

CITY OF OAKLAND



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Date: October 15, 2014  
To: Mayor's Commission on Persons with Disabilities (MCPD) and Commission on Aging (CoA) Joint Access Compliance Advisory Committee  
Attn: Scott Blanks (MCPD) ACAC Co-chair  
Donna Murphy (CoA) ACAC Co-chair  
From: Kevin Kashi, Supervising Civil Engineer, OPW  
CC: Stephen Beard, Chairperson, MCPD  
Gus Amirzehni, Engineering, Design, and Right-of-Way Manager, OPW  
Sherri Rita, Acting ADA Projects Coordinator, OPW  
**Re: DRAFT Biannual Curb Ramp Activities Report: January through June 30, 2014**

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## INTRODUCTION

This draft report provides information about the City's curb ramp activities for the six-month period beginning January 1, 2014 and ending June 30, 2014 pursuant to the City's ADA Curb Ramp Transition Plan and through the construction/reconstruction of curb ramps by the City or others.

Oakland Public Works Department (OPW), Bureau of Engineering and Construction (BEC), administers the City's curb ramp and sidewalk repair programs. The Right of Way Management (ROWM) Division in BEC is responsible for developing curb ramp standards that will be applicable to all public right of way improvements under the City's jurisdiction, including work performed by the City and others (private developers, utility companies, etc.). ROWM administers the City's on-call and infill (corridor) curb ramp construction budgets, inspects curb ramp construction by the City or others, and maintains the City's curb ramp Geographic Information System (GIS) database. As part of its curb ramp repair and construction activities, the City makes necessary sidewalk repairs in order to improve the path of travel served by these curb ramp locations, and pursuant to priorities set forth in the City's Sidewalk Repair Program.

The ADA Programs Division in BEC develops citywide ADA policy, including the ADA Curb Ramp Transition Plan (2009), and provides direct support, technical assistance, and monitoring for BEC right-of-way access compliance activities. The Mayor's Commission on Persons with Disabilities (MCPD) acts as the City's designated ADA advisory body and receives biannual Curb Ramp Activities reports from ROWM.

## **CURB RAMP TRANSITION PLAN TIMELINE**

The City began installing curb ramps in 1976 in response to Section 504 of the Rehabilitation Act of 1973. Access California, located in the office of the City Manager, completed a curb ramp survey in 1984. The survey identified priority intersections for curb ramp construction. The report was the product of a thorough public input and review process and was the source of curb ramp priorities through 2004. From 1976 to 1989, 1,694 curb ramps were constructed.

The Americans with Disabilities Act of 1990 required public entities to develop a transition plan for removing physical obstacles in buildings and facilities that prevent persons with disabilities from accessing programs and services. Similarly, the ADA required the development of a plan for making the public right of way accessible, giving priority to paths of travel leading to state and local government offices, transportation, places of public accommodation, and employment.

Soon after passage of the ADA, the City recognized that it would take some time to construct or reconstruct the 17,000 curb ramps at the locations that were deemed to require them at that time.

In Fiscal Year 1990-91, the City launched the On-Call Curb Ramp Program to ensure access for people with disabilities living and working in Oakland during the lengthy transition period. The Program is currently funded by the City's general fund and state gas tax funds. The On-Call Curb Ramp Program constructs curb ramps on an individual basis in response to requests from qualified persons with disabilities. Generally, requests come from residents with disabilities who wish to accommodate their activities of daily living.

In January 1996, the City prepared its transition plan with respect to buildings and facilities. The 1996 Buildings and Facilities Transition Plan included curb ramp needs for off-street facilities and priorities for curb ramp installation at existing street corners. The Buildings and Facilities Transition Plan incorporated by reference a citywide curb ramp survey completed in 1994. Another citywide curb ramp survey was completed in 2002. The City operated robust curb ramp programs from 1996 to 2007 but these programs were not memorialized in the 1996 Plan.

Pursuant to *Fairfield v. Oakland* (2007), the ADA Programs Division developed a separate ADA Curb Ramp Transition Plan to formalize long-standing curb ramp policies, practices and procedures and to adopt new ones as necessary to substantially comply with federal mandates. The ADA Curb Ramp Transition Plan was adopted by Council resolution on May 5, 2009.

In 2013, OPW adopted the latest State of California, Department of Transportation (Caltrans) Standard Plans and Details for all ADA features such as curb ramps, disabled parking zones, and passenger loading zones constructed or reconstructed in the public right of way under the City's control or jurisdiction.

## THE CURB RAMP TRANSITION PLAN PRIORITIES

Under the Curb Ramp Transition Plan, the City anticipated the installation or reconstruction of an average of 500 curb ramps via city projects, and an additional 150 curb ramps on average as a result of private development. Requests for curb ramps from persons with disabilities at locations not otherwise scheduled for improvement that are received through the On-Call Program receive first priority under the Plan. Approximately 100 of the curb ramps to be constructed or reconstructed annually are in response to these on-call requests. In addition to responding to requests from persons with disabilities, the City conducts curb ramp infill activities using a corridor-based approach.

