



City of Sacramento City Council

915 I Street, Sacramento, CA, 95814
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Meeting Date: 7/26/2011

Report Type: Consent

Title: Americans with Disabilities Act (ADA) Public Rights-of-Way Prospective Plan for Fiscal Year 2011/12

Report ID: 2011-00647

Location: Citywide

Recommendation: Adopt a Resolution approving the FY 2011/12 Prospective Plan for Accessibility Improvements in the Public Rights-of-Way.

Contact: Rocky Burks, Physical Access Manager, (916) 808-5521; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Transportation

Presenter: None

Department: Transportation Department

Division: Civil & Electrical Design

Dept ID: 15001131

Attachments:

- 1-Description/Analysis
- 2 - Background Information
- 3 - Resolution
- 4 - Exhibit A - FY2011-12 Prospective Plan

City Attorney Review

Approved as to Form
Jerry Hicks
7/13/2011 9:54:52 AM

City Treasurer Review

Prior Council Financial Policy Approval or
Outside City Treasurer Scope
Russell Fehr
7/7/2011 12:09:25 PM

Approvals/Acknowledgements

Department Director or Designee: Jerry Way - 7/7/2011 5:53:01 PM

Assistant City Manager: John Dangberg - 7/12/2011 8:30:31 PM

Description/Analysis

Issue: The Barden Settlement Agreement requires the City to remove or ameliorate obstacles in pedestrian rights-of-way and to submit to Class Counsel an annual Prospective Plan of accessibility improvements.

Policy Considerations: Implementation of the ADA accessibility programs and improvements are consistent with the City's Strategic Plan goals to enhance livability and expand economic development throughout the city.

Environmental Considerations:

California Environmental Quality Act (CEQA): Approval of a Prospective Plan is not subject to the provisions of the California Environmental Quality Act (CEQA) under general rule (Section 15061 (b)(3)) that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Each individual project, prior to final approval, will be subject to environmental review in compliance with CEQA.

Sustainability Considerations: Implementation of the ADA accessibility programs, services and improvements promotes improved air quality by designing and constructing pedestrian ways that encourage walking and good health through walkable access to available amenities.

Commission/Committee Action: Staff reviewed the FY 2011/12 Prospective Plan with the Disability Advisory Commission (DAC) on June 16, 2011. The DAC reviewed the proposed expenditures contained in the Plan and agreed the program areas addressed are important accessibility improvements that will assist in furthering the City of Sacramento's efforts for full inclusion of persons with disabilities. The DAC continues to express appreciation for the Department of Transportation's ongoing efforts to achieve disability access compliance at the earliest conceptual stages prior to construction. The DAC voted its support of the FY 2011/12 Prospective Plan (Exhibit A).

Rationale for Recommendation: Approval of the Prospective Plan by the City Council is required under the terms of the Barden Settlement Agreement.

Financial Considerations: The approved FY2011/12 Capital Improvement Program budget for the Public Rights-of-Way Accessibility Project (T15120600) is \$1 million. The remaining \$4.8 million required to support the Prospective Plan is included within existing Capital Improvement Program projects (Exhibit A).

Emerging Small Business Development (ESBD): No goods or services are being purchased.



Background:

The City of Sacramento settled the lawsuit known as Barden, et al., v. City of Sacramento with an effective date of January 1, 2004. A primary provision of the settlement agreement requires the City to expend an amount equal to twenty percent (20%) of its annual “Transportation Funds” (defined as eligible Measure A and Gas Tax funds) on removing or ameliorating obstacles in pedestrian rights-of-way. The term of the obligation under the Barden settlement agreement is 30 years from the effective date.

Under the terms of the settlement agreement the City agreed to submit to Class Counsel a Prospective Plan each year specifying how the City is proposing to spend the Annual Obligation during the upcoming year. In compliance with the settlement agreement, staff prepared the FY 2011/12 Prospective Plan. City Council must approve the Prospective Plan prior to its submittal to the Class Counsel in July 2011.

The City’s estimated FY 2011/12 Annual Obligation is approximately \$4.12 million. The FY 2011/12 Prospective Plan (Exhibit A) proposes to spend \$5.9 million on several program areas. Staff expects that every year there will be either an overage or shortage carried forward from the prior year.



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RESOLUTION NO.

