

FINAL REPORT TO Carmel Clay Parks and Recreation

Conclusions and Recommendations

May 29, 2015

All Site Conclusions and Recommendations

Background

A step-by-step approach will help the Carmel Clay Parks and Recreation (CCPR) understand and address the deficits in the individual site reports. We recommend the following steps to accomplish the goal of making opportunities in Agency sites more accessible to people with disabilities.

The Agency chose the paired teams access audit approach. In this process, a Carmel Clay employee is paired with one of our accessibility experts for all of the site audits. This is a very good way to build staff capacity regarding accessibility. The two employees we worked with were Cara Grey and Michelle Yadon, and we appreciated their participation.

A Guide to this Section

There are approximately 1400 access deficits identified in the 20 Carmel Clay site reports, with an additional 1100 for the school sites. That is what is required by the ADA, the identification of every access deficit at every site and facility. And, for every deficit, a solution must be identified. Another way to consider this though is that for every deficit we found, we observed 10 elements that complied with the access requirements. In other words, we saw approximately 14,000 access features that complied in the Carmel Clay sites.

This section is all about the big picture. As discussed in the cover letter with this report, the Agency does ***not necessarily have to make every site accessible.*** It ***does*** have to make every program it conducts within its sites accessible.

We have attempted to identify some broad solutions, such as the refreshing of all accessible parking, as a way to address issues identified in the earlier 34 site reports, and as a way for the Agency to better manage compliance. This approach also gives the Agency flexibility within its compliance efforts to move resources so that they are applied with optimal impact. Consider these systemic changes as a complement to a site-by-site approach.

However, the scope of our work does not include the design of a solution. Rather, it is performance based. For example, if a park restroom needs to be made accessible we'll make that recommendation. We will not design a solution that includes walls to be removed or plumbing solutions. Those are tasks for Agency staff or contractors.

This is also about accountability. The adjustments to door closers, eliminating changes in level, and other recommended actions are ineffective if not maintained over time by Agency employees. We recommend the following to facilitate review:

First, read the final report cover letter to Michael Klitzing. It describes the concepts and requirements invoked throughout the report.

Second, read this Conclusion section. As mentioned above, this is a big picture review of the issues and solutions we recommend.

Third, read the 34 site reports. Use your computer and you'll have instant access to the report for that site, the photos, and the checklists.

Fourth, use your knowledge of the sites and of your staffs' expertise. You know the Carmel Clay sites better than we do, and you certainly know the staff better than we do. Blend in what you know with what we recommend in the report. There is always another way to solve an access problem...perhaps you'll be the one to see that solution.

Intergovernmental Cooperation

CCPR values intergovernmental cooperation. It recognizes the benefits to taxpayers and registrants of sharing facilities to maximize the value of the built environment and duplication of services is avoided. Towards that end CCPR uses Carmel Clay Public Schools, through a joint agreement, for many before and after school recreation programs, and other activities.

These activities must comply with the requirements of the Americans with Disabilities Act. As CCPR conducts programs at school sites, we have evaluated those sites. However, as the school sites are not owned by CCPR the responsibility for retrofit of those sites is not on the shoulders of CCPR, but instead on Carmel Clay Public Schools.

In our site reports and transition plan we have separated CCPR from the schools. We do list barriers at the schools, but have not accorded responsibility for removal to CCPR. We urge CCPR to share these findings with Carmel Clay Public Schools.

Common Issues

In our evaluation, some common issues arose. These included the way maintenance affects accessibility to playground surfaces used. The common issues are also "big picture" items for the Agency and incorporate many of the specific site recommendations.

Maintenance

The Agency uses a conscientious staff to maintain its facilities and sites. However, over time, every facility and site yields to wear and tear. The recommendations below describe ways in which attention to maintenance can specifically address some access deficits.

1. ***Provide training*** to maintenance staffs regarding the features of an accessible route and how to ensure that it remains unobstructed so that park amenities, e.g., garbage cans or signs, are placed adjacent to the accessible route.
2. ***Provide training*** to recreation staffs regarding the features of an accessible route and how to ensure that it remains unobstructed.
3. ***Purchase some new tools.*** The Agency should have enough battery-powered digital levels, and tools to measure pounds of force for doors, to equip some staff for occasional spot-checks. A great website for gauges is:

<http://www.technologylk.com/crl-door-pressure-gauge-lk-HMC035.htm?src=froogle>.