The following location (land use) priorities for curb ramp infill activities set forth in the Transition Plan are based upon U.S. Department of Justice ADA Title II Regulations, the City of Oakland General Plan (1998), and best practices of other jurisdictions:

- Tier 1: Transit streets and centers
- Tier 2: Public facilities
- Tier 3: Privately-owned public accommodations
- Tier 4: Locations that do not fall into any of the above groups but are within 100 feet of a sidewalk route.
- Tier 5: Locations that do not fall into any of the above groups and are greater than 100 feet from a sidewalk route. These locations are neither counted as “possible locations” nor scheduled for improvement.

In addition to implementing the Curb Ramp Transition Plan and administering the longstanding On-Call Curb Ramp Program, the City conducts various capital improvement programs under which curb ramps are constructed or reconstructed, involving streetscaping, street resurfacing, and sidewalk repair projects. Curb ramp construction and reconstruction and sidewalk repairs are also completed through private improvements inspected by City staff. It is City policy to require all four corners of intersections affected by new construction or alterations to be inspected and brought into compliance with current curb ramp standards.

Shortly after the passage of the ADA, 17,500 curb ramp locations were identified; by the time the Curb Ramp Transition Plan was adopted in 2009, 18,687 locations had been identified. As of June 30, 2014, there are now a total of 18,133 known locations; the reduction in number is due to the fact that the original inventory included undeveloped areas in the Oakland hills; these areas are now excluded from the current inventory. The methodology for accounting for curb ramp locations depends upon location conditions. Certain street corners will accommodate dual (two) directional ramps and will be counted as two locations. Other street corners will accommodate only one diagonal or directional ramp due to obstructions, and will be counted as one location.

## **STATUS OF CURB RAMP TRANSITION PLAN, JANUARY-JUNE 2014**

The total budget for curb ramps is currently set at \$660,000 annually. These funds derive from the following source: Fund 2211 Measure B, ADA 30-year Transition Plan.

Staff continues to complete work pursuant to curb ramp requests from qualified residents with disabilities within the 180 day timeline established by the On-Call policy. As part of investigating requested locations, necessary sidewalk repairs are also identified and included in the work.

In early 2014, ROWM developed new GIS mapping tools for tracking curb ramp inventory and making updates to curb ramp locations. Since this GIS database was based on data collected in 2002, ROWM anticipates a new survey of street and sidewalk conditions will be a key component of the City's impending update to the Buildings and Facilities Transition Plan and the creation of a new Public Right of Way Access Transition Plan. This latter new plan will bring together curb ramp, sidewalk and other right of way improvement priorities into one coherent policy so that each of these elements to making the right of way accessible are addressed in tandem.

Findings set forth in the City of Oakland's 2014 Infrastructure Report, set to be released in the fall of 2014, will also impact planning and priorities for the City going forward. At current funding levels and with an average cost of \$2000 per curb ramp, it is estimated that the City can complete its entire curb ramp system in 18 years. To complete the work at once would require adding \$27 million to what is currently allocated.

## **CURB RAMP ACTIVITIES JANUARY THROUGH JUNE 2014**

The tables on the following pages contain data provided by OPW Right of Way Management in September 2014 to summarize its curb ramp activities through June 2014 and sidewalk repair activities for the entirety of FY 2013-2014. The data presented herein should be reviewed with the following considerations in mind:

- Numbers may not reflect current field conditions or include all curb ramps constructed or reconstructed or sidewalks repaired to date as surveying and data collection is ongoing.
- The total number of curb ramps reported represent only confirmed locations. There is typically a lag time between the time curb ramps are constructed and the time they are reported and confirmed.
- Curb ramp locations identified as compliant are those that were deemed visually compliant as of 2002 or where curb ramps have been constructed or reconstructed since 2002; locations identified as non-compliant (non-existent or deteriorated curb ramps) includes locations that were considered visually non-compliant as of the 2002 survey.

**Table 1: Citywide Curb Ramp Status All Locations**

	<b>January 2014</b>	<b>Change</b>	<b>June 2014</b>
Compliant curb ramps	8168	An additional 252 curb ramps were installed	8,420
Non-compliant ramps	2,111	202 existing ramps were upgraded to compliance	1,909
Locations without curb ramps	7843	39 ramps were installed at locations	7,793
New curb ramp locations	n/a	11 ramps were added (new inventory)	11
<b>Total Locations</b>	<b>18,122</b>		<b>18,133</b>

**Table 2A: Summary of Curb Ramps Constructed or Reconstructed Annually Since 2009**

<b>Fiscal Year</b>	<b>City</b>	<b>Others</b>	<b>Total</b>
2008-2009	300	216	566
2009-2010	435	140	575
2010-2011	553	6	559
2011-2012	478	0	478
2012-2013	501	23	524
2013-2014	590	0	590
<b>Totals</b>	<b>2857</b>	<b>385</b>	<b>3292</b>

