

CITY OF LAKELAND
AMERICANS WITH DISABILITIES ACT (ADA)
ANNUAL TRANSITION AND
IMPLEMENTATION PLAN REPORT

FY 2022



FY 2022 ADA ANNUAL TRANSITION REPORT

**Americans With Disabilities Act (ADA) Specialist
Jenny Sykes. M.S., ADA.C**

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SUMMARY

The Americans with Disabilities Act (ADA) of 1990, as amended, is a comprehensive Civil Rights Law enacted to prohibit discrimination and ensure equal opportunities for individuals with disabilities in employment, state and local government services, public accommodations, commercial facilities and transportation. The initial COL 2019 Self-Evaluation and Transition Plan Summary report was prepared by Disability Access Consultants (DAC), in accordance with Title II of the ADA. Title II of the ADA requires that state and local government entities conduct a self-evaluation of the accessibility of their facilities, programs, services, policies and procedures and to create a plan to remove barriers to access.

This FY 2021 annual ADA and Accessibility report provides information about the progress of the City of Lakeland's ADA Transition and Implementation Plan process. As the City of Lakeland continues to grow in population and to expand its' facilities, programs and services, attention will continue to be focused on the accessibility of those programs and services and, on new construction, renovations, alterations and redevelopment activities. This annual report does the following:

1. Addresses the progress of the City as it relates to ADA/Accessibility compliance.
2. Addresses physical obstacles that limit the accessibility of facilities, programs and services to individuals with disabilities.
3. Documents the methods used to remove barriers to accessibility.
4. Provides a proposed schedule for implementing accessibility modifications and improvements to facilities, programs and services, as applicable.

The City's goals for ADA Transition and Implementation planning include:

1. Improve accessibility to the maximum extent feasible for residents and visitors.
2. Encourage participation and input regarding City activities and projects, from individuals who experience disabilities and those who work and advocate on their behalf.
3. Continue to educate City staff and the public on the requirements of the ADA and benefits of accessibility.
4. Use the City's self-evaluation data to diminish existing barriers to inclusion.
5. Provide a working Implementation Plan to remove barriers as soon as practical.
6. Provide a realistic schedule with estimated cost projections for the removal of barriers.
7. Identify funding sources and develop budgets for barrier removal efforts to be as effective, efficient and proactive as possible.

SECTION I. A. the CITY OF LAKELAND and the ADA

LEGISLATIVE MANDATE

ADA TITLE II: STATE & LOCAL GOVERNMENT PROGRAMS, SERVICES AND FACILITIES

Requires that state and local government programs, services and facilities be accessible to individuals with disabilities.

The ADA requires the City to provide equal opportunities to all individuals, regardless of ability. This includes providing modifications and accommodations to ensure individuals with disabilities can enjoy City programs, services and facilities.

Title II of the ADA applies to state and local government operations and has four main components:

1. Prohibits discrimination on the basis of disability by public entities such as state and local governments and agencies.
2. Requires public entities to make their programs, services and activities accessible to individuals with disabilities.
3. Outlines requirements for self-evaluation and transition planning, making reasonable accommodations or modifications to policies, practices and procedures: where and when necessary to avoid discrimination; identifying architectural barriers and removal plan, and providing Effective Communication for individuals with hearing, vision and speech disabilities.
4. Regulations are enforced by the United States Department of Justice (DOJ).

Title II stipulates that the City cannot, either directly or through contractual arrangements, do any of the following:

1. Deny individuals with disabilities the opportunity to participate as members of advisory boards and commissions.
2. Deny individuals with disabilities the opportunity to participate in programs or services that are offered to others, even if the City offers permissibly equivalent but separate or different activities for individuals with disabilities.
3. In determining the location of facilities, make selections that have the effect of excluding or discriminating against individuals with disabilities.

Rights and Responsibilities under Section 504 of the Rehabilitation Act and the ADA

Section 504 of the Rehabilitation Act and the ADA protect qualified individuals with disabilities from discrimination on the basis of disability in the provision of programs, services and benefits. Covered entities must not, on the basis of disability:

1. Exclude a person with a disability from a program or activity.
2. Deny a person with a disability the benefits of a program or activity.
3. Provide a benefit or service to a person with a disability that is not as effective as what is provided to others.
4. Provide different or separate benefits or services to a person with a disability unless necessary to provide benefits or services that are as effective as what is provided to others.
5. Apply eligibility criteria that tends to screen out persons with disabilities unless necessary for the provision of the program, service, or benefit.

Covered entities must:

1. Provide programs and services in the most integrated setting appropriate to the needs of the qualified individual with a disability.
2. Ensure that programs, services and facilities are accessible.
3. Make reasonable modifications in their policies, practices and procedures to avoid discrimination on the basis of disability, unless it would result in a fundamental alteration of the program.
4. Provide auxiliary aids to persons with disabilities, at no additional cost, where necessary to afford an equal opportunity to participate in or benefit from a program or activity.
5. Designate a responsible employee to coordinate compliance efforts regarding the ADA and Section 504 of the Rehabilitation Act.
6. Adopt grievance procedures to handle complaints of disability discrimination.
7. Provide notice that indicates:
 - a. The covered entity does not discriminate on the basis of disability.
 - b. How to contact the employee who coordinates the covered entity's compliance efforts.
 - c. Steps to utilizing grievance procedures.

Section 508 of the Rehabilitation Act

Section 508 requires that electronic and digital information technology used, maintained, developed or procured by the federal government and/or by entities receiving federal funding, allows persons with disabilities comparable access to the information and technology. This includes comparable access by persons with disabilities who use assistive technology to read and navigate electronic or digital materials.

