



# CITY OF SALEM

585 Liberty St SE  
Salem, OR 97301

## Staff Report

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**TO:** Mayor and City Council  
**THROUGH:** Steve Powers, City Manager  
**FROM:** Peter Fernandez, PE Public Works Director

**SUBJECT:**

Update on the sidewalk rehabilitation program.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**ISSUE:**

Provide Council information on the progress of the City's Sidewalk Rehabilitation Program.

**RECOMMENDATION:**

Information only.

**SUMMARY AND BACKGROUND:**

The Sidewalk Rehabilitation Program continues to make progress in addressing the City's sidewalk system deficiencies and compliance with the Americans with Disabilities Act (ADA). This report includes a brief history of the program and summarizes the program's accomplishments since staff's last report to Council in October 2016.

**History of the Sidewalk Rehabilitation Program**

Sidewalk Ordinance

On October 1, 2007, City Council adopted Ordinance Bill No. 99-2007 that amended the *Salem Revised Code* (SRC) Chapter 78 Sidewalks, changing assignment of responsibility for sidewalk repair. Effective November 1, 2007, owners of property within the city limits (excluding Salem-Keizer School District) with property frontages having sidewalks built since September 1, 1992, became responsible for repairing or replacing damaged sidewalks unless the damage was caused by a City street tree. Owners of property with frontage having sidewalks built prior to that date became responsible for

repairing and replacing damaged sidewalks once the City made necessary repairs to bring the sidewalks up to acceptable standards or after the sidewalks were inspected and found to already be in acceptable condition. Repairing damage caused by City street trees continues to be the City's responsibility.

### Sidewalk Inspection

The City began a Sidewalk Inventory and Condition Assessment Program in December 2007 that assessed the condition of 759.5 miles of public sidewalks. The effort was completed in June 2011 and identified approximately 148,000 total defects in the sidewalk system, of which 138,000 required repairs or replacement prior to assigning maintenance responsibility to the adjacent property owner.

### Sidewalk Rehabilitation

Beginning in February 2008, Public Works created a concrete repair crew dedicated to performing both sidewalk repairs and replacement. This crew began its work in the southern half of the Grant Neighborhood and then moved eastward into the western portion of the NEN Neighborhood, then southward into the western part of the SESNA Neighborhood.

In 2009, in response to concerns from disability rights advocates, the City determined that to comply with the ADA it was obligated to bring existing sidewalks up to current ADA standards when undertaking major improvements to a street, including resurfacing. Therefore, after 17 months of working in a clockwise fashion through the inner neighborhoods, the City redirected its efforts to comply with ADA requirements. The ADA prioritizes construction, upgrade, and repair of corner curb ramps, as well as repairing sidewalks on critical routes such as arterial streets, transit routes, and in areas of public accommodations, such as government offices, social service agencies, and other pedestrian-oriented areas. The City resumed limited efforts rehabilitating neighborhood sidewalks in 2012 after making significant progress in addressing priority ADA deficiencies.

The amount of time and resources devoted to neighborhood sidewalk rehabilitation increased in 2014; the Sidewalk Rehabilitation Crew has performed work in the northern portion of SCAN and the southern portion the CAN-DO Neighborhoods, resulting in the completion of the Gaiety Hill/Bush Park Historic Districts.

Public Works has used a contractor for large-scale sidewalk replacement projects.

### Funding

The Sidewalk Rehabilitation Program was initially funded from 2007 through 2009 through a combination of \$1,060,000 in Qwest Franchise Reserve Funds and a \$215,710 set-aside of General Funds. Beginning in 2010, the Program was funded with a portion of the City's allocation of State Highway Funds and a small amount of project-specific Streets and Bridges Bond proceeds, averaging approximately \$600,000 per year in expenditures.

On December 9, 2013, Council further funded the program with \$1,000,000 in savings from the Streets and Bridges Bond for neighborhood sidewalk rehabilitation. This was combined with \$500,000 in gas tax proceeds to fund the program at \$750,000 for FY 2014-15 and 2015-16.

