

**RESOLUTION NO. 2010-46  
OF THE CITY COUNCIL OF THE TOWN OF COLMA**

**RESOLUTION APPROVING THE TOWN OF COLMA AMERICANS WITH  
DISABILITIES ACT (ADA) SELF EVALUATION AND TRANSITION PLAN AND  
THE ADA EXPENDITURE PLAN**

The City Council of the Town of Colma does hereby resolve as follows:

**1. Background**

(a) Title II of the Americans with Disabilities Act of 1990 ("ADA") requires the Town of Colma to make its programs, services and activities, when viewed in their entirety, readily accessible to and usable by individuals with disabilities in all cases, except where to do so would result in a fundamental alteration in the nature of the program, or in an undue financial or administrative burden to the Town. In order to meet this mandate, the ADA requires the Town to perform a self-evaluation to determine which of its programs, services, policies and practices are not in compliance with the ADA, and also to determine how, and a schedule to make all modifications necessary to remedy any identified deficiencies. Making Town "programs, services and activities" accessible includes removing physical barriers to accessibility in public facilities, and public rights of way.

(b) The Town conducted its first ADA self-evaluation in 2002 and 2004. Based on this self-evaluation, it developed a draft ADA Transition Plan in 2008. However, after having the draft ADA Transition Plan reviewed by an accessibility consultant, staff discovered additional work needed to be done to complete the document.

(c) In 2009 and 2010, staff reevaluated the Town's programs, as well as the physical and architectural barriers in its facilities and public rights of way, by having each department evaluate its services, policies and practices based on a checklist provided by the Department of Justice. Based on this 2009-2010 evaluation, staff developed an updated ADA Self-Evaluation and Transition Plan.

(d) A study session was held on September 8, 2010 and a duly-noticed public hearing on November 10, 2010 on this matter. The draft Self-Evaluation and Transition Plan dated November 10, 2010 ("Draft Plan"), a copy of which was attached to the Staff Report for the City Council meeting on November 10, 2010, was available to the public for inspection since before September 8, 2010, and was considered by the City Council at the public hearing.

(e) The City Council considered the staff report and evidence presented at the public hearing, and concurred in the findings and recommendations set forth in the Draft Plan except the findings and recommendations set forth in section 4.3.6 of the draft Plan.

**2. Findings**

(a) The City Council finds that the Self-Evaluation and Transition Plan properly and adequately:

(i) Identifies all of the Town's programs, activities and services and reviews all of the policies, practices and procedures that govern the administration of the Town's programs, activities, and services;

(ii) Includes these elements:

(1) A list of physical barriers in the Town's facilities that limit the accessibility of its programs, activities, or services to individuals with disabilities;

(2) A detailed outline of the methods to be used to remove these barriers and make the facilities accessible;

(3) A schedule for taking the steps necessary to achieve compliance with the ADA, Title II; and

(4) The name of the individual responsible for the Transition Plan implementation.

(iii) Guides the planning and implementation of necessary program and facility modifications over the next several years; and

(iv) Establishes the Town's ongoing commitment to the development and maintenance of policies, programs and facilities to include all of its citizenry.

(b) The Expenditure Plan is a schedule, with cost estimates, for making the improvements necessary to implement the Town's ADA Transition Plan, beginning with the current fiscal year. Barring unforeseen circumstances, it is the intent of the Town to complete all work described in the Transition Plan within seven years, which is the minimum time needed to complete the barrier-removal work described in the Transition Plan. Seven years is needed for a number of reasons, including the number of streets and barriers involved compared to the Town's resources and the fact that the Town may need to acquire land in some instances from adjacent property owners to make room for sidewalk widening. Therefore, the plan is to systematically remove barriers in the rights-of-way and curb ramps in phases to ensure equality among Town programs. In establishing this schedule, the City Council has considered many factors, including the immediate necessity, degree of complexity and overall cost. The highest priorities, which will be addressed in phase one, will be given to removing barriers that prevent access to public facilities and public transportation. Lower priorities are given to removing barriers that prevent access to commercial areas and, finally, to residential neighborhoods.

(c) The work described in the Expenditure Plan is generally consistent with the barrier removal priority schedule identified in the ADA Transition Plan (see sections 4.2.3, 4.3 and 4.3.1, with the following exceptions or deviations.

