ADA Implementation Coordinator should also document completed action items for incorporation into the City's ADA Transition Plan.

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

Title II

Local governments with 50 or more employees are required to adopt and publish procedures for resolving grievances in a prompt and fair manner that may arise under Title II of the ADA. Per the Department of Justice's guidance for establishing and publishing grievance procedures (<https://www.ada.gov/pcatoolkit/chap2toolkit.htm>), the grievance procedure should include:

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

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

- All content in the ADA Grievance Policy and Procedure is consistent with the DOJ guidance.
- The grievance form is not a specific requirement under the ADA, but it should include all the upfront information needed by the City to meet the timeline in the grievance procedure.

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

- The City should consider the following formatting updates to the ADA Grievance Policy and Procedure:
 - Add Robyn Dreher's phone number/Kansas Relay number "or 7-1-1 (Kansas Relay)" and email address to the contact information to be consistent with the grievance procedure submittal info
 - First paragraph has an extra space at the start of the first sentence
- The City should consider revising the ADA Grievance Form to include additional request for information fields:
 - Type of grievance
 - Distinction between contact information for reporting individual versus authorized representative of reporting individual (if any)
 - Time of incident
 - Attempts made to resolve the complaint through a City Department and associated details
 - Remedy sought including specific actions

A copy of the City's Grievance Procedure and Form are posted on the City website:

<https://cityofmhk.com/DocumentCenter/View/49901/City-of-Manhattan-Grievance-Procedures-and-Grievance-Form?bidId=>.

3.1.7 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 entity's 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 Observations

- All content in the ADA Notice is consistent with the DOJ guidance.
- A copy of the City's Public Notice Under the ADA is included in **Appendix B** but is not posted on the City's website.

Public Notice Under the ADA: Possible Solutions

- The City should consider the following formatting updates to the City's Public Notice Under the ADA:
 - Add the Kansas Relay number next to Robyn's phone number; "or 7-1-1 (Kansas Relay)" in paragraphs 5 and 7
 - Add Robyn Dryer's email address to paragraph 7 for consistency with paragraph 5
 - Last paragraph has different line spacing than the rest of the document
- A copy of the City's Public notice should also be posted on the City's ADA webpage (<https://www.cityofmhk.com/1327/Americans-with-Disabilities-Act>) and on an ongoing basis. Example ways to provide notice to interested persons:
 - Job applications
 - Local newspapers
 - Local radio and television stations
 - City facilities

- Program handbooks
- Activity schedules
- Meeting notices

3.2 Programs, Services, and Activities (PSA) Review

The City of Manhattan conducted interactive surveys of the following City departments during the first phase of its Self-Evaluation in 2022-2023:

- Airport (Operations)
- City Manager's Office (City Clerk's Office, Communications)
- Finance (Customer Service, Utility Billing)
- Human Resources (Personnel, Risk Management, Payroll)
- Legal Services (Municipal Court)
- Fire Services (Emergency Services, Risk Reduction)
- Parks & Recreation (Parks, Recreation, Aquatics, Animal Shelter, Flint Hills Discovery Center, Sunset Zoo)

The interactive survey process was conducted after a review of the City's website and City-provided PSAs. Surveys were submitted to each City department and area listed above. The surveys were tailored to the PSAs offered by each department and area and used to finalize the determination of ADA compliance. A discussion of additional programmatic elements found during the research and evaluation process for each department and area is included in the following section.

This City plans to review the remaining PSA elements not covered in these surveys during a future phase of the ADA Self-Evaluation and Transition Plan update.

General Questions

General Questions: Self-Evaluation Observations

- Has staff attended ADA training that ensures all programs, services, and activities the department may provide are accessible?
- Is Department staff aware of who the ADA/ 504 Coordinator is for the City and their contact information?
- Does City staff maintain logs regarding ADA complaints and requests for accommodations or modifications?
- The Department does not have a consistent City-wide non-discrimination statement.
- There seems to be some confusion between the Departments regarding the Reasonable Accommodation and Reasonable Modification processes.

General Questions: Possible Solutions

- Staff should attend annual ADA specific training regarding Title I and Title II. This training should include policies and procedures developed from this transition plan process and employee rights and obligations under the ADA. While training is not a specific ADA requirement, as a Title II entity, the City 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.
- Provide continued communication with staff regarding the ADA/ 504 Coordinator and contact information both on the website for public and internally. This should also include the liaison designee for each department.
- Develop and maintain a log of complaints and requests for accommodations and modifications.

General Questions: Possible Solutions (cont.)

- Develop the proper wording for the City-wide non-discrimination statement and ensure it is consistently used by all departments.
- Policies and procedures for reasonable accommodations and reasonable modifications should be developed City-wide for consistent application throughout the Departments.

3.2.1 MHK Airport

MHK Airport: Self-Evaluation Observations

- The airport does not currently have a policy/procedure for obtaining alternate formats for documents.
- There is no current process to ensure that Closed Captioning and/or transcripts are available for videos, audio files posted for employees and public viewing.
- The airport has language in various documents addressing non-discrimination based on race, color, sex, or national origin, however, does not include language addressing the non-discrimination based on disabilities. (See City of Manhattan Kansas Manhattan Regional Airport Disadvantaged Business Enterprise Program FY 2022, 2023, 2024).

MHK Airport: Possible Solutions

- Ensure consistent non-discrimination statements that include language regarding disabilities.
- A city-wide policy needs to be developed to ensure all departments know the process to obtain documents in alternate formats.
- Develop and implement policy/procedure for posted video/audio files to include Closed Captioning and/or Transcripts.

