



Date: February 22, 2023
To: File
From: ADA Transition Plan for Public Rights-of-Way Oversight Committee
Re: Annual Plan Assessment for Calendar Year 2022 (January 1, 2022 – December 31, 2022)

BACKGROUND AND OVERVIEW

Title II of the Americans with Disabilities Act (ADA) prohibits discrimination by public entities against qualified individuals with disabilities. In compliance with this standard, in 2015, the City of Eugene completed a comprehensive study of its sidewalk ramps and accessible pedestrian signals (APs). That study generated the City's *2015 Transition Plan for the Public Rights-of-Way*, a companion document to the City's already existing ADA Transition Plan, meant to better address accessibility within the City's public rights-of-way. Annual updates to this plan track the City's progress toward greater accessibility and document the City's adherence to ADA Title II requirements.

At a minimum, public entities are required to maintain a schedule for elimination of barriers to accessibility due to sidewalk curb ramps. The City of Eugene's Plan schedule focuses on sidewalk curb ramps as well as pedestrian signals. Based on the inventory of ramps in the 2015 Transition Plan, at that time, 12,392 ramps did not meet the guidelines described in the United States Access Board's *2011 Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way* Notice of Proposed Rulemaking (NPRM). The NPRM is considered best practices for new construction and alteration of facilities within the public right-of-way in order to ensure ADA compliance. Of the City ramps that did not in 2015 meet the 2011 NPRM guidelines, 4,080 were identified as being located in Priority 1 areas and 3,569 were identified as being located in Priority 2 areas. For curb ramp locations, see the Priority Area Map located in Appendix 9.1 of the 2015 Transition Plan (NOTE: The ramp Priority Area Map is a large document and is posted separately from the 2015 Transition Plan on the [City's ADA Transition Plan webpage](#)).

Regarding pedestrian signals, 228 signalized intersections within the Urban Growth Boundary (UGB) did not have any accessible pedestrian signal (APS) devices in 2015. Of these signalized intersections without accessible devices, 131 were located in Priority 1 areas and 83 were located in Priority 2 areas.

The City of Eugene is committed to a reasonable and responsible schedule to bring the remaining curbs and signalized intersections into ADA compliance. Most of this work will take place as alterations included in capital projects. The current Capital Improvement Program (CIP) spans fiscal years 2022 to 2027, and it identifies several sources of funding for capital projects for the five year period of 2016 to 2021. The following capital projects and programs identified in the CIP (FY 16 -21) are potential sources for curb ramp and APS alterations and construction:

- Neighborhood Transportation Livability
- Traffic Operations Improvement Program
- Traffic Signal Improvements and Upgrades
- Pavement Preservation Program
- Pavement Preservation Program – Transportation Bonds
- Amazon Active Transportation Corridor Project
- Services for New Development/Grant Matching Funds Transportation

As discussed in Section 4 of the *2015 Transition Plan for the Public Rights-of-Way*, regarding methods for barrier removal, in addition to the capital programs identified above, other sources for curb ramp and APS alterations and construction are private development and maintenance activities. Private development includes privately engineered public improvement (PEPI) projects, as well as private site development and building permit projects. Maintenance activities include the corrections of trip hazards and any curb ramp repairs and reconstructions completed by the City’s Public Works Maintenance (PWM) department.

ASSESSMENT

The City of Eugene has prepared the following evaluation of the *2015 Transition Plan for the Public Rights-of-Way*. Transition Plan evaluations are completed at the end of the fiscal year. Because the construction season and construction projects span fiscal years and follow a calendar year timeframe, Transition Plan evaluations include ramp and APS data from the previous calendar (construction) year. This evaluation includes ramp and APS data from the period between January 1, 2022 through December 31, 2022. Updates will continue to follow the calendar year reporting period (Jan-Dec).

Upon completion, annual evaluations are posted to the City’s ADA Transition Plan webpage, <https://www.eugene-or.gov/2416/ADA-Transition-Plan>. Annual evaluations are also attached to Appendix 9.5 of the *2015 Transition Plan for the Public Rights-of-Way*.

