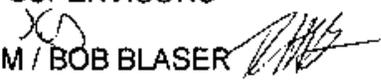


MEMORANDUM

DEPARTMENT OF PUBLIC WORKS
County of Placer

TO: BOARD OF SUPERVISORS

DATE: April 29, 2008

FROM: KEN GREHM / BOB BLASER 

SUBJECT: APPROVE THE PRELIMINARY TRANSITION PLAN
FOR COUNTY MAINTAINED ROADWAYS

ACTION REQUESTED / RECOMMENDATION

Adopt a Resolution approving the Preliminary Transition Plan for County Maintained Roadways.

BACKGROUND / SUMMARY

The Americans with Disabilities Act (ADA) of 1990, along with its implementing regulations, and the California Government Code Sections 4450 et seq. prescribe that facilities shall be made accessible to persons with disabilities. The Federal Highway Administration has reaffirmed that the *Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities* (ADAAG) shall apply to the design of Caltrans facilities under Title II of the ADA, which applies to the operations of State and local governments. Federal Funding can be withheld if agencies do not comply with these regulations.

The goal of the County of Placer Preliminary Transition Plan for County Maintained Roadways is to outline what has been accomplished to date, what is currently being done, and what the ongoing efforts will be to ensure that the County creates accessible paths of travel in the public right of way for people with disabilities.

DPW/County has completed much over the years to meet all requirements and regulations. Previous accomplishments include:

- Upgrading standards to meet all requirements
- Improving existing problem ramps
- Improving signal design standards
- Improving roadway signage and striping markings
- Upgrading new construction design standards to meet changing regulations
- Responded to individual requests to address specific path of travel issues
- Created web based link to DPW/ADA Coordinator

While these measures will continue, this Board action helps formalize processes and efforts. DPW will continue to develop a Final Transition Plan, capital improvement list and a schedule of implementation by January 31, 2009.

ENVIRONMENTAL

The proposed action is not a project as defined by Public Resources Code Section 15378 of the CEQA guidelines and as such it is not subject to review under CEQA.

FISCAL IMPACT

No fiscal impact associated with the action requested. The development of the Final Transition Plan is included in this year's operating budget. Future costs will be identified in the Final Transition Plan.

Attachment: Preliminary Transition Plan w/o
Appendix

A copy of the Preliminary Transition Plan
(Appendix is on file for viewing with the
Clerk of the Board.

**Before the Board of Supervisors
County of Placer, State of California**

In the matter of: ADOPT A RESOLUTION
APPROVING THE PRELIMINARY TRANSITION
PLAN FOR COUNTY MAINTAINED
ROADWAYS.

Resol. No:.....

Ord. No:.....

First Reading:.....

The following RESOLUTION was duly passed by the Board of Supervisors
of the County of Placer at a regular meeting held _____,

by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Attest:
Clerk of said Board

Chairman, Board of Supervisors

WHEREAS, The Americans with Disabilities Act (ADA) of 1990, along with its implementing regulations, and the California Government Code Sections 4450 et seq. prescribe that facilities shall be made accessible to persons with disabilities; and

WHEREAS, Title II indicates that a public agency must evaluate its facilities and public areas to determine whether or not they are in compliance with the nondiscrimination requirements of the ADA. Federal Funding can be withheld if agencies do not comply with these regulations; and

WHEREAS, The County of Placer is and has been committed to adhering to the requirements of the ADA.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Placer, State of California, as follows:

The Placer County Board of Supervisors approve the Preliminary Transition Plan for County Maintained Roadways.

Americans with Disabilities Act
County of Placer
Preliminary Transition Plan
For
County Maintained Roadways



Placer County
Department of Public Works

April 10, 2008

TABLE OF CONTENTS

I.	Introduction	1
	Goals and Objectives	1
	Placer County Commitment	1
II.	ADA Legislative Requirements/Background	2
	Title I: Employment	2
	Title II: Public Services	3
	Title III: Public Accommodations	3
	Title IV: Telecommunications	3
	Title V: Miscellaneous Provisions	3
	Curb Ramps	4
III.	County Responsibilities under the ADA	4
IV.	Transition Plan Content	5
V.	Self Evaluation	5
	Table I: Curb Ramps Main Evaluation Factors	5
	Table II: Summary of Current Findings	6
VI.	Current/Future Standards	7
VII.	Transition Plan Program Implementation	7
VIII.	Schedule	8
IX.	Responsible Individual	8
X.	Appendices	8

I. INTRODUCTION

Goals and Objectives

The Americans with Disabilities Act (ADA) of 1990, along with its implementing regulations, and the California Government Code Sections 4450 et seq. prescribe that facilities shall be made accessible to persons with disabilities. The Federal Highway Administration has reaffirmed that the *Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities* (ADAAG) shall apply to the design of Caltrans facilities under Title II of the ADA, which applies to the operations of State and local governments. Federal Funding can be withheld if agencies do not comply with these regulations.

