

## Legislation Details (With Text)

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**Title:** Update on the Sidewalk Rehabilitation Program  
Ward(s): All Wards  
Councilor(s): All Councilors  
Neighborhood(s): All Neighborhoods

**Sponsors:****Indexes:****Code sections:**

**Attachments:** 1. Attachment 1: Critical ADA Routes, 2. Attachment 2: Criteria for Identifying Priority Sidewalk Repairs, 3. Attachment 3: Original Sidewalk Program Planned Phases

Date	Ver.	Action By	Action	Result
10/10/2016	1	City Council	received and filed	

**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 has made noticeable 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 its accomplishments since staff's last report to Council in October 2014.

## **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 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 the necessary repairs to bring them up to acceptable standards, or were found to already be in acceptable condition. Repairing the damage caused by City street trees continues to be the City's responsibility. City, County, State, and federal government agencies were made responsible for the repair of sidewalks adjacent to their properties, with the exception of the Salem-Keizer School District.

### Sidewalk Inspection

Public Works staff initiated the Sidewalk Inspection Program in December 2007 to assess the condition of 759.5 miles of public sidewalks. The effort was completed in June 2011 and identified approximately 148,000 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, then southward into the western part of SESNA.

After 17 months of working in a clockwise fashion through the inner neighborhoods, the City redirected its efforts for a period of time 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 accommodation, 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 of CAN-DO resulting in the completion of the Gaiety Hill/Bush Park Historic Districts.

Public Works has also used an outside 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 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 maintenance and operation 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 for the foreseeable future.

## **FACTS AND FINDINGS:**

### **Accomplishments of the Sidewalk Rehabilitation Program**

Table 1 describes the types and number of repairs performed by the crew, contractors, and other staff since the program's inception.

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

Description	Totals as of September 30, 2014	October 1, 2014 through June 30, 2016	Program Total Since December 2007
Offset Edge Grinding	3,918 locations	106 locations	4,024 locations
Sidewalk Patches	5,482	122	5,604
Sidewalk Replacement	185,876 square feet (7,435 5x5 panels or 7.041 miles)	54,244 square feet (2,170 5x5 panels or 2.055 miles)	240,120 square feet (9,605 5x5 panels or 9.096 miles)
Curb Replacement	13,282 linear feet	3,555 linear feet	16,837 linear feet
Corner Curb Ramp Replacement	195	65	260
Asphalt Patching	42,696 sq. ft./1"	10,561 sq. ft./1"	53,257 sq. ft./1"
Downtown Tile Pavers Replaced	793	136	929
Street Trees Removed	85	10	95

Total Block Faces in Acceptable Condition	151 (37.75 blocks)	32 (8 blocks)	183 (45.75 blocks)
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Recent program highlights include the following.

- Doaks Ferry Road NW from Gehler to Grayhawk. Construction of drainage facilities to intercept spring water running over the sidewalk in a number of locations and installation of missing sidewalk in the BPA right-of-way.
- Bush Park Historic District. Provided additional curb ramps along High Street and upper Lefelle Street SE to improve ADA access to Bush Park.
- Edgewater Street NW from Murlark Street NW to Capitol Manor. Completed sidewalk and curb ramp rehabilitation along the north side.
- Market Street NE between Capitol and Summer Streets NE. Rehabilitated sidewalk on the south side.
- First United Methodist Church. Partnered with Church to fund rehabilitation of sidewalks and walkways adjacent to the church property on Church Street, State Street, and Cottage Streets SE.
- High Street NE, from Court to Chemeketa Street NE. Contractor improved the west side sidewalks.
- Miscellaneous locations. Staff also performed spot repairs in neighborhoods throughout the community and included sites where trip and falls had occurred, where there was an ADA complaint, or here the sidewalk was in very poor condition.
- Gerth Street NW corridor from Edgewater Street to 8<sup>th</sup> Street NW. Current work site.

### **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 842.72 miles.

Since September 2014, an additional 2,331 letters have been sent to property owners notifying them of their responsibility to perform future sidewalk repairs of which 559 letters were for those properties where sidewalk repairs were conducted first. By the end of June 2016, a total of 12,664 letters have been sent to property owners since the beginning of the notification process began 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 from *Disability Rights Oregon*, an ADA advocacy organization, in 2009 have been completed along with locations noted by other individual ADA complaints. Additionally, City staff have been involved in the mitigation of barriers to mobility on sidewalks adjacent to streets that have been altered during bond-funded and other capital improvement projects, public utility maintenance projects, 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 eight and a half 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 September 30, 2014	October 1, 2014, to June 30, 2016	Total to Date
Sidewalk Repair Program	195	65	260
Bond Funded Projects	582	58	640
Utility Concrete Repair	26	8	34
Other CIP Projects	67	10	77
<b>Total</b>	<b>870</b>	<b>141</b>	<b>1,011</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 \$5.56 million between December 2007 and June 2016, or an average of \$54,000 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 Historic Districts and the extra effort to replicate the “four-square” historic sidewalk pattern and requirements of protecting historic

landscaping and retaining walls. The average cost of sidewalk replacement for the past eight years is \$12.33 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 re-scheduling 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**

<b>Revenue</b>	<b>Program Total as of September 30, 2014</b>	<b>October 1, 2014, to June 30, 2016</b>	<b>Program Total as of June 30, 2016</b>
Qwest Reserve Funds	\$1,061,384	--	\$1,061,384
General Fund Transfer	\$626,412	--	\$626,412
State Highway Funds	\$2,075,275	\$49,442	\$2,124,717
CIP Funds	\$46,498	--	\$46,498
Streets and Bridges Bond Funds	\$387,021	\$1,315,298	\$1,702,319
Total	\$4,196,590	\$1,364,740	\$5,561,330
Average per Month	\$52,995	\$64,988	\$53,994
Average Unit Cost per Square Foot of Sidewalk Replacement	\$11.50	\$15.89	\$12.33

### Program Outlook

Beginning in FY 2016-2017, a new two person sidewalk response team will be created to address small sidewalk repair issues.

The Sidewalk Rehabilitation Team will next focus on the Court-Chemeketa Historic District. Once completed, they will return to finish the Gerth Street NW and Edgewater Street NW corridors. Longer

-term, staff will focus on rehabilitating sidewalks and curb ramps adjacent to identified Priority ADA Routes throughout our community (Attachment 1.) 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.)

Bruce Hildebrandt  
Street Maintenance Services Supervisor

**Attachments:**

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

09/26/16