



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Public Works
Department No.: 054
For Agenda Of: May 15, 2007
Placement: Administrative
Estimated Tme:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Phillip M. Demery, Public Works Director 568-3010
Director(s)
Contact Info: Scott McGolpin, Deputy Director-Transportation 568-3064

**SUBJECT: Americans with Disabilities Act Transition Plan Amendment for Public Works,
Transportation Division**

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: No

Other Concurrence: Risk Management

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

Adopt the Americans with Disabilities Act (ADA) Transition Plan Amendment for the Public Works Department, Transportation Division

Summary Text:

In 1994, the Board adopted a Self –Evaluation Report and Transition Plan for County facilities as required by ADA; however, this report did not address Transportation facilities within the public road right of way, which includes the roadway, sidewalks, curb ramps, traffic signals and crosswalks. Therefore, Public Works is recommending adoption of this ADA Transition Plan amendment that addresses those facilities within the public road right of way.

The Department conducted public outreach for this amendment as part of it's Road Maintenance Annual Plan (RdMap) public workshops held in the South County on February 28, 2007 and the North County on March 1, 2007. The Transportation ADA Transition Plan Amendment includes a discussion on the types of projects that would require ADA modifications, the design standards the Department is currently using for these ADA modifications, the priority and schedule for inventorying Transportation's infrastructure, the priority areas for removing barriers, and costs to remove these barriers. The Department has grouped the Maintenance Zones into three priority areas for inspection. The first

priority is the urbanized areas of the County, such as Summerland, Isla Vista, Goleta, Vandenberg Village, Mission Hills, Mesa Oaks, Orcutt and Cuyama. The inspection of these communities has already begun. As the inspections are completed, the Department will update the ADA Transition Plan amendment with the results of the inventory and the costs to remove any barriers. The Department will return to your Board on a yearly basis to adopt the updated ADA Transition Plan amendment



The Transition Plan Amendment also provides a point of contact for the public to make a request of the Department to remove a pedestrian barrier or install an ADA accessible ramp. As these requests come to the Department they are prioritized and can generally be honored within 6 months of receiving the request or within the next budget cycle.

Background:

The Americans with Disabilities Act (ADA) was signed into law on July 26, 1990 providing comprehensive civil rights protections to individuals with disabilities in the areas of employment, public accommodations, State and local government services and telecommunications.

Title II of the ADA mandates that a public entity must evaluate its current services, policies and practices to determine whether they are in compliance with the non-discrimination regulations of the ADA. A self-evaluation is required and intended to examine programs, activities and services, identify problems or physical barriers that may limit accessibility by the disabled and describe potential compliance solutions. If structural changes are needed to achieve program accessibility, they must be made as expeditiously as possible, but in no event later than January 26, 1995. The Department has been removing barriers since the early 1990's as part of it's concrete repair projects and Capital Improvement Projects. However, to meet the requirements of the ADA law a Transition Plan must be in place. Since the Transportation facilities were not addressed in the original 1994 plan, it has left the Department open to the possibility of litigation.

By adopting this ADA Transition Plan amendment, the Department is taking the needs of the ADA Community into consideration and becoming more compliant with Title II of the ADA.

Fiscal and Facilities Impacts:

Budgeted: N/A

Fiscal Analysis:

<u>Funding Sources</u>	<u>Current FY Cost:</u>	<u>Annualized</u> <u>On-going Cost:</u>	<u>Total One-Time</u> <u>Project Cost</u>
General Fund			
State			
Federal			
Fees			
Other:			
Total	\$ -	\$ -	\$ -

Narrative:

This action has no fiscal impacts. Funding for the removal of any pedestrian barriers will be programmed through upcoming RdMap's. Measure "D" will continue to provide funding for these projects provided that it is reauthorized or replaced if it is not reauthorized.

Staffing Impacts:

Legal Positions:

FTEs:

Special Instructions:

Please forward a certified, stamped copy of the Minute Order approving these recommendations to the Department of Public Works, Transportation Division, Engineering Section at 123 E. Anapamu Street, Santa Barbara, to the attention of Beverly Cross, Office Assistant.

Attachments:

Transportation Americans with Disabilities Act (ADA) Transition Plan Amendment

Authored by: Dace Morgan, Engineering Section Manager, 568-3047

cc: