



CITY OF LINCOLN
NEBRASKA

MAYOR CHRIS BEUTLER

lincoln.ne.gov

Engineering Services
Public Works and Utilities Department

Karl Fredrickson, Director

531 Westgate Blvd.

Suite 100

Lincoln, Nebraska 68528

402-441-7711

fax: 402-441-6576

October 3, 2007

Mr. Kirk Fredrichs
Federal Highway Administration - Nebraska Division
100 Centennial Mall North Room 220
Lincoln, NE 68508

RE: **City of Lincoln, Nebraska - Pedestrian Master Plan & Transition Plan for facilities located in street Right-of-Way.**

Dear Kirk,

Enclosed you will find the final 2007 versions of the **Pedestrian Master Plan** and **Transition Plan** for the City of Lincoln, Nebraska "Right-of-Way Pedestrian Facilities". Included as part of these plans are a map of the construction schedule for repair of sidewalks, a trails facilities plan and our newly adopted A.D.A. Grievance Procedure. Also, I have included correspondence sent to two organizations for the blind and visually impaired and to the League of Human Dignity. As of this date, we have not received any written or verbal comments related to the plans from any of these three agencies. We have received a letter of support from our local Pedestrian/Bicycle Advisory Committee, which is also included.

Please feel free to contact me with any questions or comments. As stated in the **Transition Plan**, we are currently working on gathering data on where curb ramps are in place and where they are absent, with a schedule of completion by 2009. Once this is completed, we will identify a construction schedule for building curb ramps to comply with A.D.A. Until that time we will continue adding and replacing ramps with all sidewalk or street projects or as specific requests are made.

Sincerely,

Scott A. Opfer, Manager
Traffic & Engineering Services Operations
Public Works & Utilities Department
City of Lincoln, Nebraska

cc: Trish Owen, Mayor's Office
Karl Fredrickson, Public Works Director
Roger Figard, City Engineer
Randy Hoskins, Asst. City Engineer
Joe Rupp, Asst. City Attorney
Harry Kroos

Pedestrian Master Plan

8-27-07

Introduction

As stated in the recently adopted **2030 Lincoln/Lancaster County Comprehensive Plan**,

“Walking is an essential part of our daily activities, whether it be trips to work, shop, or play. Often pedestrian facilities are overlooked or merely added onto street improvement projects. However, to preserve and enhance the quality of life for Lincoln, consistent maintenance and rehabilitation of the existing pedestrian system and additional facilities are needed. Planning and developing pedestrian facilities should consider many factors:

- ◆ *Location of existing and planned activity centers and districts, such as shopping malls, older neighborhood centers, libraries, community centers and schools.*
- ◆ *Programs to retrofit established sections of town with pedestrian amenities.*
- ◆ *Design standards for pedestrian facilities in new residential and mixed-use developments.*
- ◆ *Location of existing and planned multi-use trails.*
- ◆ *Requirements from the Americans With Disabilities Act (ADA).*
- ◆ *Needs of a growing senior population.”*

The Public Works & Utilities Department, in association with the Lincoln/Lancaster County Planning Department, has developed a Pedestrian Facilities Transition Plan which details all facets of pedestrian facility installation and repair. The Transition Plan includes a commitment by the community for: 1) Installation of new pedestrian facilities; 2) Repair of existing pedestrian facilities; and 3) Installation of curb ramps in compliance with ADA standards. The Plan also includes an annually updated sidewalk repair map, which has been developed in coordination with the annual Capital Improvement Program Budget (CIP) request submitted to the Lincoln City Council. In addition, a formal “Grievance Procedure” has been developed and made part of this Master Plan and work has begun developing a G.I.S. database which will contain an inventory of the City of Lincoln’s sidewalk system. Both this Pedestrian Master Plan, as well as the Sidewalk Transition Plan have been distributed for review to local pedestrian and advocacy groups including but not limited to, the Mayor’s Bicycle and Pedestrian Advisory Committee, the League of Human Dignity, the Commission for the Blind and Visually Impaired and Nebraska Advocacy Services.

