



DEPARTMENT OF TRANSPORTATION

CITY OF SACRAMENTO
CALIFORNIA

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ENGINEERING SERVICES DIVISION

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June 7, 2005

City Council
Sacramento, California

Honorable Members in Session:

**SUBJECT: AMERICANS WITH DISABILITIES ACT (ADA) RIGHT-OF-WAY
IMPLEMENTATION PLAN – APPROVE FY 2005/06 PROSPECTIVE
PLAN FOR PEDESTRIAN RIGHTS-OF-WAY IMPROVEMENTS**

LOCATION AND COUNCIL DISTRICT: Citywide

RECOMMENDATION:

This report recommends that the City Council adopt the attached resolution approving the FY 2005/06 Prospective Plan for Pedestrian Rights-of-Way Projects (Prospective Plan) (Exhibit A).

CONTACT PERSONS: Theresa Arnold, Special Programs Engineer, 808-5514
Hector Barron, Supervising Engineer, 808-2669

FOR COUNCIL MEETING OF: June 28, 2005

SUMMARY:

The City of Sacramento settled the Barden et. al. v. City of Sacramento lawsuit effective January 1, 2004. 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. Staff has prepared a Prospective Plan and is presenting it to City Council. City Council must approve the Prospective Plan prior to its submittal to the Class Counsel.

COMMITTEE/COMMISSION ACTION:

Staff reviewed the draft FY 2005/06 Prospective Plan of Projects with the Disability Advisory Commission (DAC) on June 2, 2005. The DAC reviewed the Prospective Plan and commented that all program areas address important accessibility improvements that are essential in the full inclusion of people with disabilities. Commission members highlighted the importance of planning projects within the Department of Transportation with accessibility in mind from the beginning stages of the project. The Commission concluded by voicing its support of the FY 2005/06 Prospective Plan (Exhibit A).

BACKGROUND INFORMATION:

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. In compliance with the settlement agreement, staff prepared the draft FY 2005/06 Prospective Plan.

The City's estimated FY 2005/06 Annual Obligation is approximately \$5.75 million. Based upon current estimates, however, staff expects to have spent \$530,000 over the FY 2004/05 Annual Obligation and \$512,000 over the FY 2003/04; thus reducing the Annual Obligation for FY 2005/06 to approximately \$4.71 million. The FY 2005/06 Prospective Plan (Exhibit A) proposes to expend \$5.87 million on several program areas. Staff recognizes that \$1.16 million is significantly over the FY 2005/06 Annual Obligation, however, the FY2005/06 Capital Improvement Program proposes to deliver a high number of projects with accessibility features that are eligible under the settlement agreement. This fact, in conjunction with the mandated requirements of the settlement agreement, accounts for the Prospective Plan being over the FY 2005/06 Annual Obligation. Staff expects that every year there will be either an overage or shortage carried forward from the prior year. This is due to the nature of delivering construction projects.

FINANCIAL CONSIDERATIONS:

The approved FY 2005/06 Capital Improvement Program budgeted \$5,413,800 to the Public Right-of-Way Accessibility project (PN: RG76). This represents twenty percent of the City's transportation funds as required under the settlement agreement. The remaining funds to support the Prospective Plan are included within existing Capital Improvement Program projects.

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.

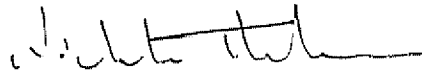
POLICY CONSIDERATIONS:

Implementation of ADA accessibility programs and improvements is consistent with the City's Strategic Plan goal to improve and diversify the transportation system.

ESBD CONSIDERATIONS:

No goods or services are being purchased

Respectfully submitted,



Nicholas Theocharides
Engineering Services Manager

RECOMMENDATION APPROVED:

Approved:



ROBERT P. THOMAS
City Manager



Marty Hanneman
Director, Department of Transportation

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- 2) Exhibit A, FY 2005/06 Prospective Plan, pages 5-7

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RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

**AMERICANS WITH DISABILITIES ACT (ADA) RIGHT-OF-WAY
IMPLEMENTATION PLAN – APPROVE FY 2005/06 PROSPECTIVE PLAN FOR
PEDESTRIAN RIGHTS-OF-WAY IMPROVEMENTS**

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO THAT:

- The FY 2005/06 Prospective Plan for Pedestrian Rights-of-Way (Exhibit A) is hereby approved.