The use of an ADA Transition Plan and an accompanying Implementation Plan is crucial to the work involved in developing an accessible and inclusive community. With this in mind, the City of Lakeland has taken the following steps:

1. Identified the City's ADA Specialist (a.k.a. ADA Coordinator) as the staff person responsible for coordinating the development of the ADA Transition and Implementation Plan(s).
2. Created an online tool called takeACTION, to receive ADA/Accessibility suggestions or concerns from the public.
3. Implemented the use of the 2010 ADA Standards for Accessible Design and related design standards to achieve the maximum level of accessibility feasible.
4. Conducted outreach to engage the community in ADA/Accessibility enhancement activities.
5. Contracted to have City facilities and programs evaluated for accessibility.
6. Created a proposed schedule to remove barriers to accessibility.
7. Provided a summary report of self-evaluation assessments via the City website and by request.

SECTION I. B. CITY OF LAKELAND AND THE ADA

KEY ADA DEFINITIONS

The following is a summary of definitions found in the ADA and implementing regulations. Please refer to the Americans with Disabilities Act for the full text of definitions and explanations.

DISABILITY

The term disability means, with respect to an individual:

1. A physical or mental impairment that substantially limits one or more major life activities.
2. A record of such an impairment.
3. Being regarded as having such an impairment.

QUALIFIED INDIVIDUAL WITH A DISABILITY

A qualified individual with a disability means an individual with a disability who, with or without reasonable modification to rules, policies or practices; the removal of architectural, communication or transportation barriers or the provision of accommodations such as auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by the City.

DISCRIMINATION ON THE BASIS OF DISABILITY

Discrimination on the basis of disability means to:

1. Limit, segregate or classify an individual in a way that may adversely affect opportunities or status because of the individual's disability.
2. Limit, segregate or classify a participant in a program or activity offered to the public in a way that may adversely affect opportunities or status because of the participant's disability.
3. Participate in a contract that could subject a qualified individual with a disability to discrimination.
4. Use standards, criteria, or methods of administration that have the effect of discriminating on the basis of disability.
5. Deny equal benefits because of a disability.
6. Fail to make reasonable requested accommodations based on physical or mental limitations of an otherwise qualified individual, unless it can be shown that the accommodation(s) would impose an undue burden for City operations.
7. Use selection criteria that exclude otherwise qualified individuals with disabilities from participating in the programs or activities offered to the public.
8. Fail to use tests, including eligibility tests, in a manner that ensures the test results accurately reflect the qualified applicant's skills or aptitude to participate in a program or activity.

PHYSICAL OR MENTAL IMPAIRMENTS

Physical or mental impairments may include, but are not limited to, vision, speech and hearing impairments, emotional and mental illness, seizure disorders, cognitive disabilities, orthopedic and neuromotor disabilities, learning disabilities, diabetes, heart disease, nervous conditions, cancer; asthma, hepatitis B, HIV condition and drug addiction, if the individual has successfully completed or is participating in a rehabilitation program and no longer uses illegal drugs.

MAJOR LIFE ACTIVITIES

Major life activities are functions such as walking, seeing, hearing, speaking, breathing, learning, performing manual tasks or caring for oneself. In determining whether a physical or mental impairment substantially limits the condition, manner or duration under which an individual can perform a major life activity, in comparison to other people, the following factors shall be considered:

1. The nature and severity of the impairment.
2. The duration or expected duration of the impairment.
3. The permanent or long-term impact (or expected impact) of or resulting from the impairment.

HAVING A RECORD OF IMPAIRMENT

An individual has a record of impairment if there is a history of the impairment that substantially limits major life activities; or, has been diagnosed, correctly or incorrectly, as having such an impairment.

REGARDED AS HAVING A DISABILITY

An individual is regarded as having a disability if they are treated or perceived as having an impairment that substantially limits major life activities, even when no such impairment exists.

REASONABLE PROGRAM MODIFICATIONS

If the individual's disabilities prevent them from having equivalent access to programs or services, determine whether reasonable program modifications would enable the individual to have equivalent access to programs and services and respond accordingly. A reasonable program modification is any change to a program or service or change to customary practices, that enables an individual with a disability to enjoy equivalent program opportunities.

Modification includes making existing facilities and equipment used by individuals readily accessible to, and usable by, individuals with disabilities.

Modification applies to:

1. All decision-making activities, including use of applications or registration processes.
2. All services provided in connection with a program or service.
3. Reported disabilities only.

Modification is not required if:

1. It changes the essential nature of a program or service.
2. It creates a hazardous situation.
3. It poses an undue burden on the City.

Providing Modifications includes, but is not limited to, making modifications or adjustments:

1. To a registration or application process to enable an individual with a disability to be considered for the program or service.
2. To the program or service environment in which the activity is performed, so that an individual with a disability can have equivalent access to the program or service.

UNDUE BURDEN

Undue burden means significant difficulty or expense would be incurred in providing a requested accommodation or modification. Undue burden includes, but is not limited to, financial or administrative difficulty. This refers to any accommodation or modification that would be unduly costly, extensive, substantial, or disruptive or that would fundamentally alter the nature of City operations. Whether a particular accommodation or modification will impose an undue burden on the City is determined on a case-by-case basis. The determination that a particular accommodation or modification is an undue burden must be made by executive City Management and include documentation of that decision-making process. The City can also attempt to identify another approach that would not pose such a burden. If cost causes the undue burden, the City must consider all financial resources available City-wide and whether funding for the accommodation or modification is available from an outside source. If no such funding is available, the City must give the individual with a disability the opportunity to provide the accommodation or modification themselves or to pay for that portion of the accommodation or modification that constitutes an undue burden for the City and is not otherwise required by law.

AUXILIARY AIDS AND SERVICES

The term auxiliary aids and services includes but is not limited to:

1. Qualified interpreters or other effective methods of making orally delivered materials available to individuals with hearing impairments.
2. Qualified readers, taped texts or other effective methods of making visually delivered materials available to individuals with visual impairments.
3. Acquisition or modification of equipment or devices and other similar services and actions.

