



DISTRIBUTION DATE: 9/25/26

MEMORANDUM

TO: HONORABLE MAYOR &
CITY COUNCIL

FROM: Josh Rowan
Oakland Department of
Transportation, Director

SUBJECT: Curran Consent Decree – First Six
Months Report

DATE: September 23, 2026

City Administrator Approval

Michelle N. Phillips
Michelle N. Phillips (Sep 24, 2026 12:27:12 PDT)

Date: Sep 24, 2026

INFORMATION

This memorandum summarizes the City of Oakland (City) efforts to comply with the terms of the consent decree approved on December 4, 2025 in the case of Curran, et al. v. City of Oakland, N.D. Cal. Case No. 3:23-cv-02354-RS (the “decree”).

During the past fiscal year (FY) 2025-26 (July 1, 2025 to June 30, 2026), the City completed construction of 238,643 square feet of pedestrian walkway replacements and constructed 1,381 curb ramps. This construction meets the first fiscal year requirements of the decree to construct 85,000 square feet of pedestrian walkway repairs and to install or remediate 500 curb ramps. Work is ongoing to finalize and implement required improvements to the pedestrian asset database and to integrate inspection data.

BACKGROUND

This is the first report pursuant to the decree. Consistent with Section 17.1 of the decree, the report summarizes the City’s compliance efforts for the first six months of the term of the decree. However, the first annual commitments required by the decree in sections 6.1.1 and 7.1.1 extend from July 1, 2025 to June 30, 2026, and accordingly, some of the information provided in this report extends back beyond the first six months of the term of the decree.

In this report, the City reports generally on its compliance efforts. Following that, it also reports on the elements required under section 17.1:

1. The number of curb ramps and square footage of pedestrian walkways installed or remediated, the locations of those curb ramps and pedestrian walkways, the relevant project areas, and the curb ramps and pedestrian walkways installed or remediated pursuant to the Access Request System. (**Tables 1-3**, below)

2. Inspection data for all curb ramps and pedestrian walkways installed or remediated as part of the City's annual commitment, including each feature identified in section 16.2 of the decree, and sign-offs. ([Provided via webmap](#))
3. Documentation for a sampling of curb ramps and pedestrian walkways demonstrating how measurements were taken in order to evaluate compliance. (Exhibit A)
4. Documentation demonstrating locations where curb ramps and pedestrian walkways were installed or remediated to the maximum extent feasible, or not installed due to technical infeasibility or structural impracticability. (**Table 4**, below)
5. Documentation showing the number of curb ramps and pedestrian walkways subject to an Access Request System request, and the response timelines for those requests. (**Table 5**, below)

SUMMARY OF WORK

Construction of Curb Ramps and Pedestrian Walkway Repairs

During FY 2026, the City completed construction of 238,643 square feet of pedestrian walkway replacements and constructed 1,381 curb ramps. This construction meets the first fiscal year requirements of the decree to construct 85,000 square feet of pedestrian walkway repairs and to install or remediate 500 curb ramps. However, as discussed below, not all of this construction has been inspected, accepted, and recorded in the required database.

While all facilities are inspected by City staff upon construction and measured for compliance, the decree requires that these measurements be recorded to a central database. Development of the City's pedestrian right of way asset database, and the webforms allowing for direct input of inspection data by inspectors in the field, began upon approval of the decree, and testing and quality control have taken more time than anticipated. This development was completed for curb ramps, subject to continued refinements, in March 2026, and as discussed below, was very recently completed as pertains to pedestrian walkways.

Of the 1,381 curb ramps constructed during FY 2026, 852 curb ramps are fully inspected, accepted and logged into the database. The remaining curb ramps constructed or remediated in FY 2026 are still pending successful inspection and entry into the database. The application development process for pedestrian walkways has concluded, and staff will log measurements and accepted pedestrian walkway repairs to the database in FY 2027 and have already begun doing so. Additionally, as the City's upgraded inspection processes have come online since approval of the decree, not all work constructed in FY 2026 was inspected within 30 days of notice of completed construction. The City is continuing to inspect this work and ensure it is accurately reflected in the asset database.

Under the decree, the City must maintain its Access Program, which provides expedited curb ramp and sidewalk improvements upon request by qualified individuals with disabilities. Six Access Program requests were received following final approval of the decree. Two have been constructed within the 180-day time frame stipulated by the decree, two are scheduled for construction in October 2026 and have not been constructed within the 180-day time frame stipulated by the decree, and two are expected to be constructed within the required timeline.

