



CITY OF BEND

2016 – 2018 Update

ADA Transition Plan for Curb Ramps
in the Public Rights-of-Way



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INTRODUCTION AND PURPOSE

In 2014, the City of Bend released the [2014 ADA Transition Plan for Curb Ramps in the Public Rights-of-Way](#) which explained and documented the significant work the City had done in accessing, prioritizing, and funding curb ramp design and construction throughout the City. The 2014 Transition Plan included information about funding options and challenges, as well as timelines and the decision-making process.

The City has invested in and demonstrated its commitment to improving accessibility throughout the City. This 2016-2018 Update will inform citizens of recent modifications of policies and programs, as well as current and future projects impacting sidewalks and curb ramps across the City.

I. Enhancements made to City Curb Ramp Inventory

Towards the end of 2013, the City entered into an agreement with Cartegraph Systems, Inc. to acquire a high-resolution, 360-degree street-level imager for City-maintained roads. The resulting images have allowed the Streets Division to document ADA compliant curb ramps and sidewalks throughout the City and make corrections and enhancements to the curb ramp inventory. Some curb ramps were deleted from the inventory because they were either driveway ramps (i.e. ramps that provide access across driveway aprons and are technically not curb ramps), or the ramp provided access across an alley (also not technically a curb ramp). Additionally, ramps were added to the inventory because they were missed in the original survey.

The number of curb ramps throughout the City is constantly fluctuating as new private development, franchise utility maintenance/improvements, and City improvements, such as street overlays and other infrastructure improvements (sewer/stormwater), occur. The City is proficient at capturing alterations and improvements that affect curb ramps constructed by or on behalf of City projects but capturing curb ramps constructed through private development continues to be a challenge. Often curb ramps are constructed but not entered into the system, either because inspections are delayed due to staffing challenges, or issues with the City's internal documentation process have not been fully resolved. This coordination between the departments continues to be a work in progress and an area of focus for the Accessibility Manager and Project Engineer.

The overall numbers can also be deceptive and not representative of the progress being made. City improvements, such as street overlays, will often remove noncompliant ramps (one non-directional parallel ramp) and replace it with two compliant ramps (two perpendicular or parallel ramps depending on right-of-way availability). While this process greatly enhances usability and connectivity, it does not significantly change the



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numbers. Therefore, the total curb ramp number will increase steadily, but the number of noncompliant curb ramps will not correspondingly decrease at the same rate.

	Compliant Curb Ramps	Non-Compliant Curb Ramps	Total Curb Ramps*
As of 2010 Survey	1,250	5,899	7,149
Proposed work over next three years. (2013-2015)	3,192	3,957	7,149

	Compliant Curb Ramps	Non-Compliant Curb Ramps	Total Curb Ramps*
As of Jan. 2016	3,196	5,311	8,509

* The total number of curb ramps within the City will continue to grow as new developments are constructed.

II. Streets Division - Street Preservation & Self-Performed Curb Ramp Programs

Since 2010, the Accessibility Construction Fund has transferred revenue to the Streets Division for self-performed curb ramps. The majority of these self-performed curb ramps were located in high priority areas, such as government facilities, transportation routes, places of employment, social service providers, schools, etc. The Accessibility Manager worked in conjunction with community members to identify areas needing curb ramp upgrades to be self-performed by the Streets Division. Due to funding changes in the 2015-2017 budget, the Accessibility Construction Fund will no longer have monies after the 2015/2016 fiscal year to transfer to the Streets Division, but the funding will be captured through other means.

The change in funding is due to a focus and priority on street preservation funding. If approved by voters, the proposed fuel tax would generate an estimated \$2.5 million annually. These funds would go towards street preservation activities across the City. Street preservation, such as overlays, are considered to be an alteration and thus, per federal law, requires that adjacent noncompliant curb ramps be upgraded to meet current



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standards. With the increased funding, the City could see an increase in the number of streets being altered via preservation activities and therefore any curb ramps (where sidewalks currently exist) would be brought up to code.

Previously, the Streets Division committed to altering approximately 200 curb ramps annually. Approximately 100 of those curb ramps were directly related to street preservation activities and the other approximately 100 curb ramps were part of the self-performed curb ramp program. The Streets Division is still committed to altering approximately 200 curb ramps annually, but all 200 will be part of street preservation activities and the locations will be dependent on where street preservation is to occur.

The Streets Division will also continue constructing approximately 0.5 miles of sidewalk infill annually. The Streets Division works with the City's Growth Management Division and the City's Accessibility Advisory Committee to determine the locations needing sidewalk infill.

