

**RESOLUTION NO. 98-10**

**RESOLUTION OF THE CITY OF SAN BERNARDINO ADOPTING A POLICY FOR INSTALLING DISABLED ACCESS CURB RAMPS IN STREET REHABILITATION PROJECTS, AMENDING THE CITY'S AMERICANS WITH DISABILITIES ACT TRANSITION PLAN TO INCLUDE A SCHEDULE FOR PROVIDING CURB RAMPS, AND AMENDING RESOLUTION NO. 92-292.**

**WHEREAS**, on July 20,1992, the Mayor and Common Council adopted Resolution No. 92-292, which approved a policy of the City to comply with the Civil Rights Act of 1964, the Equal Employment Act of 1972, the Civil Rights Act of 1991, and the Americans with Disabilities Act of 1990 ("ADA"); which policy also included a Transition Plan in accordance with the ADA's Title 28 Code of Federal Regulations Section 35.150, forth the steps necessary for the City to complete structural changes to the City's public facilities, so that the City's services, programs and activities are readily accessible to and usable by individuals with disabilities; and

**WHEREAS**, Section 35-150 of the ADA also requires the City to include in its Transition Plan a schedule for providing curb ramps where pedestrian walks cross curbs,

**NOW, THEREFORE**, BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE CITY OF SAN BERNARDINO AS FOLLOWS: SECTION 1. Resolution 92-292 is hereby amended to include the policy attached hereto as Exhibit A, as part of the City's Transition Plan which was attached as an exhibit to Resolution -292. Exhibit A is entitled "Implementation of Curb Ramp Policy As Part of the ADA Transition Plan Adopted By the City on July 20, 1992", and is incorporated herein by reference.

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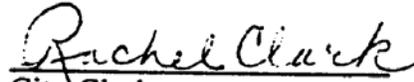
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I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the Mayor and Common Council of the City of San Bernardino at a joint adjourned regular meeting thereof, held on the 12<sup>th</sup> day of January, 1998, by the following vote, to wit:

<u>Commission Members</u>	AYES	NAYS	ABSTAIN	ABSENT
NEGRETE	X			
CURLIN		X		
ARIAS	X			
OBERHELMAN		X		
DEVLIN	X			
ANDERSON	X			
MILLER	X			

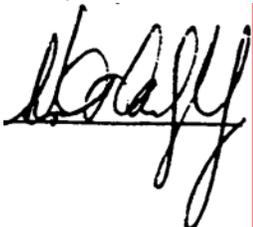
  
City Clerk

The foregoing Resolution is hereby approved this 13<sup>th</sup> day of January 1998.

  
NORINE MILLER, MAYOR PRO TEM  
City of San Bernardino

Approved as to  
form and legal content:

JAMES F. PENMAN  
City Attorney

By: 

**IMPLEMENTATION OF CURB RAMP POLICY AS PART OF THE  
ADA TRANSITION PLAN ADOPTED BY THE CITY ON JULY 20,1992.**

The Department of Public Works curb ramp construction program is incorporated into the Transition Plan and will be accomplished as follows:

In compliance with the Americans with Disabilities Act, the following steps are being taken to implement the Transition Plan with respect to the installation of disabled access curb ramps where pedestrian walks cross curbs.

- I. Set a goal of providing for the installation of at least 300 new curb ramps per year at selected locations based upon this Policy.
2. Curb ramps shall be installed on all newly constructed streets, which have curbs and sidewalks.
3. Where not already existing, curb ramps shall be installed on all newly altered streets where major street pavement rehabilitation or reconstruction projects are performed and where there exists a curb and sidewalk abutting the street at that location.
4. Curb ramps shall also be installed based upon the following priority list of locations:
  - a. Public buildings, places of public accommodations and public programs (including government offices and facilities and public transportation centers).
  - b. General services centers (public and private) such as hospitals, health organizations, and public aid agencies.

## **EXHIBIT A**

### **IMPLEMENTATION OF CURB RAMP POLICY AS PART OF THE ADA TRANSTION PLAN ADOPTED BY THE CITY ON JULY 20,1992.**

**(Continued)**

- c. Commercial/retail centers.
  - d. Pedestrian pathways (to facilities listed above).
  - e. Secondary pedestrian pathways, residential
  - f. Written or verbal requests from persons with disabilities for installation of curb ramps at locations other than those listed above.
5. Curb ramps shall be installed with all major street pavement rehabilitation or reconstruction projects, with the cost of the curb ramps provided from the funds allocated for the project.
6. Major street pavement rehabilitation or reconstruction projects shall not include projects which are minor repairs or maintenance activities, such as slurry seal, seal coat or patching pot holes, etc.; minor repairs or maintenance activities do not require the installation of curb ramps.