



ADA Self-Evaluation and Transition Plan

City of Daly City, California

FINAL PLAN

July 2020

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Contents

Contents.....	i
Executive Summary	iii
1. Introduction	1-1
1.1 Legislative Mandate	1-1
1.2 Accessible Programs and Facilities	1-2
1.3 Discrimination and Accessibility	1-3
1.4 ADA Self-Evaluation Process	1-4
1.5 ADA Transition Plan Process.....	1-5
1.6 Public Outreach for the Plan	1-5
2. Definitions	2-1
List of Acronyms	2-8
3. Self-Evaluation of Policy and Program Accessibility.....	3-1
3.1 Staff Questionnaire and Policy Review Summary	3-1
3.2 Standards and Specifications Review Summary	3-17
4. Transition Plan	4-1
4.1 Schedule for Facility Improvements	4-1
4.2 Accessibility Standards	4-1
4.3 Facility Evaluations	4-2
4.4 Public Right-of-Way	4-8
4.5 Barrier Removal Considerations for Plan Implementation	4-35
5. ADA Coordinator, Notice Policy, and Grievance Procedure.....	5-1
5.1 ADA Coordinator Roles and Responsibilities.....	5-1
5.2 Notice Under the Americans with Disabilities Act	5-1
5.3 ADA Grievance Procedure.....	5-3
6. Resources.....	6-1
7. Appendices	7-1
Appendix A: Request for Accommodation / Grievance Form	7-3
Appendix B: Public Outreach.....	7-7
Appendix C: ADA Facility Assessment Summary.....	7-13

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Executive Summary

Daly City's Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan (the Plan) supports the City in fulfilling the requirements set forth in title II of the ADA. The ADA states that a public entity must reasonably modify its policies, practices, or procedures to avoid discrimination against people with disabilities. The Plan assists the City in identifying policy, program, and physical barriers to accessibility and guides the City in developing barrier removal solutions to facilitate the opportunity of access to all individuals.

ADA Coordination & Management

As required by the ADA, Daly City has designated an ADA Coordinator to oversee the implementation of the Plan. The Director of Public Works will serve as the ADA Coordinator. The ADA Coordinator is responsible for the coordination and development of the City's efforts to comply with title II and for investigating any accessibility-related complaints. The ADA Coordinator is also responsible for overseeing the City's efforts to comply with all other applicable state and federal facility and program accessibility requirements.

Public Involvement

As required by the ADA, Daly City involved people with disabilities in the development of the Plan. A focus group of representatives from organizations that serve people with disabilities and individuals with disabilities was brought together to provide insights on the planning process. The focus group participants reviewed project products, shared experiences, and discussed planning priorities for the removal of barriers. The draft Plan was made available for public review online and at City Hall.

Accessibility of City Programs, Activities, and Services

Title II of the ADA emphasizes the accessibility of programs, activities, and services. The Plan addresses these issues by providing recommendations based on a comprehensive review of current practices, policies, plans, guidelines, and construction specifications. The process included every department and program that provides services to the public. Based on the review, recommendations were developed for removing programmatic and policy barriers and ensuring the accessibility of City programs, activities, and services. The following action steps summarize the comprehensive set of recommendations the City can undertake to continue to work towards accessibility:

- Provide information about the accessibility of facilities where City programs, activities, and services are provided.
- Provide information about requesting program modifications, alternative formats of materials, auxiliary aids, and accessible services.
- Ensure that City events, programs, and services are accessible to people with disabilities. This includes events, programs, and services offered directly by the City and offerings on behalf of the City by non-City organizations.

- Post information about the ADA grievance procedure in City offices and on department websites.
- Increase outreach to people with disabilities and the organizations that serve them to increase participation and inclusion in City programs.
- Ensure that staff training incorporates information about interacting with and assisting people with disabilities.
- Ensure consistency across departments, divisions, and programs in implementing ADA program requests, tracking complaints and comments, and following grievance procedures.
- Continue to develop an organizational culture that prioritizes and promotes accessibility across all City departments and functions.

Accessibility of City Facilities

When relocating programs, activities, and services to accessible locations or providing auxiliary aids and services is not feasible, the ADA requires the City to complete a transition plan describing the physical modifications to facilities that will support accessible programs, activities, and services. The City's transition plan is the result of a detailed evaluation, using current accessibility standards, of all City buildings where programs, activities, and services are available to the public, as well as the public right-of-way. The City will accomplish barrier removal at its buildings through policy and procedure modifications to remove programmatic barriers, or maintenance and construction projects to remove structural barriers.

Costs included in this report are planning-level estimates only in 2019 dollars. It is assumed there will be a three percent per year escalation applied to the estimates over the 15-year timeline. Prior to scoping work at a site or preparing budgets or financial forecasts, further consideration will be needed to review site-specific needs, constraints, design and construction management costs, contingencies, and other considerations beyond the scope of a planning-level estimate or analysis.

- Building and park facilities is \$5,577,506
- Right-of-way facilities is \$640,403,525

Title II regulations state that if a transition plan will take more than one year to fully implement, it must contain interim steps to provide program accessibility. A 15-year time frame has been identified for barrier removal for City facilities. The Plan provides a framework for the continuous improvement to facilities for people with disabilities. Daly City is developing a strategy to address easily achievable modifications within an accelerated timeframe to make progress while initiating longer term projects.

Moving Forward

The Plan provides a foundation for removing barriers to facilities and programs offered by the City. It provides an inventory of the current status of the City's programs, activities, services, and buildings. It provides recommendations for the removal of programmatic and facility barriers, establishes a timeline for mitigation of architectural barriers, and includes people with disabilities in the planning process.

1. Introduction

The ADA Self-Evaluation and Transition Plan will support Daly City in fulfilling the requirements set forth in title II of the Americans with Disabilities Act (ADA). The ADA states that a public entity must reasonably modify its policies, practices, or procedures to avoid discrimination against people with disabilities. The Plan will assist the City in identifying policy, program, and physical barriers to accessibility and will guide the City in developing barrier removal solutions.

1.1 Legislative Mandate

The Americans with Disabilities Act (ADA) is a comprehensive civil rights law for persons with disabilities that provides protection against discrimination in both employment and the provision of goods and services. The ADA was passed by Congress on July 26, 1990 and states that its purpose is to provide a "clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities." Congress emphasized that the ADA seeks to dispel stereotypes and assumptions about disabilities and to assure equality of opportunity, full participation, independent living, and economic self-sufficiency for people with disabilities.

Title II of the ADA covers programs, activities, and services of state and local governments. Under the requirements of the ADA,

No qualified individual with a disability shall, on the basis of disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any public entity.¹

The U.S. Department of Justice (DOJ) published revised regulations for titles II and III of the ADA in the Federal Register on September 15, 2010. These regulations adopted enforceable updated accessibility standards called the 2010 ADA Standards for Accessible Design (2010 Standards). Beginning on March 15, 2012, compliance with the 2010 Standards is required for new construction and alterations under titles II and III. The compliance date for using the 2010 Standards for program accessibility and barrier removal was also March 15, 2012.

Under the requirements of the 1990 ADA and the 2010 Standards, Daly City may not specifically, either directly or through contractual arrangements:

- Deny persons with disabilities the opportunity to participate as members of advisory boards and commissions;
- Deny persons with disabilities the opportunity to participate in programs, activities, or services that are offered to others or compel people to participate in separate or different activities based on disability;

¹ DOJ, Title II Regulations Subpart B § 35.130 General prohibitions against discrimination

- Make selections in determining the location of facilities that have the effect of excluding or discriminating against persons with disabilities; or
- Deny access to people with disabilities who require the assistance of a service animal in any area of the City's facilities where the public is normally allowed.

Further, title II of the ADA provides that public entities must identify and evaluate all programs, activities, and services and review all policies, practices, and procedures that govern administration of the entity's programs, activities, and services.²

The Plan and certain documents incorporated by reference establishes Daly City's ADA Self-Evaluation and Transition Plan.

Application of Regulations

The City, as a public entity that provides public programs and facilities, is subject to the ADA's Title II Requirements for State and Local Government Programs and Services. All agencies, regardless of size, are required to complete an ADA Self-Evaluation Plan and provide public notice about the ADA's provisions. Agencies (such as Daly City) that employ 50 or more persons are required to complete an ADA Transition Plan, identify an ADA Coordinator, and develop and publish grievance procedures to provide fair and prompt resolution of accessibility complaints as part of its Plan.³

1.2 Accessible Programs and Facilities

As a title II agency, the City is responsible for the provision of accessible programs and facilities that are available without discrimination toward people with disabilities. A fundamental tenet of title II of the ADA is *"the principle that individuals with disabilities must be provided an equally effective opportunity to participate in or benefit from a public entity's aids, benefits, and services."*⁴

This principle, here referred to as program accessibility, is described in 28 CFR § 35.149-35.150. II-5.1000 General).

A public entity may not deny the benefits of its programs, activities, and services to individuals with disabilities because its facilities are inaccessible. A public entity's services, programs, or activities, when viewed in their entirety, must be readily accessible to and usable by individuals with disabilities. This standard, known as program accessibility, applies to all existing facilities of a public entity. Public entities, however, are not necessarily required to make each of their existing facilities accessible.

² DOJ, Title II Regulations Subpart A § 35.105 Self-evaluation

³ 28 CFR § 35.107 - Designation of responsible employee and adoption of grievance procedures.

⁴ 28 CFR § 35.130-35.135. II-3.3000 Equality in participation/ benefits

Maintaining Accessible Facilities

In addition to providing programmatic access, the City is obligated to maintain all accessible facilities in working order. Exceptions are provided for temporary disruptions. The ADA contains the following language regarding the maintenance of accessible features.

Public entities must maintain in working order equipment and features of facilities that are required to provide ready access to individuals with disabilities. Isolated or temporary interruptions in access due to maintenance and repair of accessible features are not prohibited.

Where a public entity must provide an accessible route, the route must remain accessible and not blocked by obstacles such as furniture, filing cabinets, or potted plants. An isolated instance of placement of an object on an accessible route, however, would not be a violation, if the object is promptly removed. Similarly, accessible doors must be unlocked when the public entity is open for business.

Mechanical failures in equipment such as elevators or automatic doors will occur from time to time. The obligation to ensure that facilities are readily accessible to and usable by individuals with disabilities would be violated, if repairs are not made promptly or if improper or inadequate maintenance causes repeated and persistent failures.⁵

The California Building Code (**CBC**) contains the following language regarding the maintenance of accessible features.

A public accommodation shall maintain in operable working condition those features of facilities and equipment that are required to be accessible to and useable by persons with disabilities. Isolated or temporary interruptions in service or accessibility due to maintenance or repairs shall be permitted.⁶

1.3 Discrimination and Accessibility

This section provides an overview of physical and program accessibility and the basic methods for providing access. Absence of discrimination requires that both types of accessibility be provided.

Physical accessibility requires that a facility is barrier-free. Barriers include any obstacles that prevent or restrict the entrance to or use of a facility.

Program accessibility requires that individuals with disabilities be provided an equally effective opportunity to participate in or benefit from a public entity's programs and services. Program accessibility includes physical accessibility, but also entails all the policies, practices, and

⁵ ADA Title II Technical Assistance Manual II-3.10000

⁶ 2019 California Access Compliance Advisory Reference Manual, Division of the State Architect, 11B-108

procedures that permit people with disabilities to participate in programs and to access important information.

Programs offered by the City to the public must be accessible. Accessibility includes advertisement, orientation, eligibility, participation, testing or evaluation, physical access, provision of auxiliary aids and services, transportation, policies, and communication.

Daly City may achieve program accessibility through several methods:

- Structural methods such as altering an existing facility,
- Acquisition or redesign of equipment,
- Assignment of aids to beneficiaries, and/or
- Provision of services at alternate sites.

When choosing a method of providing program access, the City is required to prioritize the method that results in the most integrated setting appropriate to encourage interaction among all users, including individuals with disabilities.

1.4 ADA Self-Evaluation Process

Programs, activities, and services offered by the City to the public must be accessible to people with and without disabilities. Accessibility applies to all aspects of programs or services provided by the City. The ADA self-evaluation of programmatic access identifies and makes recommendations to correct policies and practices that are inconsistent with title II regulations and result in limitations to access for people with disabilities. As part of the self-evaluation process, the City:

- Identified City programs, activities, and services;
- Reviewed the policies, practices, and procedures that govern the administration of the City's programs, activities, and services;
- Will provide opportunity for public comment;
- Will make the report available to the public; and
- Will correct any programs, activities, and services that are not consistent with the regulations.

In 2019, the City evaluated its policies, programs, and procedures to determine current levels of service and the extent to which its policies and programs created barriers to accessibility for people with disabilities. The City is actively addressing the findings of the evaluation and is tracking the progress of modifications to programs, activities, and services. Recommended actions for City programs, activities, and services can be found in Section 3 of the Plan.

1.5 ADA Transition Plan Process

The ADA transition plan is a document that outlines a strategy for the City to progress toward compliance with the ADA and CBC Standards. The transition plan identifies barriers for people with disabilities and a schedule to remove those barriers over time. The City's transition plan must include:

- A list of barriers in City facilities that limit the accessibility of programs, activities, or services to individuals with disabilities;
- A detailed outline of feasible methods to remove these barriers and make the facilities accessible;
- A schedule for taking the necessary steps to remove barriers to accessibility;
- The opportunity for the public to provide comment on the Plan; and
- The name of the individual responsible for the Transition Plan's implementation.

In 2019, the City conducted a physical audit of facilities to locate barriers to access and identify recommendations and alterations to meet state and federal accessibility standards.

The standards used for the facility evaluations are the 2010 *ADA Standards for Accessible Design*, the 2019 California Building Code, and, where appropriate, the 2015 Architectural Barriers Act (ABA) Standards section for Outdoor Developed Areas. As building codes are revised every few years, the barrier evaluations conducted provide an assessment of current conditions as viewed by current code and provide a baseline for future barrier removal.

1.6 Public Outreach for the Plan

A public entity is required to accept comments from the public on its ADA Self-Evaluation and Transition Plan and is encouraged to consult with individuals with disabilities and organizations that represent them to assist in the self-evaluation process. Many individuals with disabilities have unique perspectives on a public entity's programs, activities, and services.

For this planning process the City formed a focus group of individuals representing various disability interest areas. A focus group meeting was held in November 2019 to introduce the project and receive feedback on the development of the Plan. A second focus group meeting was held in February 2020 to review and comment on the Draft ADA Self-Evaluation and Transition Plan. The summaries from these meetings is included as Appendix B: Public Outreach.

In addition to the focus group, the Draft Plan was posted on the City's website and hard copies were made available at the City Clerk's office in City Hall for public comment. After completion of the public comment period, final edits were made to the document for the Plan to be presented to the City Council for acceptance.

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2. Definitions

For the purpose of this document, the terms defined in this section have the indicated meaning. The meaning of terms not specifically defined here or in regulations issued by the DOJ and the U.S. Department of Transportation to implement the ADA⁷ or in referenced standards shall be as defined by collegiate dictionaries in the sense that the context implies.

Accessible. A site, building, facility or portion thereof is deemed accessible when it is approachable and usable by persons with disabilities in compliance with technical standards adopted by the relevant Administrative Authority.

Accessible Route. A continuous unobstructed path connecting accessible elements and spaces of an accessible site, building or facility that can be negotiated by a person with a disability using a wheelchair, and that is also safe for and usable by persons with other disabilities. Interior accessible routes may include corridors, hallways, floors, ramps, elevators and lifts. Exterior accessible routes may include parking access aisles, curb ramps, crosswalks at vehicular ways, walks, ramps and lifts⁸.

Administrative Authority. A governmental agency that adopts or enforces regulations and guidelines for the design, construction, or alteration of buildings and facilities.

ADA Coordinator. The individual responsible for coordinating the efforts of the government entity to comply with title II and investigating any complaints that the entity has violated title II. Also commonly known as a *Disability Access Manager* or *Accessibility Manager*.

Auxiliary Aids and Services. Refers to ways to communicate with people who have communication disabilities such as blindness, vision loss, deafness, hearing loss, a combination of vision and hearing loss or speech or language disorders. The key to deciding what aid or service is needed to communicate effectively with people with disabilities and their companions is to consider the nature, length, complexity and context of the communication as well as the person's normal method(s) of communication. Auxiliary aids and services include the use of interpreters, notetakers, readers, assistive listening systems, captioning and **TTYs** or the provision of alternate formats such as braille, ASCII text, large-print format, recorded audio and electronic formats like CDs and DVDs.

Blended Transition. Raised pedestrian street crossings, depressed corners, or similar connections between the pedestrian access route at the level of the sidewalk and the level of the pedestrian street crossing that have a grade of five percent or less.

Clear Floor or Ground Space. The minimum unobstructed floor/ground space required to accommodate a single, stationary wheeled mobility device and occupant. Clear floor/ground

⁷ 28 C.F.R. § 35.104 Definitions.

⁸ California Code of Regulations, Title 24, Part II, 11B-202 Definitions

space provides a location for a wheeled mobility device user to approach and make use of an element.

Complaint. A complaint is a claimed violation of the ADA.

Cross Slope. The grade that is perpendicular to the direction of pedestrian travel. On a sidewalk, cross slope is measured perpendicular to the curb line or edge of the street or highway.

Curb Line. A line at the face of the curb that marks the transition between the curb and the gutter, street, or highway.

Curb Ramp. A ramp that cuts through or is built up to the curb. Curb ramps can be perpendicular or parallel, or a combination of parallel and perpendicular ramps.

Disability. The term disability means, with respect to an individual:

- a physical or mental impairment that substantially limits one or more of the major life activities of such individual
- having a record of impairment
- being regarded as having a disability or such impairment

Discrimination on the Basis of Disability.⁹ Discrimination on the basis of disability means to:

- limit, segregate, or classify a citizen in a way that may adversely affect opportunities or status because of the person's disability
- limit, segregate, or classify a participant in a program or activity offered to the public in a way that may adversely affect opportunities or status because of the participant's disability
- participate in a contract that could subject a qualified citizen with a disability to discrimination
- use any standards, criteria, or methods of administration that have the effect of discriminating on the basis of disability
- deny equal benefits because of a disability
- fail to make reasonable modifications to known physical or mental limitations of an otherwise qualified individual with a disability unless it can be shown that the modification would impose an undue burden on the City's operations
- use selection criteria that exclude otherwise qualified people with disabilities from participating in the programs or activities offered to the public
- fail to use tests, including eligibility tests, in a manner that ensures that the test results accurately reflect the qualified applicant's skills or aptitude to participate in a program or activity

⁹ 28 CFR Parts 35 and 36 Amendment of Americans with Disabilities Act Title II and Title III Regulations to Implement ADA Amendments Act of 2008

Effective Communication. Communication with people who have vision, hearing and/or speech disabilities that is equally effective as communication with people without disabilities.

Element. An architectural or mechanical component of a building, facility, space, site, or public right-of-way.

Facility. All or any portion of buildings, structures, improvements, elements, and pedestrian or vehicular routes located in the public right-of-way.

Fundamental Alteration. A modification that is so significant that it alters the essential nature of the goods, services, facilities, privileges, advantages, or accommodations offered. If a public entity can demonstrate that the modification would fundamentally alter the nature of its service, program, or activity, it is not required to make the modification. If a public accommodation (private entity) can demonstrate that a modification would fundamentally alter the nature of the goods, services, facilities, privileges, advantages, or accommodations it provides, it is not required to make the modification¹⁰.

Grade. The degree of inclination of a surface. See slope. In public right-of-way, grade is the slope parallel to the direction of pedestrian travel.

Grade Break. The line where two surface planes with different grades meet.

Having a Record of Impairment. An individual is disabled if he or she has a history of having an impairment that substantially limits the performance of a major life activity or has been diagnosed, correctly or incorrectly, as having such impairment.



International Symbol of Accessibility (ISA). The ISA is recognized worldwide as a symbol identifying accessible elements and spaces (Figure 3). Standards issued under the ADA and ABA reference and reproduce the ISA to ensure consistency in the designation of accessible elements and spaces. Uniform iconography promotes legibility, especially for people with low vision or cognitive disabilities. Guidance on use of the ISA under the ADA and the ABA is available at <https://www.access-board.gov/attachments/article/1898/ISA-guidance.pdf>.

Maintenance. Routine or periodic repair of all pedestrian facilities to restore them to the standards to which they were originally designed and built. Maintenance does not change the original purpose, intent, or design of public sidewalks, shared-use paths, curb ramps, crosswalks, pedestrian islands, or other public walkways.

¹⁰ DOJ ADA Update: A Primer for State and Local Governments

Operable Part. A component of an element used to insert or withdraw objects, or to activate, deactivate, or adjust the element. The technical requirements for operable parts apply to operable parts on accessible pedestrian signals and pedestrian pushbuttons and parking meters and parking pay stations that serve accessible parking spaces.

Other Power-Driven Mobility Device (OPDMD). An OPDMD is any mobility device powered by batteries, fuel, or other engines that is used by individuals with mobility disabilities for locomotion and designed to operate in areas without defined pedestrian routes.

Path of Travel. An identifiable accessible route within an existing site, building, or facility by means of which a particular area may be approached, entered and exited, and which connects a particular area with an exterior approach (including sidewalks, streets, and parking areas), an entrance to the facility, and other parts of the facility. When alterations, structural repairs or additions are made to existing buildings or facilities, the term “path of travel” also includes the toilet and bathing facilities, telephones, drinking fountains and signs serving the area of work.¹¹

Pedestrian Access Route. A continuous and unobstructed path of travel provided for pedestrians with disabilities within or coinciding with a pedestrian circulation path in the public right-of-way.

Pedestrian Circulation Path. A prepared exterior or interior surface provided for pedestrian travel in the public right-of-way.

Physical or Mental Impairments. Physical or mental impairments may include, but are not limited to, vision, speech and hearing impairments; emotional disturbance and mental illness; seizure disorders; mental retardation; orthopedic and neuromotor disabilities; learning disabilities; diabetes; heart disease; nervous conditions; cancer; asthma; Hepatitis B; HIV infection (HIV condition); and drug addiction, if the addict has successfully completed or is participating in a rehabilitation program and no longer uses illegal drugs.

The following conditions are not physical or mental impairments: transvestitism; illegal drug use; homosexuality or bisexuality; compulsive gambling; kleptomania; pyromania; pedophilia; exhibitionism; voyeurism; pregnancy; height; weight; eye color; hair color; left-handedness; poverty; lack of education; a prison record; and poor judgment or quick temper, if not symptoms of a mental or physiological disorder.

Primary Function. A major activity for which a facility is intended. Areas that contain a primary function include, but are not limited to, the dining area of a cafeteria, the meeting rooms in a conference center, or offices and other work areas in which the activities of the public entity using a facility are carried out.

Program Accessibility. A public entity's programs, activities, or services, when viewed in their entirety, must be readily accessible to and usable by individuals with disabilities.

¹¹ California Code of Regulations, Title 24, Part II, 11B-202 Definitions

Public Entity. Any state or local government; any department, agency, special-purpose district or other instrumentality of a state or local government.

Public Right-of-Way. Public land or property, usually in interconnected corridors, that is acquired for or dedicated to transportation purposes.

Qualified Historic Facility. A facility that is listed in or eligible for listing in the National Register of Historic Places, or designated as historic under an appropriate state or local law.

Qualified Individual with a Disability. A qualified individual with a disability means an individual with a disability who—with or without reasonable modification to rules, policies, or practices; the removal of architectural, communication, or transportation barriers; or the provision of auxiliary aids and services—meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by the City.

Reasonable Modification. A public entity must modify its policies, practice, or procedures to avoid discrimination unless the modification would fundamentally alter the nature of its program, activity, or service. An example of a reasonable modification is to permit the use of service animal by an individual with a disability at facilities that generally prohibit animals.¹²

Regarded as Having a Disability. An individual is *disabled* if she or he is treated or perceived as having an impairment that substantially limits major life activities, although no such impairment exists.

Running Slope. The grade that is parallel to the direction of pedestrian travel.

Scoping. Requirements that specify what features are required to be accessible and, where multiple features of the same type are provided, how many of the features are required to be accessible.

Service Animal. Service animals are dogs (and in certain circumstances miniature horses) that are individually trained to perform tasks for people with disabilities. Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheeled mobility device, alerting and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, calming a person with Post-Traumatic Stress Disorder (PTSD) during an anxiety attack, or performing other duties. Service animals are working animals, not pets. The work or task a dog has been trained to provide must be directly related to the person's disability. Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA.¹³ Additional guidance on service animals can be found in the resources section of the plan.

¹² DOJ ADA Update: A Primer for State and Local Governments

¹³ US Department of Justice, https://www.ada.gov/service_animals_2010.htm

Title II regulations now include the following assessment factors to assist public entities in determining whether miniature horses can be accommodated as service animals in their facilities

1. the miniature horse is housebroken
2. the miniature horse is under the owner's control
3. the facility can accommodate the miniature horse's type, size and weight
4. the miniature horse's presence will not compromise legitimate safety requirements necessary for safe operation of the facility

Slope. Ground surface that forms a natural or artificial incline. Slope is typically conveyed as either a percentage or a ratio that represent the change in elevation between two points of an incline divided by the horizontal distance between the two points.

- **Cross Slope.** The slope perpendicular to the direction of travel.
- **Running Slope.** The slope parallel to the direction of travel.
- **Compound Slope.** A slope composed of two or more separate slopes with different grade angles.

Substantial Limitations of Major Life Activities.¹⁴ An individual is disabled if she or he has a physical or mental impairment that (a) renders her or him unable to perform a major life activity, or (b) substantially limits the condition, manner or duration under which she or he can perform a particular major life activity in comparison to other people.

Major life activities are functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

In determining whether physical or mental impairment substantially limits the condition, manner, or duration under which an individual can perform a particular major life activity in comparison to other people, the following factors shall be considered:

- the nature and severity of the impairment
- the duration or expected duration of the impairment
- the permanent or long-term impact (or expected impact) of or resulting from the impairment

Technical Standards. Requirements that establish the design criteria for accessible features, including the specific numbers, conditions, and measurements that are required.

¹⁴ 28 CFR Parts 35 and 36 Amendment of Americans with Disabilities Act Title II and Title III Regulations to Implement ADA Amendments Act of 2008

Technically Infeasible. With respect to an alteration of a building or a facility, an action that has little likelihood of being accomplished because existing structural conditions would require removing or altering a load-bearing member that is an essential part of the structural frame; or because other existing physical or site constraints prohibit modification or addition of elements, spaces, or features that are in full and strict compliance with the minimum requirements. Where technical infeasibility is encountered, compliance is still required to the maximum extent technically feasible.

Telecommunications Display Device (TDD). A telecommunications display device for the deaf (TDD) is an electronic device for text communication via a telephone line, used when one or more of the parties has hearing or speech difficulties. Other names for TDD include TTY.

Telecommunications Relay Service (TRS) or 711. The free, nationwide telecommunications relay service, reached by calling 711, uses communications assistants who serve as intermediaries between people who have hearing or speech disabilities who use a text telephone (TTY) or text messaging and people who use standard voice telephones. The communications assistant tells the telephone user what the other party is typing and types to tell the other party what the telephone user is saying. TRS also provides speech-to-speech transliteration for callers who have speech disabilities.

Text Telephone (TTY). Teletypewriters or text telephones have a keyboard and a visual display for exchanging written messages over the telephone. The ADA established a free, nationwide relay network to handle voice-to-TTY and TTY-to-voice calls, which is reached by calling 711. TTY is a more general term for teletypes, but is often referred to as TDD.

Vertical Surface Discontinuities. Vertical differences in level between two adjacent surfaces.

Video Relay Service (VRS). VRS is a free, subscriber-based service for people who use sign language and have videophones, smart phones, or computers with video communication capabilities. For outgoing calls, the subscriber contacts the VRS interpreter, who places the call and serves as an intermediary between the subscriber and a person who uses a standard voice telephone. The interpreter tells the telephone user what the subscriber is signing and signs to the subscriber what the telephone user is saying.

Wheeled Mobility Device. A manually-operated or power-driven device designed primarily for use by an individual with a mobility disability for the main purpose of indoor or of both indoor and outdoor locomotion. Also referred to as a manual wheelchair, a power wheelchair, an electric scooter, or an electric bicycle.

List of Acronyms

ABA – Architectural Barriers Act

ADA – Americans with Disabilities Act

ADAAG – ADA and ABA Accessibility Guidelines

AGODA – Accessibility Guidelines: Outdoor Developed Areas

ASL – American Sign Language

CBC – California Building Standards Code, Title 24

CFR – Code of Federal Regulations

DOJ – Department of Justice

DSA – California Division of the State Architect

HIN – High Injury Network

ISA – International Symbol of Accessibility

OPDMD – Other Power-Driven Mobility Device

PTSD – Post-Traumatic Stress Disorder

TDD – Telecommunications Display Device

TTY – Text Telephone

VRI – Video Remote Interpreting Services

VRS – Video Relay Service

3. Self-Evaluation of Policy and Program Accessibility

Under the ADA, all programs, activities, and services offered to the public by Daly City must be accessible for people with and without disabilities. Accessibility applies to all aspects of a program or service. Under title II, public entities are required to periodically evaluate their programs, activities, and services. The self-evaluation process identifies barriers and makes recommendations to correct policies and practices that are inconsistent with title II regulations and result in limitations to access for people with disabilities. Daly City's evaluation included three elements: a staff questionnaire, a review of City policies, and a review of the City's standards and specifications. This report describes the findings of the staff questionnaire and policy review and provides a summary of the evaluation of standards and specifications.

The ADA Coordinator, or designee, will follow-up with each department to review the recommendations contained in the Self-Evaluation section. In those situations where a policy, program, or procedure creates a barrier to accessibility that is unique to a department or a certain program, the ADA Coordinator, or designee, will coordinate with the department head or program manager to address the removal of the barrier in the most reasonable and accommodating manner in accordance with applicable law.

3.1 Staff Questionnaire and Policy Review Summary

A program accessibility questionnaire was administered to City staff in May 2019. The questionnaire highlighted areas where the City is effectively meeting the needs of people with disabilities, while also identifying gaps in City practices. A corresponding evaluation of the City's services, policies, and practices was also undertaken during the same period. The review included the City Municipal Code, policies and administrative rules, public documents, forms, and applications, and a wide range of the City's programmatic offerings.¹⁵ The findings were integrated into the Plan and will serve as a basis for the implementation of improved access to City programs as required by the ADA.

¹⁵ As part of its ongoing accessibility efforts, the City is responsible for periodic self-evaluations to ensure continued compliance with the ADA, particularly as City and legislative conditions change.

This section is organized into the following categories based on the requirements of title II of the ADA, in the order they appeared in the questionnaire:

- Customer Service Practices
- Staff Training
- Contracting, Licensing, or Other Arrangements
- Public Meetings
- Program Participation
- Transportation Services
- Tours and Trips
- Accessible, Adaptive Equipment Used by the Public
- Printed and Online Materials
- Website Accessibility
- Televised and Audiovisual Information
- Telecommunications
- Emergency Planning
- Notice, Grievance, and Complaint Procedure
- Facilities

Findings and actions are identified from the questionnaire, the policy review process, or both. Barrier removal actions are based on the ADA's legislative requirements or other best practice guidelines for accessibility. Some actions are always required, such as posting a notice of nondiscrimination, while other actions are only required when requested, such as providing alternative formats (e.g., large print or braille). In many cases, the City has multiple options for providing accessible programs, activities, and services. This section also includes implementation strategies and links to the federal government's online best practices tool kit.¹⁶

The reviewed services, policies, and practices were entered in a Self-Evaluation Workbook in an MS Excel format, which documents existing conditions and suggests barrier removal actions for providing access to City programs. The Self-Evaluation Workbook is intended to be the working document for implementing improvements and should be maintained by the City's ADA Coordinator.

Customer Service Practices

In-person interaction with the public is one of the primary functions of many City departments. To meet ADA standards for these interactions, staff should be aware of the formal and informal procedures for assisting people with disabilities, including appropriate responses to requests for program modifications and guidelines for accommodating service animals.¹⁷

¹⁶ The Tool Kit should be considered a helpful supplement to – not a replacement for – the regulations and technical assistance materials that provide more extensive discussions of ADA requirements. For the full “Best Practices Tool Kit for State and Local Governments,” see <https://www.ada.gov/pcatoolkit/toolkitmain.htm>.

¹⁷ Only dogs are recognized as service animals under title II of the ADA. In limited cases, miniature horses that are individually trained to perform tasks for people with disabilities may also qualify to provide services. Emotional support, therapy, comfort, or companion animals are not considered service animals under the ADA.

Policy Review Summary

The City's code of ordinances contains many references to "handicap" and "handicapped." These terms do not reflect current etiquette guidelines for referring to people with disabilities or general accessibility topics. While not required by ADA legislation, updating this terminology will help reflect Daly City's efforts at cultural sensitivity and inclusivity.

The City's code of ordinances establishes specific parameters for animals, particularly dogs. These include but are not limited to on-leash standards, prohibitions against dogs in particular recreation spaces, limits on the number of animals allowed in premises, and prohibitions against horses on public sidewalks. Each of these policies could discriminate against people with disabilities.

Barrier Removal Actions

- Make appropriate modifications to regular practices to accommodate the needs of individuals with disabilities when providing customer service.¹⁸
- Continue the policy of not charging an additional fee to people requesting a program modification due to their disability.¹⁸
- Update policies on service animals, especially relating to miniature horses and presence in City facilities.¹⁹
- Update language in City code of ordinances to reflect best practices in accessibility terminology.

Implementation Strategies

- Develop and disseminate best practice resources for staff to formalize the City's approach to addressing accessibility concerns.
- Ensure that staff members are aware of the City's policy regarding service animals, including standards for miniature horses, and ensure that staff are trained to appropriately implement this policy.
- Develop a process for determining reasonable modifications as they are requested by people with disabilities. The process should address the following considerations:
 - Ensure the public has easy access to information about how to make a request for modifications and understand who to contact.
 - Ensure all staff can direct a person making a request to the appropriate staff member.
 - Ensure requests can be accepted from someone on behalf of the person with a disability and are not required to be in writing.
 - Ensure that requests and outcomes are tracked.

¹⁸ DOJ, Title II Regulations Subpart B § 35.130 General prohibitions against discrimination

¹⁹ DOJ, Title II Regulations Subpart B § 35.136 Service animals

Staff Training

As a part of the City's on-going staff development and training, the incorporation of disabilities awareness, standards, and resources is encouraged for all staff interfacing with the public or who maintain the facilities used by the public.

Policy Review Summary

Staff training across multiple areas does not cover interactions with people with disabilities.

Barrier Removal Actions

- Ensure that City staff is knowledgeable about obligations, policies, and procedures for providing accessible services, programs, and activities to the public.²⁰
- Ensure that City staff is knowledgeable about procedures for responding to requests for modifications.²⁰
- Ensure that City staff is knowledgeable about construction and maintenance of accessible facilities.²¹
- Ensure that staff is knowledgeable about standards and plans for safely assisting people with disabilities during emergency evacuations.²²

Implementation Strategies

- Provide all City staff with ongoing awareness and sensitivity training.
- Develop a comprehensive disability access training program. Educate City staff about their responsibilities under the ADA. The City's ADA Coordinator or department supervisors should be responsible for ensuring that staff members receive training. Staff members who have contact with the public should receive additional training about the process of providing modifications and assistive devices to make their programs, activities, and services accessible. Ensure that training also includes information about responding to a variety of disabilities and the availability of program-specific adaptations, assistive devices, and modifications.
- Develop standard guidelines for training materials. These guidelines should include standard language that appropriately describes the City's policy on inclusion and nondiscrimination. Staff members should receive training in using the guidelines effectively.

Offer training to staff members that have contact with the public and wish to learn basic ASL communication skills. Training should emphasize basic communication and should not be viewed as a substitute for utilizing qualified ASL interpreters when requested.

- Train maintenance staff regarding accessibility compliance and building codes to maintain facilities in an accessible condition.
- Incorporate assistance for people with disabilities into training for building evacuation procedures.

²⁰ DOJ, Title II Regulations Subpart E § 35.160 General; Subpart B § 35.130 General prohibitions against discrimination

²¹ DOJ, Title II Regulations Subpart B § 35.133 Maintenance of accessible features

²² 42 U.S.C. § 12132; see generally, DOJ, Title II Regulations Subpart B § 35.130, Subpart D § 35.149

Contracting, Licensing, or Other Arrangements

All events on public property should be accessible to people with disabilities. Many public agencies rely on the use of contractors, licensees, consultants, and other entities for the delivery of services. When a public agency rents its properties to a third party for special events, the responsibility for maintaining an accessible environment is temporarily deferred to the tenant. These entities are considered an extension of the City's services and are required to adhere to the same ADA regulations as the City.

Policy Review Summary

The permitting process and ordinance language for parades and processions on City streets and sidewalks do not address responsibility for accessibility of the right-of-way.

Barrier Removal Actions

- Ensure that contractors, licensees, consultants, and other entities providing or delivering services for the City adhere to the same ADA regulations as the City.²³
- Ensure the City selects procurement contractors using criteria that does not discriminate on the basis of disability.²³
- Maintain City facilities in an accessible order to help ensure the accessibility of events held by public and private organizations.²⁴

Implementation Strategies

- Ensure contractors, licensees, and other entities providing services to the public are aware of their obligation to make City programs and activities accessible. Provide checklists, resources, contractual language, or other means to help them understand and meet their obligations.
- Monitor public programs and activities provided by contractors, licensees, and other entities to ensure continued accessibility. Provide staff with resources for conducting this review.
- Inform organizations that coordinate or sponsor events at City facilities about applicable ADA requirements.

Public Meetings

Public meetings are a regularly occurring activity for public agencies. The main objective of any public meeting is to impart and solicit information on issues of importance to the agency. Where these meetings are held is one of the important considerations for meetings under the requirements of the ADA.

²³ DOJ, Title II Regulations Subpart B § 35.130 General prohibitions against discrimination

²⁴ DOJ, Title II Regulations Subpart B § 35.133 Maintenance of accessible features

Policy Review Summary

Meeting agendas for Library and Recreation Services direct people with disabilities to call the department for auxiliary aids or other assistance, but contact information is not provided. The current policy for public comment limits speaking time and does not address exceptions for persons with disabilities that impact speech.

Barrier Removal Actions

- Ensure that public meetings are held in accessible facilities with access to adaptive equipment as requested.²⁵
- Provide agendas and other meeting materials in alternative formats upon request.²⁵
- Provide flexibility in the time limit on speaking for individuals with communication difficulties.²⁵
- Ensure assistive listening devices are provided for public meetings where sound at the meeting is amplified.²⁶

Implementation Strategies

- Ensure a consistent advanced notice requirement and communicate this to both staff and the general public. Questionnaire respondents reported differing standards for advanced notice.
- Display a notice on meeting agendas and/or web pages providing agendas and other meeting materials that indicates the availability of alternative formats of meeting materials and other elements of meeting participation, and the contact information for the staff member(s) who can provide assistance.
- Prepare a list of accessible meeting spaces to facilitate the scheduling of meetings or the relocation of meetings as needed upon request.
- Move disability-related agenda items to the beginning of agendas when possible. Some people with disabilities are unable to stay late at meeting because they use transit, have fixed schedules, and/or rely on personal care attendants.
- Maintain a list of on-call ASL interpreters who can attend meetings upon request to assist individuals who are deaf or have hearing loss.
- Develop a checklist and provide instruction to staff on ensuring the accessibility of meetings. Guidelines should include examples of the types of modification requests that may be made by people with different types of disabilities, including assistive listening systems, sign language interpreters, readers, descriptive services, and other assistive technologies like real-time captioning. Other considerations include the layout of the room and the locations of the sign-in and refreshments tables, bathrooms, and other elements to ensure these features are accessible.
- Assign a member of staff as a greeter at public meetings and events. Identify this person as a resource for people who may require assistance.

²⁵ DOJ, Title II Regulations Subpart E § 35.160 General

²⁶ DOJ, Title II Regulations Subpart E § 35.160 General; 2010 Standards 219.2 Required Systems

Program Participation

The public must be able to access all programs, activities, and services, regardless of disability, unless a modification would result in a fundamental alteration to the nature of a service, program, or activity or impose undue financial and administrative burdens.²⁷ Admission criteria, ability to complete forms, and participation in interviews must be available to all members of the public by providing reasonable modifications. Specific standards for the City's facilities with ticketed, fixed seating are intended to ensure equal access to special events.

Policy Review Summary

For library and recreation programs, the website and online forms generally do not provide information regarding the accessibility of facilities or the method for requesting modifications. Applications for some programs and services require a driver's license even when the program or service does not entail driving. One program notes that it does not discriminate on the basis of a number of demographic variables (age, race, gender, etc.), but does not include "disability" in this list. Another program requests applicants' height and weight, which appear to be inapplicable to the licensing process and may inappropriately and unnecessarily expose certain disabilities.

Barrier Removal Actions

- Provide reasonable modifications to program participants with disabilities to include them in regular programs to the maximum extent possible. Do not require the use of different or separate aids, benefits, or services, even if they are as effective as those provided to other individuals.²⁸
- Modify standard policies, practices, or procedures to avoid discrimination unless the modification would fundamentally alter the nature of the program, result in an undue financial or administrative burden, or create a hazardous situation for the participant or others.²⁸
- Ensure that when the City determines it is necessary to exclude or limit the participation of people with disabilities to ensure the safe operation of programs or services, it bases those determinations on real risks, not on speculation, stereotypes, or generalizations.²⁹
- Ensure that when interviews are required for program participation, they are held in an accessible location and that alternative formats or auxiliary aids are provided upon request.³⁰
- Ensure that surcharges are not placed on people with disabilities to cover the costs of aids, modifications, or program accessibility.²⁹
- Ensure that program application and participation procedures and standards do not discriminate against people with disabilities.²⁹

²⁷ DOJ, Title II Regulations Subpart E § 35.164 Duties

²⁸ DOJ, Title II Regulations Subpart B § 35.130 General prohibitions against discrimination

²⁹ DOJ, Title II Regulations Subpart B § 35.130 General prohibitions against discrimination

³⁰ DOJ, Title II Regulations Subpart B § 35.130 General prohibitions against discrimination; Subpart E § 35.160 General

- Ensure that ticketed events at City facilities meet accessibility standards for seating, facilities, pricing, ticketing, sales, and resale.³¹

Implementation Strategies

- Increase outreach to people with disabilities and the organizations that serve them to ensure program accessibility. The City should also inform the public of the possible modifications that can be provided to make programs, activities, and services accessible.
- Include a nondiscrimination statement and a notice of alternative formats on application or registration forms.
- Periodically review program eligibility requirements to proactively ensure accessibility. Develop strategies for modifications as appropriate.
- Review requirements of City volunteer programs to ensure that people with disabilities are included to the maximum extent possible.
- Review policies and practices for ticketed events at City venues with fixed seating. Ensure relevant staff is aware of their obligations at these events and facilities.

Transportation Services

Many public agencies provide public transportation services. The public accommodation standards for these services are set forth by the Federal Transit Administration.³²

Policy Review Summary

The evaluation did not identify any additional barrier removal actions for this category.

Barrier Removal Actions

- Make reasonable modifications in policies, practices, or procedures for transportation programs when the modifications are necessary to avoid discrimination on the basis of disability or to provide program accessibility to services.³³

Implementation Strategies

- Periodically review transportation programs to proactively ensure accessibility. Develop strategies for modifications as appropriate.

³¹ DOJ, Title II Regulations Subpart B § 35.138 Ticketing

³² Title 49, Subtitle A, Part 38 - Americans with Disabilities Act Accessibility Specifications for Transportation Vehicles. See specifications at <https://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=2efb7bdb786c2e63145ea6e1cf788693&mc=true&r=PART&n=pt49.1.38>

³³ DOJ, Title II Regulations Subpart B § 35.130 General prohibitions against discrimination; Title 49, Subtitle A, § 38.1 Purpose

Tours and Trips

Many public agencies provide or facilitate tours and trips as part of their service. These tours and trips are subject to title II regulations. The City is responsible for ensuring that the tour can be experienced by people with disabilities by making modifications upon request.

Policy Review Summary

The evaluation did not identify any additional barrier removal actions for this category.

Barrier Removal Actions

- Modify tours and trips upon request to enable people with disabilities to participate.³⁴

Implementation Strategies

- Incorporate opportunities to request accessibility modifications in registration materials for tours or trips.
- Provide information to participants in advance of a tour or trip regarding the destination, transportation method, and other characteristics of the activity so that informed requests for modifications can be made.
- Evaluate the destination of tours or trips and the means of transportation to determine accessibility and any modifications that may be required. If a tour route or a portion of a route is inaccessible and modifications are requested, reroute the tour or provide program modifications that will allow the tour to be experienced (e.g., photographs or videos with closed captioning).

³⁴ DOJ, Title II Regulations Subpart B § 35.130 General prohibitions against discrimination

Accessible, Adaptive Equipment Used by the Public

Adaptive aids are devices, controls, appliances, or items that make it possible for persons with disabilities to improve their ability to function independently and participate in programs, activities, and services offered by the City.³⁵ For example, a pen, note pad, and clipboard provided to a person with a hearing or speech impairment to write notes on or electronic equipment such as an accessible computer station are considered adaptive equipment.

Policy Review Summary

The evaluation did not identify any additional barrier removal actions for this category.

Barrier Removal Actions

- Provide and maintain, in working order, accessible equipment for people with disabilities when equipment is provided to the public.³⁶
- Make reasonable modifications to avoid discrimination on the basis of disability unless the modifications would fundamentally alter the nature of the program, activity, or service.³⁷
- Provide appropriate auxiliary aids and services in a timely manner, giving primary consideration to the requests of individuals with disabilities.³⁸

Implementation Strategies

- Review equipment provided by the City for use by the public, such as computers, copy machines, telephones, etc. to identify potential barriers to accessibility and corresponding solutions.
- Collaborate with community organizations that serve people with disabilities to develop and maintain a resource list of assistive technology and accessible equipment.
- Establish and maintain a toolkit of adaptive aids and resources for staff who interact with the public. Include information about both onsite and contracted services.
- Include accessibility as a criterion for purchasing equipment such as furniture, site furnishings, and office systems. Whenever possible, evaluate furniture and building material purchases for compatibility with a wide range of disabilities and sensitivities.
- Develop standards for assessing whether requested modifications would create an undue burden or fundamentally alter the nature of the program, activity, or service involved in the request.

³⁵ See <https://www.ada.gov/pcatoolkit/chap1toolkit.htm>.

³⁶ DOJ, Title II Regulations Subpart B § 35.133 Maintenance of accessible features

³⁷ DOJ, Title II Regulations Subpart B § 35.130 General prohibitions against discrimination

³⁸ DOJ, Title II Regulations Subpart E § 35.160 General

Printed and Online Materials

Many public agencies develop and distribute a wide range of materials in printed and online formats. To meet the ADA's communication standards, the City must be able to provide alternative formats such as easy-to-understand language, braille, large-print, audiotape or CD, computer media, or other formats, when requested.³⁹

Policy Review Summary

Some documents on the City's website do not read properly using Adobe's "Read Out Loud" function and may not be accessible for screen readers. Information conveyed in static and interactive maps may not be accessible for people with certain disabilities, and some PDF forms are not provided in a fillable format. Information about requesting alternative formats is not provided uniformly throughout the City departments and divisions.

Barrier Removal Actions

- Ensure alternative formats for printed and online information are made available upon request, addressing each request on an individual basis.⁴⁰
- Produce online documents in formats that address fonts, styles, images, reading order, colors, and other accessibility elements.⁴⁰
- Ensure assistance is provided upon request in filling out forms when alternative formats are unavailable or infeasible.⁴¹
- Ensure that costs for alternative formats and modifications are not assigned to a person with a disability making the request.⁴¹

Implementation Strategies

- Include a notice on public materials printed or posted online by the City, similar to the following:

This publication can be made available in alternative formats, such as large print, braille, or electronic format. Requests can be made by calling the ADA Coordinator at (650) 991-8064 (Voice) or by using the 711 Telecommunications Relay Service. Please allow 72 hours for your request to be processed.

Train staff to provide printed and online information in alternative formats for people with various disabilities to ensure that requests are handled in a uniform and consistent manner. Incorporate strategies for materials with complex language or other elements such as charts, graphs, maps, and other images.

- Develop and implement standard templates for producing accessible City materials that are consistent with City branding and style.
- Include images of people with disabilities when images of people are included in City printed materials.

³⁹ See <https://www.ada.gov/pcatoolkit/chap3toolkit.htm>.

⁴⁰ DOJ, Title II Regulations Subpart E § 35.160 General

⁴¹ DOJ, Title II Regulations Subpart B § 35.130 General prohibitions against discrimination

Website Accessibility

As individuals turn to the internet as their primary source of information regarding services, programs, activities, and facilities, the City's website at <http://www.dalycity.org/> takes on increased importance as a communications tool. Providing online public access to City publications is an effective means of reaching people with disabilities.⁴² New accessibility standards for electronic and information technology covered by Section 508 of the Rehabilitation Act Amendments of 1998 have set forth the technical and functional performance criteria necessary for such technology to be accessible.⁴³ As of 2018 the technical requirements of Section 508 incorporate the Web Content Accessibility Guidelines (WCAG), including WCAG 2.0 A and AA. The WCAG guidelines are considered the best practice for web accessibility and provide the industry standards for accessible web content.⁴⁴

Policy Review Summary

A brief review of the City's website identified a number of accessibility barriers. These include inconsistent and sometimes incorrect use of alternative text for images, issues associated with hyperlinks, and a nonresponsive search feature. The coding and construction of the website also has accessibility barriers related to the use of specific JavaScript features.

Barrier Removal Actions

- Take appropriate steps to ensure that the City's online communication with people with disabilities is as effective as other communications with the public.⁴⁵
- Ensure that people with disabilities are not excluded from participating in or benefitting from the City online programs, activities, or services.⁴⁶

Implementation Strategies

- Publish the Policy of Nondiscrimination, including on the Basis of Disability, on the City website.
- Provide information on the City website about the accessibility of City facilities.
- Conduct web accessibility analyses to periodically measure the accessibility of the City's websites. Consider adopting standards that meet or exceed Section 508 of the Rehabilitation Act guidelines for the accessibility of electronic information.
- Acquire the technological resources or staffing expertise to create accessible documents for posting on the City website.
- Assign one department the authority to provide standards and oversight for outside vendors who create webpages and for departments who post their own documents. This can support consistent and accessible web pages.

⁴² See <https://www.ada.gov/websites2.htm> ; <https://www.ada.gov/pcatoolkit/chap5toolkit.htm>.

⁴³ Section 508 of the Rehabilitation Act requires that Federal agencies' electronic and information technology is accessible to people with disabilities, including employees and members of the public. Many state and local public agencies have adopted these standards as best practices. See Title 29, Chapter 16, § 794d Electronic and information technology.

⁴⁴ <https://www.w3.org/WAI/standards-guidelines/wcag/>

⁴⁵ DOJ, Title II Regulations Subpart E § 35.160 General

⁴⁶ DOJ, Title II Regulations Subpart B § 35.130 General prohibitions against discrimination

Televised and Audiovisual Information

Televised and audiovisual presentations are a means for disseminating public information. These presentations, including PowerPoint presentations, must adhere to the City's accessibility requirements. With more communication relying on the internet and rapidly evolving technology, it is important for the City to ensure its presentations maintain accessibility.⁴⁷

Policy Review Summary

The evaluation did not identify any additional barrier removal actions for this category.

Barrier Removal Actions

- Provide alternative formats upon request to audiovisual presentations produced by the City or its contractors and vendors.⁴⁸
- Ensure that televised and audiovisual communications with people with disabilities is as effective as televised and audiovisual communications with others.⁴⁸

Implementation Strategies

- Review City presentations, videos, and recordings of meetings to identify potential barriers to accessibility and corresponding solutions.⁴⁹
- Encourage presenters to read the slides and describe the graphic content when presenting PowerPoint or other visual presentations.
- Include images of people with disabilities when images of people are included in City audiovisual materials.

Telecommunications

Technological advances such as cell phones, texting, and instant messaging are changing the tools that many people use to communicate. However, provision of alternative communication technologies such as teletypewriters (TTY), telecommunication display devices (TDDs), or relay services (TRS) is still required under the ADA for communicating with the public.⁴⁷

Policy Review Summary

The contact information for many City programs does not include TTY or other similarly accessible telecommunications options.

Barrier Removal Actions

- Ensure that staff is proficient in the use of alternative communication technologies such as TTY, TDDs, or TRS, or are able to direct the public to knowledgeable staff.⁵⁰

⁴⁷ See <https://www.ada.gov/pcatoolkit/chap3toolkit.htm>.

⁴⁸ DOJ, Title II Regulations Subpart E § 35.160 General

⁴⁹ Closed captioning is not required for all televised or audiovisual presentations, but it is a common way of making them accessible to people who are unable to hear the audio portion, and in some instances, it might be the only accessible format.

⁵⁰ DOJ, Title II Regulations Subpart E § 35.161 Telecommunications

- Ensure that City publications that list phone numbers also include information on how people who are deaf or who have hearing loss or speech disorders can communicate with departments by phone.⁵¹
- Ensure that telecommunications with people with disabilities is as effective as communications with others.⁵⁰
- Ensure that responses to calls from a telecommunications relay service are handled in the same manner as responding to other telephone calls.⁵⁰

Implementation Strategies

- Train staff on the use of alternative communication technologies.
- Explore options for Video Remote Interpreting Services (VRI) for communicating with people who are deaf, have hearing loss, or speech disorders. There are many situations where a live interpreter is required, such as in medical situations, but VRI can be a convenient, flexible, lower-cost alternative to live interpreters.

Emergency Planning

Life and safety protocols and procedures are required to include plans for people with disabilities. Issues that have the greatest impact on people with disabilities include

- Notification;
- Evacuation;
- Emergency transportation;
- Access to medications, refrigeration, and back-up power;
- Access to their mobility devices or service animals while in transit; and
- Access to information.

In planning for emergency services, the City is required to develop strategies for notifying and assisting people with the widest range of disabilities. The City is responsible for ensuring that staff are aware of these procedures and are trained to implement them during an emergency.⁵²

Policy Review Summary

The Emergency Services section of the City's code of ordinances does not address the needs of residents with disabilities.

Barrier Removal Actions

- Include strategies for people with disabilities in various types of emergency situations when developing guidelines and a plan for emergency evacuations.⁵³
- Train staff to safely evacuate people with disabilities in various types of emergency situations when developing guidelines and a plan for emergency evacuations.⁵³

⁵¹ DOJ, Title II Regulations Subpart E § 35.161 Telecommunications; § 35.163 Information and signage

⁵² See <https://www.ada.gov/pcatoolkit/chap7emergencymgmt.htm>.

⁵³ 42 U.S.C. § 12132; see generally, DOJ, Title II Regulations Subpart B § 35.130, Subpart D § 35.149

- Provide direct access to telephone emergency services, including 911 services, for people who use TDD's and computer modems.⁵⁴
- Provide emergency sheltering programs that are accessible to people with disabilities.⁵⁵

Implementation Strategies

- Incorporate the following elements into emergency planning:
- Address what to do when an alarm is triggered;
- Establish meeting places for assistance and evacuation chairs;
- Provide direction on what to do if assistance is not available; and
- Establish floor captains.
- Test the City's emergency plan and evacuation procedures with periodic drills, both announced and unannounced. Enlist people with different disabilities to role-play during emergency simulations.
- Review existing procedures dealing with emergencies to ensure that people with disabilities can be alerted and that they can alert emergency service providers.
- Work with disability organizations to explore the use of technologies such as audible exit signs for orientation and direction or vibrating paging systems.
- Provide training for public safety personnel to enable them to communicate in basic ASL if there is an emergency condition. For example, this training would be provided to police, fire-rescue staff, and building inspectors involved in post-disaster emergencies.
- Ensure that emergency teams are aware of people with disabilities in their communities who may require special assistance in an emergency.
- Provide ASL interpreters at emergency facilities, on an as-needed basis. To accomplish this, form a pool of interpreters as a resource from which to draw upon.
- Review suggestions for evacuation plans and procedures on the U.S. Access Board website at <http://www.ada.gov/emergencyprepguide.htm>. As applicable, review other resources such as the Procedures for Employees with Disabilities in Office Occupancies document published by FEMA and the U.S. Fire Administration.
- Develop plans that consider the needs of people using mobility aids such as wheelchairs, walkers, canes, crutches, or other power-driven mobility devices, or those with limited stamina. Plans should also address those who use oxygen or respirators, those who are blind or have low vision, people who are deaf or have hearing loss, people who have a cognitive disability, people with mental illness, and those with other types of disabilities.

Notice, Grievance, and Complaint Procedure

Title II regulations require the City to inform the public of the name and contact information for its ADA coordinator, as well as of the rights and protections provided by the ADA for access to public programs, activities, and services. It is the obligation of the head of the public entity to

⁵⁴ DOJ, Title II Regulations Subpart E § 35.162 Telephone emergency services

⁵⁵ DOJ, Title II Regulations Subpart B § 35.130 General prohibitions against discrimination; Subpart D § 35.149 Discrimination prohibited

determine the most effective way of providing notice to the public about their rights and the public entity's responsibilities under the ADA. Publishing and publicizing the ADA notice is not a one-time requirement. State and local governments should provide the information on an ongoing basis, whenever necessary.⁵⁶

Policy Review Summary

The City's grievance form lacks several elements that would provide useful or critical information. It does not include a field for describing efforts already made to resolve the issue directly with staff from the department or program, nor does it include a field for indicating if complaint has been filed with the Department of Justice or any other federal, state, or local civil rights agency or court. The form indicates that alternative formats are available upon request but does not provide contact information for making this request. Mail is the only identified method for submitting the form and documentation. The form also uses the term "accommodations," but title II exclusively uses the term "modifications." These terms are not interchangeable in this context.

Barrier Removal Actions

- Provide the name and contact information for the City's ADA Coordinator to staff and the public.⁵⁷
- Provide a public notice of the City's commitment to providing accessible services.⁵⁸
- Provide information about the existence and location of accessible services, programs, activities, and facilities.⁵⁹
- Update the City's grievance procedure to provide fair and prompt resolution of accessibility-related complaints. Ensure alternative formats to file complaints are available upon request.⁶⁰
- Ensure that people claiming a violation of title II are not retaliated against or discriminated against for making such a claim.⁶¹

Implementation Strategies

- Provide notice of the availability of program modifications, alternative formats of materials, and auxiliary aids. Include contact information for staff who can provide assistance. Establish a standardized advanced notice requirement and publicize to staff and the public.
- Include a nondiscrimination notice in City publications, similar to the following:

⁵⁶ See <https://www.ada.gov/pcatoolkit/chap2toolkit.htm>.

⁵⁷ DOJ, Title II Regulations Subpart A § 35.107 Designation of responsible employee and adoption of grievance procedures

⁵⁸ DOJ, Title II Regulations Subpart A § 35.106 Notice

⁵⁹ DOJ, Title II Regulations Subpart E § 35.163 Information and signage

⁶⁰ DOJ, Title II Regulations Subpart A § 35.107 Designation of responsible employee and adoption of grievance procedures

⁶¹ DOJ, Title II Regulations Subpart B § 35.134 Retaliation or coercion

Daly City does not discriminate on the basis of disability in the admissions or access to its programs or activities. An ADA Coordinator has been designated to coordinate compliance with the nondiscrimination requirements contained in the Department of Justice regulations implementing Subtitle A of title II of the Americans with Disabilities Act (42 U.S.C. 12131-12134), which prohibits discrimination on the basis on disability by public agencies.

ADA Coordinator/Director of Public Works

333 90th Street, Daly City, CA 94015

(650) 991-8064, ADA@dalycity.org

- Republish and rebroadcast radio, newspaper, television, or mailings of the notice periodically, as applicable.
- Increase outreach to people with disabilities and the organizations that serve them to provide information about possible modifications and the accessibility of programs, activities, and services.
- Ensure staff is aware of the public locations of the nondiscrimination statement and the procedure for filing a disability discrimination or grievance complaint.

Facilities

City facilities should be accessible to people with different types of disabilities. The identification of structural barriers in buildings, parks, and the public right-of-way is a required element of an ADA Transition Plan.

Policy Review Summary

Ambiguity exists in the City's definitions of "vehicle" and "pedestrian" in the code of ordinances. The City prohibits operation of all vehicles outside of designated parking and driving areas in parks but does not specify whether this incorporates power-driven mobility devices used by people with disabilities. The definition for pedestrian implies that the term is exclusively used for people on foot. Standards and definitions for use of power-driven mobility devices at City facilities are unclear.

Barrier Removal Actions

- Ensure that the public can obtain information regarding the existence and location of accessible facilities, entrances, and elements within facilities.⁶²
- Provide and maintain, in working order, features of facilities required to be accessible and usable for people with disabilities.⁶³
- Ensure that people with disabilities are not excluded from programs due to the inaccessibility of City facilities.⁶⁴

⁶² DOJ, Title II Regulations Subpart E § 35.163 Information and signage

⁶³ DOJ, Title II Regulations Subpart B § 35.133 Maintenance of accessible features

⁶⁴ DOJ, Title II Regulations Subpart D § 35.149 Discrimination prohibited

- Prioritize methods of achieving facility accessibility that offer the most integrated setting appropriate for people with disabilities.⁶⁵
- Design and construct new facilities or new parts of facilities to meet accessibility requirements.⁶⁶
- Ensure that alterations to facilities meet accessibility requirements to the maximum extent feasible.⁶⁷
- Make reasonable modifications to permit the use of mobility devices, including other power-driven mobility devices, unless they cannot be operated in accordance with the City's adopted safety requirements for pedestrian facilities.⁶⁸

Implementation Strategies

- Provide information about the accessibility of City-owned and operated facilities on department publications, including department websites. This can include details about accessible entrances, bathrooms, and other elements.
- Provide information about the accessibility of non-City facilities hosting City programs and services and City-owned facilities that are leased to other entities.
- Record and monitor requests relating to facility access. The ADA Coordinator can analyze accessibility requests periodically to look for global issues that can be addressed and problems than can be solved proactively.

⁶⁵ DOJ, Title II Regulations Subpart D § 35.150 Existing facilities

⁶⁶ DOJ, Title II Regulations Subpart D § 35.151(a) Design and construction

⁶⁷ DOJ, Title II Regulations Subpart D § 35.151(b) Alterations

⁶⁸ DOJ, Title II Regulations Subpart B § 35.137(b)(1) Use of other power-driven mobility devices

Standards and Specifications Review Summary

To assess the City's compliance with right-of-way standards for accessibility, a review was undertaken of the following Daly City documents and comments provided to the City Engineer.

Daly City Technical Specification Sections

- 2453 – Traffic Signals
- 02530 – Curb Ramps & Other Minor Concrete Facilities

Daly City Standard Details

- PR-2 – Tree Well
- S-1 – Street Design, Section & Cul-de-Sac
- S-2 – Curb, Gutter & Sidewalk
- S-3 – Residential & Commercial Driveway
- S-6 – Street Light (for 6' or Wider Sidewalk)
- S-7 – Street Light (for 4' & 5' Sidewalk)
- S-8 – Street Name Signs and Sign Location
- S-10 – Traffic Signs Fabrication and Installation
- S-12 – Parking Meter Post
- S-13 – Pedestrian Push Button Instructions
- S-14 – Off-Street Parking Stall Criteria
- W-4 – Water Main Connection – Fire Hydrants (Residential Area)
- W-5 – Water Main Connection – Fire Hydrants (Commercial Area)

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4. Transition Plan

Title II of the ADA requires that public entities having responsibility for or authority over facilities, streets, roads, sidewalks, and/or other areas meant for public use to develop a transition plan to ensure their facilities meet the standards for program accessibility. Program accessibility means that a program, activity, or service provided to the public is accessible when viewed in its entirety. Simply put, a transition plan assists in turning inaccessible facilities into environments that are accessible to and useable by individuals with disabilities.

