

City of Sacramento

Legislation Text

File #: 2019-01755, **Version:** 1

Title:

Approval of Americans with Disabilities Act (ADA) Public Right-of-Way Prospective Plan for Fiscal Year 2019/20

File ID: 2019-01755

Location: Citywide

Recommendation:

Pass a Motion approving the Americans with Disabilities Act (ADA) Public Right-of-Way Prospective Plan for Fiscal Year (FY) 2019/20.

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-FY2019/20 Prospective Plan for Accessibility Improvements in the Public Rights-of-Way

Description/Analysis

Issue Detail: 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. 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. In compliance with the settlement agreement,

staff prepared the FY2019/20 ADA Prospective Plan. City Council approval of the FY2019/20 Prospective Plan is needed prior to its submittal to the Class Counsel.

The City's estimated FY2019/20 Annual Obligation is approximately \$5,111,800. The FY2019/20 Prospective Plan expenditures are estimated to be \$5,657,000.

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 \$8 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 FY2019/20 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 active modes of travel for people of all abilities.

Commission/Committee Action: Staff presented and reviewed the FY2019/20 Prospective Plan with the Disability Advisory Commission (DAC) on November 6, 2019. The DAC reviewed the proposed project expenditures and accepted the FY2019/20 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 estimated value of the FY2019/20 Prospective Plan for Accessibility Improvements in the Public Rights-of-Way is \$5,657,000.

The FY2019/20 ADA Prospective Plan is being funded through the following capital improvement projects and programs:

<u>Program</u>	<u>Budget</u>
Accessibility Program FY20 (T15200600)	\$270,000
Transportation Corridor Improvements FY20 (R15200000)	\$2,063,000
New Market Drive Extension (L19140413)	\$311,000
HSIP Pedestrian Islands and Flashing Beacons (T15165600)	\$1,226,000
HSIP Pedestrian Hybrid Beacons (T15166000)	\$1,338,000
HSIP Traffic Signal Modifications (T15166100)	\$172,000
Sutterville Road Pedestrian Crossing (T15185500)	<u>\$277,000</u>
	\$5,657,000

Local Business Enterprise (LBE):Not applicable.