Structural Changes to Asset Management Systems

Since the decree was approved, the City created and augmented new curb ramp and sidewalk spatial databases, including major schema changes to the curb ramp database to reflect all fields required by the decree, and development of a new sidewalk database. This will result in curb ramp and sidewalk inspection and location data being recorded in a map, which will be accessible through an online dashboard reporting the City's compliance efforts in the future. The link to the map with curb ramp inspection data for FY 2026 is above.

The City also developed a new application for curb ramp construction inspection, completed testing, and began implementation of the application in March 2026. Complete adoption is ongoing. The City also made significant progress in the development of a sidewalk inspection application and began testing in July 2026.

Critical Long-Term Policies Approved

Pursuant to the decree, in June 2026 the City drafted a Pedestrian Right of Way Inspection & Maintenance Policy to provide staff with policy and procedures related to pedestrian rights of way. That policy is being refined with input from Plaintiffs' counsel and is near completion.

The City also promulgated major legislation to support decree implementation, including two primary provisions. The first augments the City Administrator's purchasing authority by authorizing contract award for pedestrian right of way construction contracts (sidewalk, curb ramps, ancillary items) without return to City Council. This streamlines project delivery for construction projects that implement the decree's construction requirements. The second piece of legislation waives local business requirements for curb ramp and sidewalk construction. This ensures the City has competitive bid pricing and a broader pool of qualified contractors to perform required work. Before this legislation, the City saw an average of 2.3 bids per pedestrian right-of-way construction project. With the first project bid after this legislation, the City received 8 bids and low bid unit prices were 35% lower than prior bids.

The City is invested in increasing local business capacity for pedestrian right of way construction. In the past year, the City awarded three construction contracts under a Small Sidewalk On-Call program. The program is intended to development small and very small local business enterprises that can support the City's ongoing pedestrian right of way construction needs.

Funding Increased and New Staff Positions Created

Within its capital improvement program, the City increased funding for the curb ramp program to \$9.5M per year and initiated a formal program to shift sidewalk construction to a revolving fund, with recuperation from property owners. This supports an increase in annual construction as required by the decree. In the past year, the City added new Construction Inspection Supervisor positions, hired and filled the supervisory positions, and doubled the number of construction inspection sections within the Department of Transportation (DOT). This was accomplished by reorganizing construction management functions among DOT and Oakland Public Works (OPW). Formerly, DOT projects were overseen in construction by an OPW construction management and inspection unit. Following the reorganization, all construction management for DOT projects is performed by DOT construction management and inspection units.

Continued Technical Development and Adoption of Inspection Processes

Both curb ramp and pedestrian walkway asset management systems, and inspection templates and workflows are still being refined. Staff expect to continue resolving minor curb ramp

inspection software issues for 2-3 months and to perform further development and testing on pedestrian walkway inspection software workflows for 3-6 months. Concurrently, staff are finalizing a draft pedestrian right-of-way inspection manual which reflects the inspection directives of the decree and the individual workflows by facility type. As these workflows are refined and finalized, the manual will be updated. Technical infeasibility templates for the database are still being developed and tested. Beyond the technical development, the City is ensuring that all staff that perform inspections have all the tools required to complete the inspections, such as smart levels in multiple sizes and tablets for field inspection.

Funding

Compared to prior years, the City budgeted a marked increase in the capital improvement programs for curb ramp and for pavement (a program responsible for constructing more than 2/3 of the City's annual ramps) for FY 2026. However, the funds were not made available until January 2026 due to a delayed bond sale. As such, the majority of construction fulfilling the first year's requirements occurred from March to June 2026, a highly compressed timeline. With a scheduled bond sale in early winter 2027 and a reimbursement resolution ([Resolution No. 91281 C.M.S.](#)) adopted in July 2026, the City is positioned to encumber and spend FY 2027 budget.

Limited Staffing

The quantity of completed pedestrian right-of-way improvements exceeded the capacity of existing City resources to perform the inspection and documentation required by the decree on all sites within 30 days. The City has been actively recruiting engineering and inspection staff to support decree compliance. However, due to staff turnover and recruitment challenges, some inspection sections are 50% vacant. This means fewer staff available to do an increased level of inspection and documentation on an increased number of construction projects. Unlike other City functions, construction activities will not simply slow down or delay until staff become available. In addition to risking non-compliance on the construction volume requirements of the decree, delaying construction progress could expose the City to contractor delay claims and additional project costs.