Changes in Level and Gaps

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The routes and sidewalks that make up the Agency's network of accessible routes are in fair condition. Wear and tear, settling, weather, and other factors combine to cause changes in level and gaps along portions of those accessible routes, making that portion noncompliant and a barrier to many customers with physical and sensory disabilities.

Removing changes in level and gaps has a significant universal design benefit too, as more people with all types of conditions can more easily use Agency routes, such as staff pushing carts of supplies, parents with kids in strollers, and people using an assistive device such as a wheelchair, Segway, or walker.

4. **Add** change in level of more than .25" **to park maintenance safety checklists** in 2015. This will help identify and correct these problems before they expand. Make or buy pre-measured shims and distribute to employees for their use and ease of measurement.
5. **Eliminate changes in level** by the end of 2017. Using the rationale that the most severe changes in level are the greatest barriers to access, make changes in level of greater than .75" the highest priority.

Make changes in level of between .5" and .75" the second priority. Make beveling of changes in level of .25" to .5" the third priority.

6. **Add inspections for gaps** of greater than .5" **to park maintenance safety checklists** in 2015. Identify and fill these gaps before they expand. **In the alternative, consider resurfacing segments of deteriorated asphalt routes.**
7. **Adopt** a policy about the use of other Other Power Driven Mobility Devices in Agency facilities and at Agency sites, and promote that policy to the general public. Every day, more people with limited physical mobility start to use a Segway or similar machines.

Pursuant to the new ADA title II regulation published September 14, 2010, this policy was to have been in place by March 15, 2011.

These assistive devices provide great benefits to people with disabilities and the sooner the Agency has a policy in regard to their use the better. The policy could, at a minimum, address times of allowed use (dawn to dusk), speed limits, off-limits areas, status of the user as a person with a disability, and minimum age.

It is important to note that a power driven mobility device is not a wheelchair. That device has a separate definition and is already allowed in facilities and parks.

The components of a policy are noted below. **The Agency is welcome to use some, all, or none of this, but a policy must be in place. We recommend at least the following statements:**

Definition: *Other power-driven mobility device* (OPDMD) means any mobility device powered by batteries, fuel, or other engines—whether or not designed primarily for use by individuals with mobility disabilities—that is used by individuals with mobility disabilities for the purpose of locomotion, including golf cars, electronic personal

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assistance mobility devices (EPAMDs), such as the Segway® PT, or any mobility device designed to operate in areas without defined pedestrian routes, but that is not a wheelchair within the meaning of this policy.

Definition: *An electronic personal assistive mobility device (EPAMD) is a device used by a person with a mobility impairment for ambulation. This definition does **not** include gasoline powered devices, golf cars, or riding lawn mowers.*

Permission: Carmel Clay Parks and Recreation authorizes persons with mobility impairments to use OPDMDs and EPAMDs in Agency facilities and sites subject to the following restrictions:

1. The operator of the device must be a person with a mobility impairment, and upon request by Agency officials, shall produce proof of such within 72 hours;
2. The device, if used in a facility or in a park, is allowed in any area of the facility or park in which the general public is allowed, with the exception of employee only spaces, stairways, and identified hazardous areas;
3. The device, if used in a facility, must be controlled by the operator. It:
 - A. may not exceed 4 mph;
 - B. shall be driven on the right side of the circulation route;
 - C. is prohibited from carrying another person on the frame, or any object on the frame that may make the device less stable; and
 - D. must not be operated in a dangerous or reckless manner that jeopardizes the safety of the operator, Agency employees, or Agency participants.
4. The device, if used in a park or outside, must be controlled by the operator. It:
 - A. may not be operated between dusk and dawn unless equipped with headlights that are visible at 300’;
 - B. may not exceed 6 mph;
 - C. shall not be driven into wet or ecologically sensitive areas which are posted as such;
 - D. shall be driven on the right side of the circulation route;
 - E. is prohibited from carrying another person on the frame, or any object on the frame that may make the device less stable; and
 - F. must not be operated in a dangerous or reckless manner that jeopardizes operator safety, Agency employees, or Agency participants.

