

Tammy Cloud-McMinn

From: Steve Linke <splinke@gmail.com>
Sent: Friday, July 17, 2020 10:22 PM
To: City Clerk
Cc: Nathan Schmidt; Kyle Lancaster
Subject: 7/21/2020 City Council Item #7: ADA sidewalk ramp and Tamarack State Beach tunnel projects

All Receive - Agenda Item # 7
For the Information of the:
CITY COUNCIL
Date 7/21 CA CC
CM ACM DCM (3)

Honorable Mayor and City Council:

The staff report on this item states that all three of the projects in this item were unanimously recommended by the Traffic and Mobility Commission. While the vote recommending the two sidewalk ramp projects was unanimous (7-0), Commissioner Johnson and I voted against recommending the tunnel (5-2).

Our meeting minutes also were not included in the staff report, so I will report that I raised a concern that there was a lower level of public outreach and no assessment of demand for the tunnel, unlike what was done for the ramps. However, I also expressed that it would be nice to see all three projects completed, if the funding was available (and other similar projects elsewhere were not in need of funding), but that, if funding was an issue, the three projects might be prioritized as follows.

1. Pine Avenue sidewalk ramp: Current slope is 15.6%, compared to the 8% ADA goal (\$2.8 million)
2. Tamarack Avenue sidewalk ramp: Current slope is 9.9% (\$2.8 million)
3. Lagoon-beach tunnel (\$3 million)

The full audio of the commission's discussion on this item is available at tinyurl.com/y2a2z7lk starting at 18:08, as part of my T&MC audio/video YouTube channel with a homepage at tinyurl.com/y36934qt.

These projects also raise interesting questions around Prop H (the \$1 million city funding limit), and the exceptions introduced by Prop C (including "construction of trail linkages") and the Prop H Guidelines adopted by council (including "upgrades of existing facilities"). The resolution in the staff report considers the sidewalk ramp projects to be constructions of trail linkages, which may be a stretch of the voter intent on Prop C. However, that may still be better than the "upgrades of existing facilities" category from Guideline 6, because the original Prop H specifically excludes "modification, enlargement, or alteration of existing improvements."

The awkward questions are what is defined as a "trail linkage" and exactly what is the distinction between an "upgrade of an existing facility" and a "modification or alteration of an existing improvement"? Perhaps it is time for voters to revisit Prop H (at least the dollar limit) to give council broader power to fund capital projects, particularly given how much has changed in the 38 years since it was passed, including the value of a dollar. That would alleviate the need to fit these round pegs into square holes, and then relying on nobody taking legal action as the confirmation that it was OK.

Best regards,
Steve Linke
Carlsbad, CA

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