Other Pedestrian Facilities

Other pedestrian facilities besides sidewalks and curb ramps, such as recreational trails, grade separated underpasses or overpasses, traffic signalized pedestrian/school crossings, marked and signed pedestrian/school crossings and specialized pedestrian “Push Buttons” for the blind and visually impaired are being planned for and implemented as conditions warrant and as Lincoln continues to grow. Maintenance of existing facilities continues to be a priority, even as operating budgets are reduced and competition for tax funds increases.

Recreational Trails & Grade Separated Crossings

The planning for future recreational trails, as well as for grade separated crossings, has been identified in the most recent update of the Lincoln/Lancaster County Comprehensive Plan (Attachment C). Limited funding for implementation is or will be included in either the Parks & Recreation Department's or Public Works & Utilities Department's Capital Improvement Programs. This 25 year plan also identifies "Strategies" for extension of the existing trail system, as well as for exploring options to establish dedicated funding for not only installation of new facilities, but also for rehabilitation and maintenance of existing facilities.

Pedestrian & School Crossings

The level of protection for pedestrians using pedestrian crossings or school crossings is determined based upon detailed engineering studies. The standards and guidelines used to determine the level of protection are set forth in the Manual On Uniform Traffic Control Devices (MUTCD). Pedestrian crossings, which are identified as crossings where consistently large numbers of pedestrians of all ages are crossing a street daily, are evaluated primarily on a request basis. Evaluation criteria for school crossings, which are identified as crossings where consistently large numbers of school children are crossing a street daily, have been set forth in the City of Lincoln's School Crossing Protection Manual. At locations where traffic signal control is in place, other specialized traffic control may also be added to help increase the safety and efficiency of the crossing. "25 mph School Speed Zones" and "Prepare to Stop When Flashing" flashers are installed at locations where large concentrations of elementary or middle school children are crossing an arterial street. Criteria for installation of these devices is also included in the School Crossing Protection Manual. Examples of other additional traffic control are things such as extending pedestrian clearance intervals based upon the types of pedestrians using the crossing. For instance, at many heavily used school crossings where the primary use of the crossing is by elementary age school children, a reduced walking speed is used when calculating the pedestrian clearance time, thus extending the amount of time given for pedestrians to clear the street. Also being used are "Countdown Pedestrian Heads". These are being installed to better inform pedestrians of the time remaining to clear the street.

Accommodations for the Blind and Visually Impaired

The use of specialized traffic control for the blind and/or visually impaired people in our community is currently being implemented as requests are made to the Public Works & Utilities Department, Engineering Services Division. Specialized "Pedestrian Push Buttons", which have features which provide other sensory information for the blind or visually disabled pedestrian, are one example of this specialized traffic control and have been installed at some signalized locations in Lincoln. Other measures, such as building "refuge areas" at pedestrian crossings, providing detectable guidance through the use of tactile pathways and working to educate the blind and visually disabled on proper street crossing techniques are all potential solutions for helping to provide for the needs of this portion of our community.

Transition Plan Update 2007

Sidewalk & Curb Ramps

8-27-07

Introduction

Lincoln's Public Works & Utilities Department adopted an initial Transition Plan in July 1992 in response to regulation 28 C.F.R. Part 35. Due to a complaint filed against the City of Lincoln to the U.S. Department of Justice, the Public Works & Utilities Department has undertaken the review and update of the 1992 Transition Plan. The updating of this plan has been required by the FHWA in response to the complaint with the terms of the resolution document being approved in May 2006, requiring the update of the Transition Plan by May 1, 2007. In addition, a supplemental document identified at a Pedestrian Master Plan, must be completed in conjunction with the Transition Plan. Future updates to both the Transition Plan and the Pedestrian Master Plan will be completed by the Public Works & Utilities Department in conjunction with the annual updating of the Lincoln/Lancaster County Long Range Transportation Plan and Comprehensive Plan.