5. The Agency accepts no responsibility for storage of the device.
6. The Agency accepts no liability for damage to the device, or injury to the operator, whether caused by the operator, another visitor to an Agency facility or site, or any other circumstance.
7. The Agency accepts no liability for damage caused by the operator of the device, or injury to others caused by the operator of the device.
8. The Agency reserves the right to suspend the use of facilities or sites by the operator if doing so is in the best interests of the Agency and its participants.
9. The Agency reserves the right to change, modify, or amend this policy at any time, as it would any other policy.

Obstructed Accessible Routes

Employees **may** see an accessible route as an empty 36" wide space in which a potted plant or garbage can is a perfect fit. However, that blocks or obstructs the accessible route

8. ***Provide training to park maintenance, recreation, and administration staffs*** regarding maintenance of accessible routes in parks and in recreation facilities.

Employee Work Areas

Carmel Clay Parks and Recreation employs many qualified and skilled full time staff, making parks and recreation services available to residents. The Agency employs many more on a part-time or seasonal basis. The Agency likely already has employees with disabilities and in the future, will have **more** employees with disabilities, in all categories...full time, seasonal, and regular part time.

It is important to address access to work areas, and both the title II regulation and the work of the Access Board do so. In section 203.9 of the 2010 Standards for Accessible Design, the treatment of employee areas is made clear.

Generally, a person with a disability should be able to **approach**, **enter**, and **exit** the work area. This is addressed by requirements for accessible routes and accessible means of egress. Other factors are door width, and threshold changes in level.

Excluded from this exception are several types of common spaces in employee areas. Spaces such as the ones below must meet the access guidelines as they are excluded from the definition of employee-only areas:

- corridors;
- toilet rooms;
- kitchenettes for employee dining use, and
- break rooms.

In short, the key issues are the accessible route, changes in level, doors and entries, and maneuvering space once within the work area. This approach is effective so long as when the Agency hires an employee with a disability, or a current employee acquires a disability, it will remove architectural barriers in work areas or make other accommodations. The two recommendations below are important for all employees at all Agency sites.

9. ***Address accessibility in the Agency personnel policies***, and note that, upon request by an employee, the Agency will make reasonable accommodations, which ***may*** include the removal of architectural barriers in work spaces.
10. ***Require new construction, and alterations or additions*** that include employee work areas to be designed and constructed so they are compliant with the 2010 Standards for Accessible Design.

Accessible Parking

The Agency maintains approximately 1400 standard parking spaces at sites, and 100 more that are designated as accessible parking stalls. In correcting or refreshing its accessible stalls, the Agency should address all of them at once to eliminate inconsistencies and come into compliance.

11. ***Create a parking stall template***. A suggested template is below.

Parking Stall Dimensions

Stalls are a minimum of 8' wide. An adjacent access aisle must also be a minimum of 5' wide. The access aisle must be diagonally striped with ***high quality***.

The collection of signs must include the US Department of Transportation R7-8 standard sign (the blue icon in a wheelchair). Below that must be the statewide fine sign. Unless the City of Carmel has adopted a higher fine by ordinance, the sign must note the statewide fine.

Federal settlement agreements require a third sign, on at least one stall, that says VAN ACCESSIBLE. This stall must be 11' wide with a 5' access aisle and can be shared with another accessible stall. An acceptable alternate is 8' and 8'.

Finally, the bottom edge of the R7-8 sign is a minimum of 60" above the finished grade. We suggest the signpost be centered at the head of the accessible stall and that the curb cut and detectable warning run the distance of the access aisle.

The most common deficit in accessible parking stalls and access aisles is the slope. The 2010 Standards limits the slope to ***not more than 2.08% in any direction***. ***This is a challenging requirement that can take considerable effort to meet.***

Connection to the Accessible Route

The access aisles should connect to an accessible route. The maximum running slope for the accessible route is 5%, and to account for heaving and settling, we recommend 4%. The maximum cross slope is 2.08%.

Passenger Loading Zone

The loading zone must have an access aisle adjacent and parallel to vehicle pull-up space. The loading zone access aisle must be a minimum of 60" wide and 20' long.

Confirm this template to ensure compliant stalls.

12. In 2015 ***implement a plan to correct or refresh every accessible stall*** at every Agency facility. Incorporate this task into other plans that require parking lot repair, restriping, or resurfacing.

Running Slope and Cross Slope

We saw running slopes steeper than permitted. At some sites this was a minimal issue, but at other sites it was a significant variance. This condition naturally occurs when concrete settles, or when connections between new and old routes are off by fractions of an inch. Cross slope is equally important, as it serves drainage as well as access purposes.