The process of developing an ADA transition plan includes the identification of access barriers within the built environment. The transition plan for the removal of structural barriers to program access must contain the following information:

- Identification of the barriers to program access;
- Identification of the specific barrier removal action(s);
- Identification of a schedule for barrier removal; and
- Identification of responsibility for ensuring barrier removal.

This Transition Plan is organized into two parts: buildings and sites, and the public right-of-way, which includes curb ramps, crosswalks, and sidewalks.

4.1 Schedule for Facility Improvements

Title II regulations state that if a transition plan will take more than one-year to fully implement, it must contain interim steps to provide program accessibility. The plan proposes a preliminary 15-year strategy for removing barriers at City buildings and within the public right-of-way. The City reserves the right to modify barrier removal priorities to allow flexibility in accommodating community requests, petitions for reasonable modifications from people with disabilities, changes in City programs, and funding opportunities and constraints. The barrier removal strategy for the next 15-years incorporates flexibility in the process and allows the City to respond to new opportunities as they arise. Barriers identified at City facilities will be removed systematically based on program priorities. The City's ADA Coordinator will be responsible for ensuring barrier removal. For the most current status of the remediation of barriers, contact the ADA Coordinator.

4.2 Accessibility Standards

At the time of the building, site, and right-of-way evaluations, the ADA 2010 Standards, 2019 California Access Compliance Advisory Reference Manual (CBC), 2015 Architectural Barriers Act (ABA) Standards for Outdoor Developed Areas, 2011 Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG), and the 2014 California Manual on Uniform Traffic Control Devices for Streets and Highways (CA MUTCD) were used to identify barriers at City facilities. Building codes and standards are revised every few years. The barrier

evaluations conducted provide an assessment of current conditions as viewed by current code and provide a baseline for future barrier removal.

4.3 Facility Evaluations

During the site evaluations of Daly City buildings and sites, all portions of exterior and interior features of the sites and facilities used by the public were evaluated. The assessment identified physical barriers in each facility that limit accessibility and compared each facility to the 2010 ADA, 2019 CBC, and 2015 ABA.

The facilities listed on the following page are organized by functional area and summaries of the barriers identified are included with this document as Appendix C: ADA Facility Assessment Summary. The site evaluations were accomplished using a consultant team equipped with measuring devices, City facility information, and evaluation checklists. Diagrams and maps of each site were annotated during the evaluation process and are included with the ADA Facility Assessments Reports.

Municipal Services: City Hall, Civic Center North

Community Centers and Clubhouses: Bayshore Community Center, Doelger Senior Center, Gellert Park Clubhouse, Hillside Park Clubhouse, Imagination Station - Child Development Center, Larcombe Clubhouse, Lawson Hall, Lincoln Park Community Center, Marchbank Clubhouse, Teglia Community Center, War Memorial Community Center, Westlake Community Center/Pacelli Event Center, Westlake (Doelger) Performing Arts Center

Fire Department: Fire Station 91, Fire Station 92, Fire Station 93, Fire Station 94, Fire Station 95, and North County Fire Authority Administration

Libraries: Bayshore, John Daly, Serramonte, and Westlake

Park Facilities: Bayshore Heights Park, Marchbank Park Restrooms/Concessions, and Westlake Park Common Areas

Pathways: Beverly, Bromley, Camelot, Lycett, Lycett Park, Mira Vista, Norwood, Penhurst, St Francis, Vendome Alley, and Wilshire Walkway

Other: Former Post Office – 31 Bepler, Rental House - 204 92nd St, Human Resources Office

Barrier Categorization

Categorization is the classification of physical barriers identified in the field evaluations that may limit access to City programs, services, or activities at a particular site. The categories follow a logic of access to a site. When planning or designing projects with limited budgets, the City would want to address primary access like parking before addressing an amenity like a drinking fountain. The following is a descriptor of the categories.

- **Category one:** Identifies barrier removal items that provide accessibility at the main entrance of a facility or the accessible route to the portion of the facility where program activities take place (parking, walks, ramps, entrance doors, etc.).
- **Category two:** Placed on those barrier removal items that improve or enhance access to program use areas (transaction counters, conference rooms, public offices, restrooms, etc.).
- **Category three:** Placed on those barrier removal items that improve access to amenities serving program areas (drinking fountains, telephones, site furnishings, vending machines, etc.).
- **Category four:** Identifies areas or features not required to be modified for accessibility (no public programs located in this area, duplicate features, alteration could be considered technically infeasible).
- **Category five:** Identifies areas or features located at sites that may qualify as a historic landmark and may not be required to fully comply with current accessibility standards.

Criteria for Prioritizing Barrier Removal at City Facilities

Prioritizing the removal of barriers at City facilities is an important component of developing and implementing an ADA Transition Plan. The following criteria were considered in the schedule for removing barriers.

- **Citizen rights and responsibilities:** Facilities where services are provided to exercise citizen rights—participation in City Council and Commission meetings, access to elected officials, facilities where taxes are paid, permits and licenses are obtained, etc.
- **Level of use by the public:** Facilities that have a high level of public use are a higher priority.
- **Program uniqueness:** Some programs are unique to a specific environment or location and cannot occur at another location.
- **Geographic distribution:** Selecting a range of facilities that are distributed throughout the City, the City can ensure maximum access for all residents.
- **Identified complaints or requests:** Facilities that have a history of citizen complaints or requests related to accessibility can be assigned a higher priority.

Phasing Schedules for Building and Site Improvements

The Plan proposes a 15-year strategy for removing barriers at City facilities that limit program accessibility. Barriers identified at City facilities will be removed systematically based on established program priorities. It is the intent of the City to address and remove barriers to accessibility at its facilities based on the need for programmatic access.

The City reserves the right to modify barrier removal priorities to allow flexibility in accommodating community requests, petitions for reasonable modifications from people with disabilities, changes in City programs, and funding opportunities and constraints. The ADA title II regulations state that if a transition plan will take more than one year to fully implement, it must contain interim steps to provide program accessibility. Interim measures are being explored and implemented to provide better access for the public pending the implementation of major physical barrier removal projects. Interim measures in the Plan may include

- relocating a program to an accessible facility,
- the installation of directional signs,
- the installation of a power door or lift,
- adjustments to operating mechanisms,
- temporary modifications that increase access, or
- other actions that enable better access.

The City will accomplish barrier removals in its buildings and sites either through policy and procedure modifications to remove programmatic barriers, or maintenance and construction projects to remove structural barriers.

The strategy is summarized in tables on the following pages. It is the City's intent to review all barriers during the first few years of Plan implementation and address those barriers that can be resolved through programmatic modifications and maintenance tasks. The City will then revise the schedule for removal of the remaining barriers. It is also assumed that as facility barriers are evaluated in greater detail as part of future projects and complaints, a percentage of the barriers will fall within the safe harbor provisions, explained later in this section. The City will then revise and update the inventory of barriers and, when applicable, revise the schedule for the removal of remaining barriers.

The information contained in the ADA facility assessment reports has been incorporated into barrier analysis Excel workbook with companion facility GIS data, which is intended to be the living transition plan and the City's ongoing record of the remediation of barriers. The tracking tool will be updated over time as the City removes barriers or finds programmatic solutions to barriers. The record is maintained by the City's ADA Coordinator. For the current status of the remediation of barriers, contact the City's ADA Coordinator, Richard Chiu, in writing at 333 90th Street, Daly City, CA 94015, by phone at 650-991-8064, through the 711 telecommunications relay service, or by email at ADA@dalycity.org.

In compliance with the requirements of the ADA, the City will maintain in working order features that are required to provide access to individuals with disabilities.

The following transition plan phasing schedules summarize the priorities for barrier removal at City facilities. The schedules incorporate the priorities for barrier removal in conjunction with the barrier categorizations. The tables represent a 15-year plan for barrier removal. Taking into consideration that not all barriers require the same level of effort to mitigate, the timeline for barrier removal has been organized into three categories: maintenance projects, small capital projects, and large capital projects.

- **Maintenance projects:** A maintenance project can mitigate a barrier as part of ongoing maintenance or possibly without a building permit. Example: Changing door hardware from a knob to accessible lever hardware; or remounting a fixed unit to appropriate reach range heights, such as a paper towel dispenser.
- **Small capital projects:** A small capital project is when barrier mitigation will require more planning and construction expertise than a maintenance project and may require individual study under the guidance of a design professional. Barrier mitigation projects with a small scope and cost may be considered short term projects.
- **Large capital projects:** A large capital project is when barrier mitigations will require significant planning and construction expertise and will require individual study under the guidance of a design professional. Long term projects may require extended planning and funding.

It is the City's intent to complete as many maintenance related items as possible in the first five years.

Type of barrier removal and time frame guidelines: Barrier removals will be grouped by City staff as maintenance, small capital, or large capital projects as shown in Table 4.1. The time frame guidelines identified below for each type of barrier removal will be considered, in addition to the prioritization criteria, when scheduling barrier removal work. Barrier removal projects of any type may be implemented concurrently at any time over the Plan's 15-year time frame. Where possible, the City will group barrier removal work with other planned maintenance and/or capital projects for economies of scale.

Table 4.1. Type of Barrier Removal and Time Frame Guidelines

Barrier Removal Type	Time Frame Guideline	Description	Notes
Maintenance Improvements	1 to 5 years	Completed in-house. <i>Examples:</i> new signage, relocating hand dryers, regrading trailheads; <\$5,000 each	
Small Capital Improvements	1 to 10 years	Completed in-house or by contractor; <\$50,000 each	Where possible, group with other planned projects and work items
Large Capital Improvements	1 to 15 years	Completed by contractor; >\$50,000 each	

Safe harbor exception: Facilities that are subject to safe harbor provisions under the ADA may remain in their current condition until the City plans to alter those facilities. Future accessibility improvements at these sites may be considered on a case-by-case basis. Please see Section 4.5 for discussion of safe harbor provisions.

Table 4.2. Prioritized City Facilities

Priority Rank	Facilities	Years
1	City Hall	1 to 5
2	North County Fire Authority Administration	1 to 5
	Civic Center North	1 to 5
3	Doelger Senior Center	1 to 5
	Westlake Community Ctr Pacelli Event Center	1 to 5
	Westlake Park Common Areas	1 to 5
	Lincoln Park Community Center	1 to 5
4	Westlake Library	1 to 5
	Serramonte Library	1 to 5
5	John Daly Library	1 to 10
	War Memorial Community Center	1 to 10
6	Gellert Park Clubhouse	1 to 10
	Bayshore Community Center	1 to 10
	Bayshore Library	1 to 10
7	Teglia Community Center	1 to 10
8	Hillside Park Clubhouse	1 to 10
	Larcombe Clubhouse	1 to 10
9	Marchbank Clubhouse	1 to 10
	Marchbank Park Restrooms/Concessions	1 to 10
10	Lawson Hall	1 to 10
	Bayshore Heights Park	1 to 10
11	Imagination Station - Child Development Center	1 to 15
	Westlake Performing Arts Center	1 to 15
12	Former Post Office (31 Bepler)	1 to 15
13	Fire Station 94	1 to 15
	Fire Station 92	1 to 15
	Fire Station 91	1 to 15
	Fire Station 93	1 to 15
	Fire Station 95	1 to 15
14	Human Resources Office	1 to 15
15	Rental House (204 92nd St)	1 to 15

Table 4.3. Prioritized City Pathways

Priority Rank	Pathways	Years
1	Pathway - Wilshire Walkway	1 to 15
2	Pathway - Lycett Park	1 to 15
3	Pathway - Norwood	1 to 15
4	Pathway - Lycett	1 to 15
5	Pathway - Camelot	1 to 15
6	Pathway - St Francis	1 to 15
7	Pathway - Beverly	1 to 15
8	Pathway - Bromley	1 to 15
9	Pathway - Mira Vista	1 to 15
10	Pathway - Penhurst	1 to 15
11	Pathway - Vendome Alley	1 to 15

4.4 Public Right-of-Way

The ADA addresses accessible public right-of-way where sidewalks are provided by the City. The ADA does not mandate the installation of sidewalks but does require curb ramps at intersections where existing sidewalks are provided along the roadway.

In 2002, the United States Court of Appeals for the Ninth Circuit, whose jurisdiction includes California, held for the first time that sidewalks constitute a service, program, or activity of a public entity. Sidewalks are, therefore, subject to the ADA's program accessibility regulations.⁶⁹ Before this decision, the law was unclear about whether transition plans for public entities should address barrier removal from sidewalks. When originally written, the ADA specifically addressed curb ramps; this court decision added sidewalks.

Under title II of the ADA, the City is not necessarily required to construct curb ramps at every point where a sidewalk intersects a curb. Traffic safety considerations may make construction of ramps undesirable at some locations. Alternative routes to buildings that make use of existing curb ramps may be acceptable under the concept of program accessibility where individuals with disabilities need only travel a marginally longer route.

Public Right-of-Way Evaluations

Right-of-way facilities were evaluated during the summer of 2019 using criteria from the 1991 ADAAG, 2010 ADA, 2016 CBC, and 2011 PROWAG accessibility standards.

⁶⁹ Barden v. City of Sacramento, 292 F.3d 1073 (9th Cir. 2002)

The site evaluations were completed using a consultant team equipped with measuring devices, City data, and evaluation checklists. The data collected was inventoried using point GIS data with the associated barrier information included within the data tables.

The evaluations of the public right-of-way facilities included crosswalks, curb ramps, sidewalks and sidewalk hazards.⁷⁰ This section describes each type of facility evaluated and summarizes the barrier findings. The summaries for each type of facility have four parts:

- A graphic showing Geospatial Proximity Priorities by category;
- Descriptions of the barrier categorizations;
- Maps⁷¹ showing the locations of identified barriers; and
- Summary tables of the identified barriers.

Public Right-of-Way Prioritization

The draft schedule for removing barriers in the City's public right-of-way was developed using guidelines identified in title II of the ADA.

If a public entity has responsibility or authority over streets, roads, or walkways, its transition plan shall include a schedule for providing curb ramps or other sloped areas where pedestrian walks cross curbs, giving priority to walkways serving entities covered by the Act, including State and local government offices and facilities, transportation, places of public accommodation, and employers, followed by walkways serving other areas⁷².

Based on these guidelines, the proposed prioritization criteria include the following:

- Location of citizen complaint or request (ADA title II program access);
- Locations serving government offices and public facilities;
- Locations serving transportation;
- Locations serving commercial districts and employers; and
- Locations serving other areas.

Facilities located along the City's High Injury Network (HIN) were also identified. Where a significant number of barriers were assigned the same priority, those located along the HIN were summarized separately from barriers not located along the HIN.

Matrices on the following pages illustrate the draft prioritization criteria for curb ramp and pedestrian access route barrier removal projects in the City's public right-of-way. Each facility evaluated was assigned a rank based on its barrier priority and category. The priority assigned

⁷⁰ Hazards include vertical surface discontinuities, surface openings, protruding and overhanging objects.

⁷¹ Barrier Removal Projects - Map 1: Curb Ramps, Map 2: Pedestrian Access Routes, Map 3: Hazards, Map 4: Crosswalks

⁷² DOJ, Title II Regulations Subpart D §35.150(d)(2) Transition plan

is based on the information described above and the barrier category is based on the condition of the facility. The descriptions for each category are provided after each matrix.

The highest ranked facilities are shaded in purple, medium ranked in blue, and lower ranked in gold. The facilities with no assigned rank have no access deficiencies identified and are shaded in green. The columns in the matrix indicate the assigned priority and are in order of importance from left to right, with the left column having the highest importance. The rows indicate the category of condition assigned to each facility during the evaluation process, with the top row having the highest importance.

Time Period for Public Rights-of-Way Improvements

The ADA title II regulations state that if a transition plan will take more than one year to fully implement, it must contain interim steps to provide program accessibility. The City has established a 15-year strategy for removing public rights-of-way barriers that limit program accessibility. The City reserves the right to modify barrier removal priorities to allow flexibility in accommodating community requests, petitions for reasonable modifications from persons with disabilities, changes in City programs, and funding opportunities and constraints. The barrier removal strategy for the next 15 years incorporates flexibility in the process and allows the City to respond to new opportunities as they arise.

Strategies for Funding Barrier Removal

Opportunities for funding the removal of access barriers include:

- Capital projects for new construction;
- Capital projects for roadway alterations;
- Maintenance and repair projects and programs, i.e. the City's rotating seven-year slurry seal maintenance program and an annual pavement rehabilitation project;
- Dedication of a fund for ADA barrier removal, i.e. incorporate curb ramp barrier removal within the street fees or using annual ADA/Sidewalk Improvements Projects for requested barrier removals;
- Requiring private developers to remove access barriers when development affects facilities within the right-of-way; and
- Actively seeking out and applying for grant funding specific to removal of access barriers when available.

The City currently has in place a Pavement Management Program that schedules out roadway rehabilitation and maintenance. The City plans to review public rights-of-way barriers during the implementation of this Plan and address those barriers that can be resolved as part of the on-going pavement maintenance and rehabilitation program. As part of the review, the City will revise the Transition Plan schedule for the removal of barriers. The Transition Plan schedule will also be updated as capital projects for new construction and roadway alterations arise.

Table 4.4: Curb Ramp Priority Matrix

Curb Ramps		ADA 35.150(d) Geospatial Proximity Priorities*				
		A	B	C	D	E
Priorities (Category)	Priority Description	Location of Citizen Complaint or Request	Location Serving Government Offices & Public Facilities	Location Serving Transportation†	Location Serving Commercial Districts, Employers	Location Serving Other Areas
1	See Category 1 Description	A1 High Priority	B1	C1	D1	E1
2	See Category 2 Description	A2	B2	C2	D2	E2
3	See Category 3 Description	A3	B3 Medium Priority	C3	D3	E3
4	See Category 4 Description	A4	B4 Low Priority	C4	D4	E4
5	No deficiencies identified	A5	B5	C5	D5	E5

*The priorities listed are specified under title II 28 CFR Section 35.150 (d).

†Geospatial Proximity C was calculated using a 1/8-mile service area for curb ramps in locations serving transportation

Curb Ramp Barrier Descriptions

The categories of barriers for the right-of-way have been organized by identified ADA barrier and by road classification. There are three road classifications: arterial, collector, and local. Arterial roads have the highest volume and speed of vehicle traffic with local roads having the lowest volume and speed of vehicle traffic. The following tables describe the ADA barriers and assign a barrier category based on the type of road classification.

Table 4.5: Curb Ramp Category 1 Descriptions and Sub-Categories by Road Classification

Road Classification	Arterial					Collector					Local				
	Category (y-axis)	1	2	3	4	5	1	2	3	4	5	1	2	3	4
Identified ADA Barrier															
The curb ramp is built-up in the travel lane.															
The curb ramp is significantly damaged or deteriorated and is unsafe.															
The width and length of the pedestrian refuge island does not meet any standard.															
There is a sidewalk with no curb ramp access or there is an obstruction to accessing the curb ramp.															
The curb ramp has no receiving ramp.															
The curb ramp has no detectable warning.															

Table 4.6: Curb Ramp Category 2 Descriptions and Sub-Categories by Road Classification

Road Classification	Arterial					Collector					Local				
	Category (y-axis)	1	2	3	4	5	1	2	3	4	5	1	2	3	4
Identified ADA Barrier															
The curb ramp does not have a firm, stable, and slip resistance surface and/or has openings greater than a half-inch or parallel with the direction of travel.															
The curb ramp is not located within marked crossings (when present).															
Cross slope of ramp exceeds two percent at an intersection with yield or stop control.															
Running slope of ramp exceeds 8.33 percent															
Sidewalk transition to roadway midblock with cross slope exceeding 2 percent.															
Cross slope of ramp exceeds two percent and grade of road when located midblock or at an intersection without yield or stop control.															
End of walk ramp with ramp exceeding 8.33 percent and/or cross slope exceeding 2 percent.															
Slope of ramp flared sides (if applicable) exceeds 10 percent and is part of the circulation path															
Width of ramp is less than 48 inches.															
A three-by-four-foot clear space at the bottom of the ramp outside of the travel lane is not provided.															
Curb ramp has turning space that does not meet any existing standards.															
Counter slope of curb ramp is greater than 8.33 percent.															
The curb ramp has a lip or vertical discontinuity greater than a half-inch.															

Table 4.7: Curb Ramp Category 3 Descriptions and Sub-Categories by Road Classification

Road Classification	Arterial					Collector					Local				
	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5
Category (y-axis)															
Identified ADA Barrier															
Counter slope of the curb ramp is greater than five percent.															
Turning space meets neither CBC nor PROWAG standard.															
A four-by-four-foot clear space at the bottom of the ramp outside of the travel lane is not provided.															
Slope of ramp flared sides (if applicable) exceeds 8.33 percent and is less than or equal to 10 percent and is part of the circulation path															

Table 4.8: Curb Ramp Category 4 Descriptions and Sub-Categories by Road Classification

Road Classification	Arterial					Collector					Local				
	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5
Category (y-axis)															
Identified ADA Barrier															
The detectable warning provided meets no existing standard.															
The detectable warning provided does not meet PROWAG standard.															
The detectable warning provided does not meet CBC standard.															
The width and length of the pedestrian refuge island does not meet PROWAG standard.															
Turning space meets either PROWAG standard or meets CBC standard, but not both.															
End of walk due to road terminating with no exit ramp.															
End of walk midblock with no exit ramp.															
The curb ramp has a lip or vertical discontinuity less than a half-inch.															
Slope of ramp flared sides (if applicable) exceeds 10 percent and is not a part of the circulation path.															
Curb ramp design obstructs accessible route to private walkway.															
Top landing, turning space, and roadway clear space are not designed to prevent the accumulation of water.															