Pedestrian Facilities Transition Plan

The City of Lincoln continues to recognize the importance of accessible pedestrian facilities, including obviously sidewalks and curb ramps. The 1992 Transition Plan identified the completion of curb ramps and accessible sidewalks in association with street rehabilitation projects, sidewalk projects and street and utility improvement projects (i.e. major street widening projects). The City of Lincoln will continue with this philosophy. The Mayor and City Council also have the legal authority to order new sidewalks and ramps to be built along properties where gaps in the sidewalk system exist. Each year the Public Works & Utilities Department will continue to recommend locations, based upon public comment and need, for their consideration.

Other mechanisms for the City to get new sidewalks and ramps built is through the City Zoning Ordinances, Subdivision Ordinances and Design Standards. All new subdivisions continue to be required to install ADA accessible curb ramps and sidewalks and all new developments are required to submit a Pedestrian Circulation Plan which must be approved by the City prior to the applicant receiving a building permit. A Pedestrian Circulation Plan must also be approved for any existing buildings which are being substantially enlarged.

Finally, in an effort to help insure that ADA standards are met when designing and constructing pedestrian facilities, the Public Works and Utilities Department will continue to schedule and sponsor review and training sessions. The goal would be that City personnel, design and construction consultants and contractors have an understanding of the design and construction requirements associated with ADA. The Public Works Annual Spring Construction Review meeting is one opportunity to conduct this type of training, as well as professional organization workshops and conferences such as ASCE and APWA events. This review and training will help increase the chances that all paving and utility projects which include pedestrian facilities meet the minimum design requirements identified in the ADA standards.

The final component for working towards achieving accessible curb ramps and sidewalk in the City of Lincoln, is the maintenance of existing facilities. As a result of an effort initiated in 1988, the City initiated a comprehensive sidewalk repair program with a goal to notify property owners in selected areas of their responsibility to repair sidewalks and complete repairs in the entire community over a seven year schedule. Representatives from the community initiated a petition in 1990, which placed a ballot initiative in the City's general election which amended the City Charter and assigned the responsibility for sidewalk repair from the property owner to the City. The election initiative was successful and a follow-up vote held in 1992 affirmed the previous vote. Therefore, the City of Lincoln will appropriate funds annually, for sidewalk repair, curb ramp construction and reconstruction to comply with ADA standards. Repair projects will follow the schedule identified on the ***6 Year Sidewalk Reconstruction Map*** (Attachment A) which is based upon available funding. This map will be updated annually to identify additional neighborhood repair projects. The size of the future neighborhood projects will again be dependant upon available funding. In addition, the Public Works & Utilities Department will continue to build curb ramps as specific requests are made to the Sidewalk Office. Funding for these requests will also come from the funds allocated for sidewalk repair. A more specific schedule for installation of ramps in neighborhoods where ramps do not currently exist will be developed following completion of G.I.S. Ramp Database.