III. Accessibility Program's Barrier Removal Request Program

On September 17, 2014, a local disability advocacy group submitted approximately 153 barrier removal requests to City Council during public comment at a Council meeting. During budget committee deliberations for the 2015 – 2017 biennium, City Council members approved the reallocation of \$100,000 from the accessibility construction fund reserves to the barrier removal line item. It is anticipated that a large portion of the remaining reserves will be used to rectify a large portion of the barrier removal requests over the 2016-2017 construction seasons.

Seven of those requests were found to be duplicates, for an adjusted total of 146.

As of December 1, 2015, 28 of the requests were completed or closed. Of the requests that were closed, three were found to be currently compliant with the U.S. Access Board's Public Right-of-Way Accessibility Guidelines (PROWAG) and seven did not fall within City rights-of-way, (*i.e.* were located on private right-of-way or ODOT right-of-way). The remaining 18 requests were completed via construction/work by either City crews or private development. Currently, the City has numerous planned projects that will correct 17 of the requests, leaving 101 requests to be addressed via other means.

Of the remaining 101 requests, 44 of these complaints were about the condition of sidewalks. Bend Code Section 3.30.020 states, "Property owners shall maintain sidewalks adjacent to their property in good repair and unobstructed."



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Historically, the City’s enforcement of sidewalk conditions (maintenance) has been strictly complaint based, which generally means that the Streets Division received a complaint about a specific property’s sidewalk condition and the Streets Division and Accessibility Manager would send a letter to the responsible property owner. The majority of these properties voluntarily complied to correctly maintain the sidewalk in question. As of November 2014, at Council direction, City staff began to develop a sidewalk program, which is currently actively being developed as a council goal. Pending its development, City staff was directed to hold off pursuit of sidewalk repair against single-family residential property owners, most if not all of whom did not construct the sidewalk, to better review and consider a comprehensive citywide sidewalk repair and maintenance program. For the barrier removal requests, the City manager has directed staff to continue enforcing sidewalk maintenance for commercial properties and to date 11 letters have been sent to commercial property owners that have adjacent sidewalks in disrepair. It is anticipated that additional letters will be sent to other commercial property owners that have sidewalks in disrepair that were included in the barrier removal requests.

The remaining barrier removal requests address a variety of issues related to the City’s infrastructure. These requests refer to noncompliant or missing curb ramps where sidewalks exist and missing sections of sidewalk inhibit continued travel on the sidewalk network. These requests are largely within residential neighborhoods on local/low volume roads that are unlikely to otherwise receive a significant street alteration by City crews or capital projects such as repaving or utility work. As directed by City Council, the Accessibility Manager focused on addressing the requests by creating comprehensive, complete corridors in the neighborhoods in question. In the past, when a request to correct a noncompliant curb ramp was received by the City, that one curb ramp would be corrected, without any regard to whether other curb ramps in the near vicinity existed or were compliant. The Accessibility Manager convened a working group of three members of the City’s Accessibility Advisory Committee and three members of the local advocacy group prioritized the requests by neighborhood. Once the neighborhoods were prioritized, the Accessibility Manager then located approximately one to four corridors, depending on the size of the area, to target for investment. Below is a table of the priority level given by the working group, the name of the neighborhood, the number of requests located in the neighborhood, and the number of corridors in each neighborhood.

Priority Level	Name	# of Requests	Approximate # of Corridors
High Priority 1	Wells Acres Neighborhood	23	4
High Priority 2	Dean Swift Area	2	3



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Priority Level	Name	# of Requests	Approximate # of Corridors
High Priority 3	Division – North of Revere	3	2
High Priority 4	Brookwood/Lodgepole Neighborhood	5	6
High Priority 5	Industrial Neighborhood (pos. future MMA district)	2	6
High Priority 6	West of Hwy 97 btw Wilson & Cleveland	3	8
High Priority 7	South of Downtown Neighborhood	22	13
Mid Priority 1	Riverside Neighborhood	7	6
Mid Priority 2	East of Forum Shopping Cente4r	4	8
Mid Priority 3	West of 1 st St. Rapids Park	7	6
Mid Priority 4	West of Mt. Washington between Shevlin Park Rd. & Regency St	3	4
Mid Priority 5	27 th St. between Bear Creek Rd & Ferguson Rd.	3	4
Mid Priority 6	West of River between Portland & Commerce	12	7
Low Priority 1	West of Mt. Washington Dr. between Perspective Dr. & Starview Dr.	1	2
Low Priority 2	Brosterhous between Murphy Rd.& Knott	2	2