Table 4.9: Curb Ramp Category 5 Descriptions and Sub-Categories by Road Classification

Road Classification	Arterial					Collector					Local				
	Category (y-axis)	1	2	3	4	5	1	2	3	4	5	1	2	3	4
Identified ADA Barrier															
No deficiencies identified															
Shared diagonal perpendicular or shared parallel curb ramp design without existing physical constraints															

Table 4.10. Curb Ramp Barrier Summary

Category	Priority	Instances	Percent of Total	Schedule Year
High Priority				
1	B1	9	0.3%	1-10 years
1	C1	162	5.0%	1-10 years
1	D1	8	0.2%	1-10 years
2	B2	104	3.2%	1-10 years
Subtotal		283	8.7%	-
Medium Priority				
1	E1	46	1.4%	1-10 years
2	C2 (HIN)	158	4.8%	1-10 years
2	C2	687	21.0%	1-10 years
2	D2	41	1.3%	1-10 years
3	B3	29	0.9%	1-10 years
3	C3 (HIN)	23	0.7%	1-10 years
3	C3	233	7.1%	1-10 years
3	D3	1	0.0%	1-10 years
Subtotal		1,218	37.2%	-
Low Priority				
2	E2	550	16.8%	1-15 years
3	E3	90	2.8%	1-15 years
4	B4	129	3.9%	1-15 years
4	C4	517	15.8%	1-15 years
4	D4	25	0.8%	1-15 years
4	E4	450	13.8%	1-15 years
Subtotal		1,761	53.8%	-
No Deficiencies				
5	C5	5	0.2%	-
5	E5	4	0.1%	-
Subtotal		9	0.3%	-
Total for All Projects		3,271	100.0%	-



Daly City ADA Self-Evaluation & Transition Plan

Map 1: Curb Ramp Barrier Removal Projects

Barrier Removal Rank

- High
- Medium
- Low
- No Deficiencies Identified

Context

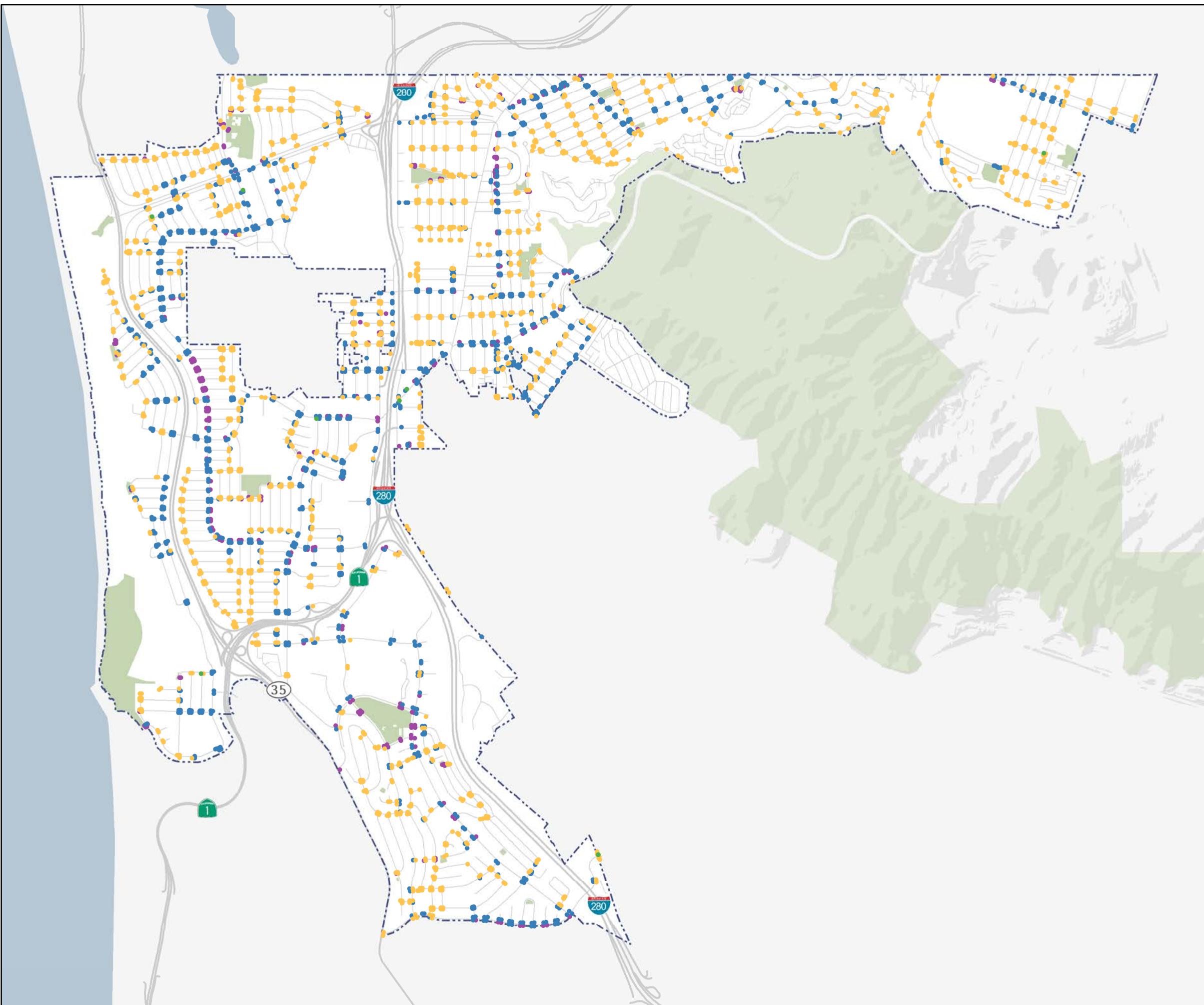
- Street
- Park
- Water Feature
- City Boundary

MIG

01.09.2020



0 0.25 0.5 Miles



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Table 4.11: Pedestrian Access Route Priority Matrix

Pedestrian Access Routes		ADA 35.150(d) Geospatial Proximity Priorities*				
		A	B	C	D	E
Priorities (Category)	Priority Description	Location of Citizen Complaint or Request	Location Serving Government Offices & Public Facilities	Location Serving Transportation†	Location Serving Commercial Districts, Employers	Location Serving Other Areas
1	See Category 1 Description	A1 High Priority	B1	C1	D1	E1
2	See Category 2 Description	A2	B2	C2	D2	E2
3	See Category 3 Description	A3	B3 Medium Priority	C3	D3	E3
4	See Category 4 Description	A4	B4 Low Priority	C4	D4	E4
5	No deficiencies identified	A5	B5	C5	D5	E5

*The priorities listed are specified under title II 28 CFR Section 35.150 (d).

†Geospatial Proximity C was calculated using a 1/8-mile service area for pedestrian access routes in locations serving transportation

Pedestrian Access Route Barrier Descriptions

The categories of barriers for the right-of-way have been organized by identified ADA barrier and by road classification. There are three road classifications: arterial, collector, and local. Arterial roads have the highest volume and speed of vehicle traffic with local roads having the lowest volume and speed of vehicle traffic. The following tables describe the ADA barriers and assign a barrier category based on the type of road classification.

Sidewalk and hazard barrier information is summarized by segment; counts in the summary tables reflect the number of segments for each priority. Crosswalk information is summarized by number of individual crosswalks.

Table 4.12: Pedestrian Access Route Category 1 Descriptions and Sub-Categories by Road Classification

Road Classification	Arterial					Collector					Local				
	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5
Category (y-axis)															
Identified ADA Barrier															
The sidewalk condition is poor with cracking, spalling, heaving, or other condition.															
The constructed width of the sidewalk width is less than 36 inches at some point along the sidewalk.															
The sidewalk cross slope exceeds four percent for a majority of the sidewalk segment.															
Running slope of crosswalk is greater than five percent.															
Cross slope of crosswalk with yield or stop control is greater than two percent.															
Cross slope of crosswalk with no yield or stop control is greater than five percent.															
Vertical change in level along sidewalk great than 1" creates a tripping hazard.															
Vertical change of level of greater than four inches without a six-inch warning curb.															

Table 4.13: Pedestrian Access Route Category 2 Descriptions and Sub-Categories by Road Classification

Road Classification	Arterial					Collector					Local				
	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5
Category (y-axis)															
Identified ADA Barrier															
The constructed width of the sidewalk width is less than 48 inches but greater than 36 inches at some point along the sidewalk.															
The sidewalk cross slope exceeds three percent and is less than or equal to four percent for a majority of the sidewalk segment or one of the three values collected exceeded four percent cross slope.															
The sidewalk has a significant number of vertical changes that exceed a quarter inch and are less than or equal to one inch –and– openings greater than a half inch or are parallel to direction of travel (more than two per 100 feet).															
The sidewalk has a significant number of driveway entries where cross slope exceeds two percent (more than three per 100 feet).															
The sidewalk surface is not firm, stable, and slip resistant for three-quarters to its full length.															
The sidewalk has a significant number of overhanging and protruding objects –and– obstacles that narrow the width of the walk to less than four feet (more than two per 100 feet).															

Table 4.14: Pedestrian Access Route Category 3 Descriptions and Sub-Categories by Road Classification

Road Classification	Arterial					Collector					Local				
	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5
Category (y-axis)															
Identified ADA Barrier															
The sidewalk condition is average with minor defects and wear.															
The sidewalk cross slope exceeds two percent and is less than or equal to three percent for a majority of the sidewalk segment, or one of the three values collected exceeds three percent and is less than or equal to four percent cross slope.															
The sidewalk width is less than five feet without a passing space.															
The sidewalk has a significant number of vertical changes that exceed a quarter inch and are less than or equal to one inch –or– openings greater than a half inch (more than two per 100 feet), but not both.															
The sidewalk has a significant number of driveway entries where cross slope exceeds two percent (more than one per 100 feet).															
The sidewalk surface is not firm, stable, and slip resistant for one-quarter to three-quarters of its length.															
The sidewalk has a significant number of overhanging and protruding objects – or– obstacles that narrow the width of the walk to less than four feet (more than two per 100 feet), but not both.															

Table 4.15: Pedestrian Access Route Category 4 Descriptions and Sub-Categories by Road Classification

Road Classification	Arterial					Collector					Local				
	Category (y-axis)	1	2	3	4	5	1	2	3	4	5	1	2	3	4
Identified ADA Barrier															
The sidewalk cross slope exceeds two percent and is less than or equal to three percent for one of the three values collected for cross slope.															
Running slope of sidewalk exceeds grade of road and is greater than five percent.															
The sidewalk has vertical changes that exceed a quarter inch and are less than or equal to one inch –or– openings greater than a half inch or are parallel to direction of travel (less than two per 100 feet).															
The sidewalk has driveway entries where cross slope exceeds two percent (fewer than one per 100 feet).															
The sidewalk has driveway entries where cross slope exceeds two percent (fewer than one per 100 feet).															
The sidewalk surface has areas that are not firm, stable, and slip resistant but is less than a quarter of the sidewalk segment.															
The sidewalk has overhanging and protruding objects –or– obstacles that narrow the width of the walk to less than four feet (less than two per 100 feet).															

Table 4.16: Pedestrian Access Route Category 5 Descriptions and Sub-Categories by Road Classification

Road Classification	Arterial					Collector					Local				
	Category (y-axis)	1	2	3	4	5	1	2	3	4	5	1	2	3	4
Identified ADA Barrier															
No deficiencies identified.															

Table 4.17. Pedestrian Access Routes Barrier Summary: Sidewalks

Category	Priority	Instances	Percent of Total	Schedule Year
High Priority				
1	B1	22	0.9%	1-10 years
1	C1 (HIN)	45	1.8%	1-10 years
1	C1	159	6.3%	1-10 years
1	D1	15	0.6%	1-10 years
2	B2	6	0.2%	1-10 years
Subtotal		247	9.7%	-
Medium Priority				
1	E1	148	5.8%	1-10 years
2	C2	95	3.7%	1-10 years
2	D2	7	0.3%	1-10 years
3	B3	14	0.6%	1-10 years
3	C3 (HIN)	85	3.4%	1-10 years
3	C3	108	4.3%	1-10 years
3	D3	9	0.4%	1-10 years
Subtotal		466	18.4%	-
Low Priority				
2	E2	21	0.8%	1-15 years
3	E3	52	2.0%	1-15 years
4	B4	101	4.0%	1-15 years
4	C4	769	30.3%	1-15 years
4	D4	18	0.7%	1-15 years
4	E4	762	30.0%	1-15 years
Subtotal		1,723	67.9%	-
No Deficiencies				
5	B5	6	0.2%	-
5	C5	53	2.1%	-
5	D5	6	0.2%	-
5	E5	36	1.4%	-
Subtotal		101	4.0%	-
Total for All Projects		2,537	100.0%	-



Daly City ADA Self-Evaluation & Transition Plan

Map 2: Pedestrian Access Route Barrier Removal Projects: Sidewalks

Barrier Removal Rank

- High
- Medium
- Low
- No Deficiencies Identified

Context

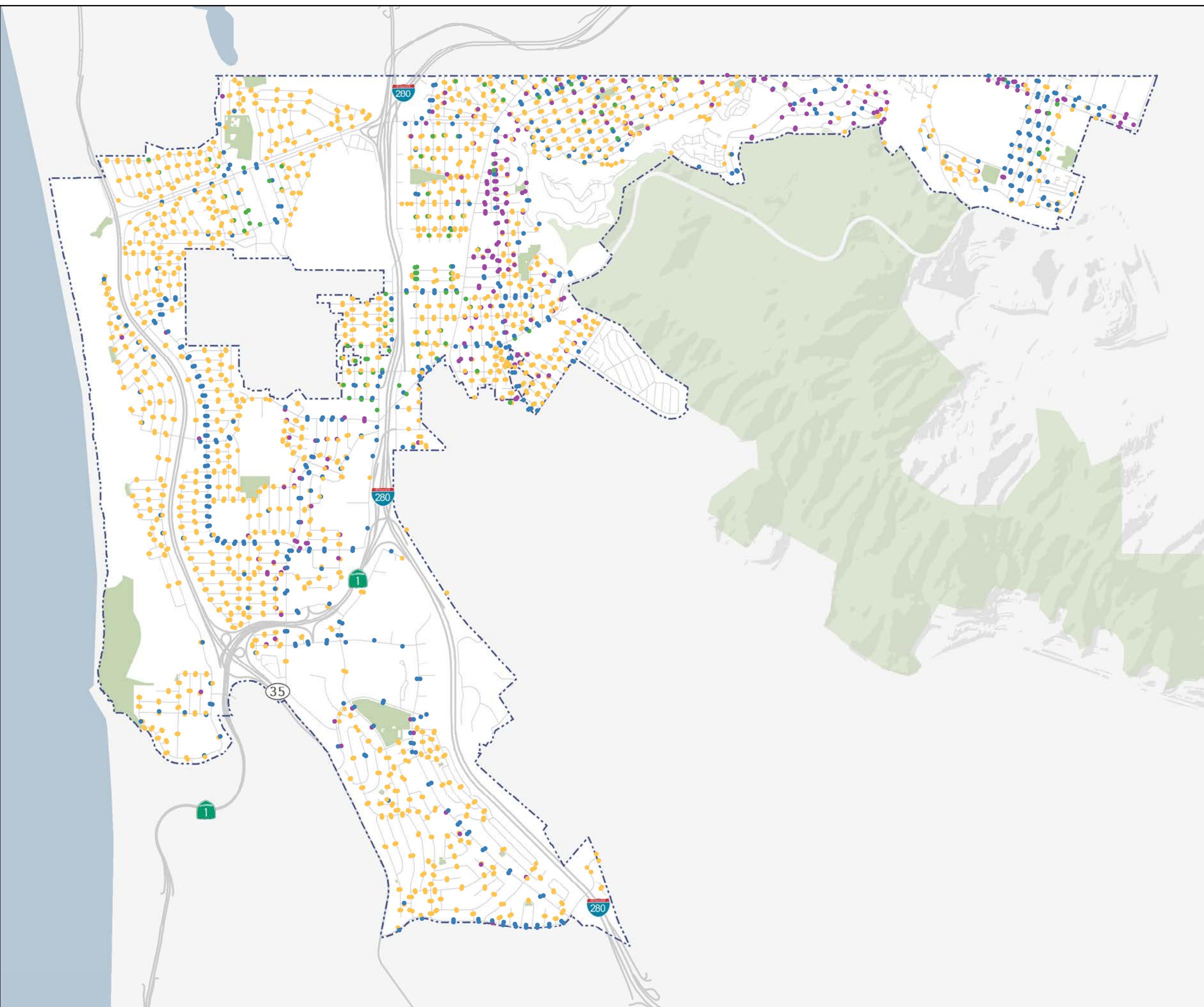
- Street
- Park
- Water Feature
- City Boundary

MIG

02.20.2020



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Table 4.18. Pedestrian Access Routes Barrier Summary: Hazards

Category	Priority	Instances	Percent of Total	Schedule Year
High Priority				
1	B1	21	0.8%	1-5 years
1	C1	178	7.0%	1-5 years
1	D1	5	0.2%	1-5 years
2	B2	4	0.2%	1-5 years
Subtotal		208	8.2%	-
Medium Priority				
1	E1	196	7.7%	1-10 years
2	C2	56	2.2%	1-10 years
2	D2	11	0.4%	1-10 years
3	B3	10	0.4%	1-10 years
3	C3 (HIN)	90	3.5%	1-10 years
3	C3	119	4.7%	1-10 years
3	D3	7	0.3%	1-10 years
Subtotal		489	19.3%	-
Low Priority				
2	E2	15	0.6%	1-15 years
3	E3	48	1.9%	1-15 years
4	B4	110	4.3%	1-15 years
4	C4	873	34.4%	1-15 years
4	D4	31	1.2%	1-15 years
4	E4	756	29.8%	1-15 years
Subtotal		1,833	72.2%	-
No Deficiencies				
5	B5	3	0.1%	-
5	C5	4	0.2%	-
Subtotal		7	0.3%	-
Total for All Projects		2,537	100.0%	-

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Daly City ADA Self-Evaluation & Transition Plan

Map 3: Pedestrian Access Route Barrier Removal Projects: Hazards

Barrier Removal Rank

- High
- Medium
- Low
- No Deficiencies Identified

Context

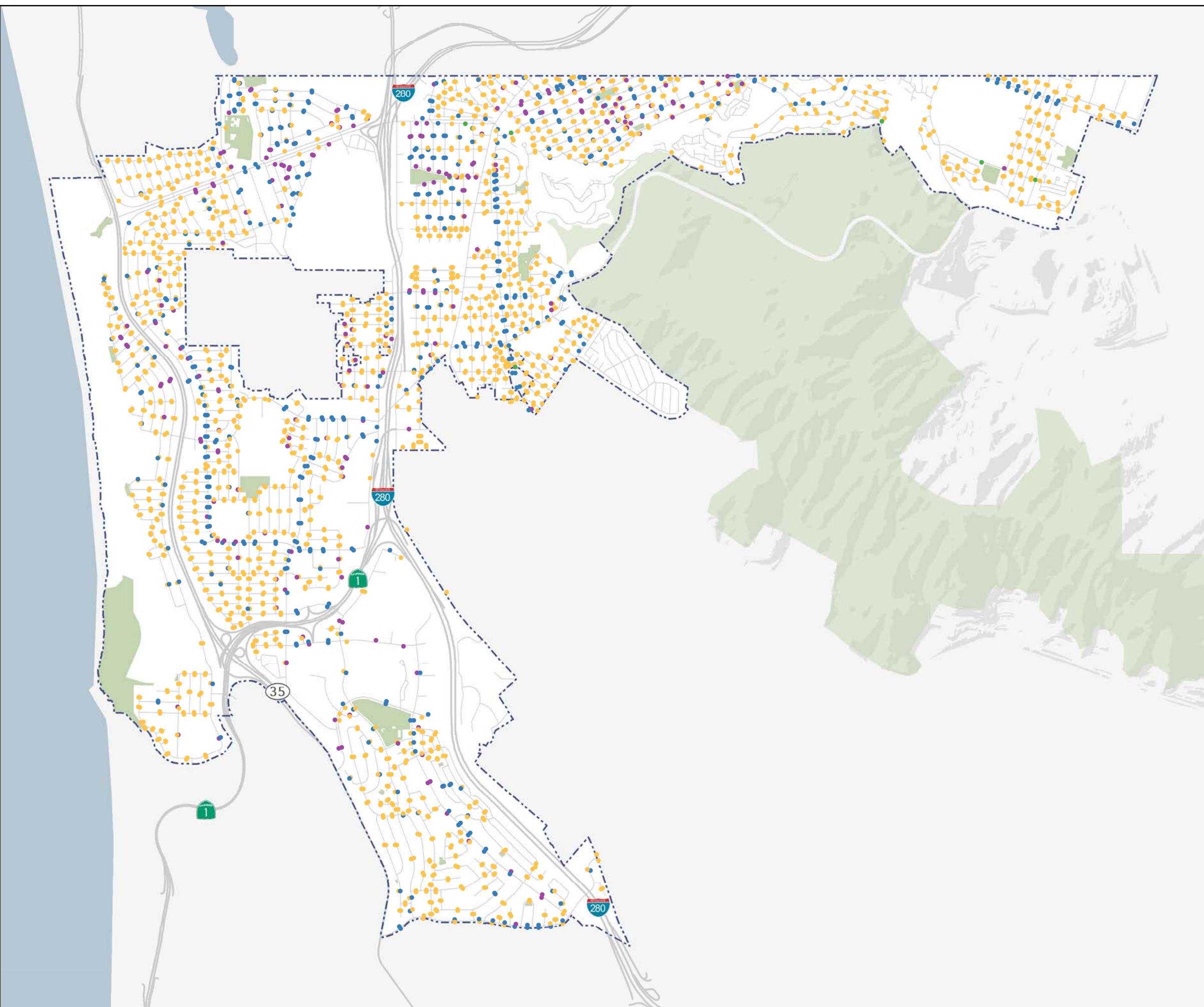
- Street
- Park
- Water Feature
- City Boundary