The goal of the County of Placer Preliminary Transition Plan for County Maintained Roadways is to outline what has been accomplished to date, what is currently being done, and what the ongoing efforts will be to ensure that the County creates accessible paths of travel in the public right of way for people with disabilities.

To this end, DPW will continue to develop a capital improvement list and schedule of implementation by February of 2009. The County will also provide opportunities for interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the development of the Transition Plan by submitting comments and making specific recommendations.

Placer County Commitment

Placer County's government has made a significant and long-term commitment to improving the accessibility of the public right of way. The Department of Public Works (DPW) has been the primary leader in these efforts, in prioritizing and funding curb ramp construction following ADA requirements.

Improvements in the public right of way can be characterized in the following ways:

1. Maintenance and Repair Projects and Programs
2. Capital Projects for Alterations
3. Capital Projects for New Construction
4. Improvements made during private land development improvement projects
5. Improvements made to existing roadway facilities previously constructed

Maintenance and Repair Projects and Programs: Work that specifically addresses spot areas that are limited to normal maintenance and repairs in the public right-of-way will maintain accessibility of the public right-of-way.

Capital Projects for Alterations: Work that under the ADA would be considered an alteration of existing public right-of-way will provide new and upgrade existing accessible features in the project area to meet current design standards.

Capital Projects for New Construction: Work that involves creating new public right-of-way will provide accessible features in the project area that meets current design standards.

Improvements made during private land development improvement projects: Since 1990, curb ramps have been required to be constructed to current standards in all new land development projects of the County. Changes in standards since 1990 has resulted in the existence of many curb ramps which are out of compliance.

Improvements made to existing roadway facilities previously constructed: There are roadways where improvements such as curb ramps exist that were constructed previously and do not meet current standards. Programs to upgrade these ramps to current standard have been implemented to some degree and need to be identified in the Transition Plan.

Placer County is thoroughly committed in making all sidewalk and curb ramp areas accessible to all pedestrians including those with disabilities. It is the goal to work within budget and resource constraints and complete the Transition Plan by December 31, 2008.

This update is needed not only to comply with the ADA requirements, but to also ensure that citizens can travel safely throughout the unincorporated County.

II. ADA LEGISLATIVE REQUIREMENTS/BACKGROUND

The Americans with Disabilities Act (ADA), enacted on July 26, 1990, provides comprehensive civil rights protections to persons with disabilities in the areas of employment, state and local government services, transportation, telecommunications and access to public accommodations. The ADA is a companion civil rights legislation to the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973. This legislation mandates that qualified disabled individuals shall not be excluded from participation in, denied the benefit of, or be subjected to discrimination under any program or activity.

The legislative requirements of the ADA are divided into five parts, covering the following areas:

Title I: EMPLOYMENT

Under this Title, employers, including governmental agencies, must ensure that their practices do not discriminate against persons with disabilities in the application, hiring, advancement, training, compensation, or discharge of an employee, or in other terms, conditions, and rights of employment.

Title II: PUBLIC SERVICES

This Title prohibits state and local governments from discriminating against persons with disabilities or from excluding participation in or denying benefits of public programs, services, or activities to persons with disabilities. Curb ramps, sidewalks, and other roadway access issues are required as part of this title. A Transition Plan is intended to outline the methods by which physical or structural changes will be made to effect the non-discrimination policies described in Title II. It is under this Title that a Transition Plan is prepared. This Preliminary Transition Plan begins the process of formalizing existing policies and practices, leading to the formal plan.

Title III: PUBLIC ACCOMMODATIONS

Title III requires places of public accommodation to be accessible to and usable by persons with disabilities. The term "public accommodations" as used in the definition is often misinterpreted as applying to public agencies, but the intent of the term is to refer to any privately funded and operated facility serving the public.

Title IV: TELECOMMUNICATIONS

This Title covers regulations regarding private telephone companies and requires common carriers offering telephone services to the public to increase the availability of interstate and intrastate telecommunications relay services to individuals with hearing and speech impairments.

Title V: MISCELLANEOUS PROVISIONS

This Title contains several miscellaneous regulations, including construction standards and practices, provisions for attorney's fees and technical assistance provisions.

Both the Rehabilitation Act, Section 504 (1973) and the ADA, Title II, (1990) required state and local governments receiving federal funds to do a self-evaluation of their facilities and identify barriers, which prevent individuals with disabilities from accessing public areas. While Placer County did not prepare a formal written document, staff began to implement processes, procedures and practices that accomplished the intent of the legislation.

Specifically, new construction standards and requirements were implemented to insure that new development would be compliant. In addition, all new capital projects were designed to meet the latest accessibility requirements and standards.