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In the fall of 2015, the City's Accessibility Program and the Growth Management Division were able to secure funding for and hire a Project Engineer with experience and knowledge in creating, designing, and managing projects related to accessibility and active transportation (e.g. walking and biking). The Project Engineer manages the projects resulting from the barrier removal requests from design to construction with the assistance of the Accessibility Manager. As of January 2016, the Project Engineer is in the process of drafting a request for proposals for on-call engineering services to design and create bid documents for the various corridors identified. The maximum amount to be spent for engineering services is \$250,000 (\$100,000 of which came from the barrier removal request line item). Due to the number of requests, locations, and the time it would take to complete all of the areas identified, it was decided the best approach would be to complete one to two corridors in each of the priority areas, starting with high priority areas 1, 2, and possibly 3. It is anticipated that a large portion of the Accessibility Construction Funds reserves will be spent during the construction of these corridors during construction year 2017.

Resolving these barrier removal requests will significantly draw on the Accessibility Program's funding. As a result, the Accessibility Manager will continue to work closely with other City departments such as Utilities, Growth Management, and Community Development to ensure that projects completed or reviewed and approved by these departments will include and address, to the greatest extent feasible, curb ramp and sidewalk improvements within their projects' scope and limits.

IV. Current & Future Projects Impacting Curb Ramps & Sidewalks

During the 2015 construction season, the Streets Division improved/constructed 215 curb ramps and constructed approximately 0.62 miles of sidewalk, infilling gaps in the existing sidewalk system.¹ For the 2016, 2017 and 2018 construction seasons, it is anticipated that approximately 600 curb ramps and 1.5 miles of sidewalk will be constructed by the Streets Division.

Other departments such as Growth Management, Utilities (Water, Stormwater, and Wastewater/Sewer) and the Accessibility Program also engage in capital improvement projects (CIP) that may trigger the requirement to upgrade adjacent curb ramps. The Engineering, Infrastructure, and Planning Division (EIPD) is comprised of project engineers/managers who create and manage large scale CIPs identified and paid for through a variety of methods, such as Transportation System Development Charges, Water & Sewer Franchise Fees, Developer-Contributed Proportional Share/Pro-Rata

¹ Note: these numbers do not include curb ramps or sidewalks that were completed due to private development or via ODOT projects.



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Funds, grants, and private partnerships. An updated **Appendix H** from the 2014 ADA Transition Plan provides a detailed list of projects that occurred in 2015 and projects that will occur during the 2016 – 2018 construction seasons that may impact (upgrade) curb ramps and/or sidewalks. For the sake of simplicity, the totals from projects that occurred during 2015 are not included in the totals below as they have already been counted in the curb ramp inventory. As seen from the chart below, EIPD will manage projects that may create or improve approximately 564 curb ramps and roughly 7.77 miles of sidewalk.

	Approx. # Curb Ramps	Approx. Sidewalk linear feet (LF)
Streets Division 2016-2018	600	1.5 miles (7,920 LF)
CIP 2016-2018	564	6.27 miles (33,100 LF)
Total 2016 - 2018	1,164	7.77 miles (41,020 LF)

	Compliant Curb Ramps	Non-Compliant Curb Ramps	Total Curb Ramps*
As of Jan. 2016	3,196	5,311	8,509
Proposed work 2016-2018	4,360	4,147	8,509

* The total number of curb ramps within the City of Bend will continue to grow as new developments are constructed.

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Current & Future Projects Impacting Curb Ramps