G.I.S. Sidewalk and Ramp Database

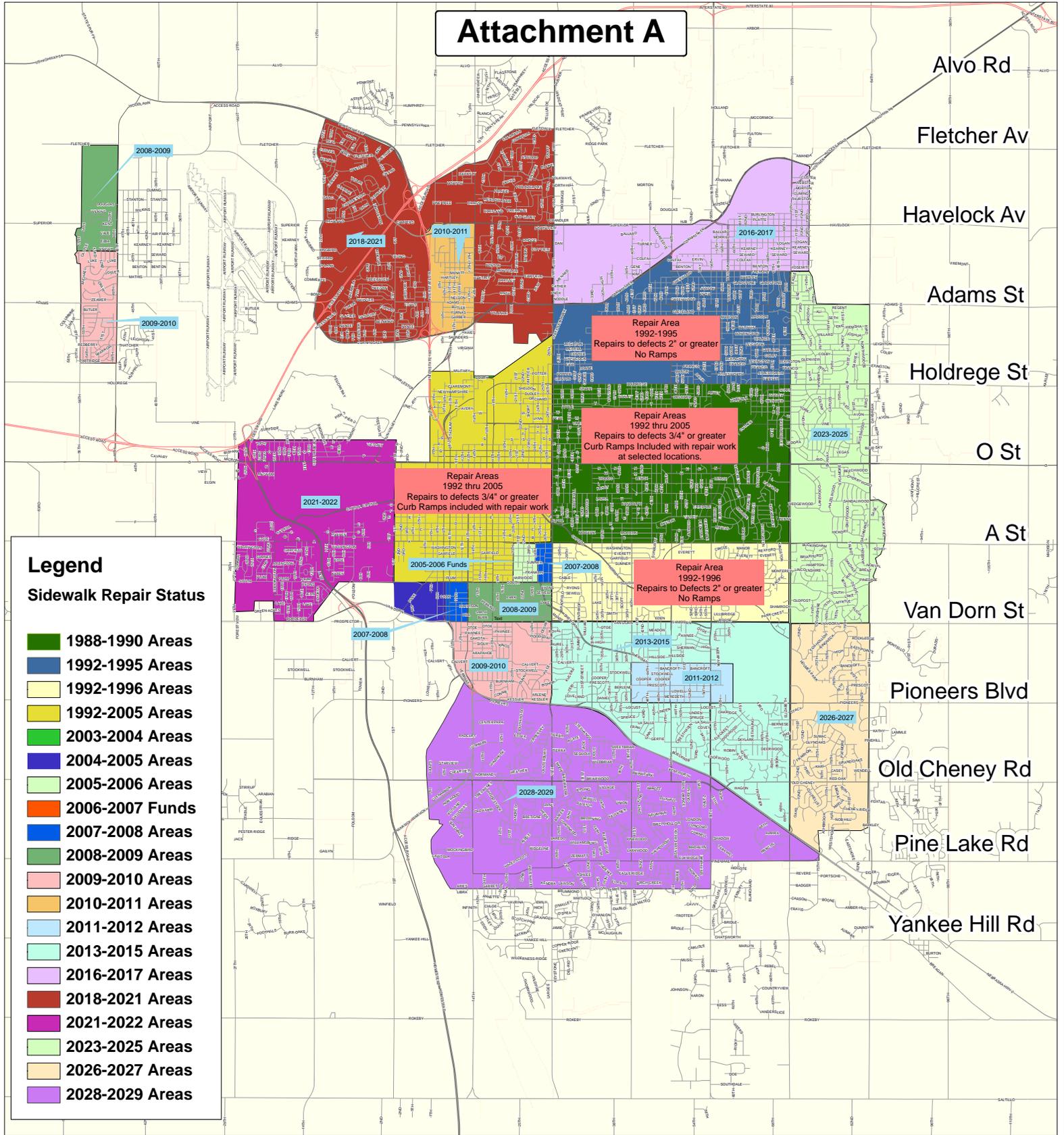
A critical tool needed to assist in better identifying existing conditions is the development of a GIS map and inventory of the sidewalk and curb ramp system within the City of Lincoln. The Public Works & Utilities Department has initiated this survey with a goal of completion by 2009. This inventory will assist in determining where sidewalks and curb ramps are not present, which will allow better planning and identification of future dollars needed to complete these two critical pedestrian facilities.

Grievance Procedure

The final piece to the overall Pedestrian Master Plan has been developed to comply with the 1992 C.F.R. and deals with a formal process for receiving and processing complaints/requests and for dealing with grievances if the citizen doesn't agree with the response given by the City. This "*Grievance Procedure*" is now in place and meant to better serve the citizens of our community. (See Attachment B)

Public Works & Utilities

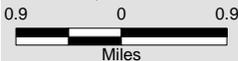
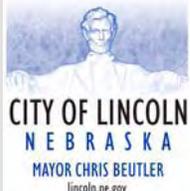
Attachment A