SECTION I.C. CITY OF LAKELAND and THE ADA

ADA SPECIALIST, ACCESSIBILITY LIAISONS and the LAKELAND ALLIANCE FOR ACCESSIBILITY

The ADA Specialist shall ensure that the City is aware of and acts upon compliance requirements of the Americans with Disabilities Act, Sections 504 and 508 of the Rehabilitation Act of 1973, and other federal, state, and local laws, regulations and best practices pertaining to persons with disabilities. The ADA Specialist shall coordinate the review of policies and procedures relating to persons with disabilities, to ensure nondiscrimination of persons with disabilities.

COMPLIANCE PROCESS RESPONSIBILITIES

1. Ensure that processes are in place to provide for prompt and equitable resolution of complaints and inquiries from the public regarding compliance with the ADA and other applicable federal and state laws regarding discrimination on the basis of disability.

INFORMATIONAL RESPONSIBILITIES

1. Maintain, update and provide information as needed, regarding local, state and federal laws and regulations, as well as the best practices concerning the rights of persons with disabilities.
2. Ensure that City-related information is available concerning services, accommodations, policies and demographics relating to persons with disabilities.

OUTREACH RESPONSIBILITIES

1. Provide ADA and related accessibility information and resources to City staff and the public.
2. Assist with development and maintenance of written materials and other informational pieces to broadly disseminate information regarding the ADA and the City's policies relating to persons with disabilities.
3. Assist with and participate in the development of presentations and training on the provision of equal opportunities and nondiscrimination related to persons with disabilities.
4. Act as the primary ADA/Accessibility services liaison to the public, City staff and relevant state and federal agencies.

REPORTING RESPONSIBILITIES

1. Ensure that a record of disability related accommodation or modification requests and complaints is maintained by the City and each has been resolved in accordance with applicable laws.

REPORTING RELATIONSHIP

1. Report to the Assistant Director of Public Works.

ACCESSIBILITY LIAISONS' ROLES

1. One Accessibility Liaison will be assigned from each appropriate department and will assist the ADA Specialist to facilitate the resolution of accommodation or modification requests from members of the public who want to participate in a City program or service. Accessibility Liaisons will also share information provided by the ADA Specialist, with appropriate staff in their department.

ROLE OF THE LAKELAND ALLIANCE FOR ACCESSIBILITY

The City's Lakeland Alliance for Accessibility (the Alliance) includes individuals with disabilities and representatives from agencies serving individuals with disabilities. This includes Lighthouse for the Blind and Low Vision, the Hearing Loss Association of Lakeland, Veteran's Association, Senior Connection Center, Peace River Center and other agencies, as well as citizens with disabilities.

The purpose of the Alliance is to provide input to the City about accessibility as it pertains to facilities, programs, services and events leased, owned, operated or permitted by the City. The Alliance advocates on behalf of individuals with disabilities and assists the City by bringing attention to unforeseen barriers to inclusion.

The primary areas the Alliance addresses are:

Awareness - The Alliance members share information about the obstacles they face, or the individuals they advocate for face. This includes input regarding City programs, services and operations, housing programs with City involvement, transportation and parking services and entertainment, leisure and fitness activities.

Community Involvement and Public Outreach - A key element of the ADA transition planning and implementation process is participation and input by the public. Participation of individuals with disabilities assists the City with identifying key issues that may not be readily apparent to City staff. The experiences and perspectives of individuals with disabilities who have faced barriers to program or facility access are essential to the ADA/Accessibility improvement activities undertaken by the City.

Alliance members have assisted with outreach activities in a variety of ways. They have made the ADA Specialist aware of local events that provide the opportunity to staff a table to provide information and resources, including print material and website resources, regarding the ADA/Accessibility. They have also invited the ADA Specialist to speak before their organizations and clients, about the activities the City is involved in to enhance accessibility.

Alliance members have attended City events such as the issuance of the annual ADA Proclamation. They have participated in meetings where the City provides information about pending projects. Alliance members have also distributed the ADA Specialist's contact information to their agencies and clients, to assist in the City's efforts to assure that the public knows who to contact with Accessibility concerns.

The Alliance members have also helped City staff develop sensitivity to the needs of individuals with disabilities. This includes input about customer service interactions with individuals with disabilities; such as speaking directly to a person who is Deaf rather than to their interpreter and pulling up a chair to discuss things at eye-level with an individual who uses a wheelchair. It also includes making City staff more aware of sensory stressors for individuals with Autism and related disabilities causing sensory sensitivity.

SECTION II. ADA SELF-EVALUATION & TRANSITION PLANNING PROCESS

A. ADA ASSESSMENT CRITERIA

Barriers faced by individuals with disabilities that affect opportunities regarding employment, transportation, public accommodations, public services and telecommunications have imposed significant economic and social costs on American society. These barriers have undermined efforts by people with disabilities to receive an education, become employed and to be equally contributing members of society. By breaking down these barriers, the Americans with Disabilities Act (ADA) and related accessibility legislation enables society to benefit from the skills, talents, creativity and purchasing power of individuals with disabilities. This leads to a more enriched society due to the inclusion of all members of the public.

The ADA provides Civil Rights protections to individuals with disabilities similar to those provided to individuals on the basis of race, color, sex, national origin, age and religion. It guarantees equal opportunity for individuals with disabilities in public accommodations, employment, transportation, state and local government services and telecommunications. Toward this end, the City contracted with Disability Access Consultants (DAC) to assess City programs, services and facilities.

The programs, services and facilities assessments are divided into three broad categories:

- 1. Exterior Accessibility:** Individuals with disabilities should be able to approach and enter a building as freely as everyone else. For instance, at least one accessible route must be provided within the boundary of the site connecting elements such as accessible parking, sidewalks and or public transportation stops to an accessible building entrance.
- 2. Interior Accessibility:** The interior accessible route connects the accessible entrance with the program and service areas in the facility. Typically, interior accessible routes are made up of hallways, corridors, interior rooms and spaces. The accessible route is essential for people who have difficulty walking or who use wheelchairs or other mobility aids to access the service and program areas.