3.2.2 City Manager – Animal Shelter

City Manager – Animal Shelter: Self-Evaluation Observations

- There are volunteer positions that require specific physical abilities. Policies and procedures are not currently in place to allow self-disqualification.
- The Department defers to the City for reasonable accommodation/modification policy, procedure, or form.
- The Department does not have guidance in place to assist staff in making modifications to a program, service, or activity offered by the Department.
- The Department does not maintain logs regarding ADA complaints and requests for accommodations/modifications.
- The Department does not have guidelines in place to address ADA compliance at special events.
- The Department does not include ADA-specific language in Department contracts, agreements, or waivers.

City Manager – Animal Shelter: Possible Solutions

- The Department should develop and use specific ADA checklists or guidance to ensure ADA compliance. These checklists or guidance should include information regarding the Americans with Disabilities Act Accessibility Guidelines (ADAAG). While this is not a specific ADA requirement, the City is obligated to provide equal access to programs, services, and activities and this guidance would provide the Department staff with the necessary tools to ensure ADA compliance.
- Maintain Resource List for requests made by individuals with disabilities.

City Manager – Animal Shelter: Possible Solutions (cont.)

- The Department should develop and use guidance to include language within Department contracts and agreements that clarify the City’s obligations and responsibilities under the ADA.
- The Department should develop and maintain logs regarding ADA complaints and requests for accommodations/modifications that include an internal complaint number, details about the complaint, and details regarding the resolution.
- The Department should develop ADA-specific guidelines for special events. While the development of these guidelines is not a specific ADA requirement, the City is obligated to provide equal access to programs, services, and activities. These guidelines will provide guidance to employees and provide the tools needed to ensure ADA compliance. The Mid-Atlantic ADA Center provides guidance here:
<https://www.adainfo.org/hospitality/accessible-meetings-events-conferences-guide/>

3.2.3 City Manager – Clerk’s Office

City Manager – Clerk’s Office: Self-Evaluation Observations

- The City Manager Clerk’s Office has not had ADA specific training to ensure ADA accessibility within City programs.
- The Community Survey 2019 does not appear to include individuals with disabilities.
- There is not currently a policy/procedure in place for producing record requests in alternate formats.
- Various versions of the ADA statement are on meeting agendas and minutes. No ADA or non-discrimination statement is located on Commission meeting minutes.

City Manager – Clerk’s Office: Self-Evaluation Possible Solutions

- City Manager Clerk’s Office staff should attend annual ADA specific training regarding Title I and Title II. This training should include policies and procedures developed from this transition plan process and employee rights and obligations under the ADA. While training is not a specific ADA requirement, as a Title II entity, the City 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.
- The City should reach out to local disability organizations and/or the newly developed ADA Advisory Group when conducting surveys or events to ensure the needs of the local disability community are consistently taken into consideration.
- A city-wide policy needs to be developed to ensure all departments know the process to obtain documents in alternate formats.
- The City should maintain consistency for the ADA statement throughout all forms including, but not limited to agenda and meeting minutes.

3.2.4 City Manager – Communications Office

City Manager – Communications Office: Self-Evaluation Observations

- The City Manager Communications Office has not had ADA specific training to ensure ADA accessibility within City programs.
- Staff is not aware of any City-wide policy/procedure for alternate formats of forms, documents, or media releases.
- The Communications Office puts important updates and City News on the City website using the News Flash feature (<https://www.cityofmnhk.com/CivicAlerts.aspx?CID=1>).

City Manager – Communications Office: Self-Evaluation Observations (cont.)

- Important updates and City news is also available through Mailchimp emails when a resident signs up at <https://cityofmhk.com/252/EmailText-Notifications>
- The Communication Office also utilizes Facebook and Twitter to disseminate important information.
- Printed materials are developed through the communications office.
- The Communications office is responsible for maintaining the website but personnel from other departments also add content.

City Manager – Communications Office: Self-Evaluation Possible Solutions

- City Manager Clerk’s Office staff should attend annual ADA specific training regarding Title I and Title II. This training should include policies and procedures developed from this transition plan process and employee rights and obligations under the ADA. While training is not a specific ADA requirement, as a Title II entity, the City 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. A city-wide policy needs to be developed to ensure all departments know the process to obtain documents in alternate formats.
- The City needs to verify if the “News Flash” feature utilized is formatted for a person using a screen reader and that the information is in an accessible format.
- The City needs to verify that the accessibility features of Mailchimp are in place and properly used.
- The City needs to verify that the accessibility features of Facebook and Twitter are in place and properly used.
- Design standards need to be developed to ensure printed brochures, posters and event materials are effective forms of communication for the highest possible percent of people. This includes utilizing good color contrast, readable fonts, and good design.
- Proper policies and procedures need to be developed to ensure anyone adding information to the website is doing so in an accessible format. Proper training is one way to ensure new policies and practices are understood.

3.2.5 Finance – Customer Service Department

Finance – Customer Service Department: Self-Evaluation Observations

- The Taxi Coupon program does not include language regarding the policy on vehicle accessibility for individuals with disabilities.
- Special Event Permits do not include ADA accessibility on the Tent Checklist for special events.
- The Finance Customer Service team have not been trained on the proper way to serve people with disabilities including proper etiquette, verbiage or acceptable questions that can or cannot be asked.

Finance – Customer Service Department: Possible Solutions

- Update the language in the Taxi Coupon program to include a policy on vehicle accessibility for individuals with disabilities.
- Include ADA accessibility to special event Tent Checklist required for permitting.
- Provide mandatory training for customer contact employees so they can provide better customer service and reduce City liability.

3.2.6 Finance – Utility Billing Department

Finance – Utility Billing Department: Self-Evaluation Observations

- The department does not have, or is unaware of a policy, procedure or guideline for assisting individuals with disabilities.
- The department does not receive ADA specific training.

Finance – Utility Billing Department: Possible Solutions

- The department should adopt and maintain the City-wide policy and procedure for assisting individuals with disabilities.
- Department staff should attend annual ADA specific training regarding Title I and Title II. This training should include policies and procedures developed from this transition plan process and employee rights and obligations under the ADA. While training is not a specific ADA requirement, as a Title II entity, the City 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.