(i) Many physical barriers with a "high" priority rating are not scheduled until the third and fourth year because the Town will likely be required to acquire land from some owners of properties adjacent to the streets, and the Town will need to acquire all needed parcels before beginning work on any given stretch of roadway. This process is not completely within the control of the Town and will require time and resources to accomplish. The projected schedule is based upon a realistic estimate of the time necessary to implement such land acquisitions.

(ii) Conversely, some physical barriers with a "low" or "medium" priority rating are scheduled in the first and second year because they require little planning, can be achieved with minimal costs and can be completed by Town staff. Thus, these items were scheduled in the early years to help achieve the Town's commitment to completing all work within seven years.

(d) The Town of Colma has appropriated \$20,000 for ADA-related work to be done in Fiscal Year 2010-2011.

### **3. Order Approving Self-Evaluation and Transition Plan and Expenditure Plan**

(a) The City Council hereby approves the Draft Plan, except for the findings and recommendations set forth in section 4.3.6. The City Council hereby directs the City Manager to revise the Draft Plan to delete section 4.3.6, and to re-number all subsequent sections, as necessary. The approved plan shall hereafter be referred to as the *Self-Evaluation and Transition Plan, November 10, 2010*, and the City Manager is instructed to maintain a true and correct copy of that plan and is instructed to implement the Transition Plan.

(b) The City Council hereby approves the Expenditure Plan set forth in Section 4, below, and directs the City Manager to implement the Expenditure Plan. Each year, the City Manager shall include in the proposed budget sufficient funds to implement the Expenditure Plan. The costs shown in the Expenditure Plan are known, estimated costs only. Costs that are unknown at the present time include costs for training and small office purchases such as TTY/DD machines, listening devices, etc.; costs of design, engineering and similar professional services for developing the plans to remove barriers are not in the Expenditure Plan; and land acquisition costs. These types of costs will be estimated and included in each year's proposed budget.

(c) Subject to the provisions of the next paragraph, the Expenditure Plan may be amended by the City Council based on a change in circumstances, such as a further decline in Town revenues.

(d) Each year except Fiscal Year 2010-2011, the Town will spend a minimum of \$25,000, plus an annual adjustment for increases in the Consumers Price Index of Urban Consumers (Revised Series), San Francisco-Oakland-San Jose Metropolitan area, All Items, 1982-84=100, to implement the Expenditure Plan. This minimum amount shall not be reduced because of any change of circumstances, and shall be used exclusively to install compliant curb ramps or remove architectural barriers. To guarantee sufficient funding to meet this minimum commitment, an *ADA Reserve* is hereby established, and the City Manager is directed to transfer not less than \$200,000 from the General Reserves to the ADA Reserves. Each year, the Town may transfer such funds from the ADA Reserves to the Operating Budget as may be needed to meet the Town's minimum commitment.

### **4. Expenditure Plan**

(a) Fiscal Year 2010-11

(i) In Fiscal Year 2011-12, the Town will undertake the following barrier-removal projects that in-house staff can accomplish with minimal costs at an estimated cost of \$18,750, and staff will begin planning the additional barrier removal work identified in Fiscal Year 2011-12.

(ii) Barrier removal plan for FY 2011-12:

- Sidewalk work on Serramonte between Junipero Serra Boulevard and El Camino Real
- Curb ramp/signage work at Creekside Villas & Town Hall Annex
- Picnic accessibility and signage at Sterling Park

(b) Fiscal Year 2011-12

(i) In Fiscal Year 2011-12, the Town will remove all accessibility sidewalk barriers on Serramonte Boulevard from Junipero Serra Boulevard to El Camino Real and improve accessibility around the exterior at Town Hall, Town Hall Annex, Historical Museum and Sterling Park, at an estimated cost of \$93,500. These changes will allow access from Serra Center/public transportation to Town Hall and Town Hall Annex, and improve access at other Town facilities. Staff will also begin planning the additional barrier removal work identified in Fiscal Year 2012-13.