13. ***Adopt a policy*** that in new construction and alterations the slope of the AR shall not exceed 1:21, or 4.7%, as opposed to 1:20, or 5%. This allows room for field error.
14. ***Adopt a policy*** that in new construction and alterations the ramp slope shall not exceed 1:13, or 7.7%, as opposed to 1:12, or 8.33%. This allows room for field error.

It also makes ramps easier to use for everyone, not just people with disabilities. This universal design approach is also a risk management tool.

15. ***Adopt a policy*** that in new construction or alterations the cross slope shall be an integral part of the project and shall not exceed 2% or 1:50.

Detectable Warnings

The US Access Board suspended the detectable warning requirement in the late 90's, for a period of several years. It was restored in 2002. However, it is not required in the 2010 Standards.

We still, however, as a smart practice, recommend the use of detectable warnings. It is typical to see noncompliant detectable warnings in every community.

The detectable warnings at curbs ***that are not compliant*** are often a cross-cut of concrete, or a grid laid on wet concrete to create a diamond-shaped indentation. Over time these should be replaced.

16. As with parking, ***develop a template for detectable warnings.***

17. In the same year that parking is refreshed, **implement a plan to correct or refresh every detectable warning** at every curb or crossing at Agency facilities. If necessary, phase this out over a two or three year period.

Door Opening Force Requirements

In Agency buildings and facilities, there are approximately 500 doors. Many have closer mechanisms. Some of these need adjustment to bring the pounds of force (lbf) necessary into compliance (5 lbf for interior doors and 8.5 lbf (smart practice) for exterior doors).

However some of the closers are just old. The wear and tear of 20 or more years erodes the closer effectiveness.

18. **Evaluate and determine the age of door closers.**
19. **Add door closer maintenance checks** to safety checklists in 2015 and for closers with 10 years of service or less, aggressively maintain them for effectiveness.
20. **Purchase and install new door closers** for all exterior doors (with closers 20 years old or more) and 50% of interior doors in 2015 or as soon as is possible.
21. **Purchase and install** new door closers for all remaining interior doors (with closers 20 years old or more) in 2016 or as soon as is possible.

Signage

Agency signs serve several purposes. First, signs assist wayfinding in buildings, such as the Monon Center.

Second, signs identify important permanent elements of facilities, such as restrooms. Third, signs facilitate access by people with vision and physical limitations. We did not note a signage template at the sites we evaluated.

The 2010 Standards treats two types of signs differently. Signs for permanent spaces, such as a bathroom, must be in both Grade 2 Braille and raised lettering. Signs that are directional or informational only require visual lettering of a certain size. Be certain to incorporate these approaches into signs in buildings and sites operated by the Agency.

22. **Develop a sign template** in 2015 that describes where and in what facilities signs will be used. The template could include size of sign, mounting height, mounting location, size of characters, space between characters, contrast between characters and background, icons or symbols used in the signs, Agency information in the signs (name of facility? phone number? main office number?), and more.
23. **Implement signage template and refresh** Agency site signage in 2017.

Bathrooms

Bathrooms are an essential part of a visit to a Carmel Clay Parks and Recreation site. Exercise, food and beverage, social activities, and more all rely on one of the oldest designs known to us. Making those facilities accessible is tremendously important.

Additionally, **portable toilets** placed temporarily at sports fields and event venues **must** be accessible and **must be served by an accessible route**.

24. **Develop a bathroom template in 2015.** Confirm it with the State of Indiana. Be sure to include temporary facilities such as portable toilets in the template. The template should address the toilet, grab bars, items in the stall such as toilet paper and hooks, the stall, operating mechanisms, mirrors, sinks, hand towels, and more.
25. **Include bathroom renovations** at facilities in the Agency Capital Acquisition and Replacement Plan.
26. **Consider the use of automatic flush controls.** These have environmental benefits and are also a great way to eliminate some accessibility problems.
27. **In the interim, implement non-structural modifications recommended in each section of this report,** such as lowering mirrors, remounting grab bars, changing the height of toilets and urinals, installing compliant stall hardware, and so forth.

These less costly changes on a site-by-site basis will serve your customers well until resources are available to renovate restrooms on a comprehensive scale.

