



Town of Yountville

6550 Yount Street
Yountville, CA 94599

Staff Report

Agenda Item #: {{section.number}}A

Yountville Town Council Staff Report

DATE: March 21, 2023

TO: Mayor and Town Council

FROM: John Ferons, Public Works Director

PREPARED BY: Rosalba Ramirez, Deputy Public Works Director

SUBJECT:

Capital Project CP-0018; Discussion and Direction Regarding Final Designs for ADA Accessibility Improvements for Public Lands located at Forrester Park and Three Weirs Park.

DISCUSSION/BACKGROUND

The Town of Yountville conducted an Americans with Disabilities Act Self Evaluation and Transition Plan (SETP) in 2014/15 as required by Federal law. This comprehensive audit (and the results) included the Town infrastructure, public facilities, parking areas, sidewalks, pathways, and parks. The SETP was presented to Town Council and was approved in 2015. Prior to the SETP effort, in 2012 an unfortunate fall and injury of a resident in the Washington Park neighborhood resulted in an investigation that put the Town on constructive notice that the neighborhood provided inadequate access per the Americans with Disabilities Act (ADA). Then in 2015 the Town Council Approved SETP confirmed that the parking strips and walkways in the Washington Park neighborhood do not meet the ADA standards. In an effort to correct the deficiencies, a project to install ADA ramps and sidewalks in the neighborhood was initiated but later terminated after discussion with the homeowners in the area communicated a preference for the original non-ADA compliant design.

To provide ADA access to Town publicly owned lands within the neighborhood, the ADA Self-Evaluation Transition Plan identified the need to design and install ADA compliant access at Forrester Park, and Three Weirs Park, along with a sidewalk improvement on the south side of Forrester Lane from Vista Drive to the public path system at the east end of Forrester Lane. The majority of the communications from those in the neighborhood who participated in the process were supportive of this requirement at that time. The communication between the Town and the residents made it clear that this project would not install new sidewalks in the entire neighborhood but would include accessibility at the Town owned properties at future date as prescribed by the SETP.

Current Project

Focusing on Forrester Park and Three Weirs Park, the features that exist that require the Town to address the ADA accessibility requirements are:

- Public parking at each location
- Play Structure and Picnic Facilities at Forrester Park
- Path access to bridge at Three Weirs Park to Hopper Creek Path
- Each location is publicly owned land and as such requires equal access to persons of all abilities.

- How the publicly owned land is identified, be it a park, open space or green space is immaterial.
- Public land requires equal access to all and failure to do so would be considered discrimination against those with disabilities who cannot access those facilities due to the public facility's physical configuration.

Additionally at the Three Weirs location the existing ADA Ramp at the street and the path from the street to the bridge are not constructed to be compliant with ADA design standards and therefore need to be reconstructed to meet ADA requirements.

ADA Specifics

As required by the Title II of the Americans with Disabilities Act ("ADA"):

- Facilities constructed or altered by, on behalf of, or for the use of a public entity after March 15, 2012 must comply with the 2010 ADA standards. (Cal. Code of Regs., tit. 28, § 35.151, subd. (a), (c)(3))
- The 2010 ADA Guidelines require 1 accessible parking spot for parking facilities with 1-25 total parking spaces; 2 accessible parking spots for facilities with 26-50 total parking spaces; 3 accessible parking spots for facilities with 51-73 total parking spaces; etc. (2010 ADA Standards for Accessible Design, tit. 2., ch. 2, § 208)
- Accessible parking spaces must be located on the shortest accessible route of travel to an accessible facility entrance. Where buildings have multiple accessible entrances with adjacent parking, the accessible parking spaces must be dispersed and located closest to the accessible entrances.
- 2010 ADA standards require "[a]t least one accessible route shall be provided within the site from accessible parking spaces and accessible passenger loading zones; public streets and sidewalks; and public transportation stops to the accessible building or facility entrance they serve."

Project Specific Information

As identified in the adopted ADA Self Evaluation and Transition Plan, the scope of work for this project includes one accessible parking stall at Forrester Park and one at Three Weirs Park along with improvements made to the existing pedestrian ramp leading to the pedestrian bridge. This scope of work is NOT a project to construct sidewalk along the streets in the Washington Park neighborhood. The project presented would only construct improvements on town owned property and will not encroach or front any private property.

The funding for this project will be via the TDA-3 grant program. The funds are to be used for design and construction of the identified improvements at the two Washington Park Locations. Approximately \$39,794 have already been spent for the preliminary design and project renderings used for the community meetings. This leaves approximately \$120,206 for the construction of the facilities. Each site is estimated to cost in the range of \$60,000, with variations as the final design is determined. The deadline for these funds, including construction, is August 2024.