Curb Ramps

Outside of sidewalks and traffic signals, curb ramps are one of the most used public service facilities of the roadways. Ramps are used by all pedestrians, including blind, disabled, and deaf to safely cross roads where controlled crossings are provided. Design and construction standards for ramps have evolved and changed over time as consensus has been forged by all users. This evolving nature of the standards has made it somewhat difficult to keep current of new needs, implement new standards, as well as retrofit non compliant facilities.

III. COUNTY RESPONSIBILITIES UNDER THE ADA

Placer County has various responsibilities under Title II of the ADA. Title II of the ADA is similar to Section 504 of the Rehabilitation Act of 1973, but differs in that Section 504 applies only to government agencies that receive federal financial assistance.

Title II mandates that a public agency such as Placer County operate each service, program or activity so that the service, program or activity, when viewed in its entirety, is readily accessible to and usable by individuals with disabilities. However, as described in Title 28 of the Code of Federal Regulations, Section 35.150(a) (hereafter referred to as the ADA Rules), this does not necessarily require a public agency to make each of its existing facilities accessible to and usable by individuals with disabilities. Nor does it require a public agency to take any action that would threaten or destroy the historical significance of an historic property. If the public agency can demonstrate that a modification would fundamentally alter the nature of its service, program or activity, or cause undue financial and administrative burdens, it is not required to make that particular modification.

Title II dictates that a public agency must evaluate its facilities and public areas to determine whether or not they are in compliance with the nondiscrimination requirements of the ADA. The regulations detailing compliance requirements were issued in July 1991. The requirements include completing a self-evaluation first to identify any areas not within compliance of the ADA standards. Next, a Transition Plan is to be prepared describing any necessary structural or physical changes needed to make all required areas accessible and compliant with ADA.

Placer County's plan as it relates to curb ramps and sidewalk accessibility on County maintained roadways per Section 35.150(d)(2) of the ADA Rules will do the following:

1. Identify inaccessible and non-compliant curb ramps and sidewalks located in the unincorporated portion of the County on County maintained roadways; and
2. Develop a planning schedule and budget for making corrections and repairs; and
3. Develop a repair/request procedure; and
4. Develop a grievance process; and
5. Implement a public involvement process; and
6. Provide a periodic review of standards and procedures

IV. TRANSITION PLAN CONTENT

A Transition Plan identifies physical obstacles in the public agency's facilities that limit the accessibility of its programs or activities to individuals with disabilities; describes in detail the methods that will be used to make the facilities accessible; specify the schedule for taking the steps necessary to achieve compliance in making the facilities accessible; and indicates the official responsible for implementation of the plan. In April, 1993, the County prepared and implemented its Transition Plan with respect to County facilities. A list of accessibility improvements to County facilities may be obtained from Dennis Salter, Architect, Facility Services, 11476 C Ave, Auburn, CA 95603.

In addition to the requirements for County facilities a public agency that has responsibility or authority over streets, roads or walkways, must also develop a transition plan to include a schedule for providing curb ramps or other sloped areas where pedestrian walks cross curbs, giving priority to walkways serving entities covered by the Act. The Department of Public Works has that responsibility.

V. SELF EVALUATION

The Department of Public Works has begun the self-evaluation process and completed a partial survey of County maintained intersections in unincorporated Placer County. We have surveyed approximately 80% of the existing curb ramps in western Placer County, totaling 448 curb ramps.

This survey consists of gathering specific, detailed information about each curb ramp. Among other things, evaluation factors consist of checking ramp slopes and cross-slopes, detectable markings within the ramp area, ramp connections to existing sidewalks, ramp surface condition, as well as, ramp orientation to the crossing direction.

Approximately twenty pieces of data were collected for each corner or side of an intersection, including crosswalk information, curb ramp width, depth, and slope. The curb ramp surveys are maintained in a separate Microsoft Access database. The database is too large to feasibly be presented within this Preliminary Transition Plan. A sample inspection sheet is attached for reference.

Table I shows Curb Ramp Main Evaluation Factors

In evaluating the accessibility of existing curb ramps we consider the following factors:

TABLE I - CURB RAMPS - MAIN EVALUATION FACTORS

EVALUATION FACTORS	STANDARDS
Curb Ramp Slope	Must be 8.33% or less
Curb Ramp Width	Must be 4'0" or greater
Curb Ramp Cross-Slopes	Must be 2% or less
Sidewalk Cross-Slope	Must be 2% or less
Sidewalk Width	Must be 4'0" or greater
Detectable Warning Systems*	Must be present - full ramp width

* *Currently under evaluation*

Upon completion of the survey, we will characterize curb ramps in the following categories:

1. Ramp exists, but its geometry (cross-slope, ramp slope, size of landing, etc. is out of compliance.
2. Ramp exists, geometry is acceptable, but does not have tactile warning surface at the bottom of the ramp.
3. Fully compliant.

