



## City Council Report

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Sacramento, CA 95814

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**File ID:** 2019-00301

March 26, 2019

**Consent Item 17**

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**Title:** Approval of Americans with Disabilities Act (ADA) Public Right-of-Way Prospective Plan for Fiscal Year 2018/19

**Location:** Citywide

**Recommendation:** Pass a Motion approving the Americans with Disabilities Act (ADA) Public Right-of-Way Prospective Plan for Fiscal Year 2018/19.

**Contact:** Cecilyn Foote, Associate Civil Engineer (916) 808-6843; Nader Kamal, Interim Engineering Services Manager (916) 808-7035, Department of Public Works

**Presenter:** None

**Attachments:**

1-Description/Analysis

2-FY2018/19 Prospective Plan for Accessibility Improvements in the Public Rights-of-Way

## Description/Analysis

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

The *Barden, et al., v. City of Sacramento* class action lawsuit was settled effective 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 the public rights-of-way. The obligation under the Barden settlement agreement lasts 30 years from the above effective date.

Under the terms of the settlement agreement, the City agreed to submit to Barden's 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 FY2018/19 ADA Prospective Plan. City Council approval of the FY2018/19 Prospective Plan is needed prior to its submittal to the Class Counsel.

The City's estimated FY2018/19 Annual Obligation is approximately \$5,096,200. The FY2018/19 Prospective Plan expenditures are estimated to be \$4,569,000.

Staff expects that every year there will be either an overage or a shortage in expenditures carried forward from the prior year. In past years, the City typically exceeded the Annual Obligation and carried an overage forward. The current ADA overage is more than \$6 million.

**Policy Considerations:** Implementation of the ADA accessibility programs and improvements is consistent with the City's General Plan goals of providing an obstacle free and continuous pedestrian network in existing and new neighborhoods so that they are safe and universally accessible.

**Economic Impacts:** None

**Environmental Considerations:** Approval of the FY2018/19 Prospective Plan is not subject to the provisions of the California Environmental Quality Act (CEQA). Under CEQA General Rule 15061-B-3, CEQA applies only to projects which have the potential for causing a significant effect on the environment. This action will have no effect on the environment, and is thus, not subject to CEQA.

Prior to final approval, each individual project included in this prospective plan will be subject to environmental review in compliance with CEQA.

**Sustainability:** Implementation of the ADA accessibility programs, services and improvements is consistent with the sustainability goal of improving air quality by designing and constructing pedestrian ways that encourage walking.

**Commission/Committee Action:** Staff presented and reviewed the FY2018/19 Prospective Plan with the Disability Advisory Commission (DAC) on September 20, 2018. The DAC reviewed the proposed project expenditures contained in the Plan and agreed that they provide important accessibility improvements that will assist in furthering the City’s efforts to accommodate persons with disabilities. The DAC expressed appreciation to the Department of Public Works’ ongoing efforts to improve disability access and accepted the FY2018/19 Prospective Plan (Attachment 2).

**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 estimated value of the FY2018/19 Prospective Plan for Accessibility Improvements in the Public Rights-of-Way is \$4,569,000.

The FY2018/19 ADA Prospective Plan is being funded through the following capital improvement projects and programs:

<u>Program</u>	<u>Budget</u>
Accessibility Program FY2019 (T15190600)	\$500,000
Transportation Corridor Improvements FY19 (R15190000*)	\$1,221,000
Mae Fong Park Path (K15185100)	\$126,000
Ramona Avenue Extension (T15018400)	\$939,000
Folsom Boulevard Complete Street (T15135100)	\$185,000
R Street Improvements – Phase 3 (T15135900)	<u>\$1,598,000</u>
	\$4,569,000

\*Funds from Street/Bikeway Overlay & Seals FY18 (R15182000) are in the process of being transferred into R15190000.

**Local Business Enterprise (LBE):** Not applicable.

**FY 2018/19 Prospective Plan  
For Accessibility Improvements in the Public Rights-of-Way**

<b>Program Area</b>	<b>Description of Accessibility Work</b>	<b>Estimate</b>
Curb Ramps, Detectable Warning Tiles, and Sidewalk	Curb ramps associated with Street Overlays, Detectable Warning Tiles, Sidewalk Repairs and Drain Inlet Upgrades. Estimated 169 curb ramps.	\$1,521,000
Citizen requested curb ramps	Curb ramps installed along class members' daily path of travel upon request and maintenance efforts. Estimated 16 curb ramps.	\$130,000
Transportation Division Accessibility Improvements	Estimated 6 curb ramps in support of crosswalk installations, accessibility work within pedestrian islands, etc.	\$50,000
3rd Party Agreement Projects	Funds to support projects developed under the Third Party MOU.	\$20,000
Accessibility features within other Capital Improvement Projects (CIP 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.	\$2,848,000
<b>TOTAL ESTIMATED COSTS</b>		<b>\$4,569,000</b>

**Specific Capital Improvement Projects with Accessibility Features  
FY 2018/19 Prospective Plan**

<b>CIP No.</b>	<b>Project Name</b>	<b>Project Description</b>	<b>Estimated Cost</b>
K15185106	Mae Fong Park Path	Construct a multi-use trail and install flashing beacons and hand railing.	\$126,000
T15018400	Ramona Avenue Extension	Construct sidewalk and curb ramps and install a traffic signal, hand railing, and marked crosswalks.	\$939,000
T15135100	Folsom Boulevard Complete Street	Construct sidewalk, curb and gutter, and curb ramps and install marked crosswalks.	\$185,000
T15135900	R Street Improvements – Phase 3	Construct new sidewalk, curb and gutter, and curb ramps and install marked crosswalks.	\$1,598,000
<b>TOTAL ESTIMATED CIP COSTS</b>			<b>\$2,848,000</b>