3.2.7 Fire – Emergency Services

Fire – Emergency Services: Self-Evaluation Observations

- The department participates in fire safety programs in which the public is allowed to get into vehicles, however no access is provided to individuals with mobility disabilities.
- The Fire Department has not received ADA specific training or training on common behaviors associate with common disabilities.
- Tours are provided at Stations 1, 3, 4, and 5. When a request is made for a tour, the application has a question asking if there are any special needs, they need to be aware of however, there is no checklist or information provided to the Stations indicating how they can best be prepared.
- There are no policies, procedures, brochures, information, or resources for firefighters to learn more about varying disabilities so they can develop a “best practice” list for training purposes.
- There are no “Reasonable Modification” policies or procedures in place to better serve a person with a disability.

Fire – Emergency Services: Possible Solutions

- The department should develop policies and procedures for making safety programs fully accessible to all individuals regardless of disability.
- Department staff should attend annual ADA specific training regarding Title I and Title II. This training should include policies and procedures developed from this transition plan process and employee rights and obligations under the ADA. While training is not a specific ADA requirement, as a Title II entity, the City 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.
- Develop an informational resource that will allow the firefighters to be better prepared for kids or adults with disabilities who want to participate in a program, service or activity provided by the department.
- The informational resource noted above will resolve the need for understanding behaviors associated with varying disabilities as well. This can be developed as a “Best Practice” document for the firefighters.
- Policies and procedures for reasonable accommodations and reasonable modifications should be developed City-wide for consistent application. This was addressed above under “General Questions”.

3.2.8 Fire – Risk Reduction

Fire – Risk Reduction: Self-Evaluation Observations

- Policy/ Procedure not in place to ensure consistency when enforcing ADA compliance. The Fire Department is not able to assess risks accurately because they have not received ADA specific training or training on common behaviors associate with common disabilities.

Fire – Risk Reduction: Possible Solutions

- A policy or procedure needs to be put in place to ensure consistency when enforcing ADA compliance.
- Department staff should attend annual ADA specific training regarding Title I and Title II. This training should include policies and procedures developed from this transition plan process and employee rights and obligations under the ADA. Training specific to first responders, that includes behavioral expectations within specific disability categories. While training is not a specific ADA requirement, as a Title II entity, the City 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.

3.2.9 Human Resources – Personnel Department

Human Resources – Personnel: Self-Evaluation Observations

- The Department does not maintain logs regarding ADA complaints and requests for accommodations/modifications.
- The Department does not have a retaliation or coercion policy.
- The Department does not have a consistent City-wide non-discrimination statement.
- The City does not have an alternate format policy and procedure for providing access to Department documents.
- The Department does not have policies and procedures or guidance regarding ADA compliant effective communication efforts.
- The Department does not have a written service animal policy.
- The Department does not provide annual ADA-specific training to ensure ADA accessibility within City programs, services, and activities.
- There is an “Americans with Disabilities Act” page on the website, but it is only connected to the Human Resources Department. It’s not even on the page about the ADA Transition Plan Advisory Group.

Human Resources – Personnel: Possible Solutions

- The Department should develop and maintain logs regarding ADA complaints and requests for accommodations/modifications that include an internal complaint number, details about the complaint, and details regarding the resolution.
- The Department should develop and maintain a policy for retaliation or coercion.
- The City should develop and maintain a City-wide Non-Discrimination Statement Policy and ensure compliance throughout the departments.
- The City should develop an alternate format policy and procedure for providing access to Department documents.
- The Department should develop policies and procedures or guidance regarding ADA compliant effective communication efforts.
- The Department should develop a City-wide policy on the acceptance of service animals in City owned facilities.

Human Resources – Personnel: Possible Solutions (cont.)

- The Department - in conjunction with City's ADA/504 Coordinators for Title I and Title II - should administer annual ADA-specific training to ensure ADA accessibility within City programs, services, and activities, including website accessibility. This training should include policies and procedures developed from this transition plan process for Title I and Title II, employee rights and obligations regarding employment-related training, and website accessibility guidelines. While training is not a specific ADA requirement, as a Title II entity, the City 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.

The "Americans with Disabilities Act" web page should house all disability related information and should be available from the home page and other pages. A link to the ADA Transition Plan Advisory Group should be on the ADA main page. Likewise, a link to Main ADA page should be on the ADA Transition Plan Advisory Group.

3.2.10 Human Resources – Risk Management Department

Human Resources – Risk Management: Self-Evaluation Observations

- The Department does not maintain logs regarding ADA complaints and requests for accommodations or modifications.
- The Department does not maintain a policy for retaliation or coercion.
- The Department does not have an "out of order" policy.
- The Department does not have an alternate format policy.
- The Department does not have a policy on the acceptance of service animals.
- There is no policy on obtaining documents in alternate formats.

Human Resources – Risk Management: Possible Solutions

- The Department should develop and maintain logs regarding ADA complaints and requests for accommodations/modifications that include an internal complaint number, details about the complaint, and details regarding the resolution.
- The Department should develop and maintain written policies on the following:
 - A City-wide policy for retaliation or coercion
 - A City-wide "out of service" policy for when an accessible element is no longer available or accessible.
 - A City-wide policy on obtaining documents in alternate formats

3.2.11 Human Resources – Payroll Department

Human Resources – Payroll: Self-Evaluation Observations

- The Department uses third party entities to perform some duties, however, no checklist is used to ensure the third party complies with the City's ADA policies and procedures.
- The Department does not provide ADA specific training to ensure ADA accessibility and consistency within City programs.
- The ADA/504 Coordinator is not introduced to various departments.