Legend

Sidewalk Repair Status

- 1988-1990 Areas
- 1992-1995 Areas
- 1992-1996 Areas
- 1992-2005 Areas
- 2003-2004 Areas
- 2004-2005 Areas
- 2005-2006 Areas
- 2006-2007 Funds
- 2007-2008 Areas
- 2008-2009 Areas
- 2009-2010 Areas
- 2010-2011 Areas
- 2011-2012 Areas
- 2013-2015 Areas
- 2016-2017 Areas
- 2018-2021 Areas
- 2021-2022 Areas
- 2023-2025 Areas
- 2026-2027 Areas
- 2028-2029 Areas



Sidewalk Reconstruction Schedule

Attachment B

Grievance Procedure under The Americans with Disabilities Act

The City of Lincoln has adopted a grievance procedure providing prompt and equitable resolution of complaints alleging noncompliance with the Americans with Disabilities Act of 1990.

A complaint may be filed in writing or, when requested as an accommodation, in another format (such as personal interviews or a tape recording of the complaint) that accommodates the complainant's disability. The complaint should provide the complainant's name, address and phone number, a detailed description of the incident or condition, the location, date and time of the incident.

The complaint should be submitted by the grievant as soon as possible but no later than 60 calendar days after the alleged violation.

I. City Facilities, Programs, Service or Activities

Complaints concerning access to City facilities, programs, services or activities should be addressed to:

ADA Coordinator
City Attorney's Office
575 S. 10th Street, Suite #4201
Lincoln, NE 68508
Voice: (402) 441-7281
Fax: (402) 441-8812

A. Upon receipt of a complaint, the Mayor's Office will provide the appropriate department ADA Coordinator with a copy of the complaint. The department ADA Coordinator will then conduct an investigation. The departmental ADA Coordinator may seek assistance of the Mayor's Office and the City Attorney in investigating and responding to the complaint.

B. Within thirty calendar (30) days of the receipt of the complaint, the department ADA Coordinator and department head will respond in writing or in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the City, and, where appropriate, offer options for substantive resolution of the complaint.

C. If the response by the department ADA Coordinator and department head does not satisfactorily resolve the issue, the complainant may appeal the decision within fifteen (15) calendar days after receipt of the response to the Mayor or his designee. Within fifteen (15) calendar days after receipt of the appeal, the Mayor or his designee will respond in writing or in a format accessible to the complainant, with a final resolution of the complaint.