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01.09.2020



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Table 4.19. Pedestrian Access Routes Barrier Summary: Crosswalks

Category	Priority	Instances	Percent of Total	Schedule Year
High Priority				
1	B1	94	3.9%	1-10 years
1	C1 (HIN)	129	5.4%	1-10 years
1	C1	604	25.1%	1-10 years
1	D1	11	0.5%	1-10 years
Subtotal		838	34.9%	-
Medium Priority				
1	E1 (HIN)	46	1.9%	1-15 years
1	E1	399	16.6%	1-15 years
Subtotal		445	18.6%	-
No Deficiencies				
5	B5	91	3.8%	-
5	C5	619	25.8%	-
5	D5	20	0.8%	-
5	E5	385	16.1%	-
Subtotal		1,115	46.5%	-
Total for All Projects		2,398	100.0%	-

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Daly City ADA Self-Evaluation & Transition Plan

Map 4: Pedestrian Access Route Barrier Removal Projects: Crosswalks

Barrier Removal Rank

- High
- Medium
- No Deficiencies Identified

Context

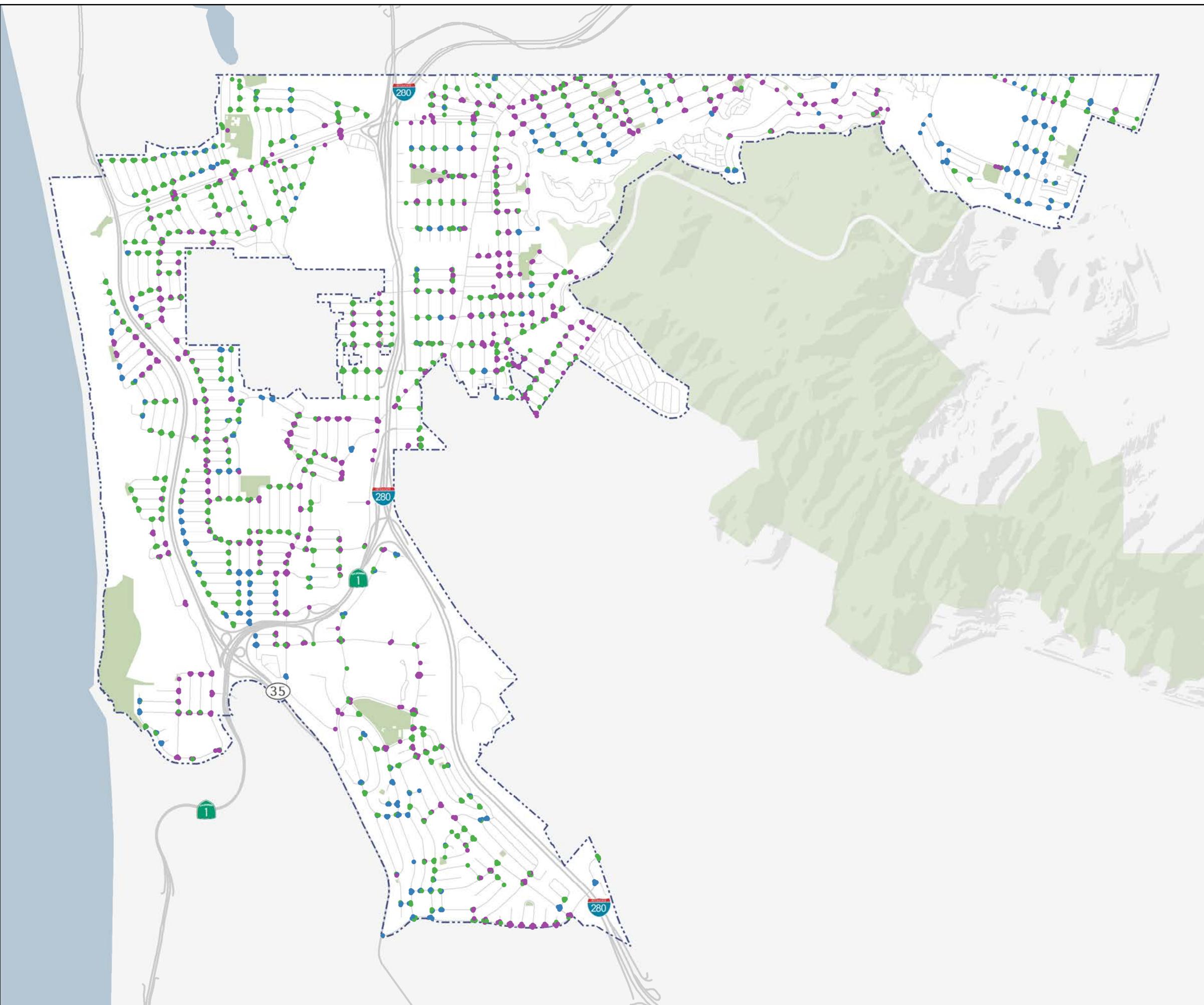
- Street
- Park
- Water Feature
- City Boundary

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Roadway Alterations and Maintenance: Triggers for Barrier Removals

The DOJ, in coordination with the U.S. Department of Transportation, specifies that public entities are required to provide curb ramps or upgrade curb ramps whenever roadways are altered. An alteration is a change that affects or could affect the usability of all or part of a building or facility.⁷³ Alterations of streets, roads, or highways include activities such as reconstruction, rehabilitation, resurfacing, widening, and projects of similar scale and effect.⁷⁴ Maintenance activities on streets, roads, or highways, such as filling potholes, are not alterations⁷⁵ and do not trigger barrier removal. The following lists distinguishes between roadway alterations versus maintenance activities.

Alteration

- Addition of new layer of asphalt
- Cape seals
- In-place asphalt recycling
- Microsurfacing and thin-lift overlay
- Mill and fill / mill and overlay
- New construction
- Open-graded surface course
- Rehabilitation and reconstruction
- Resurfacing of a crosswalk

Maintenance

- Chip seals
- Crack filling and sealing
- Diamond grinding
- Dowel bar retrofit
- Fog seals
- Joint crack seals
- Joint repairs
- Pavement patching
- Painting or striping
- Scrub sealing
- Slurry seals
- Spot high-friction treatments
- Surface sealing

4.5 Barrier Removal Considerations for Plan Implementation

The City will accomplish barrier removals based on two strategies: policy and procedure modifications to remove programmatic barriers and maintenance and construction projects to remove structural barriers.

⁷³ DOJ, Title II Regulations Subpart D § 35.151(b)(1) Alterations

⁷⁴ 2010 ADA Standards, 106.5

⁷⁵ July 8, 2013 DOJ/Department of Transportation Joint Technical Assistance on the Title II of the Americans with Disabilities Act Requirements to Provide Curb Ramps when Streets, Roads, or Highways are Altered through Resurfacing.

Title II of the ADA requires a public entity to “operate each service, program or activity so that the service, program or activity, when viewed in its entirety, is readily accessible to and usable by individuals with disabilities.” This requirement does not:

- Necessarily require a public entity to make each of its existing facilities accessible to and usable by individuals with disabilities;
- Require a public entity to take any action that would threaten or destroy the historic significance of an historic property; or
- Require a public entity to take any action that it can demonstrate would result in a fundamental alteration in the nature of a service, program, or activity or impose undue financial and administrative burdens.

The responsibility for ensuring barrier removal will reside with the City’s ADA Coordinator. In compliance with the ADA, the City will maintain in working order features that are required to provide access to individuals with disabilities. There are two conditions that determine when barriers must be removed: to provide access to programs, activities, and services, and when a facility is altered.

Program Accessibility

A public entity must ensure that individuals with disabilities are not excluded from services, programs, and activities because existing buildings are inaccessible. A state or local government’s programs, when viewed in their entirety, must be readily accessible to and usable by individuals with disabilities. This standard, known as program accessibility, applies to facilities of a public entity that existed on January 26, 1992. Public entities do not necessarily have to make each of their existing facilities accessible (see Section 1 Discrimination and Accessibility). As mandated by title II of the ADA, this Transition Plan presents a schedule for removing facility barriers to accessing the City’s programs, activities, and services.

Alterations

The City is also required to remove physical barriers when it alters a facility. Alterations are defined in the ADA standards (§106.5) as “a change in a building or facility that affects or could affect the usability of a building or facility or portion thereof.” Many types of projects are considered alterations, including remodeling, renovation, rehabilitation, reconstruction, restoration, resurfacing of circulation paths or vehicular ways, and changes or rearrangement of structural parts, elements, or walls. Normal maintenance, reroofing, painting or wallpapering, or changes to mechanical and electrical systems are not considered alterations unless they affect a facility’s usability. For example, a project limited to an HVAC system that includes the addition of thermostats would affect a facility’s usability because it involves elements (operable parts) covered by the standards.

Both the ADA under Section 35.151 (b) Alterations and the CBC under 11B-202.4 Exception 4 specify that additional path of travel improvements are not required where alterations are

performed solely for the purpose of barrier removal when undertaken pursuant to the requirements of the ADA or the accessibility requirements of the CBC.⁷⁶

The standards ensure that the opportunities for accessibility presented by an alteration are taken. How and to what extent the standards apply is determined by the scope of a project and the elements and spaces altered. Only those elements or spaces altered are required to comply, but alterations made to areas containing a primary function (a major activity for which a facility is intended) also require an accessible path of travel.

When altering a primary function area, the ADA requires that existing barriers on the path of travel to this area must be removed to the maximum extent that is technically feasible. Path of travel elements are restrooms, doors, telephones, drinking fountains, the route itself, and several other items. The expense for making these additional elements accessible is considered disproportionate if it exceeds 20 percent of construction costs; therefore, the additional amount an agency is required to spend over the construction costs for path of travel improvements would be a maximum of 20 percent. The following is a rank-ordered list of priorities for making improvements to path of travel element:

1. An accessible entrance;
2. An accessible route to the altered area;
3. At least one accessible restroom for each gender or a single gender-neutral restroom;
4. Accessible telephones;
5. Accessible drinking fountains; and
6. When possible, additional accessible elements such as parking, storage, and alarms.

The CBC does not allow this 20 percent ceiling if construction costs are greater than the current year's valuation threshold. The 2020 valuation threshold is \$170,466; however, this amount is subject to annual increases. If the construction budget exceeds the valuation threshold (computed over a three-year period), then all path of travel elements supporting the area of renovation are required to be made accessible regardless of cost. Therefore, the additional amount an agency is required to spend over construction costs for path of travel improvements is limited to 20 percent if construction costs are below the current valuation threshold. However, if construction costs exceed the valuation threshold, then all supporting path of travel elements must be made accessible. Additional information about California's valuation threshold is included in the Section 6 of the Plan.

⁷⁶ See DOJ. *State and Local Government Facilities: Guidance on the Revisions to 28 CFR 35.151 in Guidance on the 2010 ADA Standards for Accessible Design*
<https://www.ada.govregs2010/2010ADASTandards/Guidance2010ADASTandards.htm#titleI>.

The City is not required to remove barriers identified within a City-owned facility as part of the transition plan:

- Where programmatic modifications can be made to provide an equivalent experience;
- Where there are nearby and available equivalent accessible features;
- Where there are no public programs or activities provided at that portion of the site; or
- When safe harbor conditions are met.

It is also possible that an alteration is technically infeasible. Compliance for an alteration is not required where it is “technically infeasible.” The term is defined as “something that has little likelihood of being accomplished because existing structural conditions would require removing or altering a load-bearing member that is an essential part of the structural frame; or because other existing physical or site constraints prohibit modification or addition of elements, spaces, or features that are in full and strict compliance with the minimum requirements.”⁷⁷ Where technical infeasibility is encountered, compliance is still required to the maximum extent technically feasible.⁷⁸

Public Right-of-Way Alterations and New Construction

In an alteration or new construction project, the City must incorporate ADA accessibility standards to the maximum extent feasible.⁷⁹ As part of the Plan’s implementation, the City Engineering Division should document all design exceptions.

When pre-ADA streets or sidewalks are altered, there may be space limitations that restrict how much they can be altered to install accessible curb ramps. In these cases, the curb ramps installed must meet the accessibility requirements of the ADA to the maximum extent feasible. Scoping requirements in the ADA Standards establish limitations for the running slope of the ramp run of curb ramps installed during alterations to pre-ADA streets and walkways.⁸⁰

The Civil Rights Division recognizes that there will be very rare instances when it will be technically infeasible for a curb ramp installed during alterations to pre-ADA roadways and walkways to be constructed in full and strict compliance with the requirements of ADA Standards § 4.1.6(3)(a) and § 4.7 because of physical or site constraints. In such circumstances, state and local governments must install curb ramps that provide accessibility to the maximum extent feasible.⁸¹ Before reaching a conclusion about technical infeasibility, state and local governments need to consider the extent to which

⁷⁷ Access Board. “Guide to the ADA Standards – Chapter 2: Alterations and Additions” <https://www.access-board.gov/guidelines-and-standards/buildings-and-sites/about-the-ada-standards/guide-to-the-ada-standards/chapter-2-alterations-and-additions>

⁷⁸ DOJ. 2010 ADA Standards. 202.3 Alterations

⁷⁹ DOJ, Title II Regulations Subpart D §35.151(b) Existing facilities

⁸⁰ ADA Standards § 4.1.6(3)(a)

⁸¹ ADA Standards § 4.1.6(1)(j)2

physical or site constraints can be addressed by alternative curb ramp designs. The burden of proving technical infeasibility lies with the state or local government that constructed it.

When highways, streets, and roads are built or altered post-ADA, they must have curb ramps at certain locations. Curb ramps must be located wherever there are curbs or other barriers to entry from a pedestrian walkway or sidewalk, including any intersection where it is legal for a pedestrian to cross the street, whether or not there is any designated crosswalk. Curb ramps must also be located wherever there are curbs or other barriers to entry at any designated pedestrian crosswalks that are located mid-block. Likewise, when sidewalks or walkways are built or altered post-ADA, they must include curb ramps or other sloped areas wherever they intersect with highways, streets, or roads and pedestrians may legally cross the vehicular way as well as at public transportation stops.

By contrast, for pre-ADA highways, streets, roads, and sidewalks that have not been altered, state and local governments may choose to construct curb ramps at every point where a pedestrian walkway intersects a curb. However, they are not necessarily required to do so. Under a more flexible standard called “program access,” alternative routes to buildings may be acceptable where people with disabilities must travel only a marginally longer route than the general public.⁸²

Safe Harbor Provisions⁸³

The 2010 Standards introduced the concept of safe harbor, a new exception that allows facilities built prior to March 15, 2012 that were in compliance with the 1991 ADA Standards to remain as-is until a public entity plans an alteration to the structural feature. For example, the 1991 Standards allowed 54 inches maximum for a side reach range, while the 2010 Standards lowered the side reach range to 48 inches maximum. Existing items, built prior to March 15, 2012, that are positioned at the 54-inch height would fall under the safe harbor provision until the time of planned alterations.⁸⁴

This safe harbor is not a blanket exemption for facilities. If a public entity undertakes an alteration to a primary function area, only the required elements of a path of travel to that area that already comply with the 1991 Standards are subject to the safe harbor. If a public entity undertakes an alteration to a primary function area and the required elements of a path of travel to the altered area do not comply with the 1991 Standards,

⁸² <https://www.ada.gov/pcatoolkit/chap6toolkit.htm>

⁸³ DOJ. “State and Local Government Facilities: Guidance on the Revisions to 28 CFR” in Guidance on the 2010 ADA Standards for Accessible Design available at <https://www.ada.gov/regs2010/2010ADASTandards/Guidance2010ADASTandards.htm#titleII>

⁸⁴ DOJ, Title II Regulations Subpart D § 35.150(b)(2)(i) Safe harbor. Elements that have not been altered in existing facilities on or after March 15, 2012, and that comply with the corresponding technical and scoping specifications for those elements in either the 1991 Standards or in the Uniform Federal Accessibility Standards.

*then the public entity must bring those elements into compliance with the 2010 Standards.*⁸⁵

This exception applies to elements that might otherwise have to be modified under:

- The program access requirement for public entities;
- The readily achievable barrier removal requirements for places of public accommodation; and
- The path of travel requirement for any alteration that affects the usability of a primary function area in any covered facility.

If a public entity constructed or altered required elements of a path of travel in accordance with the specifications in either the 1991 Standards or the Uniform Federal Accessibility Standards before March 15, 2012, the public entity is not required to retrofit such elements to reflect incremental changes in the 2010 Standards solely because of an alteration to a primary function area served by that path of travel.⁸⁶ In California, the extent of required path of travel upgrades are subject to an annually adjusted valuation threshold based on the overall project cost of facility alterations regardless of federal safe harbor provisions.⁸⁷

The 2010 Standards also identify structural elements that do not fall under the safe harbor provision.⁸⁸ The following elements are not eligible for element-by-element safe harbor because technical or scoping specifications for them were not addressed in the 1991 ADA but were added as supplemental requirements prior to 2010.

- Residential facilities dwelling units, sections 233 and 809.
- Amusement rides, sections 234 and 1002; 206.2.9; 216.12.
- Recreational boating facilities, sections 235 and 1003; 206.2.10.
- Exercise machines and equipment, sections 236 and 1004; 206.2.13.
- Fishing piers and platforms, sections 237 and 1005; 206.2.14.
- Golf facilities, sections 238 and 1006; 206.2.15.
- Miniature golf facilities, sections 239 and 1007; 206.2.16.
- Play areas, sections 240 and 1008; 206.2.17.
- Saunas and steam rooms, sections 241 and 612.
- Swimming pools, wading pools, and spas, sections 242 and 1009
- Shooting facilities with firing positions, sections 243 and 1010.
- Miscellaneous:
 - Team or player seating (section 221.2.1.4),
 - Accessible route to bowling lanes (section. 206.2.11),

⁸⁵ DOJ, Title II Regulations Subpart D § 35.151(b)(4)(ii)(C) Path of travel--safe harbor

⁸⁶ DOJ, Title II Regulations Subpart D § 35.150(b)(2)(ii) Safe Harbor

⁸⁷ 2019 CBC Chapter 2 Valuation Threshold

⁸⁸ 2019 CBC Chapter 2 Valuation Threshold

- Accessible route in court sports facilities (section 206.2.12).

Pedestrian signals are not included in the 1991 or 2010 ADA Standards, but are addressed in the 2011 PROWAG and the previous draft documents from 2005 and 2002. Unlike the safe harbor concept contained within the 2010 ADA Standards, the proposed guidelines do not require modifications to existing facilities.

Undue Burden

Daly City is not required to take any action that it can demonstrate would result in a fundamental alteration in the nature of its services, programs, or activities; would create a hazardous condition resulting in a direct threat to a program participant or others; or would represent an undue financial and administrative burden.

A determination of undue financial or administrative burden can only be made under specified circumstances and procedures and carries with it the obligation of taking other actions that would ensure, to the maximum extent possible, that individuals with disabilities receive the benefits and services of the program or activity.

Construction Tolerances

The ADA and CBC advise on the need for small variations between the standards and the resulting constructed feature. The CBC states that all dimensions are subject to conventional industry tolerances except where the requirement is stated as a range with specific minimum and maximum end points.⁸⁹

Application of conventional industry tolerances must be on a case-by-case, project-by-project basis. Predetermined guidelines for construction tolerances could unnecessarily encourage contractors and others to deviate from the access regulations found in the CBC and may wrongfully be viewed by some to have the effect of law.

Conventional building industry tolerances include those for field conditions and those that may be a necessary consequence of a particular manufacturing process. Recognized tolerances are not intended to apply to design work.

The barrier reports available through the City do not reflect the application of construction tolerances. The City will evaluate the application of construction tolerances on a case-by-case basis when alterations or barrier remediation actions are undertaken.

⁸⁹ California Department of General Services. *Use of Predetermined Construction Tolerance Guidelines for Accessibility*, IR 11B-8. 2011 https://www.documents.dgs.ca.gov/dsa/pubs/ir_11b-8_rev01-01-11.pdf

Historic Buildings and Facilities

Alterations to a qualified historic building or facility must comply with the 2010 Standards and the 2019 CBC.⁹⁰ A qualified historic property is one that is listed in or eligible for listing in the National Register of Historic Places or is designated as historic under state or local law.

Barrier removals at City historic properties should be done in full compliance with the alterations standards for other types of buildings to the maximum extent feasible. However, if following the usual standards would threaten or destroy the historic significance of a building or site feature, the following alternative standards (which provide a minimal level of access) may be used.

- An accessible route is only required from one site access point (such as the parking lot).
- Ramps may be steeper than is ordinarily permitted.
- The accessible entrance does not need to be the one used by the general public.
- Only one accessible toilet is required, and it may be gender neutral.
- Accessible routes are only required on the level of the accessible entrance.
- Displays and written information located where they can be seen by a seated person.