Human Resources – Payroll: Possible Solutions

- The City should develop and maintain a checklist to ensure that there is consistency with any third-party representation that they follow the City's policies and procedures for the ADA.
- Department staff should conduct annual ADA specific training regarding Title I and Title II. This training should include policies and procedures developed from this transition plan process and employee rights and obligations under the ADA. While training is not a specific ADA requirement, as a Title II entity, the City 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.
- The ADA/504 Coordinator should be introduced to all current and new hires to ensure adherence and consistency for handling ADA related grievances and questions.

3.2.12 Legal Services – Municipal Court

Legal Services – Municipal Court: Self-Evaluation Observations

- The Department is not aware of the Grievance process.
- Department staff has not attended ADA-specific training to ensure ADA accessibility within City programs, services, and activities.
- The Department is not aware of a reasonable modification policy or process.
- The Department isn't sure of the status of required assistive listening systems.

Legal Services – Municipal Court: Possible Solutions

- The Department needs to ensure all employees are aware of and familiar with the grievance process. This process is utilized both for employees and the public who have disabilities and believe their rights have been violated.
- Department staff should attend annual ADA specific training regarding Title I and Title II. This training should include policies and procedures developed from this transition plan process and employee rights and obligations under the ADA. While training is not a specific ADA requirement, as a Title II entity, the City 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.
- When the City develops the written modification policy and process, the Department will need to become are of and familiar with the reasonable modification policy or process.
- The Department needs to verify the condition and capabilities of the required assistive listening systems.

3.2.13 Parks and Recreation – Aquatics

Parks and Recreation – Aquatics: Self-Evaluation Observations

- Seasonal staff are not made aware of the ADA/504 Coordinator.
- The Department does not have guidance in place to assist staff in making modifications to programs, services, and activities.
- The Department does not use a checklist to determine accessibility within the department facilities and programs, services, and activities.

Parks and Recreation – Aquatics: Possible Solutions

- All staff should be made aware of the ADA/504 Coordinator and know how to contact them.
- Develop and maintain policy/procedure regarding modifications for programs, services, and activities.
- The Department should develop and use specific ADA checklists or guidance to ensure ADA compliance. These checklists or guidance should include information regarding the Americans with Disabilities Act Accessibility Guidelines (ADAAG). While this is not a specific ADA requirement, the City is obligated to provide equal access to programs, services, and activities and this guidance would provide the Department staff with the necessary tools to ensure ADA compliance.

3.2.14 Parks and Recreation – Flint Hills Discovery Center

Parks and Recreation – Flint Hills Discovery Center: Self-Evaluation Observations

- The Adventure Camp Handbook does not include information regarding ADA policies and procedures.
- The ADA Non-Discrimination statement is not included in the Adventure Camp Handbook.
- Logs are not maintained for ADA complaints.
- No policy or procedure is in place for alternate formats.

Parks and Recreation – Flint Hills Discovery Center: Possible Solutions

- Update the Adventure Camp Handbook to include information regarding ADA policies and procedures, including but not limited to the ADA Non-Discrimination statement.
- The Department should develop and maintain logs regarding ADA complaints and requests for accommodations/modifications that include an internal complaint number, details about the complaint, and details regarding the resolution.
- Implement and maintain a City-wide policy/ procedure for alternate formats.

3.2.15 Parks and Recreation – Parks

Parks and Recreation – Parks: Self-Evaluation Observations

- Not all Department staff has been made aware of the ADA/504 Coordinator and their contact information.
- The Department does not maintain logs regarding ADA complaints and requests for accommodations/modifications.
- The Department does not have a policy/procedure for alternate formats.

Parks and Recreation – Parks: Possible Solutions

- All staff should be made aware of the ADA/504 Coordinator and know how to contact them.
- The Department should develop and maintain logs regarding ADA complaints and requests for accommodations/modifications that include an internal complaint number, details about the complaint, and details regarding the resolution.
- Implement and maintain a City-wide policy/ procedure for alternate formats.

3.2.16 Parks and Recreation – Recreation

Parks and Recreation – Recreation: Self-Evaluation Observations

- Department staff has not attended ADA-specific training to ensure ADA accessibility within City programs, services, and activities.
- The Department does not maintain logs regarding ADA complaints and requests for accommodations/modifications.
- No policy or procedure is in place for alternate formats.
- The Department does not use a checklist to determine accessibility within the department facilities and programs, services, and activities.

Parks and Recreation – Recreation: Possible Solutions

- Department staff should attend annual ADA specific training regarding Title I and Title II. This training should include policies and procedures developed from this transition plan process and employee rights and obligations under the ADA. While training is not a specific ADA requirement, as a Title II entity, the City 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.
- The Department should develop and maintain logs regarding ADA complaints and requests for accommodations/modifications that include an internal complaint number, details about the complaint, and details regarding the resolution.
- Implement and maintain a City-wide policy/ procedure for alternate formats.
- The Department should develop and use specific ADA checklists or guidance to ensure ADA compliance. These checklists or guidance should include information regarding the Americans with Disabilities Act Accessibility Guidelines (ADAAG). While this is not a specific ADA requirement, the City is obligated to provide equal access to programs, services, and activities and this guidance would provide the Department staff with the necessary tools to ensure ADA compliance.

3.2.17 Parks and Recreation – Sunset Zoo

Parks and Recreation – Sunset Zoo: Self-Evaluation Observations

- Department staff has not attended ADA-specific training to ensure ADA accessibility within City programs, services, and activities.
- The Department does not have a reasonable accommodation/ modification procedure in place for public requests.

Parks and Recreation Sunset Zoo: Possible Solutions

- Department staff should attend annual ADA specific training regarding Title I and Title II. This training should include policies and procedures developed from this transition plan process and employee rights and obligations under the ADA. While training is not a specific ADA requirement, as a Title II entity, the City 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.
- The Department should develop and maintain logs regarding ADA complaints and requests for accommodations/modifications that include an internal complaint number, details about the complaint, and details regarding the resolution.