To improve recruitment and retention for critical inspection roles, the City has initiated a new recruitment for Senior Construction Inspectors and initiated a compensation review for Construction Inspector classification. Routine compensation review for other engineering and inspection classifications will be necessary to ensure full staffing. In the interim, the DOT is also procuring multiple consultant inspection services to support the backlog of inspections.

Additional Work to be Documented

Between the 2021 survey data referenced in the decree and the decree final approval in December 2025, the City annually produced a significant number of pedestrian right of way improvements. Between FY 2022 and FY 2025, this included 924,221 square feet of pedestrian walkway repairs and 3,727 curb ramp improvements not reflected in the 2021 survey. Logged measurements and acceptance of these facilities, consistent with the decree, are pending.

SUMMARY TABLES

Table 1: Curb Ramps Constructed and Accepted

	FY 2026
RAMPS	1381
INSPECTED & ACCEPTED	852 ¹
PENDING INSPECTION	529

Table 2: Pedestrian Walkway Repairs Constructed and Accepted (Square Feet)

	FY 2026
REPAIRS	238,643
INSPECTED & ACCEPTED	0 ²
PENDING INSPECTION	238,643

Table 3: Location of Ramp Improvements and Pedestrian Walkway Repairs in FY 2026

PROJECT ³	PLANNING AREA	ACCESS REQUEST	RAMPS	REPAIRS (SF)
CITY CREWS	Citywide	0	43	3,444
1006302	West Oakland	0	76	83,479
1006308	Citywide	1	187	17,588
1006858	Eastlake/Fruitvale	1	422	11,419
1005723	Downtown, West Oakland	0	14	3,452
1000844	Central East Oakland	0	0	12,744
1000724	Eastlake/Fruitvale	0	0	3,447
1004251	Eastlake/Fruitvale	0	53	20,807
1007595	Citywide	0	51	0
1007299	Eastlake/Fruitvale	0	22	0
1007549	Central East Oakland	0	39	1,385
1007550	East Oakland Hills	0	24	0
1006105	Downtown; North Oakland Hills	0	61	0
1006106	Citywide	0	240	0
1003959	Downtown	0	30	5,620

¹ Inspection data for all curb ramps installed or remediated as part of the City's annual commitment is provided via webmap ([link](#)).

² While all facilities are inspected by City staff upon construction and measured for compliance, the decree requires that these measurements be recorded to a central database. This action was not available for pedestrian walkway repairs constructed in FY26; the application development process has recently concluded, and staff will log measurements and accepted facilities to the database in FY 2027.

³ "City Crews" refers to work performed by City of Oakland staff members; seven-digit project numbers refer to work performed by City of Oakland contractors; "PX Permits" refers to work performed under private excavation permits such as for private development projects; and "CGS Permits" refers to work performed under Curb-Gutter-Sidewalk permits such as for private property owners.

PROJECT ³	PLANNING AREA	ACCESS REQUEST	RAMPS	REPAIRS (SF)
1006185	Citywide	0	26	2,491
PX PERMITS	Citywide	0	93	44,026
CGS PERMITS	Citywide	0	0	28,741
TOTAL		2	1381	238,643

Table 4: Locations of Approved Technical Infeasibility Determinations

STREET 1	STREET 2	CORNER	PLANNING AREA	TYPE ⁴	RATIONALE ⁵
14th St	Union St	NE	West Oakland	TI – MEF	Utility conflict
Peralta St	12th St	NE	West Oakland	TI - MEF	Narrow sidewalk, building entrance, utility conflicts
Peralta St	12th St	NW	West Oakland	TI - MEF	Narrow sidewalk, building entrance, utility conflicts
Peralta St	12th St	SE	West Oakland	TI - MEF	Narrow sidewalk, building entrance, utility conflicts
Peralta St	12th St	SW	West Oakland	TI - MEF	Narrow sidewalk, building entrance, utility conflicts
MLK Jr Way	25th St	SE	West Oakland	TI – MEF	Utility conflicts
MLK Jr Way	25th St	SW	West Oakland	TI – MEF	Utility conflicts
Peralta St	28th St	NE	West Oakland	TI – MEF	Catch basin conflict
14th St	Filbert St	NE	West Oakland	TI – MEF	Narrow sidewalk, utility conflict
E 12th St	40th Ave	NW	Eastlake/Fruitvale	TI – MEF	ROW constraints, narrow sidewalk, utility conflicts

Since the enactment of the decree, six Access Program requests for pedestrian walkway repair were received, and no Access Program requests for curb ramp installation were received. Since the enactment of the decree, the City has implemented two Access Program requests within the required 180 days, two requests are pending construction in October 2026 and will not be constructed within the 180-day requirement, and two requests are pending construction in October 2026 and will be constructed within the 180-day requirement. The decree articulates interim milestone requirements, including confirming each request with the requestor within 10 days and providing a request number, investigating each request within 30 days of receipt and providing a schedule to the requestor, and constructing the improvement within 180 days. The limited number of construction inspectors in DOT who perform sidewalk inspection work has led to difficulty in meeting deadlines for the Access Program requests. The City will review staffing and work processes to ensure compliance going forward.