⁹⁰ DOJ, Title II Regulations Subpart D § 35.151(b) Alterations: ADAAG at 36 CFR part 1191; Section 4.1.7 Accessible Buildings: Historic Preservation; and CCR, Title 24, Part 8, 2016 California Historical Building Code

5. ADA Coordinator, Notice Policy, and Grievance Procedure

Title II of the ADA requires a state or local government agency that employs 50 or more people to designate an ADA Coordinator⁹¹, give notice of the ADA's requirements, and establish a grievance procedure. The City's grievance form is included in Appendix A.

5.1 ADA Coordinator Roles and Responsibilities

The ADA Coordinator is responsible for organizing and communicating the City's efforts to comply with and fulfill its responsibilities under title II of the ADA, as well as all other applicable state and federal laws. The ADA Coordinator's responsibilities include investigating complaints that the City has engaged in any action prohibited by title II. At the time of the preparation of the Plan, the City designated Director of Public Works as its ADA Coordinator. The name, office address, and telephone number of the City's ADA Coordinator must be provided to interested persons.

5.2 Notice Under the Americans with Disabilities Act

Title II regulations require the City to inform the public of the rights and protections provided by the ADA for access to public programs, services, and activities. It is the obligation of the head of the public entity to determine the most effective way of providing notice to the public about their rights and the public entity's responsibilities under the ADA. Publishing and publicizing the ADA notice, such as the following example, is not a one-time requirement. Public agencies should provide the information on an ongoing basis and update the information whenever necessary.

⁹¹ DOJ, Title II Regulations Subpart A § 35.107 Designation of responsible employee and adoption of grievance procedures

Policy on Nondiscrimination on the Basis of Disability

Based on the Model Notice Provided by the Department of Justice⁹²:

In accordance with the requirements of title II of the Americans with Disabilities Act of 1990 (“ADA”), Daly City will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: Daly City does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under title I of the ADA.

Effective Communication: Daly City will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in Daly City’s programs, services, and activities, including qualified sign language interpreters, documents in braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision **impairments**.

Modifications to Policies and Procedures: Daly City will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in Daly City facilities, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of Daly City should contact Richard Chiu, ADA Coordinator, in writing at 333 90th Street, Daly City, CA 94015, by phone at 650-991-8064, through the 711 telecommunications relay service, or by email at rchiu@dalycity.org, as soon as possible but no later than 72 hours before the scheduled event.

The ADA does not require Daly City to take any action that would fundamentally alter the nature of its programs or services or impose an undue financial or administrative burden.

Complaints that a program, service, or activity of Daly City is not accessible to persons with disabilities should be directed to Richard Chiu, ADA Coordinator, in writing at 333 90th Street, Daly City, CA 94015, by phone at 650-991-8064, through the 711 telecommunications relay service, or by email at rchiu@dalycity.org.

Daly City will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids and services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

⁹² The model notice and more details can be found at <https://www.ada.gov/pcatoolkit/chap2toolkit.htm>.

5.3 ADA Grievance Procedure

Title II regulations also require the City to develop and publish grievance procedures to provide fair and prompt resolution of complaints under the administrative requirements of title II of the ADA. The grievance procedure should include:

- A description of how and where a complaint under title II may be filed with the City;
- If a written complaint is required, a statement notifying potential complainants that alternative means of filing will be available to people with disabilities who require such an alternative;
- A description of the time frames and processes to be followed by the complainant and the City;
- Information on how to appeal an adverse decision; and
- A statement of how long complaint files will be retained.

The City's grievance procedure is provided below and can be found on the City's website at: http://www.dalycity.org/City_Hall/Departments/public_works/ADA_Compliance.htm

The grievance procedure should be distributed to all department heads, posted in public spaces of public buildings in addition to the City's website, and updated when the complaint procedure and/or the contact information for the ADA Coordinator is changed. In addition, the procedure must be available in alternative formats so that it is accessible to all people with disabilities.

Grievance Procedure of the City of Daly City for Complaints Arising Under Title II of the Americans with Disabilities Act of 1990

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

City Facilities, Programs, Services or Activities

Complaints concerning access to City facilities, programs, services or activities should be addressed to the City's ADA Coordinator: Richard Chiu Jr., ADA Coordinator, City of Daly City, 333 90th Street, Daly City, CA 94015, Email: rchiu@dalycity.org, Voice: (650) 991-8064, Fax: (650) 991-8243.

A. A complaint may be filed in writing or, when requested as an accommodation, in another format (including by telephone) 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.

B. Upon receipt of a complaint, the City's ADA Coordinator will provide the appropriate department with a copy of the complaint. The department will then conduct an investigation. The department may seek assistance of the City's ADA Coordinator and the City Attorney in investigating and responding to the complaint. These rules contemplate informal but thorough investigations that afford the complainant a thorough review and appropriate response.

C. Within thirty (30) business days of the receipt of the complaint, a written draft response will be sent to the City's ADA Coordinator prior to the final copy, signed by the department and department head, being sent to the complainant.

D. The City's ADA Coordinator will maintain a file relating to each complaint and the response thereto and will maintain that file for five years.

E. The complainant can request reconsideration of the complaint if he or she is dissatisfied with the resolution. The request for reconsideration should be addressed to the City's ADA Coordinator in writing, or in an alternative format accessible to the complainant, within ten (10) business days of the issuance of the City's response to the complaint.

F. The City's ADA Coordinator will inform the department of this reconsideration request and the department will respond to the request for reconsideration within fifteen (15) business days of receiving the request. The department response must be approved by the City's ADA Coordinator prior to being sent to the complainant. The department will forward a copy of the approved response to the request for reconsideration to the City's ADA Coordinator.

G. These rules will be construed to protect the substantive rights of the complainant and assure that the City of Daly City complies with Section 504 and the ADA and their implementing regulations.

6. Resources

The hyperlinks and resources provided in this section are relevant as of the 2020 publication of this plan. Resources and hyperlinks are subject to change over time.

6.1 California and National Organizations Supporting People with Disabilities

TDI Online

<http://www.tdi-online.org/>

TDI's mission is to promote equal access in telecommunications and media for people who have hearing loss, are deaf, late deafened, or deaf blind. TDI encourages accessible applications of existing and emerging technologies in all sectors of the community, advises on promotes the uniformity of standards for telecommunications and media technologies and networks and collaborates with other disability organizations, government, industry, and academia.

Access Northern California

www.accessnca.org

Access Northern California is an online resource that provides information on the accessibility of outdoor recreation opportunities. The site provides links to locations around Northern California and descriptions of existing conditions to help inform potential users of what they can expect from the location.

6.2 Guidance Documents and Organizations — General

AbleData (assistive technology)

<https://abledata.acl.gov/>

ADA National Network. A Planning Guide for Making Temporary Events Accessible to People with Disabilities. 2015.

<https://adata.org/publication/temporary-events-guide>

American Bar Association Commission on Disability Rights. Planning Accessible Meetings and Events. 2015.

https://www.americanbar.org/content/dam/aba/administrative/mental_physical_disability/Accessible_Meetings_Toolkit.authcheckdam.pdf

American Trails, California Trail Resources

<https://www.americantrails.org/state-resources?state=california>

Resources

Federal Communications Commission (FCC)

Telecommunications Access for People with Disabilities. 2017.

<https://www.fcc.gov/file/15194/download>

Telecommunications Relay Service – TRS. 2017.

<https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs>

Move United

<https://www.moveunitedsport.org/>

National Association of the Deaf (NAD). TTY and TTY Relay Services.

<https://www.nad.org/resources/technology/telephone-and-relay-services/tty-and-tty-relay-services/>

National Center on Accessibility. Indiana University, Bloomington.

<http://www.ncaonline.org/>

National Center on Physical Activity and Disability. What to Know Before You Go: The Big Questions to Ask Before Arriving at Your *Accessible* Recreation Destination.

<https://www.nchpad.org/277/1750/What~to~Know~Before~You~Go~~The~Big~Questions~to~Ask~Before~Arriving~at~Your~~Accessible~~Recreation~Destination>

Pacific ADA Center

<http://www.adapacific.org/>

San Francisco, City and County. Accessible Public Event Checklist. 2018.

<http://sfgov.org/mod/accessible-public-event-checklist>

Skulski, Jennifer and Gary Robb. Program Access: Beyond Bricks and Mortar. National Center on Accessibility, Indiana University, Bloomington. 2006.

<https://ncaonline.org/program-access-beyond-bricks-and-mortar/>

6.3 Resources for ADA Coordinators

ADA Coordinator Roles and Responsibilities

Characteristics of an Effective ADA Coordinator

- Familiarity with the City's structure, activities, and employees
- Knowledge of the ADA and other laws addressing the rights of people with disabilities, such as Sections 504 and 508 of the Rehabilitation Act, 29 U.S.C. § 794
- Expertise in ADA regulations, standards, and guidelines for accessible design and all other applicable municipal, county, state, and federal disability nondiscrimination requirements
- Experience with people with a broad range of disabilities
- Ability to work cooperatively within the City, with its partners, and with people with disabilities
- Familiarity with local disability advocacy groups or other disability groups
- Skills and training in negotiation and mediation
- Organizational and analytical skills
- Communication skills

Typical Roles and Responsibilities of an ADA Coordinator

- Establishing, overseeing, and coordinating implementation of grievance procedures
- Conducting self-evaluation plans
- Coordinating the implementation of transition plans
- Monitoring and tracking ongoing progress
- Reviewing the accessibility of new public access improvements
- Communicating policy to the public and within the City
- Coordinating ADA-related activities among City departments
- Identifying and utilizing appropriate resources
- Providing staff training and up-to-date information regarding the intent and application of ADA regulations, guidelines, and enforcement
- Determining the use of City resources, particularly in resolving complaints and providing reasonable modifications
- Consulting with the relevant program or department staff to determine an acceptable response to a request for a reasonable modification.
- Coordinating City programs and tools for **effective communication**
- Working with local community resources, such as organizations representing people with disabilities, to provide guidance in making the City's Emergency Preparedness and Response Program accessible to people with disabilities

Resources

- ADA Coordinator Training Certification Program www.adacoordinator.org
- DOJ, Civil Rights Division, Disability Rights Section. "ADA Requirements: Effective Communication." 2014. <https://www.ada.gov/effective-comm.htm>

ADA Notice Requirements

The City must publicize its efforts to comply with the ADA and provide public notice of the ADA's provisions as they apply to City services, programs, and activities. Information and recommendations about preparing and publicizing a policy of nondiscrimination based on disability are discussed in the *Notice Requirements* section of the Plan.

Resources

- Model Notice Under the Americans with Disabilities Act. Chapter 2. ADA Coordinator, Notice and Grievance Procedure. In *ADA Best Practices Tool Kit for State and Local Governments*: <https://www.ada.gov/pcatoolkit/chap2toolkit.pdf> and <https://www.ada.gov/pcatoolkit/chap2toolkit.htm>

ADA Grievance Procedure

Agencies with 50 or more employees, including Daly City, must develop and publish grievance procedures to provide fair and prompt resolution of complaints under the administrative requirements of title II of the ADA.

Resources

- Model *Grievance Procedure Under the Americans with Disabilities Act*. Chapter 2. ADA Coordinator, Notice & Grievance Procedure. In *ADA Best Practices Tool Kit for State and Local Governments*: <https://www.ada.gov/pcatoolkit/chap2toolkit.pdf> and <https://www.ada.gov/pcatoolkit/chap2toolkit.htm>
- Northwest ADA Center Grievance Procedure <http://nwadacenter.org/toolkit/grievance-procedure>

6.4 Resources for the Public Right-of-Way

US Access Board

- *Proposed Guidelines for Pedestrian Facilities in the Public Right-of-Way*, 2011
<https://www.access-board.gov/guidelines-and-standards/streets-sidewalks/public-rights-of-way/proposed-rights-of-way-guidelines>
- *Guidance and Research*, <https://www.access-board.gov/guidelines-and-standards/streets-sidewalks/public-rights-of-way/guidance-and-research>
- *Other Resources*, <https://www.access-board.gov/guidelines-and-standards/streets-sidewalks/public-rights-of-way/other-prow-resources>

State of California

California Department of Transportation (Caltrans)

- *Pedestrian Accessibility Guidelines for Highway Projects*, Design Information Bulletin Number 82-06 <https://dot.ca.gov/-/media/dot-media/programs/design/documents/dib82-06-a11y.pdf>
- *Highway Design Manual* <https://dot.ca.gov/programs/design/manual-highway-design-manual-hdm>
- *Memoranda: Americans with Disabilities Act (ADA) Compliance*, October 2012
<https://dot.ca.gov/-/media/dot-media/programs/design/documents/americans-with-disabilities-act-compliance-2012-10-05-a11y.pdf>
- *Memoranda: Additional Guidelines on Curb Ramp Scoping and Design*, June 2012
<https://dot.ca.gov/-/media/dot-media/programs/design/documents/f0003436-additional-guidelines-on-curb-ramp-scoping-and-design-a11y.pdf>
- *CA Manual on Uniform Traffic Control Devices (CA MUTCD)*, 2014
<https://dot.ca.gov/programs/traffic-operations/camutcd>
- *Compliance Inspection Forms* <https://dot.ca.gov/programs/construction/forms>
 - *Forms CEM-2301 through CEM-2312 on Temporary Pedestrian Access Routes*
 - *Forms CEM-5773 through CEM-5773SW on curb ramps, driveways, parking, passageways, and sidewalks.*

California Division of the State Architect (DSA)

- *California Access Compliance Advisory Manual*, 2019 https://www.dgs.ca.gov/-/media/Divisions/DSA/Publications/access/2019_CBC_Advisory_Manual.pdf?la=en&hash=A9091D36806F444CF75D554C63363D016F634BDE

6.5 Guidance Documents and Articles—Web Design

State of California

The California Department of Education (CDE) adopted its first set of accessibility standards in 2001, which were based almost entirely on the Version 1.0 Checkpoints from the W3C WCAG. In 2003, the State of California enacted Government Code (GC) Section 11135, requiring all its agencies and departments to comply with federal Section 508. In 2006 the State adopted accessibility standards for web design that apply to all State of California public Internet web sites for state organizations that report to the Governor and State Chief Information Office (CIO) and which were offered as a resource to other constitutional offices as they work to make their public web sites accessible. The recommends are available for download at. Effective November 1, 2007, all California departments and agencies reporting to the Governor were requested to comply with ca.gov design, accessibility, and usability standards and best practices as included in a policy notice issued in 2007.

- California Department of Education Web Accessibility Standards.
<https://www.cde.ca.gov/re/di/ws/webaccessstds.asp>

Utah State University, Center for Persons with Disabilities, WebAIM

WebAIM (Web Accessibility In Mind) has provided comprehensive web accessibility solutions since 1999. WebAIM is a non-profit organization based at the Center for Persons with Disabilities at Utah State University. Documents and training materials, including the following publications, can also be downloaded from WebAIM website (<http://www.webaim.org/>).

- Color Contrast Checker. <https://webaim.org/resources/contrastchecker/>
- Web Accessibility Evaluation Tool (WAVE). <http://wave.webaim.org/>
- WCAG 2 Checklist. <https://webaim.org/standards/wcag/checklist>
- Web Accessibility for Designers. <https://webaim.org/resources/designers/>

Web Accessibility Initiative (WAI)

WAI develops guidelines widely regarded as the international standard for Web accessibility, support materials to help understand and implement Web accessibility, and resources, through international collaboration. The Web Content Accessibility Guidelines (WCAG) was developed with a goal of providing a single shared standard for web content accessibility that meets the needs of individuals, organizations, and governments internationally. Documents and training materials, including the following publications, can also be downloaded from the WAI website (<https://www.w3.org/WAI/>).

- Kirkpatrick, Andrew, Joshue O Conner, Alastair Campbell, and Michael Cooper (eds.) 2018. Web Content Accessibility Guidelines (WCAG) 2.1
<https://www.w3.org/TR/WCAG21/>

U.S. General Services Administration (GSA), Technology Transformation Services

The GSA provides a guide for embedding accessibility into web development. The Accessibility for Teams tool describes many different inclusive website design practices, providing both a framework for understanding website accessibility as well as design strategies and resources.

<https://accessibility.digital.gov/>

6.6 Guidance Documents and Articles—Signage

American Printing House for the Blind, Inc. (APH). APH Tactile Graphic Image Library.

<http://www.aph.org/tgil/>

Arditi, Aries. Effective Color Contrast: Designing for People with Partial Sight and Color Deficiencies. 2005. https://pages.mtu.edu/~nilufer/classes/cs3611/interesting-stuff/designing-with-colors-1/color_contrast.htm

Luminant Design LLC. Signage and the 2010 ADA Standards v2.1. 2011.

<http://www.luminantdesign.com/ada.html>

Society for Experiential Graphic Design (SEGD). Signage Requirements in the 2010 Standards for Accessible Design. 2012.

https://segd.org/sites/default/files/SEGD_2012_ADA_White_Paper_Update.pdf

U.S. Department of the Interior, National Park Service

Harpers Ferry Center Accessibility Committee

Harpers Ferry Center (HFC) serves as the Interpretive Design Center for the National Park Service. HFC works to ensure that the highest level of accessibility that is reasonable is incorporated into all aspects of interpretive media, planning, design, and construction. This includes ensuring that all new interpretive media are provided in such a way as to be accessible to and usable by all persons with a disability. It also means all existing practices and procedures are evaluated to determine the degree to which they are currently accessible to all visitors, and modifications are made to assure conformance with applicable laws and regulations. The HFC website (<http://www.nps.gov/hfc/accessibility/>) includes accessibility resources, guidelines, and updates, Department of the Interior Section 504, photographs of best practices, and more.

- Wayside Exhibits: A Guide to Developing Outdoor Interpretive Exhibits. 2009.
<https://www.nps.gov/subjects/hfc/upload/Wayside-Guide-First-Edition.pdf>

6.7 Guidance Documents and Articles—Creating Accessible Documents

Adobe. Creating Accessible Adobe PDF Files. <https://helpx.adobe.com/acrobat/using/creating-accessible-pdfs.html>

Adobe. Create and verify PDF accessibility (Acrobat Pro).

<https://helpx.adobe.com/acrobat/using/ create-verify-pdf-accessibility.html>

American Council of the Blind (ACB). Best Practices and Guidelines for Large Print Documents used by the Low Vision Community. 2011. <http://acb.org/large-print-guidelines>

Braille Authority of North America and the Canadian Braille Authority. Guidelines and Standards for Tactile Graphics (Web Version). 2012. <http://www.brailleauthority.org/tg/web-manual/tgmanual.html>

GSA Government-wide Section 508 Accessibility Program: Create Accessible Electronic Documents (A compilation of federal guidance, checklists, and testing information for creating and maintaining accessible documents in various popular electronic formats, including Word, PDF, Excel, and PowerPoint). <https://www.section508.gov/create/documents>. Guidance from the Accessible Electronic Document Community of Practice (AED COP) on creating and testing accessible MS Word documents.

National Federation of the Blind. Braille Transcription Resource List. <https://nfb.org/braille-transcription-resource-list>

Smithsonian Institution. Smithsonian Guidelines for Accessible Publication Design. 2001. <https://www.si.edu/Content/Accessibility/Publication-Guidelines.pdf>

Social Security Administration, Accessibility Resource Center (SSA-ARC). SSA Guide: Producing Accessible Word and PDF Documents, Version 2.1. 2010. https://www.ssa.gov/accessibility/files/The_Social_Security_Administration_Accessible_Document_Authoring_Guide_2.1.2.pdf

Sutton, Jennifer. A Guide to Making Documents Accessible to People Who Are Blind or Visually Impaired. 2002. <http://www.sabeusa.org/wp-content/uploads/2014/02/A-Guide-to-Making-Documents-Accessible-to-People-Who-are-Blind-or-Visually-Impaired.pdf>

University of Washington. Creating Accessible Documents.

<https://www.washington.edu/accessibility/documents/>

6.8 Guidance Documents—Historic Properties

California Department of Parks and Recreation Office of Historic Preservation.

http://ohp.parks.ca.gov/?page_id=21410

2016 California Historical Building Code(CHBC). California Code of Regulations, Title 24,Part 8.

<http://ohp.parks.ca.gov/pages/1074/files/2016%20CA%20CHBC.pdf>

California Preservation Foundation. 2016. The California Historic Building Code (CHBC) and the Americans with Disabilities Act (ADA in Historic Buildings and Sites.

<https://californiapreservation.org/events/chbc-ada/>

DOJ. Civil Rights Division. “Common Questions about Title II of the Americans with Disabilities Act (ADA)”.

<https://www.ada.gov/pubs/t2qa.txt>

Jester, Thomas C and Sharon C. Park. 1993. Technical Preservation Brief 32: Making Historic Properties Accessible. U.S. Department of the Interior, National Park Service

<https://www.nps.gov/tps/how-to-preserve/briefs/32-accessibility.htm>

6.9 Guidance Documents and Organizations—Emergency Preparedness Planning for People with Access and Functional Needs

Emergency Management Institute (EMI)

<https://training.fema.gov/emi.aspx>

FEMA, U.S. Department of Homeland Security, FEMA. Fact Sheet: Access and Functional Needs Support. 2018.