APPENDIX H

Planned Construction Season/Year	Project Name	# Proposed Approx. Curb Ramps	# Proposed Approx. Sidewalk
<u>Right of Way Operations & Maintenance (a.k.a. Streets Division)</u>			
2015	Streets Division – Overlay Program	120**	
2015	Streets Division – Self-Performed Curb Ramps	95**	
2015	Streets Division – Sidewalk Infill	N/A	0.62 miles** (3,257 linear feet) {½ mile paid for by Streets, additional paid for via other departments}
2016-2018 (3 construction seasons)	Streets Division – Overlay Program	200 annually	N/A
2016 – 2018 (3 construction seasons)	Streets Division – Sidewalk Infill	N/A	(½ mile annually) 1.5 mile (7,920 LF)
2016 – 2018 Total	Constructed by Streets Div.	600	1.5 miles (7,920 LF)
<u>Engineering, Infrastructure and Planning Division (EIPD) – Capital Improvement Program (CIP) - General Obligation (G.O.) Bond Projects</u>			
2014 - 2015	CIP – G.O. Bond Project Reed Market Rd (2 phases)	Newberry Dr. – 27 th St.: 39** (2014)	1.70 miles** (9,000 LF)
		3 rd St – Newberry Dr.: 38 (2015)**	
2012*	CIP: G.O. Bond Empire/18 th RAB	8**	0.39 miles** (2,070 LF)
2012*	CIP – G.O. Bond Powers/Brookwood RAB	13**	0.58 miles** (3,066 LF)
2012*	CIP – G.O. Bond Simpson/Mt. Washington RAB	8**	0.78 miles** (4,122 LF)
2018	CIP – G.O. Bond 14 th St. (Newport to Colorado)	114	1.89 miles (10,000 LF)
2017 – 2018	CIP – G.O. Bond 27 th St (Reed Market to Medical Center)	53 (to be completed via Southeast Interceptor Project)	Unknown at this time
2016 – 2018 Total	CIP – G.O. Bond Projects	167	1.89 miles (10,000 LF)

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Planned Construction Season/Year	Project Name	# Proposed Approx. Curb Ramps	# Proposed Approx. Sidewalk
<u>CIP – Jobs & Transportation Act (JTA) – ODOT/COB – Murphy Overcrossing Project (2 phases)</u>			
2015	CIP – JTA: 3 rd /Murphy RAB/ Brookwood/Murphy RAB/Murphy Extension	32**	2.56 miles** (13,500 LF)
2016	CIP – JTA: Murphy/Parrell RAB	11	0.29 miles (1,500 LF)
2016 – 2018 Total	CIP – JTA – ODOT/COB Projects	11	0.29 miles (1,500 LF)
<u>EIPD/CIP – Sewer/Water Reclamation Projects</u>			
2016 - 2018	CIP: Southeast Interceptor Sewer – King’s Forest (Segments 4 & 5R) & 27 th St. Segments	-13 to be done via King’s Forest Segment -(53 to be completed via G.O. Bond 27 th St.)	N/A
2016 – 2018	CIP: Valhalla Sewer	2	N/A
2016 – 2018	CIP: North Area Sewer	6	N/A
2016 – 2018	CIP: Colorado Lift Station	30	N/A
2016 – 2018 Total	EIPD/CIP – Sewer/Water Reclamation Projects	51	N/A
<u>EIPD/CIP – Growth Management Projects</u>			
2018	CIP – Transportation Construction: Neff and Purcell	8	500 LF
2018	CIP – Transportation Construction: Galveston (14 th to Tumalo bridge)	44	0.66 miles (3,500 LF)
2017 – 2018	CIP – Transportation Construction: Sidewalk Design & Projects:	70	1.06 miles (5,600 LF)

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Planned Construction Season/Year	Project Name	# Proposed Approx. Curb Ramps	# Proposed Approx. Sidewalk
	Newport (College Way to 12 th)		
	8 th St. (Greenwood to Franklin)		
	Wilson (2 nd to 9 th)		
2017 – 2018	CIP – Transportation Construction: Citywide Safety Improvements:	13	N/A
	Neff & Williamson		
	3 rd & Franklin		
	3 rd & Hawthorne		
	27 th & Conners		
2016 – 2018 Total	Growth Management Projects	135	1.82 miles (9,600 LF)
<u>EIPD/CIP – Accessibility Construction Projects</u>			
2015	Summit Drive	98**	N/A
2016 – 2017	So. 3 rd Pedestrian Improvement Project {ODOT/COB Grant Funded Project}	50	1.89 miles (10,000 LF)
2017 – 2018	Citywide Accessibility Improvements (addressing 2014 Barrier Removal Requests)	150	0.38 miles (2,000 LF)
2016 – 2018 Total	EIPD/CIP – Accessibility Construction Projects	200	2.27 miles (12,000 LF)

*Project constructed in 2012 included due to not being reported in 2014 Transition Plan.

**Project occurred prior to 2016, not counted in totals.

Department	Approx. # Curb Ramps	Approx. Sidewalk linear feet (LF)
Streets Division 2016-2018	600	1.5 miles (7,920 LF)
CIP 2016-2018	564	6.27 miles (33,100 LF)
Total 2016 - 2018	1,164	7.77 miles (41,020 LF)