Additionally, individuals with low vision may walk along any route to access the program and service areas, not just the accessible routes. As such, routes open to or leading to the service area, such as hallways, corridors, and service and program spaces must be free of objects that cannot be detected by a person who is blind or visually impaired.

- 3. Program Accessibility:** The City's services and programs, when viewed in their entirety, must be readily accessible to and usable by individuals with disabilities.

The City of Lakeland is committed to improving access to all applicable City operations, programs, activities, events, facilities, parks, buildings and public rights-of-way. The ADA Transition and Implementation Plan is the roadmap for understanding the deficiencies and corrective actions required to ensure that facilities and public services are in compliance with the applicable provisions of the Americans with Disabilities Act (ADA).

SECTION II. ADA SELF-EVALUATION & TRANSITION PLANNING PROCESS

B. PRIORITIZING ADA COMPLIANCE

The City of Lakeland has limited funds and cannot immediately make all programs, services, buildings and Parks and Recreation facilities fully accessible. The City is prioritizing the removal of barriers to accessibility in a few ways. The following primary criteria recommended for state and local governments was used as the basis for prioritizing removal of identified barriers:

- 1. Priority One.** Those facilities which house essential services related to health and safety and programs that are unique to a specific location. Priority One includes those locations that have a high volume of use by individuals considered vulnerable, such as persons with disabilities, children and those who are elderly.
- 2. Priority Two.** Facilities that receive a high level of general public use.
- 3. Priority Three.** Geographic distribution - facilities that are located in various areas of the City of Lakeland that provide an equitable distribution of program access for all residents.

The City's criteria listed below is also used to assist in the determination of specific program-based barrier removal actions within a building or facility:

- 1. Priority One.** The highest priority is placed on those barrier removal items that provide accessibility at the main entrance of a facility or improve a path of travel to the portion of the facility where program activities take place (e.g., parking, walkways, ramps, stairs, doors, corridors, etc.).
- 2. Priority Two.** A second level priority is placed on those barrier removal items that improve or enhance access to program use areas (e.g., transaction counters, conference rooms, public offices, restrooms, etc.).
- 3. Priority Three.** A third level priority is placed on those barrier removal items that improve access to amenities serving program areas (e.g., drinking fountains, telephones, site furnishings, vending machines, etc.).

OUTCOME OF THE ADA TRANSITION AND IMPLEMENTATION PLANNING PROCESS

The Mayor, City Management and City Commissioners, as well as City staff, demonstrate through this annual report their commitment to inclusion in public programs, services and facilities. The City of Lakeland is dedicated to transparency in government and to sustaining a high quality of life for City residents and visitors. The use of a work-order based system, which incorporates ADA/Accessibility components to complete improvements, coupled with increased community outreach and involvement, will help to ensure that the City continues to focus on the **vision** of a "vibrant, innovative, culturally-inclusive, world-class community."

SECTION III. ADA IMPLEMENTATION PLANNING

A. REVIEW OF ACTIVITIES AND FUNDING SOURCES FOR IMPROVEMENTS

The City will continue making reasonable efforts to improve the accessibility of programs, services and facilities. City Management will make a determination annually regarding the appropriate and available level of funding to allocate each year toward this goal.

There will be times when it is not feasible: technically, structurally, administratively or financially to provide full compliance to a program or facility. Therefore, the City will choose areas with high priority before moving on to lower priorities unless a specific request is made by the public.

The City will follow the concept of program access under Title II of the ADA and Section 504 of the Rehabilitation Act. Program access does not necessarily require a public entity to make all of its' existing facilities accessible to and usable by individual with disabilities, as long as program offerings are accessible as a whole.

Ongoing improvements to Accessibility are also addressed in applicable Capital Improvement Projects (CIP). The following areas are under CIP:

- Transportation
- Public Improvement
- Downtown Community Redevelopment Area (CRA)
- Parks & Recreation
- Midtown CRA
- Dixieland CRA
- Stormwater
- Parking
- RP Funding Center
- Airport
- Water
- Wastewater
- Lakeland Electric

SECTION III. ADA IMPLEMENTATION PLANNING

B. LONG TERM APPROACH TO ADA/ACCESSIBILITY IMPROVEMENTS

The City of Lakeland is committed to a reasonable and responsible schedule to bring the City into ADA compliance as soon as possible. With that in mind, the City will use the following schedule as a guide toward improved accessibility.

FYs	Facilities	Scheduled Modifications
2022-23	City Main Library	Enhance restroom accessibility.
ANNUAL	Public Right-of-Way (PROW)	Sidewalk/curb repairs/pedestrian crossings
ANNUAL	PROW – Data Collection	Updating LUCITY and GIS system
ANNUAL	All City Locations	Update directional and informational signage

FYs	Program and Services Scheduled Modifications
TBA	ADA citywide staff training.
ANNUAL	Website and intranet accessibility.
ANNUAL	Public postings (ADA Notices) in all City facilities.
ANNUAL	Provide alternative format documents on request.

FYs	City Policies
TBA	ADA Accommodation Request Procedure
ANNUAL	Update as needed - Policy related to service animals in City facilities.
ANNUAL	Update as needed - ADA Grievance Policy and Procedure.
ANNUAL	Update as needed - City Limited English Proficiency (LEP) Plan.