28. **Make one portable toilet,** if one is provided at a site, accessible. This includes a portable toilet placed at a picnic shelter or adjacent to sports fields. These must be accessible and must be served by **an accessible route**.

The Agency has sites with portable toilets; this must be addressed. Use our single-user toilet checklist, and require compliance by Agency vendors.

Lockers and Locker Rooms

Research shows that people with disabilities will refrain from using public facilities if they fear that sites are not accessible or they'll be embarrassed in their attempt to use sites.

We all know the benefits of recreation participation. If a person with a physical disability comes to any of the pool sites or the Monon Center, there are not enough designated accessible lockers and no fully compliant showers.

29. **Implement the locker room changes for the Water Park, and the Monon Center;**
30. **Promote availability of accessible locker rooms once completed.** Announce these changes to the community and see more participation by people with disabilities.

Alarms

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In existing facilities where an aural or audible fire alarm system is provided, a visual alarm is not required unless the building was constructed after January 26, 1992 or has been upgraded since that same date.

If an alarm in an existing facility is audible only, it need not be modified to include a visual alarm unless it is replaced or upgraded in the future.

31. **Determine in 2015** if systems have been upgraded or replaced since 1992.
32. **Develop a plan in 2016** for the installation of aural and visual alarms in renovations.
33. **Retrofit construction that has occurred since 1992** to include aural and visual alarms by the end of 2017.

Brochures

The use of a park grid in the Agency brochures is an important tool for residents and can now be used to communicate about accessibility. Create one to incorporate the access work the Agency staff completes and indicate in your grid where, for example, the accessible picnic areas are, or where the accessible playgrounds are.

34. **Update the parks and facilities** information on the website to reflect Agency plans regarding our recommendations, and to note which sites are accessible or will be made accessible.

Website

The title II regulation requires that all public communication used by the Agency be available to people with disabilities. Many people with vision impairments use websites every day with the aid of technical equipment.

The Agency is required to evaluate its website and make necessary changes so that the website can be read by that type of equipment.

A link at the US Department of Justice website offers guidance on this. The Agency IT staff should become familiar with this issue. Go to <http://www.ada.gov/websites2.htm>. The Agency can also check the accessibility of its website at a free service. Link to Cynthia Says at http://www.icdri.org/test_your_site_now.htm and test your website.

35. **Evaluate the Agency website** and make changes so that the information on the site is accessible to people with disabilities.

Maintenance Buildings

In individual site reports, we address the maintenance areas. As noted earlier, the Agency can apply a different standard to spaces used only as employee work areas. Agency maintenance staff should receive training in regard to the application of the **approach, enter, and exit** strategy so that they understand the reason for the various requirements.

36. **Train maintenance staff supervisors** in accessibility concepts that are applicable to the maintenance building.
37. **Implement recommendations regarding parking, accessible route, changes in level, gaps, doors, and alarm systems** at the maintenance areas.

Swimming Pools

The **minimum required** of the Agency by title II of the ADA is that the “program” of swimming be accessible to residents. This is measured by the “program access test” described in section 35.150 of the title II regulation (see 28 CFR Part 35).

The Agency has two pools: one outdoor pool at the Waterpark, and one indoor pools at the Monon Center. Because of the unique nature of each aquatic site, we recommend that changes occur at the Waterpark as well as the indoor site at the Monon Center.

38. **Make corrections to Monon Center and the Waterpark by** implementing all of the recommendations in those site reports.

2 to 5 Playgrounds

The **minimum required** of the Agency by title II of the ADA is that the “program” of playgrounds be accessible to residents. This is measured by the “program access test” described in section 35.150 of the title II regulation (see 28 CFR Part 35).

For similar multiple sites, no guidance is given as to how many existing playgrounds intended for children ages 2 to 5 should be made accessible. Again, a good practice is to treat this as a planning exercise and aim for 1 of 3 playgrounds being made accessible.

Our evaluation included five Carmel Clay playgrounds. Of these, one is accessible. We believe two could be made accessible with modest changes. Any new playgrounds to be replaced at any time in the future must comply with the 2010 Standards and will therefore be accessible.