3.3 Facilities Self-Evaluation Action Plan

The FHWA has provided guidance on the ADA Transition Plan process in their “INFORMATION: ADA Transition Plans” memo dated June 27, 2019 (see **Appendix C**). While this memo specifically addresses state departments of transportations, FHWA also recommends this guidance for local municipalities until municipality-specific guidance is developed by FHWA. Provided in the memo is a checklist for elements to be included in an ADA Transition Plan and other ADA requirements that agencies must fulfill.

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

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

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

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

The City of Manhattan plans to evaluate all City-owned and/or maintained facilities for compliance with the 2010 ADA Standards and 2011 PROWAG. Facilities evaluated to date are included in **Section 3.4 Facilities Review**.

3.4 Facilities Review

3.4.1 Buildings

Four (4) out of 14 City of Manhattan buildings were evaluated. All buildings included in the evaluation are listed in **Table 2** and shown on the map in **Appendix D**.

Table 2. Summary of Buildings Reviewed

Building Name	Address
1. Firehouse #5	3900 Vanesta Drive
2. Firehouse #3	2727 Amherst Avenue
3. Municipal Court	610 Colorado Street
4. Parking Garage (lease space on 1 st floor)	520 S. 3rd Street

The City plans to evaluate remaining 10 buildings in future project phases.

Buildings: Self-Evaluation Observations

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. Common issues identified included:

- Path of Travel: level changes, slopes, and gaps
- Restrooms: clear floor space, stall handles
- Water Fountains: two types required, missing apron, clear floor space
- Parking: Sign location, slope in stalls, quantity of accessible stalls, uneven surfaces in the access aisle

Buildings: Possible Solutions

A complete list of possible solutions is provided in the building facility reports. A summary of improvement cost projections is provided in **Appendix E**.

3.4.2 Parks

Eleven (11) out of 32 City of Manhattan parks were evaluated. All parks included in the evaluation are listed in **Table 3** and shown on the map in **Appendix D**.

Table 3. Summary of Parks Reviewed

Park Name	Address
1. Blue Earth Plaza	315 South 3rd Street
2. Bluemont Scenic Overlook	1200 Bluemont Scenic Drive
3. CiCo Park	Wreath Avenue and Kimball Avenue
4. City Park	Poyntz Avenue and 11th Street
5. Eisenhower Baseball Complex	800 Walters Drive
6. Flint Hills Discovery Center	315 S. 3rd Street
7. Northview Park	Griffith Drive and Blaker Street
8. Osage Street Pocket Park	South of Osage Street between N. 4th St. and N. 3rd Street
9. Sunrise Cemetery	2901 Stagg Hill Road
10. Third Street Pocket Park	West of 3rd Street between Osage Street and Leavenworth Street
11. Union Pacific Depot	120 Ft. Riley Boulevard

The City plans to evaluate the remaining 21 parks in future project phases.

Parks: Self-Evaluation Observations

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. Common issues identified included:

- Parking: signage location, pavement markings missing, surface type
- Path of Travel: loose material, uneven and cracked concrete
- Restrooms: clear floor space
- Fountains: two types required, clear floor space

Parks: Possible Solutions

A complete list of possible solutions is provided in the park facility reports. A summary of improvement cost projections is provided in **Appendix E**.

3.4.3 Paved Trails

All 11 miles of paved trail within the City of Manhattan was evaluated. All paved trails included in the evaluation are shown on the map in **Appendix D**.

Paved Trails: Self-Evaluation Observations

A complete list of issues is provided in the paved trail facility reports. Common issues identified included:

- Cross slopes greater than 2%
- Running slopes greater than 5%
- Elevation changes
- Overhead obstructions

Paved Trails: Possible Solutions

A complete list of possible solutions is provided in the paved trail facility reports. A summary of improvement cost projections is provided **Appendix E**.

3.4.4 Signalized Intersections

Nineteen (19) out of 64 signalized intersections within the City of Manhattan 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 D**.

The City plans to evaluate the remaining 45 signalized intersections in future project phases.

Signalized Intersections: Self-Evaluation Observations

Common curb ramp issues included excessive flare cross slopes, obstructions in the curb ramps or in curb ramp landings or flares, non-compliant detectable warning surfaces, and ponding at the base of the curb ramps or in curb ramp landings or flares. **Table 4** provides a summary of the curb ramp issues at signalized intersections.

About five (5) percent of pedestrian crossings at signalized intersections did not have pedestrian signal heads or 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 excessive push button clear cross slopes, push button signs not approved by the current *MUTCD*, non-existent or inaccessible push button clear spaces, push buttons installed at locations

inconsistent with the current *MUTCD* guidance, and excessive push button heights. **Table 5** 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. A summary of improvement cost projections is provided in **Appendix E**.

Table 4. Summary of Curb Ramp Issues at Signalized Intersections

Curb Ramp Element	Number Evaluated	Number Compliant	Percent Compliant
Cut-thru ramp running slope $\leq 5\%$	2	2	100%
Cut-thru ramp cross slope $\leq 2\%$	2	2	100%
Cut-thru ramp width $\geq 60''$	2	2	100%
Curb ramp lands in crosswalk	84	83	99%
Curb ramp width $\geq 48''$	82	80	97.6%
Curb ramp present where curb ramp is needed	89	84	94%
Curb ramp does not have traversable sides	35	33	94.3%
Curb ramp turning space (landing) exists	82	75	91.5%
Curbed sides are 90°	35	31	88.6%
48'' crosswalk extension exists	18	15	83%
Detectable warning surface exists	86	69	80.2%
Curb ramp turning space (landing) cross slope $\leq 2\%$	75	58	77.3%
Curb ramp counter slope $\leq 5\%$	84	63	75.0%
Flush transition to roadway exists	84	59	70.2%
Curb ramp running slope $\leq 8.3\%$	81	55	67.9%
Curb ramp turning space (landing) running slope $\leq 2\%$	75	47	62.7%
Curb ramp cross slope $\leq 2\%$	81	50	61.7%
No ponding in curb ramp, turning space (landing), or flares	84	51	60.7%
Detectable warning surface is compliant	69	39	56.5%
No obstruction in curb ramp, turning space (landing), or flares	84	46	54.8%
Flare cross slope $\leq 10\%$	49	1	2.0%
Blended transition running slope $\leq 5\%$	1	0	0%