SECTION III. ADA IMPLEMENTATION PLANNING

C. COMPLETED AND ONGOING ACTION ITEMS

Transition and Implementation Plan Action Items Completed or Ongoing	
Designate an ADA Specialist (a.k.a. ADA Coordinator).	Completed 2017
Public notification of rights under the ADA.	Completed 2016 (updated as needed).
	Includes Title VI Fact sheet/Nondiscrimination Policy, Limited English Proficiency (LEP) Policy and complaint process.
ADA staff training.	Initial ADA Training for City Management and selected frontline staff completed in 2018 and 2019. Planning for annual inclusivity training has been discussed but not yet implemented. TBA
Make reasonable modifications to policies, practices, or procedures to avoid discrimination.	City welcomes Service Animals, mobility devices (such as wheelchairs and “other power-driven mobility devices”) as appropriate to allow for effective participation. Ongoing.
	Provide activities in the most integrated setting for equal opportunity and participation. Ongoing.
	The City of Lakeland’s Title VI Nondiscrimination Plan includes providing notices with contact information of ADA Specialist to request modifications or accommodations. Ongoing.
Effective Communication.	Provide interpreters as requested by Deaf individuals. Ongoing.
	Website to conform to current DOJ Standards (WCAG 2.1). Ongoing.
	Provide auxiliary aids and services when requested. Ongoing.
	Provide alternate formats to the public when requested. Ongoing.
	Provide captioning for the City’s live broadcasts, videos and related media developed by the City. Ongoing.
	Ensure accessibility of electronic communications (e.g., e-mail, social networking sites). Ongoing.
Special Events permitted by the City.	Created a checklist regarding ADA/Accessibility of Special Events permitted by the City. (See APPENDIX G.) Completed <i>(implementation pending)</i> .

Transition and Implementation Plan Action Items Completed or Ongoing - Continued

Basic access.	Ensure that City facilities are accessible to the maximum level possible. Ongoing.
	Ensure programs and services will be in accessible locations and relocated as needed. Ongoing.
	Provide notice of accessible features. Ongoing.
	Maintain accessible features in appropriate condition. Ongoing.
	Provide reasonable amount of accessible furniture and equipment to ensure opportunity for full participation. Ongoing.
	Ensure that agencies/organizations providing services on behalf of the City are not discriminating against individuals with disabilities. Ongoing.
	Ensure that the needs of individuals with disabilities are taken into account for evacuation of City facilities in emergency situations. Ongoing.
	Ensure open communication options for citizens and visitors to express ADA/Accessibility concerns. Ongoing.
Public Rights-of-Way (PROW).	Complete Streets Policy adopted (Resolution 5004: Policy 5N)
	takeACTION website resource created for receiving ADA/Accessibility concerns in the PROW and elsewhere. Ongoing.
	Publication of ADA Specialist's contact information on website and documents to facilitate public communication of concerns. Ongoing.
	Annual Pavement Management Program - includes resurfacing and sealing of roads and, sidewalk and curb ramp repair or installation in those areas. Ongoing.
	Traffic Operations – Signs and signals related to persons with disabilities installed on request if appropriate for the location. Ongoing.
	Capital Improvement Project(s) planning process will include budgeting for ADA/Accessibility improvements. (pending)

SECTION III. ADA IMPLEMENTATION PLANNING

D. FY 2021 WORK ORDERS RELATED TO ADA/ACCESSIBILITY

	FY 2022			
Public Right of Way (PROW)	Count of Work Orders	Metrics	Unit of Measure	Cost
ADA/Accessibility (Take Action Items submitted by Citizens)	1	Each		
BRICK CROSSWALK REPAIR	3	49	Square feet	\$961
DRIVEWAY REPAIR	22	6,545	Square feet	\$70,714
INSTALL CURB RAMP	11	28	Each	\$37,873
REPLACE EXISTING CURB RAMP	4	6	Each	\$10,197
REPLACE EXISTING CURB RAMP BY CONTRACTOR	1	30	Each	\$34,930
RIGHT-OF-WAY TRIM	230	223,330	Linear feet	\$87,401
SIDEWALK CLEAN	176	148,812	Linear feet	\$25,967
SIDEWALK GRINDING	12	705	Linear feet	\$4,430
SIDEWALK NEW	8	4,398	Linear feet	\$160,289
SIDEWALK WORK/REPAIR	150	6,384	Linear feet	\$339,799
SIDEWALK WORK/REPAIR BY CONTRACTOR	1	1,300	Linear feet	\$121
STREETSCAPE REPAIR	49	3,075	Square feet	\$27,582
PEDESTRIAN FLASHERS AND SIGNALS	490	721	Hours	\$28,873
TRAFFIC SERVICES RELATED TO ACCESSIBILITY	40	38	Hours	\$1,590
TRAFFIC SIGN WORK RELATED TO ACCESSIBILITY	444	2,445	Hours	\$100,157
MARKED ACCESSIBLE PARKING SPACES IN DOWNTOWN CORE AREA	26		Each	

	Count of Work Orders	Metrics	Unit of Measure	Cost
Work Orders - City Facilities Related to Accessibility (Signage, Doors, Restrooms)	10	19	Hours	\$2,103
Completion of Action Plan Items	12	17.5	Hours	\$687

SECTION IV. APPENDICES

A. ADA GRIEVANCE PROCEDURE

Grievance Procedure under the Americans with Disabilities Act City of Lakeland, Florida

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act (ADA) of 1990. It may be used by anyone who wishes to file a grievance alleging an ADA violation and/or discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the City. This Grievance Procedure does not apply to grievances relating to employment by the City of Lakeland.

The grievance should be in writing and contain information about the alleged ADA violation and/or discrimination; such as name, address, phone number of grievant and location, date, and description of the problem. A copy of the [grievance form](#) can be downloaded from the City's website. Upon request, alternative means of filing a grievance will be made available for persons with disabilities.

The grievance should be submitted by the grievant or their designee as soon as possible but no later than sixty (60) calendar days after the alleged ADA violation and/or discrimination to:

Jenny Sykes, M.S., ADA.C
ADA Specialist
228 S. Massachusetts Ave.
Lakeland, Florida 33801
Voice Phone: (863) 834-8444
Fax: (863) 834-8040
Email: Jenny.Sykes@lakelandgov.net

If hearing impaired, please contact the TDD numbers: Local (863) 834-8333 or 1-800-955-8771 (TDD-Telecommunications Device for the Deaf) or the Florida Relay Service Number 1-800-955-8770 (VOICE), for assistance.