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

City of Sacramento

FY 2005/06 Prospective Plan for Pedestrian Rights-of-Way Projects

Program Area	Description of Accessibility Work	Estimate ¹
Curb Ramps	Curb Ramps associated with Citizen Requests, Resurfacing Program, Sidewalk Repairs, Drain Inlet Upgrades and Neighborhood Traffic Management Program (NTMP). Estimated 733 ramps. ²	\$3,518,400
Citizen Requests	Citizen requests related to crosswalks, truncated domes, audible signals and other accessibility needs.	\$100,000
Truncated Domes	Place Truncated Domes on previously constructed curb ramps. Estimated 300 Truncated Domes.	\$200,000
3rd Party Agreement Projects	Funds to support projects developed under the Third Party MOU.	\$100,000
Developer Reimbursement of Non-Required Ramps	The City reimburses private developers for the costs of installing non-required, compliant curb ramps on the newly constructed sidewalks that are rebuilt around the development.	\$100,000
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.	\$1,854,759
TOTAL		\$5,873,159

¹ Estimate of fund distribution to the various program areas. Fund distribution may change during the year to better support the needs of the different Program Areas

² This number represents an estimate of required ramps. Further inspection and evaluation will determine the actual number of ramps needed.

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Specific Capital Improvement Projects with Accessibility Features

KD51	Southside Board Walk in Old Sacramento	Project includes the installation of a pedestrian signal and a new sidewalk and boardwalk on Front Street between Capitol Mall and Joe's Crabshack	\$ 51,435
RI26	Folsom midblock in front of Trader Joe's	Installation of one triple four crosswalk	\$ 4,880
SM08	Florin Perkins and 23rd Avenue	Construction of 4 ped heads, sidewalk, curb and gutter work and installation of 3 curb ramps.	\$ 16,958
SM11	Florin Road and Luther	Construction of 6 ped heads, sidewalk, curb and gutter work and installation of 2 curb ramps.	\$ 12,614
TN40	Curtis Park NTMP	Installation of two triple four crosswalks with signs and legends	\$ 2,440
TN44	McKinley NTMP	One triple four crosswalk with signs and legends	\$ 4,880
TN44	Vallejo NTMP	Installation of raised or stamped crosswalk	\$ 18,300
TN50	Newton Booth NTMP	Installation of three triple four crosswalks with signs and legends, one ped island, two standard crosswalks	\$ 14,640
TN53	Del Verde NTMP	One triple four crosswalk	\$ 4,880
TN54	Mangan Park NTMP	Installation of two standard crosswalks	\$ 1,220
TR21	South Land Park Drive Reconstruction - Moss to Sutterville	Construction of sidewalk, curb and gutter work and installation of 6 curb ramps.	\$ 82,275
TU22	Richards Boulevard/12th and 16th Street	Construction of sidewalk, and installation of 14 curb ramps.	\$ 164,578
TU76	West El Camino and Mill Creek	Construction of 8 ped heads signals, sidewalk, curb and gutter work and installation of 8 curb ramps.	\$ 90,890
TV41	37th Street Reconstruction - S to T Street	Construction of sidewalk, and installation of 6 curb ramps.	\$20,758

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TW52	Bruceville Road Widening	Construction of sidewalk, curb and gutter work and installation of 24 curb ramps.	\$ 236,634
TW71	Meadowview Fence and Ped. Traffic Signal	The cost includes the installation of a pedestrian signal and two curb ramps.	\$ 117,730
TX41	North B Street Reconstruction - 7th to 12th Street	Construction of sidewalk, curb and gutter work and installation of 4 curb ramps.	\$ 94,415
TY06	65th Street Widening - 14th Ave. to 21st Ave	Construction of sidewalk, curb and gutter work and installation of 12 curb ramps.	\$ 293,446
TZ36	65th Street - Lemon Hill Avenue to Fruitridge Road	Construction of sidewalk, and installation of 34 curb ramps.	\$ 422,852
TZ86	8th Avenue Area Improvements	Construction of sidewalk, curb and gutter work and installation of 20 curb ramps.	\$ 157,602
None	Plaza Lofts 9 th and J Streets	Construction of compliant sidewalk, curb and gutter work and installation of curb ramp.	\$ 41,332

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