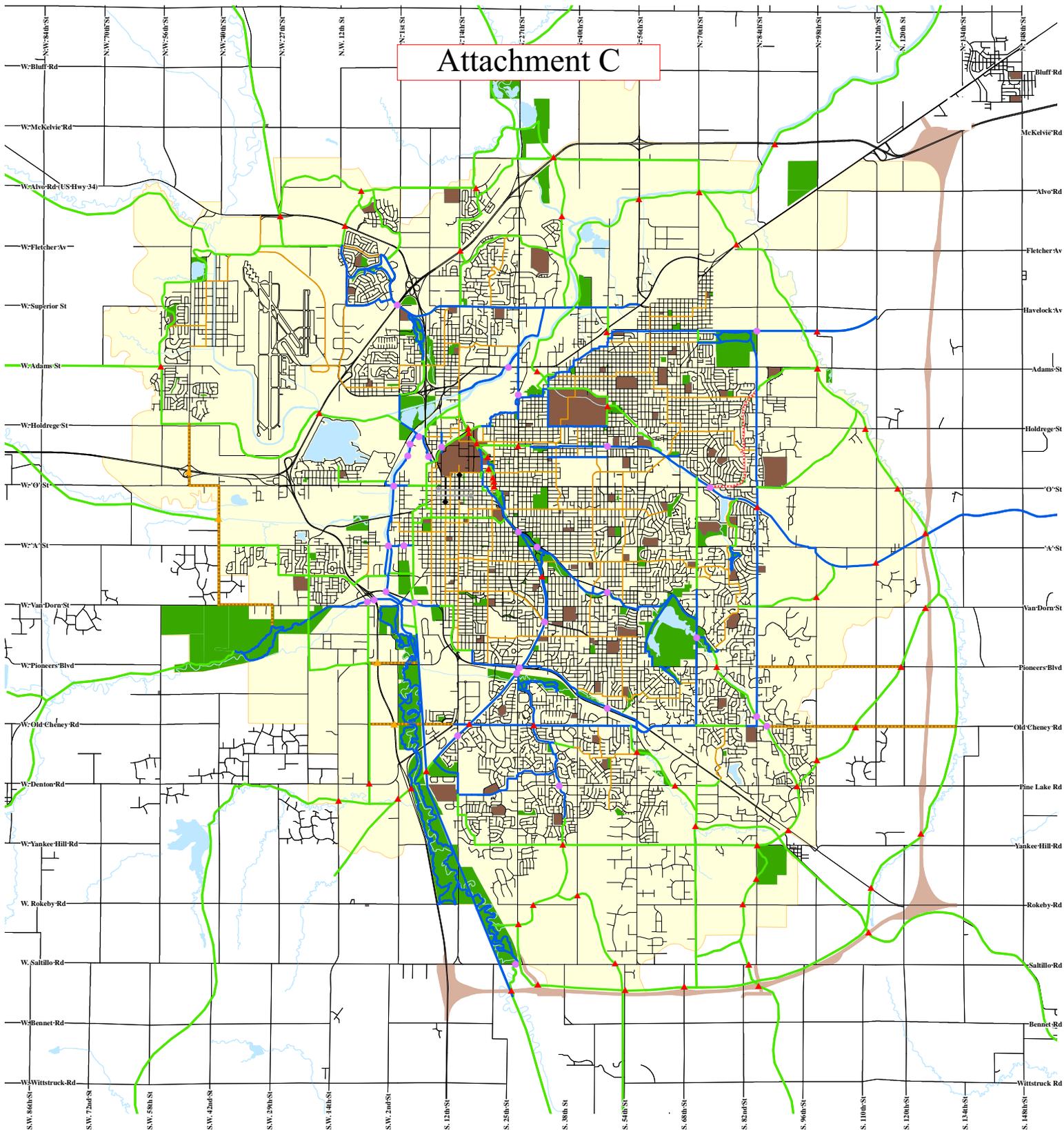
D. All written complaints received by the ADA Coordinator, appeals to the Mayor, and responses from these two offices will be retained by the City for at least three years.

II. Employment

Complaints alleging discrimination against applicants or employees on the basis of disability should be addressed to:

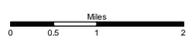
City Attorney's Office
575 South 10th Street, Suite #4201
Lincoln, NE 68508
Voice: (402) 441-7281
Fax: (402) 441-8812

Attachment C



MULTI-USE TRAILS AND BICYCLE FACILITIES PLAN

- Beltway Corridor
- Schools
- Parks
- Future Service Limit
- Current Trails
- Future Trails
- Preserve Trail ROW
- Existing On-Street Routes
- Existing Bike Lanes
- Potential Bike Lanes
- Existing Grade Separation
- Future Grade Separation
- Trail Location or Bike Route To Be Determined





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NEBRASKA

MAYOR CHRIS BEUTLER

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Public Works and Utilities Department
Karl Fredrickson, Director
531 Westgate Blvd.
Suite 100
Lincoln, Nebraska 68528
402-441-7711
fax: 402-441-6576

July 24, 2007

National Federation of the Blind of Nebraska
Attn: Mr. Jeff Altman
1033 'O' Street
Lincoln, NE 68508

RE: A.D.A. Transition Plan Review

Dear Mr. Altman:

As you are probably aware, the Americans with Disabilities Act of 1990 (ADA) placed a requirement on all State and local governments with 50 or more employees to perform a self evaluation of their current services, policies and practices that do not or may not meet ADA requirements. It also required the development of a Transition Plan addressing these deficiencies. This self-evaluation and Transition Plan were to be completed by 1995. The City of Lincoln, met these requirements with the completion of the self-evaluation and Transition Plan in August of 1992. Since that time, the City has made every attempt to provide public facilities which meet ADA requirements in accordance with the original 1992 plan.