Within fifteen (15) business days after receipt of the grievance, the City ADA Specialist or designee will acknowledge receipt of the grievance and take reasonable steps to resolve the matter. Within twenty (20) business days of the acknowledgement, the City ADA Specialist or designee will provide a response to the grievant. The response will clarify the position of the City of Lakeland and offer options for substantive resolution of the grievance. The grievant can request a written response or alternative format.

If the response by the City ADA Specialist or her designee does not satisfactorily resolve the issue, the grievant or their designee may appeal the decision to the Assistant Director of Public Works within fifteen (15) business days after receipt of the response.

Should the City of Lakeland be unable to satisfactorily resolve the grievance, the City's ADA Specialist or designee will forward the grievance, along with a record of its' disposition, to the appropriate District of the Florida Department of Transportation (FDOT).

All grievances received by the City ADA Specialist or designee, appeals to the Assistant Director of Public Works or designee, and responses from these two (2) offices will be retained by the City for at least three (3) years.

Revision 7.23.2019

SECTION IV. APPENDICES

B. ADA GRIEVANCE FORM

City of Lakeland, Florida

Instructions

Please complete and sign this form and email, fax, mail or deliver it to the city within 60 calendar days of any incident, to the City of Lakeland ADA Specialist:

Jenny Sykes
228 S. Massachusetts Ave.
Lakeland, FL 33801
Email: Jenny.Sykes@lakelandgov.net
Voice Phone: (863) 834-8444
Fax: (863) 834-8040
TTY/TDD: (863) 834-8333 or (800) 955-8771 or (800) 955-8770 Florida Relay Service
Number (VOICE)

Attach additional pages if necessary.

Details of the Complaint or Incident

1. Type of Grievance (select all that apply)
 - a. Accommodation Request
 - b. Program/Service
 - c. Facility Accessibility
 - d. Other
2. Reporting Individual Contact Information
 - a. Full Name:
 - b. Address:
 - c. City, State, Zip Code:
 - d. Phone:
 - e. Email Address:
3. Authorized Representative of Reporting Individual (if any)
 - a. Full Name:

- b. Address:
- c. City, State, Zip Code:
- d. Phone:
- e. Email:

4. Date/Time of the Incident:

5. Department/Facility/Location of the Incident:

6. Describe the incident/complaint with enough detail so the nature of the grievance can be understood.

7. Have attempts been made to resolve the complaint through a City Department? If yes, please describe the efforts that have been made.

8. Remedy Sought: What action do you want taken?

X

Signature / Date

Revision 7.23.20

SECTION IV. APPENDICES

C. TITLE VI/NONDISCRIMINATION POLICY

Title VI/ Nondiscrimination Policy and Plan
For Sub-Recipients in the Local Agency Program (LAP)
CITY OF LAKELAND, FLORIDA

Policy Statement:

The City of Lakeland, Florida, a municipal corporation, values diversity and welcomes input from all interested parties, regardless of cultural identity, background, or income level. Moreover, the City of Lakeland believes that the best programs and services result from careful consideration of the needs of all its communities and when those communities are involved in the transportation decision making process. Thus, the City of Lakeland does not tolerate discrimination in any of its programs, services or activities. Pursuant to title VI of the Civil Rights Act of 1964 and other federal and state authorities, the City of Lakeland will not exclude participation in, deny the benefits of, or subject to discrimination anyone on the grounds of race, color, national origin, sex, age, disability, religion, income or family status.

Complaint Procedures:

The City of Lakeland has established a discrimination complaint procedure and will take prompt and reasonable action to investigate and eliminate discrimination when found. Any person who believes that he or she has been subjected to discrimination based upon race, color, national origin, sex, religion, age, disability, family or income status in any of the City of Lakeland's programs, services, or activities may file a complaint with the City of Lakeland's Title VI/Nondiscrimination Coordinator:

Emily Colon, Deputy City Manager and Title VI/Nondiscrimination Coordinator
228 S. Massachusetts Ave.
Lakeland, Florida 33801-5086

Email: Emily.Colon@lakelandgov.net

Phone: (863) 834-6006; Fax: (863) 834-8402

If hearing impaired, please contact the TDD numbers: Local – (863) 834-8333 or 1-800-955-8771– (TDD-Telecommunications Device for the Deaf) or the Florida Relay Service Number 1-800-955-8770 (VOICE), for assistance.

If possible, the complaint should be submitted in writing and contain the identity of the complainant; the basis for the allegations (i.e., race, color, national origin, sex, religion, age, disability or family status); and a description of the alleged discrimination with the date of occurrence. If the complaint cannot be submitted in writing, the complainant should contact the City of Lakeland's Title VI/Nondiscrimination Coordinator for assistance. (*Refer to "Exhibit 1" City of Lakeland Title VI/Nondiscrimination Plan – Complaint of Discrimination Form*).

The City's Title VI/Nondiscrimination Coordinator will respond to the complaint within thirty (30) calendar days and will take reasonable steps to resolve the matter. Should the City of Lakeland be unable to satisfactorily resolve the complaint, the City's Title VI/Nondiscrimination Coordinator will forward the complaint, along with a record of its disposition to the appropriate District of the Florida Department of Transportation (FDOT).

The City's Title VI/Nondiscrimination Coordinator has "easy access" to the City Manager (or Chief Executive Officer) as mandated and is not required to obtain management or other approval to discuss discrimination issues with the City Manager. However, should the complainant be unable or unwilling to complain to the City of Lakeland, the written complaint may be submitted directly to Florida Department of Transportation (FDOT). FDOT will serve as a clearing house, forwarding the complaint to the appropriate state or federal agency:

Florida Department of Transportation
Equal Opportunity Office
ATTN: Title VI Complaint Processing
605 Suwannee Street MS 65
Tallahassee, FL 32399

ADA/504 Statement:

Section 504 of the Rehabilitation Act of 1973 (Section 504), the Americans with Disabilities Act of 1990 (ADA) and related federal and state laws and regulations forbid discrimination against those who have disabilities. Furthermore, these laws require federal aid recipients and other government entities to take affirmative steps to reasonably accommodate the disabled and ensure that their needs are equitably represented in transportation programs, services and activities.