Table 5. Summary of Push Button Issues

Push Button Element	Number Evaluated	Number Compliant	Percent Compliant
Pedestrian head present where needed	70	70	100%
Push button diameter 2"	84	83	98.8%
Push button height ≤ 48"	84	81	96.4%
Clear space is ≥ 30" x 48"	68	65	95.6%
Push button present where needed	88	84	95.5%
Push button offset from curb ≤ 10'	84	77	91.7%
Pedestrian push button sign exists	88	80	90.9%
Push button orientation parallel to crossing	84	70	83%
Push button offset from crosswalk ≤ 5'	84	68	81.0%
Push button reach range > 10"	84	68	81.0%
Pedestrian push button sign is MUTCD approved	80	56	70.0%
Cross slope of the clear space ≤ 2%	68	37	54.4%

3.4.5 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 twenty-five (25) out of 200 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 D**.

The City plans to evaluate the remaining 175 miles of sidewalk in future project phases.

Sidewalk Corridors: Self-Evaluation Observations

Common issues along the sidewalk corridors were excessive sidewalk cross slopes, vertical surface discontinuities that caused excessive level changes, excessive driveway and cross street cross slopes, permanent obstructions in the sidewalk such as power poles or utilities, and temporary obstructions in the sidewalk or path of travel such as weeds and low hanging branches. 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 City of Manhattan 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 excessive flare cross slopes, no presence of detectable warning surfaces, non-compliant detectable warning surfaces, and ponding at the base of the curb ramps or in curb ramp landings or flares. A summary of the unsignalized intersection curb ramp issues is provided in **Table 6**. 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 areas at existing pedestrian walkways, which applies to all facilities constructed prior to 1992. For any sidewalk installations constructed from 1992 to March 15, 2012, the curb ramps should have been installed as part of the sidewalk construction project per the 1991 Standards for Accessible Design, Section 4.7

Curb Ramp, which states, “curb ramps complying with 4.7 shall be provided wherever an accessible route crosses a curb.” For sidewalk installations constructed on or after March 15, 2012, similar guidance is provided in the 2010 Standards for Accessible Design, Section 35.151 of 28 CFR Part 35, New Construction and Alterations, which states, “newly constructed or altered street level pedestrian walkways must contain curb ramps or other sloped area at any intersection having curb or other sloped area at intersections to streets, roads, or highways.”

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 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 possible solutions were made to improve pedestrian safety and are incorporated into the unsignalized intersection and driveway reports. These improvements are based on engineering judgement but are not required by federal accessibility standards.

- For all existing, unmarked pedestrian street crossings at unsignalized intersections, the installation of crosswalk markings is recommended. Pedestrian street crossings are defined by the curb ramp installation recommendations on the previous page. The 2009 MUTCD states that on approaches controlled by STOP or YIELD signs, crosswalk markings should be installed where engineering judgement dictates markings are needed to provide guidance for pedestrians who are crossing roadways by defining and delineating paths on approaches where traffic stops. 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 should 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. A summary of improvement cost projections is provided in **Appendix E**.

Table 6. Summary of Curb Ramp Issues at Unsignalized Intersections

Curb Ramp Element	Number Evaluated	Number Compliant	Percent Compliant
Cut-thru ramp running slope $\leq 5\%$	4	4	100%
Cut-thru ramp width $\geq 60''$	4	4	100%
Blended transition running slope $\leq 5\%$	4	4	100%
Curb ramp lands in crosswalk	706	703	99.6%
Curb ramp turning space (landing) exists	706	683	96.7%
Curb ramp does not have traversable sides	557	527	94.6%
Curb ramp present where curb ramp is needed	763	706	93%
48'' crosswalk extension exists	18	16	88.9%
Curb ramp width $\geq 48''$	702	618	88.0%
Curbed sides are 90°	557	479	86.0%
Curb ramp counter slope $\leq 5\%$	706	577	81.7%
Cut-thru ramp cross slope $\leq 2\%$	4	3	75.0%
Curb ramp running slope $\leq 8.3\%$	698	489	70.1%
Flush transition to roadway exists	706	480	68.0%
Curb ramp turning space (landing) cross slope $\leq 2\%$	683	457	66.9%
Curb ramp turning space (landing) running slope $\leq 2\%$	683	422	61.8%
Curb ramp cross slope $\leq 2\%$	698	404	57.9%
No obstruction in curb ramp, turning space (landing), or flares	706	402	56.9%
No ponding in curb ramp, turning space (landing), or flares	706	334	47.3%
Detectable warning surface is compliant	169	77	45.6%
Detectable warning surface exists	706	169	23.9%
Flare cross slope $\leq 10\%$	149	6	4.0%

3.5 Maintenance Versus Alterations

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

[Remainder of page intentionally left blank]



Figure 1. Maintenance versus Alteration Projects

Source: DOJ Briefing Memorandum on Maintenance versus Alteration Projects

3.6 FHWA Guidance on Closing Pedestrian Crossings

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

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

Agencies wishing to close certain intersection crossings should have a reasonable and consistent policy on when to do so written in their Transition Plan or as a standalone document. If safety concerns are established by an engineering study, a pedestrian crossing should not be accommodated for any user. The City of Manhattan will only consider closing an existing pedestrian crossing if it is determined to be unsafe by an engineering study.

3.7 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.