**Table 2B: Six-Year Summary, FY 2008/09-FY 2013/14**

<b>Required Number of Curb Ramps to be Constructed FY 2008/09-FY 2013/14 (as per 2009 Curb Ramp Transition Plan)</b>	<b>FY 2008/09-FY 2013/14 Total Curb Ramps Constructed/Reconstructed</b>	<b>Difference</b>
3900	3292	-608

**Table 3: Projects with Curb ramps (*tracking table*)**

City Fund #	Project #	Project Description	# of Ramps Proposed	Projected Construction Date	Status as of 6/30/2014
Watershed and Storm water	G444210	Various sites in West Oakland (Ettie Street Watershed)	4		Completed
Measure DD, DOT	C277110	Lake Merritt Channel at 10th Street	2	September-14	Design
Measure B ACTIA / DOT	G347210 - H83210	23rd Avenue Bridge Retrofit	0	May-15	Design
Measure B ACTIA / DOT	G121810	Embarcadero Bridge Replacement	3	May-14	Design
ORA / Measure B / ARRA	G313110	7th Street between Union and Peralta St	25		Design
ORA	P233282	Foothill Blvd. Between 35th Ave and High Street	6		Completed
ORA	C435410	Foothill Blvd - Phase II	23	July-14	Construction
ORA	C429610	Foothill / Seminary street improvement	23	August-14	Construction
ORA	P400210	Foothill/ High/ Melrose street improvement	19	June-15	Construction
2163	P414210	Peralta / MLK street improvement	50	August-15	Design
2163	TBD	7th Street - Phase II street improvement	25	August-15	Design
ORA	P233285	East 18th Street from Lakeshore Avenue to 4th Ave.; Bulb-outs, crosswalk and signals along Park Blvd at E. 19th, Newton Ave, and E. 21st St.	9	October-13	Completed

City Fund #	Project #	Project Description	# of Ramps Proposed	Projected Construction Date	Status as of 6/30/2014
Caltrans DOT	G381113	Lancaster Street between Glascock and Chapman Streets. And Chapman Street between Lancaster to the dead end (at UPRR)	2	July-13	Completed
Prop 1C	C366920	Coliseum Transit Village - Street Improvements on Snell from 69th to 71st Ave; on Lion Way from 70th to 71st Ave	4	May-13	Bid and Award
ORA	P402310	Street Improvements on 14th Ave from E 8th St to E 27th St	30	April-13	Design
State Dept. of housing and community	C464540	Street rehab. 17th street between Castro , Lakeside, Jackson	27	September-14	Construction
Measure B-ACTIA	C428011	Citywide Curb Ramp and Sidewalk Repair	250	May-13	Construction
Measure B-ACTIA	C428012	Citywide Curb Ramps and Sidewalk Repair	280	January-14	Construction
Measure B-ACTIA	G427410	Citywide Street Reconstruction and Rehabilitation	138	June-13	Completed
Measure B-ACTIA	C369650	Citywide Street Reconstruction and Rehabilitation	94	June-13	Construction
Measure B-ACTIA	C369640	Citywide Resurfacing	163	June-14	Construction
Measure B - ACTIA and Measure F	G427430	Citywide Resurfacing	80	April-14	Design
Measure DD	C241610	12th Street from E18th to Oak	11	September-13	Completed

City Fund #	Project #	Project Description	# of Ramps Proposed	Projected Construction Date	Status as of 6/30/2014
Building and Facilities	G44410, G421610	1520 Lakeside Drive	2	September-13	Completed
Measure DD	C422210	Lake Merritt Retaining Wall Repair	1	September-13	Completed
Measure B - ACTIA and Measure F	C369630	Citywide Resurfacing	135	October-13	Completed
TOTAL			1406		

## CONCLUSION

In 2013-2014, the City constructed more ramps than ever in the history of the Curb Ramp Transition Plan. The program began relatively strong in Fiscal Year 2008-2009 with the construction of 566 ramps, although short of the 650 annual target. Due to the economic downturn, which affected both city projects but and private development, the numbers gradually decreased to an all-time low of 478 Fiscal Year 2011-2012. The numbers have gradually and consistently increased since, however, with FY 2013-2014 being the all-time high. With additional projects still in the development or construction stages, the numbers can be expected to continue to grow in FY 2014-2015.

The Curb Ramp Transition Plan and the City's On-Call Curb Ramp Program, along with the ADA Sidewalk Repair program, continue to be the main vehicles for making access improvements in the public right of way. Additional improvements are included as a matter of course in other capital improvement projects and are required of private development. The curb ramp and sidewalk inventory will be updated pursuant to the revamp of the City's ADA Transition Plan, which is in the pre-planning stages for Fiscal Year 2014-15. This effort, along with the development and implementation of a new Public Right of Way Access Transition Plan, will provide a new framework for continuing the City's prioritization of projects that improve Oakland's public right of way accessible to all users.