The City of Lakeland will make every effort to ensure that its facilities, programs, services and activities are accessible to those with disabilities. The City of Lakeland will make every effort to ensure that its advisory committees, public involvement activities, and all other programs, services and activities include representation by the disabled community and disability service groups.

The City of Lakeland encourages the public to report any facility, program, service, or activity that appears inaccessible to those who are disabled. Furthermore, the City will provide reasonable accommodation (free of charge) to disabled individuals who wish to participate in public involvement events or who require special assistance to access facilities, programs, services or activities. Because providing reasonable accommodation may require outside assistance, organization, or resources, the City asks that requests be made at least seven (7) calendar days prior to the need for accommodation.

Questions, concerns, comments, or requests for accommodation should be made to one of the following, City of Lakeland's ADA Specialist (a.k.a. ADA Coordinator) or City of Lakeland's Employment Counsel (for City Employees):

For the Public:

Jenny Sykes, M.S./ADA.C
ADA Specialist – Accessibility Services
228 S. Massachusetts Avenue
Lakeland, FL 33801-5086
Email: jenny.sykes@lakelandgov.net
Phone: (863) 834-8444
Fax: (863) 834-8040
If hearing impaired, please contact the TDD numbers: Local – (863) 834-8333 or (800) 955-8771 (TDD- Telecommunications Device for the Deaf) or the Florida Relay Service Number (800) 955-8770 (VOICE), for assistance.

For City of Lakeland Employees:

Geli Eldemire, Esquire, SPHR, SHRM-SCP
Employment Counsel – HR Policy and Labor Relations
228 S. Massachusetts Avenue
Lakeland, FL 33801-5086
Email: geli.eldemire@lakelandgov.net
Phone: (863) 834-5066
Fax: (863) 834-6004
If hearing impaired, please contact the TDD numbers: Local – (863) 834-8333 or (800) 955-8771 (TDD- Telecommunications Device for the Deaf) or the Florida Relay Service Number (800) 955-8770 (VOICE), for assistance.

Limited English Proficiency (LEP) Guidance:

Title VI of the Civil Rights Act of 1964, Executive Order 13166, and various directives from the US Department of Justice (DOJ) and US Department of Transportation (DOT) require federal aid recipients to take responsible steps to ensure meaningful access to programs, services and activities by those who do not speak English proficiently. Please refer to the City of Lakeland's Limited English Proficiency Plan located on the City of Lakeland website: www.lakelandgov.net.

Attention City Staff: The following statement shall appear on all publicly noticed City of Lakeland meeting notices and advertisements (i.e. City Commission meeting notices, bid notices, boards and committee notices, etc.):

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this proceeding, or those requiring language assistance (*free of charge*) should contact the City of Lakeland ADA Specialist, no later than forty-eight (48) hours prior to the proceeding, at (863) 834-8447, Email: jenny.sykes@lakelandgov.net. **If hearing impaired**, please contact the **TDD numbers:** Local – (863) 834-8333 or 1-800-955-8771 (TDD-Telecommunications Device for the Deaf) or the **Florida Relay Service** Number 1-800-955-8770 (VOICE), for assistance.

Public Involvement:

In order to plan for efficient, effective, safe, equitable and reliable transportation systems, the City of Lakeland must have the input of the public. The City spends extensive staff and financial resources in furtherance of this goal and strongly encourages the participation of the entire community. The City holds a number of transportation meetings, workshops and other events designed to gather public input on project planning and construction. Further, the City attends and participates in other community events to promote its services to the public.

Finally, the City is constantly seeking ways of measuring the effectiveness of its public involvement. Persons wishing to request special presentations by the City of Lakeland, volunteer in any of its activities or offer suggestions for improvement of City public involvement may contact:

Emily Colon, Deputy City Manager and Title VI/Nondiscrimination Coordinator
228 S. Massachusetts Ave.
Lakeland, Florida 33801-5086

Email: Emily.Colon@lakelandgov.net

Phone: (863) 834-6006; Fax: (863) 834-8402

If hearing impaired, please contact the TDD numbers: Local – (863) 834-8333 or (800) 955-8771 (TDD- Telecommunications Device for the Deaf) or the Florida Relay Service Number (800) 955-8770 (VOICE), for assistance.

Data Collection:

Federal Highway Administration regulations require federal-aid recipients to collect racial, ethnic, and other similar demographic data on beneficiaries of or those affected by transportation programs, services and activities. The City of Lakeland accomplishes this through the use of census data, American Community Survey reports, Environmental Screening Tools (EST), drive and ridership surveys, its Community Development Department and other methods. From time to time, the City may find it necessary to request voluntary identification of certain racial, ethnic or other data from those who participate in its public involvement events. This information assists the City with improving its targeted outreach and measures of effectiveness. Self-identification of personal data to the City will always be voluntary and anonymous. Moreover, the City will not release or otherwise use this data in any manner inconsistent with the federal regulations.

Assurances:

Every three (3) years, or commensurate with a change in City of Lakeland executive leadership, the City must certify to FHWA and FDOT that its programs, services and activities are being conducted in a nondiscriminatory manner. These certifications are termed “assurances” and serve two important purposes. First, they document the City’s commitment to nondiscrimination and equitable service to its community. Second, they serve as a legally enforceable agreement by which the City of Lakeland may be held liable for breach. The public may view the annual assurance on the City of Lakeland’s website or by visiting the City of Lakeland Public Works Department Director’s Office, 228 S. Massachusetts Avenue, Lakeland, Florida, 33801-5086.

