

REPORT TO COUNCIL

City of Sacramento

915 I Street, Sacramento, CA 95814-2604
www.CityofSacramento.org



CONSENT
June 26, 2007

**Honorable Mayor and
Members of the City Council**

Title: Americans with Disabilities Act (ADA) Right-of-Way Prospective Plan

Location/Council District: Citywide

Recommendation: Adopt a **Resolution** approving the FY 2007/08 Prospective Plan for Accessibility Improvements in the Public Rights-of-Way, (Prospective Plan).

Contact: Rocky Burks, Physical Access Manager, (916) 808-5521; Theresa Arnold, Special Programs Engineer, (916) 808-5514

Presenters: None

Department: Department of Transportation

Division: Engineering Services

Organization No: 3435

Description/Analysis

Issue: The City of Sacramento settled the Barden et. al. v. City of Sacramento lawsuit effective January 1, 2004. A primary provision of the settlement agreement was the "Annual Obligation" under which the City must 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.

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 draft FY 2007/08 Prospective Plan. City Council must approve the Prospective Plan prior to its submittal to the Class Counsel on July 1, 2007.

The City's estimated FY 2007/08 Annual Obligation is approximately \$7.2 million. The FY 2007/08 Prospective Plan (Exhibit A) proposes to expend \$7.6

million on several program areas. Staff expects that every year there will be either an overage or shortage carried forward from the prior year.

Policy Considerations: Staff reviewed the draft FY 2007/2008 Prospective Plan with the Disability Advisory Commission (DAC) on May 17, 2007. The DAC reviewed the proposed expenditures contained in the Plan and concurred that 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 expressed appreciation for the Department of Transportation's ongoing efforts to achieve disability access compliance at the earliest conceptual stages to design and construction. The DAC concluded by voting its support of the FY 2007/2008 Prospective Plan (Exhibit A).

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

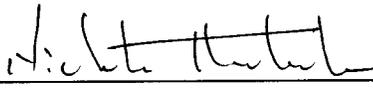
Environmental Considerations: Approval of a spending plan is not subject to the provisions of the California Environmental Quality Act (CEQA) under the general rule (Section 15061(b)(3)) that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Prior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

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

Financial Considerations: The approved FY 2007/08 Capital Improvement Program budgeted approximately \$6 million to the Public Right-of-Way Accessibility project (PN: RG76). The remaining funds to support the Prospective Plan are included within existing Capital Improvement Program projects.

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

June 26, 2007

Respectfully Submitted by: 
Nicholas Theocharides
Engineering Services Manager

Approved by: 
Jerry Way
Director of Transportation

Recommendation Approved:


RAY KERRIDGE
City Manager

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Attachment 1

RESOLUTION NO.

Adopted by the Sacramento City Council

**APPROVE THE FY 2007/08 PROSPECTIVE PLAN FOR ACCESSIBILITY
IMPROVEMENTS IN THE PUBLIC RIGHT-OF-WAY**

BACKGROUND

- A. The Barden Settlement Agreement (Barden) was entered into in August 2003 and became effective on January 1, 2004. The primary provision of the settlement agreement was the "Annual Obligation" under which the City must 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.
- 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 Counsel on July 1, 2007.

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

- Section 1. The FY 2007/08 Prospective Plan for Accessibility Improvements in the Public Right-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.

Table of Contents:

- Exhibit A: FY 2007/08 Prospective Plan for Pedestrian Rights-of-Way Projects -
2 pages

Exhibit A

FY 2007/08 Prospective Plan for Pedestrian Rights-of-Way Projects

Program Area	Description of Accessibility Work	Estimate
Curb Ramps	Curb Ramps associated with Street Overlays, Sidewalk Repairs and Drain Inlet Upgrades.	\$3,289,000
Citizen requested curb ramps	Curb ramps installed along class members' daily path of travel upon request. Estimated 125 ramps.	\$687,500
Non-curb ramp related Citizen Requests	Citizen requests related to crosswalks, truncated domes and audible signals.	\$75,000
Traffic Engineering Curb Ramps	Estimated 70 curb ramps in support of crosswalk installations, accessibility work within pedestrian islands, etc.	\$385,000
3rd Party Agreement Projects	Funds to support projects developed under the Third Party MOU.	\$50,000
Developer Reimbursement of Non-Required Ramps	The City reimburses private developers for the costs of installing non-required compliant curb ramps.	\$50,000
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.	\$3,074,000
TOTAL ESTIMATED COSTS		\$7,610,500

Specific Capital Improvement Projects with Accessibility Features
FY07/08 Prospective Plan

CIP No.	Project Name	Project Description	Estimated Cost
	K Street Streetscape – 700 Block	Detectable Warnings and new walking surface	\$633,000
	19 th & W Parking Lot	Sidewalks and curb ramps	\$20,000
	Jacinto Creek Park, Phase 2	Sidewalks and curb ramps	\$120,000
CF56	Crocker Art Museum Expansion	Sidewalks and curb ramps	\$200,000
HC51	R Street Bridge	Curb ramps and pedestrian path	\$112,000
HC61	Ninos Parkway	Curb ramps	\$14,000
RM72	2007 Seal Coat	Pavement grinding at curb ramps	\$31,000
RR22	52 nd Street, 14 th to 15 th Street	700 feet of sidewalks and 4 curb ramps	\$87,000
TNXX	Accessibility features in support of Traffic Investigations and pedestrian safety enhancements	Crosswalks, pedestrian islands	\$24,000
TR91	South Watt & Fruitridge Intersection Improvements	8 curb ramps, audible signal	\$14,000
TS11	13 th & 16 th Street Light Rail Station	Construct sidewalks at light rail stations	\$71,000
TU37	R Street, 11 th to 12 th	Sidewalks from 11 th to 12 th Streets	\$378,000
TV46	El Paraiso Ave Reconstruction, Stockton Bl to City Limit	2300 feet of sidewalk and 2 curb ramps	\$286,000
TX81	Franklin & Fruitridge Intersection Improvements	550 feet of sidewalk and 14 curb ramps	\$150,000
TY31	Broadway & Martin Luther King Jr Intersection Improvements	Sidewalk and 8 curb ramps	\$65,000
TZ71	West El Camino Bridge Replacement	5790 feet of sidewalk and 2 curb ramps	\$869,000
TOTAL ESTIMATED CIP COSTS			\$3,074,000