The Program Access Chart, along with Carmel Clay 2 to 5 Playground Map at the end of this section, illustrates the areas where work is recommended so that every resident of the Agency is close to an accessible 2 to 5 playground. [[Carmel Clay 2 to 5 Playground Map](#)]

39. **Make the corrections** so the 2 to 5 playgrounds at sites below **remain** accessible:
 - **Meadowlark Park**
40. **Make the corrections** so the 2 to 5 playgrounds at sites below **become** accessible:
 - **The Waterpark**
 - **Founders Park**
41. **Leave as is** the playgrounds at the parks named below, and when future alterations or renovations occur at those sites, make them accessible.

- **Carey Grove Park**
- **West Park**

42. **Advertise the accessible 2 to 5 playgrounds** in the Agency website and publications. This is an important way to make the public aware of opportunities, and complies with the section 35.106 notice requirement in the title II regulation.

5 to 12 Playgrounds

The **minimum required** of the Agency by title II of the ADA is that the “program” of playgrounds be accessible to residents. This is measured by the “program access test” described in section 35.150 of the title II regulation (see 28 CFR Part 35).

For similar multiple sites, no guidance is given as to how many existing playgrounds intended for children ages 5 to 12 should be made accessible. Again, a good practice is to treat this as a planning exercise and aim for 1 of 3 playgrounds being made accessible.

Our evaluation included six playgrounds. Of these, three are accessible. **We recommend no new access at this time.** Any new playgrounds to be replaced must comply with the 2010 Standards and will therefore be accessible.

The Program Access Chart, along with Carmel Clay 5 to 12 Playground Map at the end of this section, illustrates the areas where work is recommended so that every resident of the Agency is close to an accessible 5 to 12 playground. [[Carmel Clay 5 to 12 Playground Map](#)]

43. **Make corrections** cited in the reports so the 5 to 12 playgrounds below **remain** accessible:

- **Founders Park**
- **Meadowlark Park**
- **River Heritage Park**

44. **Leave as is** the playgrounds at the parks named below, and if future alterations or renovations occur at those sites, make them accessible.

- **Carey Grove Park**
- **Lawrence W. Inlow Park**
- **West Park**

45. **Advertise the accessible 5 to 12 playgrounds** in the Agency website and publications.

Disc Golf

The **minimum required** of the Agency by title II of the ADA is that the “program” of disc golf be accessible to residents. This is measured by the “program access test” found in section 35.150 of the title II regulation (see 28 CFR Part 35). For similar multiple sites, no guidance is given as to how many existing courses should be accessible.

We recommend that a minimum of one area of every three be accessible. We saw two disc golf courses and none are accessible. **We recommend access to one course.**

The Program Access Chart at the end of this section, along with the Carmel Clay Disc Golf Map, illustrates the areas where work is recommended so that every resident is close to an accessible course. [[Carmel Clay Disc Golf Map](#)]

46. **Make corrections** cited in the reports so the disc golf course below becomes accessible:

- **Lawrence W. Inlow Park**

47. **Leave as is** the course at the following sites:

- **Hazel Landing Park**

48. **Advertise the accessible disc golf courses** in Agency website and publications.

Water Access

The **minimum required** of the Agency by title II of the ADA is that the “program” of water access be accessible to residents. This is measured by the “program access test” found in section 35.150 of the title II regulation (see 28 CFR Part 35).

For similar multiple sites, no guidance is given as to how many existing water access points should be accessible. We recommend that at least one of every three be accessible. Each site has a slightly different usage, so access to more than the minimum is encouraged

There are five water access points, and four are accessible. **We recommend no new access.**

The Program Access Chart at the end of this section, along with the Carmel Clay Water Access Map, illustrates the areas where work is recommended so that every resident of the Agency is close to an accessible tennis court. [[Carmel Clay Water Access Map](#)]

49. **Make corrections** cited in reports so the water access below **remains** accessible:

- **Central Park**
- **Hazel Landing Park**
- **Meadowlark Park**
- **West Park**

50. **Leave as is** the water access at the following site:

- **Founders Park**

51. **Advertise the accessible water access** in Agency website and publications.

Basketball

The **minimum required** of the Agency by title II of the ADA is that the “program” of basketball be accessible to residents. This is measured by the “program access test” found in section 35.150 of the title II regulation (see 28 CFR Part 35).

For similar multiple sites, no guidance is given as to how many existing basketball courts should be accessible. We recommend that at least one of every three be accessible.