Adoption of the Streetlight Fee by Council in March 2015 relieved the Transportation Services Fund of \$1,400,000 in annual costs associated with streetlights. This increase in available revenue for transportation facilities has resulted in the Sidewalk Rehabilitation Program becoming funded exclusively with State Highway Funds in FY 2016-17 and, per Council direction, increasing funding for the program to \$1,000,000 annually.

## FACTS AND FINDINGS:

### Accomplishments of the Sidewalk Rehabilitation Program to Date

Table 1 describes the types and number of repairs performed by the crew, contractors, and other staff during that time.

**Table 1. Summary of Sidewalk Repair Activities**

Description	Totals as of June 30, 2016	July 1, 2016 thru December 31, 2017	Program Total Since Beginning December 2007
Offset Edge Grinds	4,024	327	4,069
Sidewalk Patches	5,604	127	5,641
Sidewalk Replacement	240,120 sq. ft. (9,605 5x5 panels or 9,096 miles)	54,703 sq. ft. (2,188 5x5 panels or 2.08 miles)	294,823 sq. ft. (11,793 5x5 panels or 11.17 miles)
Curb Replacement	16,837 linear feet	2,712 linear feet	19,549 linear feet
Corner Curb Ramp Replaced	260	113	370
Asphalt Patching	53,257 sq. ft./1"	8,999 sq. ft./1"	62,549 sq. ft.
Downtown Tile Pavers Replaced	929	20	949
Street Trees Removed	95	14	109
Total Block Faces in Acceptable Condition	183 (45.75 blocks)	21 (5.25 blocks)	204 (51 blocks)

Recent program highlights include the following:

- Rehabilitating curb ramps on the east side of 19<sup>th</sup> Street NE at the intersection of Market Street NE. This completes the project to install new rapid flashing beacons at this location to assist crossing safety at this school and pedestrian crossing on a busy arterial street.
- Placing into service a new pedestrian bridge over Mill Creek and completing rehabilitation of historic sidewalks in the 1800 block of Court Street NE to complete the improved connection.
- Initiated the Sidewalk Response Team to conduct spot repairs in neighborhoods to mitigate barriers to mobility with special emphasis placed on those locations adjacent to place of public

accommodation, high pedestrian traffic areas, those disrupted by winter weather events, and those of longest duration awaiting repairs.

## Property Owner Notifications

The efforts of our technical staff to update and verify sidewalk inspection data, combined with renewed home construction activity, in-house rehabilitation projects, and Streets and Bridges Bond projects, have increased the total miles of sidewalk in our community from the initial 759.47 miles reported in 2009 to the current total of 846.34 miles.

Since July 1, 2016, an additional 105 letters have been sent to property owners notifying them of their responsibility to perform future sidewalk repairs. By the end of December 2017, a total of 12,769 letters have been sent to property owners since the beginning of the notification process in September 2008.

## Compliance with the Americans with Disabilities Act

Since 2009, the City has made significant progress in bringing curb ramps into compliance with the ADA. The locations noted in letters received in 2008 from *Disability Rights Oregon*, an ADA advocacy organization have been completed along with locations noted by other individual ADA complaints. Additionally, City staff and contractors have been involved in mitigating barriers to mobility on sidewalks adjacent to streets that have been altered during bond-funded and other capital improvement projects, public utility maintenance projects, in-house overlay program, as well as retrofitting curb ramps that were not included in the original scope of the projects.

Table 2 shows the number of ADA curb ramp replacements and upgrades completed by the City during the past ten fiscal years. The projects funded by the Streets and Bridges Bond measure have produced the greatest number of ramp upgrades and replacements since the beginning of this reporting period. Bond-funded projects also constructed 33 pedestrian bulb-outs, mostly in the downtown core.