3.7.1 Prioritization Factors for Facilities

Buildings and parks were prioritized on a 12-point scale, which is defined in **Table 7**. This prioritization methodology was developed by the Consultant Team to aid the City in determining how the buildings should be prioritized for improvements based on the severity of non-compliance with ADA.

Signalized and unsignalized 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 8**. This prioritization methodology was developed by the Consultant Team to aid the City 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 9**. Compliant segments of the sidewalk corridor were given a priority label of “Compliant”.

[The remainder of this page intentionally left blank.]

Table 7. Prioritization Factors for Buildings/Parks/Paved Trails

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

Table 8. Prioritization Factors for Signalized and Unsignalized Intersections

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

Table 9. Prioritization Factors for Sidewalk Corridors

Criteria	Priority 1 (high)	Priority 2 (medium)	Priority 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 > 3 inches (freight) or flangeway gap > 2.5 inches (non-fright)	Value > 3.0" (freight) or 2.5" (non-freight)		
Railroad crossing is missing detectable warning surface(s)	No – Neither Side or Yes – 1 Side Only		

Table 10, Table 11, and Table 12 provide summaries of the prioritization classifications for signalized intersections, sidewalks, and unsignalized intersections respectively.

Table 10. Prioritization Summary Signalized Intersections

Priority	Number of Intersections
0 (compliant)	0
1 (high)	0
2 (high)	9
3 (high)	0
4 (high)	0
5 (medium)	8
6 (medium)	0
7 (medium)	0
8 (medium)	0
9 (low)	1
10 (low)	0
11 (low)	1
12 (low)	0
13 (low)	0
Total	19

Table 11. Prioritization Summary for Sidewalk Corridors (length in miles)

Facility Type	Priority 1 (high)	Priority 2 (medium)	Priority 3 (low)	Compliant	Total
Sidewalks	9.94	4.15	0.01	6.23	20.33
Pedestrian Driveway Crossings	0.75	0.82	0.51	0.80	2.87
Pedestrian Street Crossings	0.14	0.15	0.33	1.03	1.66
Total	10.83	5.13	0.85	8.05	24.86

Table 12. Prioritization Summary for Unsignalized Intersections

Priority	Number of Intersections
0 (compliant)	0
1 (high)	0
2 (high)	35
3 (high)	0
4 (high)	0
5 (medium)	165
6 (medium)	11
7 (medium)	2
8 (medium)	0
9 (low)	6
10 (low)	0
11 (low)	0
12 (low)	1
13 (low)	5
Total	225

[Remainder of page intentionally left blank]

3.8 Conclusion

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

- 4 of 14 buildings;
- 11 of 32 parks;
- 11 of 11 miles of paved trails;
- 19 of 64 signalized intersections; and
- 25 of 200 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 City's improvement projects in the coming years. Public outreach was also conducted to aid in the development of the plan.

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

To confirm follow-up on corrective actions required under the Transition Plan, the City 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 City, 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 F**.

[Remainder of page intentionally left blank]

[Page intentionally left blank]

4.0 Staff Training

Training will be provided to City staff to address some of the issues identified in the departmental surveys and interviews. The following training sessions will be provided by the Consultant Team in Fall 2023:

- Customer Contact Overview – Serving Customers with Disabilities (2 hours)
- First Responders – Serving Citizens with Disabilities (2 hours)
- Disability Employment Training for Human Resources, Staff, Managers/Supervisors (2 hours)
- Accessible Recreational Facilities (Parks & Rec) (2 hours)

Descriptions of each training course are provided below:

Customer Contact Overview – Serving Customers with Disabilities (2 hours)

This training provides an overview of the access criteria and requirements mandated for state and local government staff interacting with the public, and best practices for sensitive and respectful interactions. Communication topics include correct language and etiquette, appropriate use of terminology, and dealing with service animals in public places. The training concludes with a brief overview of maintaining accessibility for people with disabilities.

City Staff in Attendance: TBD

First Responders – Serving Citizens with Disabilities (2 hours)

This training is specific to first responders (fire departments, law enforcement, and other emergency responders) that interact with customers with disabilities. Communication is critical to mitigating a situation and protecting the public. Whether your agency's staff is just trying to gather information from an eyewitness or need to detain and interrogate a suspect, knowing ways to interact and communicate with those of varying disabilities can improve the outcome and safety for everyone. Learn what your agency is required to provide under the ADA as well as techniques for communicating with citizens who have impairments or disabilities such as cognitive, mobility, visual, hearing, speech, or sensory.

City Staff in Attendance: TBD

Disability Employment Training for Human Resources, Staff, Managers/Supervisors (2 hours)

Learn who is covered by disability civil rights laws, what employment elements are covered, and how to meet your agency's responsibilities in an "interactive process." Achieving an interactive process is broken down into five steps to efficiently meet reasonable accommodation requests. Attendees will be able to differentiate between essential and marginal functions of the job. Defining the job in precise terms assists in the job selection process, providing reasonable accommodations, and in the evaluation of staff. Also covered will be special problems during employment.

City Staff in Attendance: TBD

Accessible Recreational Facilities (Parks & Rec) (2 hours)

A park can be almost anything. It can be as small as a green space or as large as a theme park. But regardless of its size, it is required to be accessible, and accessibility can be challenging. This class is designed to highlight the nuances parks may have and detail the requirements for accessibility. Whether the park has water features, sporting options, hike/bike trails, or amusement rides, accessibility will be needed to serve all patrons. The 2-hour class will focus on city/sports venues, playgrounds, and water features (pools, spas, splash pads).

City Staff in Attendance: TBD

[Remainder of 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 City of Manhattan 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 2023 dollars. **Table 13** provides a summary of the estimated costs to bring each facility into compliance.