Public Outreach and Community Engagement

To advance this project within the Washington Park neighborhood, Town staff has conducted multiple stakeholder meetings to present the project to the neighborhood residents specifically and also those are interested in the project. The meetings presented information regarding the prior 2015 SETP effort and specifics as to what this project will include at each location. The dates of those meetings were as follows:

- Community Meeting 1 (Zoom): July 26, 2022
- Community Meeting 2 (Zoom): October 20, 2022
- Community Field Meeting 3: November 16, 2022
- PRAC Meeting (Town Hall Council Chambers): November 17, 2022

The Town received suggestions on methods for community outreach during these meetings. Based on those suggestions the Town placed project posters with project information and renderings at each park, which are updated prior to each community meeting.

The Town also revised the design of parking stalls based on the community feedback at these meetings including:

- Revisions were made to include 90-degree pull in parking at both parks with a meandering walkway through Three Weirs Park.
- Additional revisions were made based on subsequent meetings to include revised parallel parking at Three Weirs
- Now a new option had been prepared proposing to remove the public parking at Three Weirs Park removing the need to construct an ADA accessible parking stall at this location.
- The most frequent input received from a group of residents in attendance at the community meetings was to cease the project and not move forward with any effort in Washington Park.

Why this project, Why Now

A common question at the community meetings is why is the Town pursuing this project at this time. The answer being federal law required the Town to perform and adopt an ADA Self-Evaluation Plan which identifies any deficiencies in public property, identifies specific remedies for each and applies a timeline for correction. Absent that, the Town would be out of compliance with federal law which make the town ineligible for federal funding, while not doing this project at this time would jeopardize this grant and future grant opportunities. Information applied to this project at this time is as follows:

- ADA Compliance Always Required on Public Land
 - Clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities.
 - Assures equality of opportunity, full participation, independent living, and economic self-sufficiency for all people.
- Town Policy
 - Town ADA Self Evaluation and Transition Plan adopted by Council in 2015.
 - These two locations specifically identified to be constructed in year 1 – 4 of plan.
 - The Town sought and received TDA Grant Funding specific to this project, the funds of which have a deadline.
- Funding Eligibility
 - Compliance with ADA and adoption of Self Evaluation and Transition Plan required by ADA for Local Agency Funding
 - Example: Without ADA compliance and SETP, Town would not be eligible to apply for USDA Low Interest Loan for Wastewater Treatment Plant project funding.
 - Example: Without ADA compliance and SETP, Town would not be eligible to apply for FEMA Disaster Relief Funding for the failed Recycled Water Line.
 - Example: If the Town cancelled the project, it would be required to remit the grants, reducing the Town's rating decreasing future grant funding opportunities.

Current Status

Forrester Park: The 90-degree pull in ADA parking stall at Forrester Park uses the existing landscape area and will impact one existing parallel parking stall. The design at this location seems to be agreed upon and accepted by the participants.

Three Weirs Park: The 90-degree pull in ADA parking stall and meandering path seems to be the least popular by the participants and may be removed from consideration. The remaining choices for Three Weirs are:

- Keep the public parking and construct a parallel ADA parking stall and reconstruct the ramp from the new ADA stall to the bridge. This option remains the most unpopular with all of the participants.
- The newest design alternative would be to deconstruct the public parking and not construct an ADA parking stall.
- Regardless of the design decision for the accessible parking, the existing pedestrian ramp that leads to the pedestrian bridge will have to be reconstructed to meet those standards.

Given the Federal requirement that the Town provide equal access to all, the ADA Self Evaluation and Transition

Plan policy set forth by Town Council and the goal to construct a project acceptable to the Washington Park neighborhood, Town staff is requesting direction from the Town Council on how best to proceed with the design of this project and the preferred design options for each location.

ENVIRONMENTAL REVIEW

Categorically Exempt per California Environmental Quality Act (CEQA) Guideline; Class 4, Minor Alterations to Land

FISCAL IMPACT

Is there a Fiscal Impact? Yes

Is it Currently Budgeted? Yes

Where is it Budgeted? CP-0018

Is it Mandatory or Discretionary? Mandatory

Is there a Staff Resource Impact? Nominal

STRATEGIC PLAN GOAL

Is item Identified in Strategic Plan? Yes

If yes, Identify Strategic Goal and Objective. **Quality of Life:** The Town enhances the livability of Yountville by providing well-maintained public facilities, parks and trails, and quality programs and **events**. **Engaged Residents:** The Town embraces our residents' commitment to community as seen through volunteerism, civic engagement, and public participation that enhances the **Quality of Life** in Yountville.

Briefly Explain Relationship to Strategic Plan Goal and Objective. The Town is committed to providing quality of life in Yountville parks to all of its residents, regardless of ability. The effort to do so included the residents through civic engagement which ultimately has helped to guide the shape of this project.

RECOMMENDATION

Receive the presentation and direct questions to staff.

Receive public comment.

Conduct Council discussion and provide direction regarding final designs for ADA Accessibility Improvements for Public Lands located at Forrester Park and Three Weirs Park.