

# **ADA Transition Plan for Curb Ramps and Sidewalks in the Public Rights-of-Way**

## **Executive Summary**

### Introduction/Purpose

The federal statute known as the Americans with Disabilities Act (ADA) enacted July 26, 1990, provides comprehensive civil rights protection to persons with disabilities in the areas of employment, state and local government services, and access to public accommodations, transportation, and telecommunications. Title II of the ADA requires state and local government programs, services and activities to be accessible and usable by individuals with disabilities.

An ADA Transition Plan is a document prepared to identify existing structural barriers impeding access to programs by people with disabilities, and describes any physical changes required to make programs accessible. This particular ADA Transition Plan is specific to the curb ramps in the City of Bend's public rights-of-way although other transition elements, including buildings, facilities and sidewalks, will be addressed.

The City of Bend's Accessibility Manager oversees the Accessibility Program which is a part of the City Administration Department under the supervision of the City Attorney. Other departments, such as Public Works and Engineering Infrastructure and Planning (EIP), have direct involvement in the Accessibility Program as it relates to streets and sidewalks, including support and technical advice from the City Engineer, EIP Director and Public Works Director, as needed.

### Funding

In the current biennium, the City Council has approved 1.5% of the 3% water and sewer franchise fee (for use of the City's rights-of-way), diverting it into the Accessibility Program to provide a line item budgeting stream to ensure construction and alteration of accessible curb ramps.

For future funding, City Staff recommends placing a measure on the ballot to adopt a gas tax to continue providing a \$500,000 funding stream for ADA improvements, as a viable source of future funding once state law allows the City to put it before the voters.

### Past Accomplishments

In 2010, the City conducted a field assessment and inventory of all pedestrian curb ramps that have been altered or constructed since 1992. The information in the curb ramp database provides the primary basis for the City's estimates of need and cost, but does not provide information as to the type of barriers in existing curb ramps; it simply determines whether a curb ramp was "compliant" or "non-compliant."

In 2013, the Accessibility Program will conduct further investigation into a sampling of non-compliant curb ramps to determine the deficiencies that currently exist. The goal is to have a

better understanding of the needs of non-compliant curb ramps for purposes of future prioritization and budgeting.

### Streets Division Programs

Curb ramps are fully integrated as a part of doing business for the street overlay program. When doing overlays, the City replaces or retrofits any non-compliant curb ramp on the immediate street being overlaid. The Streets Division often (up to 50% of the time) also installs curb ramps along the adjacent side street.

The Streets Division also constructs curb ramps through their Self-Performed Curb Ramp Program. Together with the Accessibility Manager and knowledge gained from community groups, the Streets Division determines which areas need curb ramp improvements. The Streets Division has consistently performed curb ramp construction/alteration beyond their, or the Accessibility Construction Fund, budget capacity.

### Curb Ramp and Sidewalk Construction to Date

From 2009 to the present, the City has improved curb ramp and sidewalk accessibility through a variety of mechanisms, including: 1) ADA Improvement Projects structured in 5 phases; 2) Street Overlay Program; 3) Street Division Self-performed Curb Ramp Construction; 4) Community Development Block Grants; and 5) Capital Improvement Projects (CIPs). From 2009 to 2013, excluding CIPs, these projects created approximately 1,423 accessible curb ramps.

### Citizen Barrier Removal Request

When confronted with a barrier to access (*i.e.* no existing curb ramps, curb ramp in disrepair, etc.), Bend citizens continually have the opportunity to submit a barrier removal request to the City. The request can be submitted via the website, telephone or in person.

### Community Input

The Accessibility Manager is committed to working with community members to help prioritize areas that are in need of curb ramp improvements. The City of Bend's Accessibility Advisory Committee (COBAAC) has assisted the Accessibility Manager and the City in prioritizing where to target the City's limited funding on improving key areas utilized by citizens with disabilities. Most recently, the City's Accessibility Manager and community groups (such as COBAAC) have identified 6 areas in need of curb ramp improvement. The six include: 1) Bend's Community Center; 2) employment, training, and social service centers locations; 3) shopping centers, 4) assisted and independent living facilities, 5) restaurant locations, and 6) public schools.

Due to the large number of restaurant locations, the City is still determining the best systematic approach to decide which restaurants and curb ramps to address.

### Remaining Curb Ramps

Over the next three years, with current funding, it is expected that the City will create approximately 1,066 **accessible curb ramps** through improving existing inaccessible curb ramps and creating new curb ramps where none existed previously. This will cover most of the curb ramps in the higher priority areas of the City leaving mainly curb ramps in residential areas remaining to be done. During this time frame (3 construction seasons), it is also expected that the City will improve or create approximately **3.3 miles of accessible sidewalk**.