Table 13. Summary of Facility Costs

Facility Type	High Priority	Medium Priority	Low Priority	Total*
Buildings	\$ 28,100	\$ 66,100	\$ 60,300	\$ 154,500
Parks	\$ 525,500	\$ 405,700	\$ 193,300	\$ 1,124,500
Paved Trails	\$ 110,200	\$ 240,300	\$ 255,000	\$ 605,500
Signalized Intersections	\$ 375,700	\$ 223,000	\$ 41,400	\$ 640,500
Public Rights-of-Way Sidewalk	\$ 2,887,300	\$ 1,293,800	\$ 182,100	\$ 4,363,500
Public Rights-of-Way Unsignalized Intersections	\$ 795,000	\$ 3,302,900	\$ 50,900	\$ 4,149,000
City Totals	\$ 4,721,800	\$ 5,531,800	\$ 783,000	\$ 11,037,500

*Total values are rounded for simplification

It is important to note that the facility cost estimates in **Table 13** only include the costs to remediate accessibility compliance issues as determined by a visual inspection of the facilities. Additional budget considerations should be given to the following:

- Aesthetic upgrades, such as remodeling/upgrading of outdated facilities;
- Current market conditions that may affect pricing of construction materials and labor, such as COVID-19;
- Construction challenges not visible during inspection, such as underground or in-wall utilities; and
- Other factors that may affect costs.

It is recommended that a design professional assist the City in determining the best overall design solutions with respect to various factors, including but not limited to, existing conditions, available construction budget, and consideration for all elements that are out of compliance in a particular area of a facility.

5.2 Implementation Schedule

Table 14 details the barrier removal costs and proposed implementation schedule by facility type for all City-owned facilities evaluated. Actual annual budgets will vary to accommodate project scopes. For example, all barriers at a single intersection are recommended to be removed within the same project scope. Because cost projections vary by intersection, the actual annual budget may vary to accommodate all improvements at an intersection. This 25-year plan will serve as the implementation schedule for the Transition Plan. The City of Manhattan 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 City programs.

It is the intent of the City to have its ADA Coordinator work together with department heads and budget staff to determine the funding sources for 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 14. Implementation Schedule

Facility Type	Estimated Cost	Implementation Schedule (years)	Approximate Annual Budget*
Buildings	\$ 154,500	10	\$ 15,500
Parks	\$ 1,124,500	20	\$ 56,500
Paved Trails	\$ 605,500	20	\$ 30,500
Signalized Intersections	\$ 640,500	25	\$ 26,000
Public Rights-of-Way Sidewalk	\$ 4,363,500	25	\$ 175,000
Public Rights-of-Way Unsignalized Intersections	\$ 4,149,000	25	\$ 166,000
City Total	\$ 11,037,500		
Total Annual Budget			\$ 469,500

*Table values are rounded for simplification

5.3 Funding Opportunities

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

5.3.1 Federal and State Funding

The U.S. Department of Transportation (U.S. DOT) has summarized potential eligibility for pedestrian and bicycle projects under U.S. DOT surface transportation funding programs. Most of these programs are competitive programs; therefore, the City of Manhattan is not guaranteed to receive these funds. It will be important for the City to track these programs to apply for the funds. Federal-aid funding programs have specific requirements that projects must meet, and eligibility must be determined on a case-by-case basis.

The summary of funding opportunities was last updated on September 9, 2022 and a copy is provided on the U.S. DOT website: [U.S. Department of Transportation Transit, Highway, and Safety Funds - Funding - Bicycle and Pedestrian Program - Environment - FHWA \(dot.gov\)](https://www.transportation.gov/programs-and-services/bicycle-and-pedestrian-program).

5.3.2 Local Funding

There are several local funding options for the City to consider, including, but not limited to:

- Community Development Block Grant (CDBG) Funds
- General fund (sales taxes and bond and interest fund/debt issuance)
- Scheduled/funded CIP projects funded through various sources

- Benefit Districts - Benefit districts in the City of Manhattan can be used to make improvements to an area while assessing costs on the properties benefiting from the improvements.
- Recreation & Trails Sales Tax (10-year, voter approved, dedicated sales tax 2018-2027)
- 2023 Economic Recovery and Relieve Sales Tax (10-year, voter approved, dedicated sales tax 2023-2032; 70% reserved for infrastructure and debt)
- Street Maintenance Sales Tax – Street Maintenance Repair Program (10-year, voter approved, dedicated sales tax 2017-2027; 95% reserved for repair, reconstruction, rehabilitation, upgrading and improving existing streets, including sidewalk ramps.)
- Street Maintenance Sales Tax – Safe Pedestrian Routes to School Program (10-year, voter approved, dedicated sales tax 2017-2027; 5% reserved for the costs to upgrade existing pedestrian facilities, as well as the construction of new pedestrian facilities, along routes used by children waling to and from schools.)

5.3.3 Private Funding

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

5.4 Next Steps

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

The City will develop a budget to include the next 5 fiscal years. Projects identified in the ADA Transition Plan will be programmed within the 25-year budget based on prioritization provided (see **Section 3.6 Prioritization**) and other factors determined by the City, such as how barrier removal can be incorporated into existing City projects identified for capital improvements.

The City also intends to consider adopting and updating City specifications and standards to be consistent with PROWAG where practicable to enable City enforcement of these guidelines throughout the design and construction process of pedestrian facilities in the public rights-of-way.

[Page Intentionally Left Blank]

Appendix

Appendix A: Web Survey Results

Appendix B: Public Notice Under the ADA

Appendix C: Federal Highway Administration ADA Transition Plans Memo

Appendix D: Facility Maps

Buildings

Parks

Paved Trails

Signalized Intersections

Public Rights-of-Way Sidewalk Corridors

Appendix E: Facility Review Summaries

Buildings

Parks

Paved Trails

Signalized Intersections

Public Rights-of-Way Sidewalk Corridors

Unsignalized Intersections

Appendix F: ADA Action Log