CITY OF LAKELAND, FLORIDA

By: _____
Shawn Sherrouse, City Manager

Date:

Updated: 3/3/2022

Distribution: All City of Lakeland Department Directors and Assistant Department Directors
City Attorneys
City Clerk
Communications Department (for Website posting)
Emily Colon, Deputy City Manager and Title VI/Nondiscrimination Coordinator
Geli Eldemire, Esquire, SPHR, SHRM-SCP, Employment Counsel – HR Policy and Labor Relations
Jenny Sykes, M.S./ADAC, ADA Specialist – Accessibility Services

SECTION IV. APPENDICES

D. TITLE VI/NONDISCRIMINATION COMPLAINT FORM

Complainant Name:		Complainant Address:
Complainant Phone Number:		
Complainant Representative Name, Address, Phone Number and Relationship (e.g. friend, attorney, parent, etc.):		
Name and Address of Agency, Institution, or Department Whom You Allege Discrimination Against You:		
Name(s) of Individual(s) Whom You Allege Discrimination Against You (if known):		
Discrimination Because Of:	<input type="checkbox"/> Race <input type="checkbox"/> Sex <input type="checkbox"/> Income Status <input type="checkbox"/> Color <input type="checkbox"/> Age <input type="checkbox"/> Retaliation <input type="checkbox"/> National Origin <input type="checkbox"/> Disability <input type="checkbox"/> Other	Date of Alleged Discrimination:
Please list the name(s) and phone number(s) of any person, if known, that the City of Lakeland could contact for additional information or support or to clarify your allegation(s):		
Please explain, as clearly as possible, how, why, when and where you believe you were discriminated against. Include as much background information as possible about the alleged acts of discrimination. Additional pages may be attached if needed.		
Complainant(s) or Complainant(s) Representative Signature:		Date of Signature:

SECTION IV. APPENDICES

E. ADA NOTIFICATION OF PRINTED INFORMATION STATEMENT

PRINTED INFORMATION STATEMENT FOR TITLE II ENTITIES UNDER THE ADA

NOTIFICATION

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in a proceeding, or those requiring language assistance (free of charge) should contact the City's ADA Specialist, Jenny Sykes, no later than forty-eight (48) hours prior to the proceeding, at (863) 834-8444, Email: jenny.sykes@lakelandgov.net. If hearing impaired, please contact the TDD numbers: Local – (863) 834-8333 or 1-800-955-8771 (TDD – Telecommunications Device for the Deaf) or the Florida Relay Service number at 1 (800) 955-8770 (VOICE), or 711, for assistance.

STATEMENT

In order to meet the ADA Title II communication standards, City departments must be able to provide information in alternative formats such as using easy-to-understand language, Braille, large-print format, audiotape, computer disk, etc.



Include the following notice on all materials printed by the City that are made available to the public:


This publication can be made available upon request in alternative formats for persons with disabilities by calling the Communications Department at (863) 834-6393. If hearing impaired, please contact the TDD numbers: Local - (863) 834-8333 or 1-800-955-8771 (TDD – Telecommunications Device for the Deaf) or the Florida Relay Service number at 1 (800) 955-8770 (VOICE), or 711, for assistance.

SECTION IV. APPENDICES

F. ACCESSIBILITY CHECKLIST for EVENT APPLICATION

Accessibility Checklist for Events in the City of Lakeland

Name of Event:		Location:			Event Date:
Name of Sponsor (Business/Organization):		Name and number of contact for ADA/Accessibility questions during event:			
	Accessibility	Yes	No	N/A	Comments
	Entrance				
1	Is there Accessible parking with posted signs?  - “Accessible Parking”				
2	Is there a designated area to drop off and pick up passengers, accessible for individuals with mobility devices?				
3	Is there a clear path of travel from parking area to the event/activity – easily accessed with mobility devices such as wheelchairs, walkers, etc.?				
4	Are there signs throughout the event directing individuals where to go to participate in different parts of the event or activity?				
5	Are there alternative forms of communication available at the entrances: Large print materials? Recorded information? Interpreters? Phone number to request assistance?				
	Event/Activity				
6	Are there alternative activities for those who can’t participate in the primary activity? For example, arts & crafts area or designated viewing and information area for individuals who can’t participate in a run, boat race, etc.				
7	Are staff or volunteers available to provide help if requested? Are they instructed on location of Accessible restrooms, etc.?				
8	If there is seating for activities, are there spaces reserved for wheelchairs, with companion seats next to them? Posted signs?  “Reserved Seating”				

9	If there is a stage or platform for speeches or performances, is there reserved seating for individuals with wheelchairs (and their companions), which provides unobstructed viewing in an area where other audience members can't stand in front of them?				
10	Are the event activities located in areas with firm and stable ground surfaces for individuals with mobility devices to travel on? Are there ramps (including temporary ramps) positioned for access over curbs, etc.?				
	Restrooms / Portable Toilets	Yes	No	N/A	Comments
11	Are there Accessible restrooms or portable toilets readily available and located with all other restrooms/portable toilets?				
12	Are there signs throughout the event indicating the location of Accessible restrooms or portable toilets? 				
	Food Service				
13	Sale of food: are there vendor trucks, booths, counters or concession stands at an accessible height for individuals who use wheelchairs? If not, have vendors been instructed to leave the booth, truck or concession stand to offer assistance to individuals with disabilities?				
14	Seating: are there tables in food service areas that are in an Accessible location for individuals with wheelchairs, with extra seating for companions?				
	Accommodations				
15	Before and during the event, is there designated staff to handle accommodation requests?				

Please note that the ADA covers individuals with disabilities who need a Service Dog with them or, need to bring their own food into events due to dietary restrictions. For additional information about event accessibility refer to the ADA National Network resource: "A Planning Guide for Making Temporary Events Accessible to People with Disabilities" <https://adata.org/guide/planning-guide-making-temporary-events-accessible-people-disabilities>

Please include any additional comments, including additional plans to improve Accessibility over time:

Signature of Individual Completing Checklist

Date Signed

Phone and/or email

Please contact Kim Stopiak of Parks and Recreation with questions or if you are unable to submit this form online: kimberly.stopiak@lakelandgov.net Phone: (863) 834-6086