⁴ TI – MEF designates a location deemed technically infeasible (TI) to construct a fully compliant facility, and the facility has been constructed accessible to the maximum extent feasible (MEF).

⁵ Underlying documentation is available upon request.

Table 5: Access Program Requests – Pedestrian Walkway Repair

NO.	LOCATION	DATE RECEIVED	DATE OF CONSTRUCTION
54	West St, 51st to 53rd	12/27/2025	6/3/2026
55	897 45th St	12/27/2025	Scheduled for Oct 2026
56	816 45th St	12/27/2025	Scheduled for Oct 2026
57	5th Street, Brush to Castro	3/23/2026	Pending ⁶
60	1649 5th Ave	5/11/2026	6/1/2026 ⁷
61	1507 33rd Ave	5/12/2026	Pending

NEXT STEPS

Key activities for the next 6-18 months include completing inspection manual, hiring, documentation and asset updates related to FY 2026 constructed pedestrian walkway repairs, and continuing to construct improvements to the pedestrian rights-of-way consistent with decree requirements.


Josh Rowan (Sep 24, 2026 11:05:47 PDT)

Josh Rowan, Director
Department of Transportation

CC: Megan Wier, Assistant Director, DOT
Emily Ehlers, Interim Assistant Director, DOT
Sarah Fine, Transportation Manager, DOT
Teresa Peterson, Supervising Civil Engineer, DOT

Attachments:

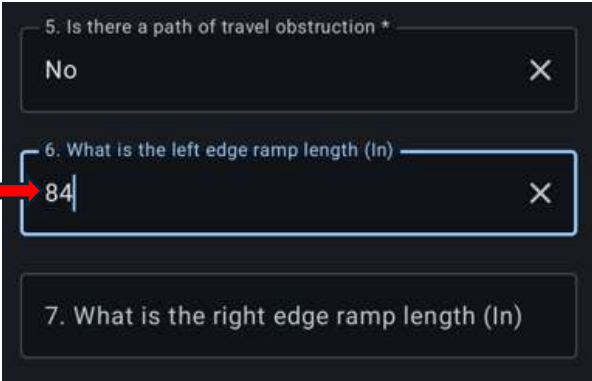
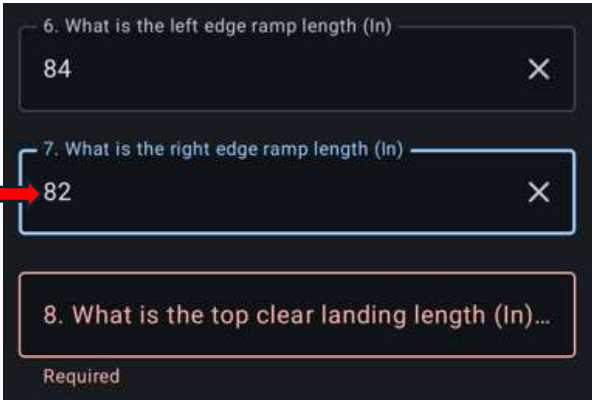
Attachment A - Documentation for a Sampling of Inspections

⁶ Improvements exceeding \$100,000 in estimated costs shall be completed within one year.

⁷ Constructed as part of a previously-scheduled construction project.

ATTACHMENT A – Documentation for a Sampling of Inspections

Ramp Measurements at 16th Street & Filbert St, Southwest Corner

Inspection Application Prompt	Measurement ⁸
	
	

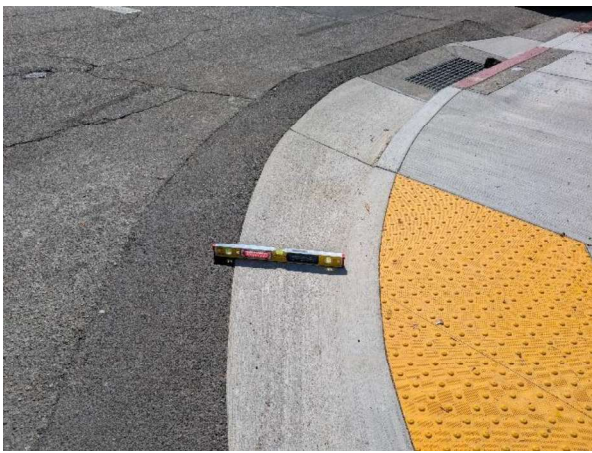
⁸ When utilizing a smart level for slope measurements, three independent readings are taken, and the maximum observed slope is documented. Photographs in the "Measurement" column depict the location of steepest observed slope.