Adopted by the Sacramento City Council

APPROVAL OF FY 2011/12 PROSPECTIVE PLAN FOR ACCESSIBILITY IMPROVEMENTS IN THE PUBLIC RIGHTS-OF-WAY

BACKGROUND

- A. The Barden Settlement Agreement (Barden) became effective on January 1, 2004. The primary provision of the settlement agreement requires the City to expend an amount equal to twenty percent (20%) of its annual "Transportation Funds" (defined as eligible Measure A and Gas Tax funds) on removing or ameliorating obstacles in the public rights-of-way.
- B. Under the terms of the settlement agreement, the City agreed to submit to Class Counsel a Prospective Plan each year specifying how the City is proposing to spend the Annual Obligation during the upcoming year. City Council must approve the Prospective Plan prior to its submittal to the Class Council in July 2011.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. The FY 2011/12 Prospective Plan for Accessibility Improvements in the Public Rights-of-Way is approved (Exhibit A).
- Section 2. City staff is directed to submit the Prospective Plan to Class Counsel in accordance with the terms of the Barden Settlement Agreement.
- Section 3. Exhibit A is attached and is part of this Resolution.

Table of Contents:

- Exhibit A: FY 2011/12 Prospective Plan for the Pedestrian Public Rights-of-Way Projects – 2 pages.



FY 2011/12 Prospective Plan for Accessibility Improvements in the Public Rights-of-Way

Program Area	Description of Accessibility Work	Estimate
Curb Ramps	Curb Ramps associated with Street Overlays, Sidewalk Repairs and Drain Inlet Upgrades. Estimated 230 curb ramps.	\$1,272,280
Citizen requested curb ramps	Curb ramps installed along class members' daily path of travel upon request. Estimated 90 curb ramps.	\$500,000
Non-curb ramp related Citizen Requests	Citizen requests related to crosswalks, truncated domes and audible signals.	\$75,000
Traffic Engineering Curb Ramps	Estimated 14 curb ramps in support of crosswalk installations, accessibility work within pedestrian islands, etc.	\$75,000
3rd Party Agreement Projects	Funds to support projects developed under the Third Party MOU.	\$350,000
Accessibility features within other Capital Improvement Projects (List Attached)	Accessibility features (Curb Ramps, Crosswalks, Pedestrian Signals, Pedestrian Islands, Sidewalks, Bulb Outs, etc.) constructed as part of other projects for overall efficiency of project work.	\$3,611,000
TOTAL ESTIMATED COSTS		\$5,883,280

**Specific Capital Improvement Projects with Accessibility Features
FY 2011/12 Prospective Plan**

CIP No.	Project Name	Project Description	Estimated Cost
S15074108	Alhambra Blvd & Stockton Blvd Traffic Signal Upgrade	Modify pedestrian signals and construct 2 curb ramps	\$8,000
T15105600	Alhambra Blvd & Folsom Blvd Traffic Signal Upgrade	Modify pedestrian signals and construct 4 curb ramps	\$28,000
T15068401	Norwood & Fairbanks Traffic Signal Installation	Construct new traffic signal & pedestrian signals	\$10,000
T15074103	5 th & L Street Traffic Signal Modification	Modify pedestrian signals and construct 2 curb ramps	\$10,000
T15068200	4 th & I Street Traffic Signal Installation	Construct new traffic signal, pedestrian signals, curb, gutter, sidewalk and 2 curb ramps	\$250,000
T15105000	Natomas Safe Route to Schools	Construct new sidewalk, curb, gutter, sidewalk and curb ramps for 3 schools	\$350,000
L19118101	Franklin Blvd Frontage Improvements – Phase I	Construct curb, gutter, sidewalk and curb ramps between Elder Creek & Florin Creek	\$150,000
S15084700	Rio Linda & Bell Ave Traffic Signal Upgrade	Modify pedestrian signals and construct 8 curb ramps	\$100,000
T15016000	McClellan Heights Frontage Improvements	Construct new sidewalk, curb, gutter and curb ramps along Bell & North Avenues	\$400,000
T15095300	K Street Accessibility & Pedestrian Improvements	Modify 5 pedestrian signals for APS and install additional detectable warnings	\$75,000
T15016000	McClellan Heights: Pinnell Street	Construct new sidewalk, curb, gutter, sidewalk and curb ramps at 2 schools between Bell & North Avenues	\$500,000
T15098400	Del Paso Blvd Streetscape	Construct new traffic signal, sidewalk, curb, gutter and curb ramps between Arden Way & State Route 160	\$1,730,000
TOTAL ESTIMATED CIP COSTS			\$3,611,000