There are two courts and one is accessible. **We recommend no new access.**

The Program Access Chart at the end of this section, along with the Carmel Clay Basketball Map, illustrates the areas where work is recommended so that every resident of the Agency is close to an accessible basketball court. [[Carmel Clay Basketball Map](#)]

52. **Make corrections** cited in reports so the basketball courts below **remain** accessible:

- **Carey Grove Park**

53. **Leave as is** the courts at the following sites:

- **Meadowlark Park**

54. **Advertise the accessible basketball courts** in Agency website and publications.

Trails

The **minimum required** of the Agency by title II of the ADA is that the “program” of trails be accessible to residents. This is measured by the “program access test” found in section 35.150 of the title II regulation (see 28 CFR Part 35).

For similar multiple sites, no guidance is given as to how many existing trails should be accessible. We recommend that at least one of every three be accessible. There are 11 trails and eight are accessible. **We recommend no new access.**

The Program Access Chart at the end of this section, along with the Carmel Clay Trails Map, illustrates accessible trails so that every resident is close to an accessible trail. [[Carmel Clay Trail Map](#)]

55. **Make corrections** cited in reports so the trials **remain** accessible:

- **Flowing Well Park (1 of 2)**
- **Greyhound Trail**
- **Hagan-Burke Trail**
- **Lenape Trace Park**
- **Meadowlark Park**
- **Monon Greenway**

- **West Park**
- **White River Greenway**

56. **Leave as is** the trails at the following sites:

- **Central Park**
- **Flowing Well Park (1 of 2)**
- **Lawrence W. Inlow Park**

57. **Advertise the accessible trails** in Agency website and publications.

Amphitheaters

The **minimum required** of the Agency by title II of the ADA is that the “program” of amphitheaters be accessible to residents. This is measured by the “program access test” found in section 35.150 of the title II regulation (see 28 CFR Part 35).

For similar multiple sites, no guidance is given as to how many existing amphitheaters must be accessible. We recommend that at least one of every three be accessible.

There are two amphitheaters and one is accessible. **We recommend no new access.**

The Program Access Chart at the end of this section, along with the Carmel Clay Amphitheater Map, illustrates accessible amphitheaters so that every resident is close to an accessible amphitheater field. [[Carmel Clay Amphitheater Map](#)]

58. **Make corrections** cited in report so the amphitheater below **remains** accessible:

- **West Park**

59. **Leave as is** the amphitheater at the following site:

- **River Heritage Park**

Advertise the accessible amphitheaters in Agency website and publications

Athletic Fields

The **minimum required** of the Agency by title II of the ADA is that the “program” of athletic fields be accessible to residents. This is measured by the “program access test” found in section 35.150 of the title II regulation (see 28 CFR Part 35).

For similar multiple sites, no guidance is given as to how many existing athletic fields must be accessible. We recommend that at least one of every three be accessible.

There are two fields and none are accessible. **We recommend access to one.**

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The Program Access Chart at the end of this section, along with the Carmel Clay Athletic Fields Map, illustrates accessible athletic fields so that every resident is close to an accessible athletic field. [[Carmel Clay Athletic Fields Map](#)]

60. **Make corrections** cited in reports so the field below **become** accessible:
- **Founders Park (1 of 2)**
61. **Leave as is** the field at the following sites:
- **Founders Park (1 of 2)**
62. **Advertise the accessible athletic fields** in Agency website and publications.

Picnic Areas

The **minimum required** of the Agency by title II of the ADA is that the “program” of picnicking be accessible to residents. This is measured by the “program access test” described in section 35.150 of the title II regulation (see 28 CFR Part 35).

For similar multiple sites, no guidance is given as to how many existing picnic sites should be accessible. There 16 picnic areas at 10 sites and 13 are accessible. **We recommend no new access. Many of these sites need tables or other minor corrections.**

The issue of picnic area access is not yet settled as a final and enforceable standard. There is significant guidance from the US Access Board, and we have applied it here to Agency picnic areas.

However the US Access Board does not have the authority to establish a Standard, which is the step above the **final guideline** that exists today. That said, we recommend Agency continue as a smart practice to adhere to the Access Board guidance on this matter.