**Table 2. Corner Curb Ramps Installed, Replaced, or Upgraded to Current ADA Design Standards**

Program	FY 2007-08 to June 30, 2016		July 1, 2016 to December 31, 2017		Total to Date
	In-House	Contractor			
Sidewalk Repair Program	260	46	0	306	
In-house Overlay Program	0	31	30	61	
Utility Concrete Repair	34	6	0	40	
Bond Funded Projects	640	0	70	710	
Other CIP Projects	77	0	10	87	
<b>Total</b>	<b>1,011</b>	<b>83</b>	<b>110</b>	<b>1,204</b>	

*Note: Does not include new ADA corner curb ramps installed by private development.*

In addition to these repairs and improvements, the City continues to perform and update a comprehensive ADA audit of its public street infrastructure. The audit includes the current inspection effort to measure and record compliance of all curb ramps in the City per current ADA and Department of Justice standards. Additionally, we are gathering information for pedestrian signal activation button access at all relevant corners.

## Program Funding

As shown in Table 3, the Sidewalk Rehabilitation Program has spent a total of \$6.75 million between December 2007 and December 2017, or an average of \$53,571 per month. Unit cost of sidewalk replacement has ranged from \$9.56 to \$15.89 per square foot. The cost of \$15.89 per square foot reflects the recent cost of working in the Gaiety Hill/Bush Park and Court-Chemeketa Historic Districts and includes the extra effort required to replicate the "four-square" historic sidewalk pattern while also addressing the amenities and requirements of protecting historic landscaping and retaining walls. The average cost of sidewalk replacement for the past ten years is approximately \$12.10 per square foot.

The unit cost for sidewalk rehabilitation includes the removal of existing sidewalk, tree root mitigation, tree avoidance, field engineering, excavation, forming, base preparation, pouring, finishing new concrete, and replacing damaged landscaping. Staff also works closely with businesses and homeowners to provide flexibility in our work effort to provide property access in a timely manner and rescheduling to avoid conflicts with customer access and/or planned events. Other factors include small areas of replacement along some property frontages instead of wholesale replacement, a small number of sidewalk panels replaced adjacent to curb ramps, tree root damage requiring consultation with the Urban Forester, tree avoidance practices that require more field engineering, increased mobilization costs due to more locations, increased labor and material costs, and constructing more sidewalks through driveways, which take 50 percent more concrete due to increased thickness to support traffic.

**Table 3. Sidewalk Rehabilitation Program Expenditures**

Revenue	Program Total as of June 30, 2016	July 1, 2016, to December 31, 2017	Program Totals as of December 31, 2017
Qwest Reserve Funds	\$1,061,384	-	\$1,061,384
General Fund Transfer	\$ 626,412	-	\$ 626,412
State Highway Funds	\$2,124,717	\$1,098,738	\$3,223,455
CIP Funds	\$ 46,498	-	\$ 46,498
Streets and Bridges Bond	\$1,702,319	\$ 89,883	\$1,792,202
<b>Total</b>	<b>\$5,561,330</b>	<b>\$1,188,621</b>	<b>\$6,749,951</b>

Ave cost per sq. ft.	\$12.33	\$11.93	\$12.10
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## Program Outlook

After numerous recruiting efforts, we have now filled the positions on our two-person Sidewalk Response Team. This new team is responding to locations selected within our established neighborhoods that present barriers to mobility, have suffered a trip and fall complaint, have an appending ADA complaint, as per the response policy adopted by Council in 2014 and shown in Attachment 1.

The Sidewalk Rehabilitation Team is still focused on the Court-Chemeketa Historic District per Council's directive and, once completed, will return to finish the Gerth Street NW and Edgewater Street NW corridors. The team will then focus on rehabilitating sidewalks and curb ramps adjacent to identified priority ADA routes throughout our community (Attachment 2). Once these priorities are complete, we anticipate returning to the original pattern of rehabilitating sidewalks in a spiral pattern outward through our neighborhoods (Attachment 3).

Mark Becktel  
Operations Services Manager

### Attachments:

1. Criteria for Identifying Priority Sidewalk Repairs
2. Priority ADA Routes
3. Original Sidewalk Program Planned Phases