(ii) Barrier removal plan for Fiscal Year 2011-12:

- Sidewalk work on Serramonte between Junipero Serra Boulevard and El Camino Real
- Curb ramp work on Junipero Serra Boulevard & Serramonte
- Parking lot work and signage at Town Hall, Town Hall Annex, Historical Museum
- Replace water fountain at Sterling Park

(c) Fiscal Year 2012-13

(i) In Fiscal Year 2012-13, the Town will remove all accessibility sidewalk barriers on Serramonte Boulevard from Hillside Boulevard to El Camino Real and complete all exterior accessibility barriers at Town facilities, at an estimated cost of \$211,000. These changes will allow access from businesses on Hillside Boulevard/public transportation to Town Hall and Town Hall Annex, complete all physical barriers around the exterior of all Town facilities. Staff will also begin planning the additional barrier removal work identified in Fiscal Year 2013-14.

(ii) Barrier removal plan for Fiscal Year 2012-13:

- Sidewalk work on Serramonte between El Camino Real & Hillside Boulevard
- Accessible ramps and handrails at Town Hall, Town Hall Annex, and Freight Building
- Curb ramps at Museum, Community Center and Sterling Park
- Sidewalk work at Town Hall Annex

(d) Fiscal Year 2013-14

(i) In Fiscal Year 2013-14, the Town will remove all accessibility sidewalk barriers on Colma Boulevard from Junipero Serra Boulevard to El Camino Real and begin curb ramp work and interior barrier removal at Town facilities, at an estimated cost of \$67,000. These changes will allow access from 280 Metro and public transportation facilities to Town Hall and town Hall

Annex, and provides greater access on the interior of Town Facilities. Staff will also begin planning the additional barrier removal work identified in Fiscal Year 2014-15.

(ii) Barrier removal plan for Fiscal Year 2013-14:

- Sidewalk and curb ramp work on Colma Boulevard
- Curb ramp work on Mission Road and Hillside Boulevard
- Doorways at Town Hall, Community Center and Sterling Park

(e) Fiscal Year 2014-15

(i) In Fiscal Year 2014-15, the Town will make all curb ramps in the Sterling Park neighborhood made compliant to current ADA standards, and will correct all thresholds at Sterling Park to meet ADA standards, at an estimated cost of \$44,000. These changes will make the Sterling Park neighborhood and Sterling Park Recreation Center ADA compliant. Staff will also begin planning the additional barrier removal work identified in Fiscal Year 2015-16.

(ii) Barrier removal plan for Fiscal Year 2014-15:

- Curb ramp work in the Sterling Park neighborhood
- Door thresholds at Sterling Park

(f) Fiscal Year 2015-16

(i) In Fiscal Year 2015-16, the Town will remove the two interior barriers at Town Hall. These changes will provide greater access to Town Hall, at an estimated cost of \$212,000. Staff will also begin planning the additional barrier removal work identified in Fiscal Year 2016-17

(ii) Barrier removal plan for Fiscal Year 2015-16:

- Remodel upstairs restroom and widen doorway at Town Hall.

(g) Fiscal Year 2016-17

(i) In Fiscal Year 2016-17, the Town will remove the remaining interior barriers at Town Hall and Town Hall Annex, at an estimated cost of \$55,500. These changes will make Town Hall and town Hall Annex ADA compliant.

(ii) Barrier removal plan for Fiscal Year 2016-17:

- Front desk counters at Town Hall and Town Hall Annex
- Accessible ramp to dais in the Council Chamber.

### **Certification of Adoption**

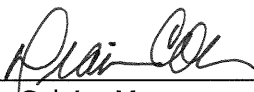
I certify that the foregoing Resolution No. 2010-46 was duly adopted at a regular meeting of the City Council of the Town of Colma held on November 10, 2010, by the following vote:

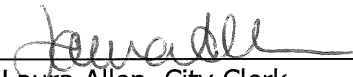
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| Name                  | Voting |    | Present, Not Voting |                   | Absent |
|-----------------------|--------|----|---------------------|-------------------|--------|
|                       | Aye    | No | Abstain             | Not Participating |        |
| Diana Colvin, Mayor   | √      |    |                     |                   |        |
| Helen Fisicaro        | √      |    |                     |                   |        |
| Raquel "Rae" Gonzalez | √      |    |                     |                   |        |
| Joanne F. del Rosario | √      |    |                     |                   |        |
| Joseph Silva          | √      |    |                     |                   |        |
| <i>Voting Tally</i>   | 5      | 0  |                     |                   |        |

Dated 11/19/10

  
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Diana Colvin, Mayor

Attest:   
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Laura Allen, City Clerk