Inspection Application Prompt	Measurement ⁸
7. What is the right edge ramp length (In) * 82 × 8. What is the top clear landing length (In) * 71 × Enter value from 24 to 144 9. What is the top clear landing width (In) * Required	
8. What is the top clear landing length (In) * 71 × 9. What is the top clear landing width (In) * 96 × Enter value from 24 to 144 10. What is the top landing cross slope (P... Required	
9. What is the top clear landing width (In) * 96 × 10. What is the top landing cross slope (Percent) * 1.0 × Enter value from 0 to 15 11. What is the top landing running slope ...	

Inspection Application Prompt	Measurement ⁸
10. What is the top landing cross slope (Percent) * 1.0 × 11. What is the top landing running slope (Percent) * 0.5 × Enter value from 0 to 15 12. Diagonal Ramps Only - Turning space ...	 A photograph showing a sidewalk intersection. A yellow tactile paving area is visible on the sidewalk, indicating a crosswalk or a specific safety zone. The area is a diamond shape, and the paving consists of small, raised, yellow domes.
13. Diagonal Ramps Only - Turning space ... 14. Blended Ramps - Left side approach width (In) 57 × Enter value from 24 to 144 15. Blended Ramps - Right side approach ...	 A photograph of a sidewalk with a yellow measuring tape. The tape is laid out horizontally across the sidewalk, measuring a specific width. A person is visible in the background, standing near the tape.
14. Blended Ramps - Left side approach width (In) 57 × 15. Blended Ramps - Right side approach width (In) 65 × Enter value from 24 to 144 16. What is the center ramp running slope...	 A photograph of a sidewalk with a yellow measuring tape. The tape is laid out horizontally across the sidewalk, measuring a specific width. The sidewalk is made of concrete slabs, and the tape is positioned between two slabs.

Inspection Application Prompt	Measurement ⁸
15. Blended Ramps - Right side approach width (In) 65 × 16. What is the center ramp running slope (Percent) 0.2 × Enter value from 0 to 15 17. Blended Ramp - Left side running slop...	
16. What is the center ramp running slope (Percent) 0.2 × 17. Blended Ramp - Left side running slope (Percent) 6.8 × Enter value from 3 to 15 18. Blended Ramp - Right side running slo...	
17. Blended Ramp - Left side running slope (Percent) 6.8 × 18. Blended Ramp - Right side running slope (Percent) 4.4 × Enter value from 3 to 15 19. What is the center ramp cross slope (...)	

Inspection Application Prompt	Measurement ⁸
18. Blended Ramp - Right side running slope (Percent) 6.4 × 19. What is the center ramp cross slope (Percent) 0.8 × Enter value from 0 to 10 20. Blended Ramp - Left side cross slope ...	
19. What is the center ramp cross slope (...) 20. Blended Ramp - Left side cross slope (Percent) 1.2 × Enter value from 0 to 10 21. Blended Ramp - Right side cross slope...	
20. Blended Ramp - Left side cross slope (Percent) 1.2 × 21. Blended Ramp - Right side cross slope (Percent) 1.8 × Enter value from 0 to 10 22. What is the gutter running slope (Perc...	

Inspection Application Prompt	Measurement ⁸
21. Blended Ramp - Right side cross slope (Percent) 1.8 22. What is the gutter running slope (Percent) * 0.1 Enter value from 0 to 10 23. What is the gutter counter slope (Perc...	
22. What is the gutter running slope (Percent) * 0.1 23. What is the gutter counter slope (Percent) * 4.9 Enter value from 0 to 10 24. What is the left flare slope (Percent)	

Sidewalk Measurements at 1006 16th Street

Inspection Application Prompt	Measurement
Maximum Cross Slope → 1.6 If Max Cross Slope is greater than 2%, is it greater than the Max Cross Slope of the block or segment? Yes ☐ No ☐	
Minimum Width → 36 Cracks greater than 1/2 inch deep or wide Yes ☐ No ☐	