One of the other requirements of ADA is that the plan be updated periodically and that the public, including the disabled community, have the opportunity to review the plan. We would invite you, as a representative of the National Federation of the Blind of Nebraska, to review and provide us with written comments on the attached updated Transition Plan for facilities located within the public right-of-way. Also included with this plan is a more general overview of the City's pedestrian program titled the Pedestrian Master Plan. We would ask that you provide us with written comments on both documents by the end of the business day of August 17, 2007. If you would like to forward your comments electronically, you can send them to me at sopfer@lincoln.ne.gov. If you have any questions while in review, you may contact me directly at 441-7851.

In conclusion, we would like to thank you in advance for providing us with your thoughts and comments on these very important documents. Again, please do not hesitate to contact me with questions.

Sincerely,

Scott A. Opfer, Manager
Traffic & Engineering Services Operations
Public Works & Utilities Department

cc: Trish Owen, Mayor's Office
Karl Fredrickson, Public Works Director
Roger Figard, City Engineer
Randy Hoskins, Asst. City Engineer
Harry Kroos

Enc.



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MAYOR CHRIS BEUTLER

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531 Westgate Blvd.
Suite 100
Lincoln, Nebraska 68528
402-441-7711
fax: 402-441-6576

July 24, 2007

American Council of the Blind
Attn: Mr. Bill Orester
P.O. Box 94641
Lincoln, NE 68509

RE: **A.D.A. Transition Plan Review**

Dear Mr. Orester:

As you are aware, the Americans with Disabilities Act of 1990 (ADA) placed a requirement on all State and local governments with 50 or more employees to perform a self evaluation of their current services, policies and practices that do not or may not meet ADA requirements. It also required the development of a Transition Plan addressing these deficiencies. This self-evaluation and Transition Plan were to be completed by 1995. The City of Lincoln, met these requirements with the completion of the self-evaluation and Transition Plan in August of 1992. Since that time, the City has made every attempt to provide public facilities which meet ADA requirements in accordance with the original 1992 plan.

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ADA Review American Council of the Blind Orester sao mk.wpd



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Public Works and Utilities Department
Karl Fredrickson, Director
531 Westgate Blvd.
Suite 100
Lincoln, Nebraska 68528
402-441-7711
fax: 402-441-6576

July 24, 2007

League of Human Dignity
Attn: Mr. Mike Shafer
1701 'P' Street
Lincoln, NE 68508

RE: **A.D.A. Transition Plan Review**

Dear Mr. Shafer:

As you are aware, the Americans with Disabilities Act of 1990 (ADA) placed a requirement on all State and local governments with 50 or more employees to perform a self evaluation of their current services, policies and practices that do not or may not meet ADA requirements. It also required the development of a Transition Plan addressing these deficiencies. This self-evaluation and Transition Plan were to be completed by 1995. The City of Lincoln, met these requirements with the completion of the self-evaluation and Transition Plan in August of 1992. Since that time, the City has made every attempt to provide public facilities which meet ADA requirements in accordance with the original 1992 plan.

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cc: Trish Owen, Mayor's Office
Karl Fredrickson, Public Works Director
Roger Figard, City Engineer
Randy Hoskins, Asst. City Engineer
Harry Kroos

Enc.

ADA review League of Human Dignity Shafer sao mk.wpd

Mayor's Pedestrian/Bicycle
Advisory Committee
2740 "A" Street
Lincoln, NE 68502

August 29, 2007

To Whom It May Concern:

The Mayor's Pedestrian/Bicycle Advisory Committee has reviewed the drafts for the Transition Plan Update 2007 Sidewalk & Curb Ramps, the Pedestrian Master Plan, and the Grievance Procedure under The Americans with disabilities Act. The committee unanimously found them to be acceptable and would like to go on record as supporting adoption of them as worded.

Cordially,



Beth Thacker, Chairperson
Mayor's Pedestrian/Bicycle Advisory Committee