Table II summarizes current findings

TABLE II – SUMMARY OF CURRENT FINDINGS

Total Estimated Number of Ramps	750	
Total Reviewed	448	% Non-Compliance (Based on 448 Reviewed)
Percent Reviewed 60% (Estimated)		
Ramp Slope Non-Compliance	104	23.2%
Ramp Width Non-Compliance	39	8.7%
Ramp Cross-Slope Non-Compliance	266	59.3%
Sidewalk Cross-Slope Non-Compliance	241	53.3%
Sidewalk Width Non-Compliance	17	5.8%
Detectable Warning Systems	Currently under review	
Total Non-Compliant*	342	76.3%

* Some ramps are non-compliant in more than one criteria

A full inventory is slated for completion by September of 2008.

After completion of the full county wide inventory, we will evaluate and prioritize the non-compliant facilities. This prioritized list will be matched against available and anticipated funding.

Once funding sources and budgets have been determined, we will identify a list of necessary improvements together with an implementation schedule. This Capital Improvement list and Implementation Plan will become part of the Transition Plan.

At this time it is not known exactly how many facilities are out of compliance, nor the cost associated in achieving compliance. However, assuming 440 ramps need to be modified, with an average cost of \$25,000 per ramp, the project cost would be in the neighborhood of \$10 million. Potential funding sources would be Road Fund Grants and private development funding.

ADA requires that the transition plan show a reasonable timeline to bring facilities into compliance. Not all facilities have to be modified immediately. Priorities will be established to facilitate the orderly improvement of non compliant ramps.

In creating priorities, it is the County's intent to evaluate all areas of potential deficiency, and to make structural changes where necessary. The assignment of priorities is intended to facilitate public review and to address specific concerns of the local disabled community. It must be emphasized that it is the County's intent that all individuals with disabilities be reasonably accommodated.

Whenever capital or maintenance funds are available to be committed solely to correcting pedestrian facilities, the following priority will be followed:

1. Known frequented routes of disabled citizens.
2. Facilities near heavily used public transit stops.
3. Facilities near essential public facilities.
4. Facilities near major commercial centers.
5. Facilities along major arterials.
6. Facilities along transit routes.
7. Facilities near neighborhood commercial development.
8. Facilities in residential neighborhoods.

VI. CURRENT/FUTURE STANDARDS

The County will use current the Caltrans ramp design standard (Revised Standard Plan A88A) to construct or reconstruct curb ramps. This standard is available from the Department of Public Works, on the Caltrans Website (www.dof.ca.gov/hq/esc/oc/project_plans/HTM/06_plans_disclaim_US.htm), and is also attached for reference.

VII. TRANSITION PLAN PROGRAM IMPLEMENTATION

Placer County is thoroughly committed in making all sidewalk and curb ramp areas accessible to all pedestrians including those with disabilities. Public Works will work within existing budgets and resource constraints and complete the Transition Plan by February of 2009.

During the development of the Transition Plan the County will continue to make necessary repairs to curb ramps and sidewalks. This has been a standard practice of the Department of Public Works, and is generally done on a request/complaint basis. Generally, these requests come from citizens with disabilities who wish to get to shopping areas, medical facilities, bus stops, transportation, and other facilities or areas to accommodate their activities of daily living. In the Transition Plan we will develop and implement a repair/complaint procedure that formalizes the current process. When requests come into the Department of Public Works ADA Coordinator, they will be logged into a Curb Ramp Request database and will be entered by date and time received. We will also develop and implement a similar formal grievance procedure.

Public Works will make available to applicants, participants, residents, and other interested parties, information regarding the development of the Transition Plan. Public Works will also provide opportunities for interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the development of the Transition Plan by submitting comments and making specific recommendations.

VIII. SCHEDULE

The purposed schedule of completion is follows:

Inventory of curb ramps	Ongoing and Completed by September 2008
Notification to interested parties	May/June 2008
Meetings of interested parties	June/July 2008
Establishment of Priority Criteria	August 2008
Development of Capital Improvement list	October 2008
Workshop on Improvement list and Schedule	January 2009
Presentation of Transition Plan to Board of Supervisors	February 2009

IX. RESPONSIBLE INDIVIDUAL

The Department of Public Works ADA Coordinator responsible for the development and implementation of Placer County's Preliminary Transition Plan with respect to curb ramps is Kevin Taber, Engineering Manager, 11428 F Ave, Auburn, CA 95603; (530) 889-7565; e-mail: ktaber@placer.ca.gov

X. APPENDICES

Curb Ramp Evaluation Data
General Information
Ramp Slope
Ramp Width
Ramp X Slope
Sidewalk Width
Sidewalk X Slope