This 2021 evaluation includes the following:

- A. Number of curb ramps and APS projects completed during the 2022 calendar year reporting period. All projects were inspected during construction and upon completion of the work to ensure compliance.
- B. Assessment of schedules and Plan documents for 2022 calendar year.
- C. Reporting on the requests for service and grievances received throughout the 2022 reporting period, and evaluation of decision making and responsiveness.

A: Number of Ramps and APS projects completed during reporting period (January 1, 2022 – December 31, 2022)

<i>Time Period</i>	<i>Estimated # of Curb Ramps to be Installed and/or Upgraded per Year</i>	<i>Actual # of Curb Ramps Installed or Upgraded in Given Year</i>	<i>Estimated # of APS to be Added to Intersections per Year</i>	<i>Actual # of APS Added in Given Year</i>
<i>2015 – 2021</i>	<i>350</i>		<i>6</i>	
FY2015		440		6
FY2016		580		16
FY2017/Calendar Year 2018 (18 months)		431		4
Calendar Year 2019		437		36
Calendar Year 2020		184		15
<i>2021 – 2053</i>	<i>200</i>		<i>6</i>	
Calendar Year 2021		330		50
Calendar Year 2022		329		12
<i>2053 – 2071</i>	<i>200</i>		<i>0</i>	
Total Ramps (2015 – 2071)	12,392 not meeting guidelines in 2015	-	-	-
Total APS (2015 – 2053)	-	-	228 not meeting guidelines in 2015	-

NOTES:

- *APS = Accessible Pedestrian Signal*
- *APSS are counted by intersection, not by corner, individual push-button unit, or pair of units.*
- *The 228 intersections noted in the table as not meeting APS guidelines are those signalized intersections within the UGB that currently have no APS units at all.*
- *The APS Added number represents the number of intersections that previously had no APS system at all and have had, in the past calendar year, an APS system installed.*

During the reporting period:

- Eight (8) ramps related to utility permit work were upgraded to ADA standards. No new ramps were installed by Public Works Maintenance (PWM).
- Forty-four (44) ramps were either upgraded or installed at existing intersections under PEPIs
- Four (4) new APS systems were installed or updated at intersections by PWM and for CIP projects.
- Eight (8) new APS systems were installed at existing intersections under PEPIs

B: Assessment of Schedules and Plan Documents

No adjustments are recommended.

C: Requests for Service and Grievances

ADA Grievances in the Public Right-of-Way Reported

PWE staff continued to address the ongoing needs related to a community member concern for increased pedestrian access and solutions to obstructions for visually-impaired in Right of Way of construction areas.

ADA Sidewalk Trip Hazards Reported

During this reporting period, there were 357 Requests for Service submitted to PWM regarding sidewalk trip hazards, sidewalk repairs, ramps, and ADA concerns. These requests were submitted via public phone calls, the City's on-line web application, and mobile devices.

All 357 requests for service were reviewed by PWM staff and submitted as work orders to investigate and address the public concern. During this reporting period, 39 work orders were generated for trip hazard, sidewalk, ramp, and ADA concerns. Of these work orders, most have been completed and closed, with various levels of inspections and appropriate actions taken. Fourteen (14) work orders remain open; further actions are required before these work orders may be closed and completed.

CONCLUSION

The goal of 200 ramps was exceeded during this reporting period. During this reporting period 329 ramps were either installed new or were upgraded to meet current standards. PWE expects to exceed the yearly goal of 200 ramps updated or added during the 2023 calendar year, which will allow for PWE to stay ahead of schedule as detailed.

The goal of six new APS systems was exceeded, with 8 new APS systems installed or updated.

This memo will be posted to the public website (<https://www.eugene-or.gov/2416/ADA-Transition-Plan>) and added to Appendix 9.5 of the *2015 Transition Plan for the Public Rights-of-Way*.

ADA TRANSITION PLAN FOR PUBLIC RIGHT-OF-WAY OVERSIGHT COMMITTEE MEMBERS

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