The Program Access Chart at the end of this section, with the Carmel Clay Picnic Areas Map, illustrates accessible picnic areas so that every resident of the Agency is close to an accessible picnic area. [[Carmel Clay Picnic Areas Map](#)]

63. **Make corrections** needed to **maintain or create access**, including adding tables, to picnic areas at:
- **Carey Grove Park**
 - **Central Park (2)**
 - **Flowing Well Park**
 - **Founders Park**
 - **Lawrence W. Inlow Park (2)**
 - **Meadowlark Park**
 - **River Heritage Park (1 of 2)**
 - **West Park (4)**

64. **Leave as is** the picnic areas at the sites below:

- **Hazel Landin Park**
- **Lenape Trace Park**
- **River Heritage Park (1 of 2)**

65. **Advertise accessible picnic areas** in the Agency website and publications.

Public Feedback

An integral part of the self-evaluation of sites and facilities, and the development of a transition plan, is the involvement of the public. A public forum should be conducted in the future. We would be happy to return to assist with this process.

These can be very positive events. The community typically appreciates what steps have been taken by the Agency and being given the opportunity to provide feedback regarding priorities and preferences.

Transition Plan

Carmel Clay must have a transition plan per 35.150(d) of the DOJ title II regulation. The plan should identify the barrier, the corrective work, the date by which the work will occur (in our reports, the Phase), and the person responsible for barrier removal.

Barriers should be removed as soon as is possible. Phasing the work to be done allows for access to occur and makes the best use of the resources of the Carmel Clay Parks and Recreation Agency.

In the view of DOJ, the recreation design requirements were available to the Agency since 2004, if not earlier. Enforcement staff has said at meetings and in conversations that work should have already been underway to identify and remedy access deficits. We recommend work in three phases. We also note the work we recommend need not occur in a category titled Agency Option. Should the Agency's plans change, or should other resources become available, the corrective work needed at these sites is known. We acknowledge that each phase likely requires three or more fiscal years for completion.

We have made cost **references** for the corrective work recommended. We note that these are not estimates and should be used only for planning purposes. The final design, the year in which the work will occur, the relationship with the contractor, and many other factors must be considered before a cost estimate is made.

The total of corrective work we recommend is \$623,041.50, and we believe it can be implemented over a ten-year period.

In Phase One, we recommend work in the amount of \$350,227.75. Generally the work in this Phase falls into two categories: easy to do with existing staff and resources (low-hanging fruit), and old requirements (such as parking) at sites otherwise accessible. The Agency should decide how many years are required to complete a phase.

Here we would suggest that Phase One is a three year process.

In Phase Two, we recommend work in the amount of \$122,686.25. Generally the work in this Phase includes changes to recreation amenities, such as playground surfaces, ball fields and athletic fields. The Agency should decide how many years are required to complete a phase.

Here we would suggest that Phase Two is a three year process.

In Phase Three, we recommend work in the amount of \$150,127.50. Generally the work in this Phase falls into two categories: elements not yet addressed by a final Standard, such as trails, and elements where correction is complex or costly. The Agency should decide how many years are required to complete a phase.

Here we would suggest that Phase Three is a four year process.

We identified work in the amount of \$84,617.50 in Agency Option. Generally this is an element or site with access deficits where we believe Agency already meets the program access test and need not make these sites accessible, until later altered for another purpose.

Conclusion

Carmel Clay Parks and Recreation has a variety of recreation facilities and sites. The skilled staff operates facilities and sites the community wants and enjoys. This report identifies some issues that are typical in a municipal infrastructure. The Agency takes steps towards accessibility every year and that undoubtedly helped.

The Agency should determine to what extent it will act on our recommendations and any staff recommendations. Access work should occur every year during the transition plan.

While no one can say with certainty how long the Agency can comfortably stretch these projects, the Agency should make access retrofits an ongoing part of its annual plans and budgets. US Department of Justice officials have said work must be completed as soon as is possible. ***Be certain to understand that CCPR could be forced to accelerate its pace. Making access work a high priority is critical.***

Your strategy should definitely address the common issues identified in this report.

Carmel Clay Parks and Recreation should be commended for undertaking this task. Although this access audit and the transition plan are both mandated tasks, many of your neighbors have not completed these steps.

In closing, thanks again to the staff at Carmel Clay Parks and Recreation for their cooperation and spirit. All of the team at our firm enjoyed working with them. We acknowledged Cara and Michelle for their assistance earlier, and we do so again here.

Call me at Recreation Accessibility Consultants at 224/293-6451 if there are any questions. Thanks again for inviting us to work with Carmel Clay Parks and Recreation.

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Submitted by

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