<https://www.fema.gov/media-library/assets/documents/94708>

Interagency Coordinating Council on Emergency Preparedness and Individuals with Disabilities (ICC)

<https://www.fema.gov/media-library/assets/documents/111940>

National Council on Disability (NCD)

<http://www.ncd.gov/>

National Institute on Disability and Rehabilitation Research (NIDRR)

<https://www.ed.gov/category/program/national-institute-disability-and-rehabilitation-research>

Resources

National Park Service, U.S. Department of the Interior. 2017. Long Range Transportation Plan: Traveler Information

[https://www.nps.gov/orgs/1548/upload/National Long Range Transportation Plan 508-Compliant-for-WEB July 2017.pdf](https://www.nps.gov/orgs/1548/upload/National%20Long%20Range%20Transportation%20Plan%20508-Compliant-for-WEB%20July%202017.pdf)

National Park Service. "Fire Prevention 52: Fire Safety for People with Disabilities."

<https://www.nps.gov/articles/p52-fire-safety-for-people-with-disabilities.htm>

National Fire Protection Association. "Emergency Evacuation Planning Guide for People with Disabilities." 2016

<https://www.nfpa.org/-/media/Files/Public-Education/By-topic/Disabilities/EvacuationGuidePDF.ashx?la=en>

San Mateo County Alert System, Sheriff's Office of Emergency Services

<http://hsd.smcsheriff.com/smcalert>

San Mateo County Office of Emergency Services

<https://www.smchealth.org/emergency-preparedness>

State of California, Governor's Office of Emergency Services (Cal OES), Office of Access and Functional Needs Library. Includes links to current access and functional needs-related planning resources for providing emergency services for people with disabilities.

<http://www.caloes.ca.gov/cal-oes-divisions/access-functional-needs/afn-library>

6.10 Federal, State, and Local Laws, Standards, and Ordinances

The following are resources for state and federal regulations for accessible facilities.

U.S. Department of Justice, Civil Rights Division, Disability Rights Section

The U.S. Department of Justice provides many free ADA materials including the Americans with Disability Act (ADA) text. Printed materials may be ordered by calling the ADA Information Line [(800) 514-0301 (Voice) or (800) 514-0383 (TTY)]. Publications are available in standard print as well as large-print format, audiotape, braille, and computer disk for people with disabilities. Documents, including the following publications, can also be downloaded from the Department of Justice website (<http://www.ada.gov/>).

- Americans with Disabilities Act (ADA) Title II Regulations: Nondiscrimination on the Basis of Disability in State and Local Government Services. 2010.
https://www.ada.gov/regs2010/titleII_2010/titleII_2010_regulations.pdf
- 2010 ADA Standards for Accessible Design. 2010.
www.ada.gov/regs2010/2010ADAStandards/2010ADAstandards.htm
- Accessibility of State and Local Government Websites to People with Disabilities. 2003.
https://www.ada.gov/websites2_prnt.pdf
- ADA Best Practices Tool Kit for State and Local Governments. 2008.
<https://www.ada.gov/pcatoolkit/abouttoolkit.htm>
- ADA Requirements: Effective Communication. 2014. <https://www.ada.gov/effective-comm.pdf>
- ADA Requirements: Service Animals. 2010.
https://www.ada.gov/service_animals_2010.htm
- Frequently Asked Questions about Service Animals and the ADA. 2015.
https://www.ada.gov/regs2010/service_animal_qa.html
- ADA Requirements: Wheelchairs, Mobility Aids and Other Power-Driven Mobility Devices. 2014. <https://www.ada.gov/opdmd.pdf>
- An ADA Guide for Local Governments: Making Community Emergency Preparedness and Response Programs Accessible to People with Disabilities. 2008.
<https://www.ada.gov/emergencyprepguide.htm>
- DOJ. ADA Update: A Primer for State and Local Government. 2015, available at
https://www.ada.gov/regs2010/titleII_2010/title_ii_primer.html

U.S. Access Board—Architectural and Transportation Barriers Compliance Board

The full texts of federal laws and regulations that provide the guidelines for the design of accessible facilities and programs are available from the U.S. Access Board. Single copies of publications are available free and can be downloaded or ordered by completing a form available on the Access Board's website (<http://www.access-board.gov/>). In addition to regular print, publications are available in: large-print format; disk; audiocassette; and braille.

- ADA and ABA Accessibility Guidelines (ADAAG), (*36 CFR Parts 1190 and 1191*). Final Rule published in the Federal Register, July 23, 2004; as amended through May 7, 2014. <https://www.access-board.gov/attachments/article/412/ada-aba.pdf>
- Americans with Disabilities Act (ADA) Accessibility Guidelines for Buildings and Facilities; Architectural Barriers Act (ABA) Accessibility Guidelines, Correction. Final Rule published in the Federal Register, November 12, 2013. <https://www.federalregister.gov/documents/2013/11/12/2013-26780/americans-with-disabilities-act-ada-accessibility-guidelines-for-buildings-and-facilities>
- Architectural Barriers Act (ABA). Pub. L. 90-480 (*42 U.S.C. §§4151 et seq.*). 1968. <https://www.access-board.gov/the-board/laws/architectural-barriers-act-aba>
- Architectural Barriers Act Accessibility Guidelines; Outdoor Developed Areas (AGODA) (*36 CFR Part 1191*). Final Rule published in the Federal Register, September 26, 2013. <https://www.access-board.gov/attachments/article/1500/outdoor-rule.pdf>
- Architectural Barriers Act (ABA) Standards. 2015. <https://www.access-board.gov/attachments/article/1029/ABAstandards.pdf>
- Electronic and Information Technology Accessibility Standards; (*36 CFR Part 1194*). Final Rule published in the Federal Register, December 21, 2000. [https://www.access-board.gov/attachments/article/523/508standards\(1\).pdf](https://www.access-board.gov/attachments/article/523/508standards(1).pdf)
- Guidance on Use of the International Symbol of Accessibility Under the Americans with Disabilities Act and the Architectural Barriers Act. 2017. <https://www.access-board.gov/attachments/article/1898/ISA-guidance.pdf>
- Information and Communication Technology (ICT) Final Standards and Guidelines (*36 CFR Parts 1193 and 1194*). Final Rule published in the Federal Register, January 18, 2017. <https://www.access-board.gov/attachments/article/1877/ict-rule.pdf>
- Outdoor Developed Areas: A Summary of Accessibility Standards for Federal Outdoor Developed Areas. May 2014. <https://www.access-board.gov/attachments/article/1637/outdoor-guide.pdf>
- Telecommunications Act Accessibility Guidelines. Final Rule published in the Federal Register, February 3, 1998. <https://www.access-board.gov/attachments/article/1067/255rule.pdf>

State of California

- **Department of General Services, California Building Standards Commission. California Building Standards Code (California Code of Regulations, Title 24). 2019.** <http://www.bsc.ca.gov/Codes.aspx>

The State of California has also adopted a set of design guidelines for accessible facilities, which can be found in the California Code of Regulations, Title 24, Part II, California Building Standards Code (CBC). CBC contains general building design and construction requirements relating to fire and life safety, structural safety, and access compliance. CBC provisions provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures and certain equipment. Although California has adopted most of the ADAAG requirements, there are some differences. In general, the more restrictive requirement (whether federal or state) should be applied when designing accessible facilities. The complete Title 24 or any of its parts is available for purchase from the International Code Council (ICC), 5360 Workman Mill Road, Whittier, CA 90601, (800) 423-6587, (<http://www.iccsafe.org>) or at various bookstores that carry technical books. The CBC is updated every three years and an ongoing program of regularly reviewing these changes and updating policies and procedures related to accessibility to keep them current is recommended.

- **Department of Parks and Recreation. California State Parks Accessibility Guidelines. 2015.** http://www.parks.ca.gov/pages/1008/files/2015_california_state_parks_accessibility_guidelines.pdf

The Accessibility Guidelines are intended as a reference manual and department policy on accessible design that provide guidance for common uses in the State Park System. They are utilized in planning and implementing regular maintenance activities, construction projects, and in the development of presentations, publications, exhibits, new programs and special events. The Accessibility Guidelines are authorized for use throughout California State Parks, including the Off-Highway Motor Vehicle Recreation Division, the Division of Boating and Waterways, concessionaires, cooperating associations and locally operated parks.

- **Division of State Architect (DSA). 2019 California Access Compliance Advisory Reference Manual. 2019.** <https://www.dgs.ca.gov/DSA/Resources/Page-Content/Resources-List-Folder/Access-Compliance-Reference-Materials>

The purpose of this book of regulations and statutes together is to clarify the obligations for architectural accessibility in California.

- **2019 Valuation Threshold for Alterations, Structural Repairs or Additions to Existing Buildings** <https://www.dgs.ca.gov/DSA/Resources/Page-Content/Resources-List-Folder/Access-Compliance-Reference-Materials>

The annual valuation threshold is based on the January 1981 threshold of \$50,000.00 as adjusted using the ENR 20 Cities Construction Cost Index, and as published by Engineering News-Record, McGraw-Hill Publishing Company, for January of each year. In accordance with the 2019 CBC Chapter 2 definition of **VALUATION THRESHOLD**, the 2020 valuation threshold is \$170,466 and will be updated again in January 2021.

6.11 People-First Language

The City is responsible for ensuring that all public communication uses language that is appropriate and respectful, including when speaking or referring to people with disabilities. People-first language emphasizes the person first, not the disability. The following are suggestions and additional resources.

Table 6.1. People-First Language

People-First Language	Language to Avoid
Person with a disability	The disabled, handicapped, victim, defective, deformed
Person without a disability	Normal person, healthy person
Person with an intellectual, cognitive, developmental disability	The mentally, developmentally disabled, retarded, moron, imbecile, idiot
Person with an emotional or behavioral disability, person with a mental health or psychiatric disability	Afflicted or special person, insane, crazy, psycho, maniac
Person who is deaf	Deaf and dumb, deaf-mute
Persons who have hearing loss	Hearing impaired
Person who is blind / has low vision	Sight impaired
Persons with speech or language disabilities	Speech impaired, mute
Person who uses a wheeled mobility device	Confined or restricted to a wheelchair, wheelchair bound
Person with a physical disability	Invalid, cripple, lame
Person with limited literacy skills	Functionally illiterate
Accessible parking or restroom	Handicap or handicapped parking or restroom

Resources

- Communicating with and about People with Disabilities.
<https://www.dol.gov/odep/pubs/fact/communicating.htm>
- National Association of the Deaf. <https://www.nad.org/>
- American Speech-Language-Hearing Association. <http://www.asha.org/>
- National Assessment of Adult Literacy (NAAL).
<https://nces.ed.gov/naal/literacytypes.asp>

6.12 Service Animal Policies

Service animals provide valuable and sometimes life-saving services to their owners. While most people are familiar with guide dogs for people with visual disabilities, many people with a variety of disabilities use service animals to assist with everyday life.

In 2010, the ADA updated regulations covering service animals. The new definition limits animals to dogs, but also includes miniature horses when conditions are appropriate as follows.

*A service animal is any dog [or miniature horse] that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability.*⁹³

Individuals with disabilities can bring their service animals into all areas of public facilities where members of the public and program participants are allowed with the following limitations.

- The ADA does not require covered entities to modify policies, practices, or procedures if it would fundamentally alter the nature of the goods, services, programs, or activities provided to the public. Nor does it overrule legitimate safety requirements. If admitting service animals would fundamentally alter the nature of a service or program, service animals may be prohibited. In addition, if a service animal is out of control and the handler does not take effective action to control it, or if it is not housebroken, that animal may be excluded.
- Policies may consider excluding service animals in habitats that are especially vulnerable or sensitive to predator species. Wildlife cannot tell the difference between a pet dog and a service animal; for example, many species sense dogs as predators and expend valuable energy to flee or seek cover.
- If the City properly excludes a service animal under Title 28, Chapter 1 § 35.136(b), it shall give the individual with a disability the opportunity to participate in the service, program, or activity without having the service animal on the premises.
- The task(s) performed by the service animal must be directly related to the person's disability.
- The service animal must be trained to take a specific action when needed to assist the person with a disability. The animal does not have to be professionally trained by others.
- Emotional support or companion dogs and animals are not considered service animals under the ADA or California state law
- City staff may ask only two specific questions:
 1. Is the animal a service animal required because of a disability? and
 2. What work or task has the animal been trained to perform?
- The ADA does not require service animals to wear a vest, ID tag, or specific harness.

⁹³ ADA National Network. 2017. Service Animals. <https://adata.org/factsheet/service-animals>

- Individuals who have service animals are not exempt from local animal control or public health requirements.
- Service animals are subject to local dog licensing and registration requirements.

Emotional support animals, including dogs that provide comfort just by being with a person, are not considered service animals. Because they have not been trained to perform a specific job or task, they do not qualify as service animals under the ADA. While the California Department of Fair Employment and Housing does recognize emotional support animals in certain situations like housing and employment, California state law does not recognize emotional support animals as service animals for accommodation in public places.

The ADA makes a distinction between psychiatric service animals and emotional support animals. For example, if a dog has been trained to sense that an anxiety attack is about to happen and then take a specific action to help avoid the attack or lessen its impact, that animal would qualify as a service animal. However, if the dog's mere presence provides comfort, that animal would not be considered a service animal under the ADA.

Resources

- Title 28, Chapter 1, § 35.136 Service animals
- DOJ. 2010. Service Animals. https://www.ada.gov/service_animals_2010.htm
- DOJ. 2015. Frequently Asked Questions about Service Animals and the ADA. https://www.ada.gov/regs2010/service_animal_qa.html
- ADA National Network. 2017. Service Animals. <https://adata.org/factsheet/service-animals>
- NPS. 2018. Service Animals – Yellowstone National Park. <https://www.nps.gov/yell/planyourvisit/serviceanimals.htm>

6.13 Other Power-Driven Mobility Devices (OPDMD) Policies

The following considerations and sample policy are provided for the implementation of an Other Power-Driven Mobility Device Policy.

Considerations for the development of an OPDMD policy and a sample policy:

Any mobility device powered by batteries, fuel, or other engines ... that is used by individuals with mobility disabilities for the purpose of locomotion and designed to operate in areas without defined pedestrian routes.

– DOJ's Definition of OPDMD

Considerations for the Development of an OPDMD Policy

People with mobility impairments often use mobility devices such as manual or powered wheelchairs, electric scooters, canes, crutches, or walkers. Mobility impairment may be temporary, periodic, or permanent. It may result from a mechanical injury such as a broken bone or a medical condition such as a stroke or heart condition. OPDMDs are intended to provide people with enhanced mobility, including on terrain where mobility devices that are intended for flat and level terrain are not effective.

The purpose of an OPDMD is to provide access to developed outdoor area facilities for persons with mobility impairments significant enough to warrant protection as a disability under the Americans with Disabilities Act. The goal of an OPDMD policy is to define parameters for this access that provides the maximum degree of access for persons with qualifying disabilities while also protecting the safety of the great many other users of open space and the environment.

The law encourages agencies to determine parameters for defining OPDMDs that are acceptable for use at their facilities.

Sample OPDMD Policy:

The use of a manual or motorized wheeled mobility device by an individual with limited mobility is allowed to the extent that the same would apply to a pedestrian. The information in this section is intended to treat a person using a manual or motorized wheeled mobility device as a pedestrian and is not intended to restrict the activities of such a person beyond the degree that the activities of a pedestrian are restricted by the same regulations.

Engine Type: Not to exceed Zero Emissions during use. The engine noise level from an OPDMD may not exceed 60 dB measured on the A-weighted scale at a distance of 50 feet.

OPDMDs with Zero Emissions will exclude combustion engines and the use of gas or other fuel-powered mobility devices. The noise and exhaust from gas-powered engines would fundamentally alter the natural setting of many of the trails.

Size: OPDMDs may not exceed 36 inches in width.

Weight: Not to exceed 550 lbs. including operator.

The weight limit is specified because (1) heavier loads may cause damage to the non-paved surfaces and structure and (2) of the potential for being unstable on non-compacted surfaces

Speed: Maximum speed while operating an OPDMD cannot exceed 5 mph.

Establishing a speed limit for OPDMD use is a way of balancing pedestrian anxiety about the safety of sharing a site with motorized devices moving at higher speeds and OPDMD users' right to experience the site while using an OPDMD.

Users: The use of OPDMDs, while allowed, is restricted to persons with mobility disabilities. The use of an OPDMD by a person without a disability is prohibited.

The causes of disability may not always be apparent to members of the public or agency staff. Proof of having a disability may be provided by:

- A valid, state-issued disability parking placard or card;
- Other state-issued proof of disability;
- Other federal-issued proof of disability (National Parks and Federal Recreational Lands Access Pass); or
- Verbal representation, not contradicted by observable fact.

Where: Paved routes and designated multi-use trails. Multi-use is a category that includes pedestrians, bicyclists, and equestrians. OPDMDs are not allowed in areas closed to the public.

Rules for Use of OPDMDs:

The following conditions apply:

- A person must be of legal age to operate the specific OPDMD, as prescribed by federal and state law.
- A person using an OPDMD must yield the right of way to pedestrians and persons using wheelchairs.
- Group size is limited to no more than four OPDMDs unless otherwise approved by the agency.
- No more than one person may ride upon an OPDMD at any time.

Every OPDMD shall be equipped with the following safety mechanisms:

- Front, rear, and side reflectors.
- A system that enables the operator to bring the OPDMD to a controlled stop.
- If the OPDMD is operated between one-half hour after sunset and one-half hour before sunrise, a lamp emitting a white light that, while the OPDMD is in motion, illuminates the area in front of the operator and is visible from 300 feet in front of the OPDMD.
- A sound emitting device that can be activated from time to time by the operator.

7. Appendices

Appendix A: Request for Accommodation / Grievance Form

Appendix B: Public Outreach

Focus Group Meeting #1 (November 20, 2019)

Focus Group Meeting #2 (February 26, 2020)

Presentation to City Council (July 27, 2020)

Appendix C: ADA Facility Assessment Summary

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Appendix A: Request for Accommodation / Grievance Form

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TITLE II of the Americans with Disabilities Act Section 504 of the Rehabilitation Act of 1973

Request for Accommodation/Grievance Form

Instructions: Please fill out this form completely, using black ink or typing. Sign and send it to the address at the bottom of the page. This form is available in alternate formats by request.

Please mail to: ADA Compliance Officer, City of Daly City
333 90th Street, Daly City, CA 94015

For Office Use:
File No:

Date Received: _____ Received By: _____

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Appendix B: Public Outreach

Meeting minutes - Community Focus Group #1

November 20, 2019 - 3 pm to 5 pm, Daly City City Hall

Meeting minutes - Community Focus Group #2

February 26, 2020 - 3 pm to 5 pm, Daly City City Hall

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Meeting minutes - Community Focus Group #1

November 20, 2019 - 3 pm to 5 pm, Daly City City Hall

Attendees: Joyce Cabrera, Pamela DiGiovanni, Sean Galvin, Mike Levinton, Ben McMullan, Evan Milburn, and Maria Orleman.

City staff: Jennifer Der, Sibely Calles, Richard Chiu, Anna Kho, Stephen Stolte, and Venus Young.

MIG staff: Ashley Tomerlin and Patrick Ware.

Summary

The focus group meeting was used to orient representatives of the public to the scope of work for the development of the plan and the project schedule. The introduction was followed by a discussion of planning priorities for the project, including a review of the initial findings and proposed criteria for prioritizing facilities within the Transition Plan schedule. Staff received comments on the general level of accessibility in Daly City including City facilities and places of public accommodation.

Facility Prioritization

General Comments:

- General discussion about the state and federal standards used to evaluate accessibility.
- Council meetings currently feature sign language interpreters and are broadcast on YouTube and local television, but accessibility improvements could still be made.
- Increased contrast between adjacent surfaces and walkway lighting are important for people with visual disabilities.

Prioritization Feedback:

- The facilities in the Westlake Park area (Doelger Senior Center, Westlake Community Center/Pacelli Event Center, Westlake Park common Areas) have a high level of use and should be a higher priority.
- Lincoln Park Community Center is heavily used during the week and functions as a senior center, so it should be ranked as a higher priority.
- Attendees commented that the North County Fire Authority Administration building should be a lower priority, but City staff contended that it should retain its priority because it is used for permitting.
- The Teglia Community Center is largely inaccessible, and while some food programs happen there it should be a lower priority.
- Any facilities that are used as voting locations should be prioritized.
- The Serramonte Library basement is inaccessible, but programming continues to happen down there.

Right-of-Way Prioritization

General Comments:

- The terrain of Daly City presents many challenges for accessibility.
- There are no pedestrian access routes in some locations, including around the Kaiser medical building.
- General discussion regarding accessibility and safety in the public right-of-way.

Prioritization Feedback:

- Attendees suggested that areas with high volume of pedestrian use should be prioritized. It was determined that these facilities would be captured by geospatial priority B (locations serving government offices and public facilities).
- Pedestrian refuge island at the intersection of Lake Merced Blvd and John Daly Blvd is a safety concern.
- City Staff requested incorporation of High Injury Network data into the prioritization scheme.

Meeting minutes - Community Focus Group #2

February 26, 2020 – 3 pm to 5 pm, Daly City City Hall

Attendees: Mike Levinson

City staff: Sibely Calles, Richard Chiu, Kevin Fehr, and Shirley Chan.

MIG staff Ashley Tomerlin and Tim Gilbert.

Summary

At this meeting, the participants discussed the draft plan and prioritization actions taken after the first focus group meeting. This was followed by a discussion of elements in the plan document.

Self-Evaluation – Review of City Policies and Programs

- A participant questioned if there was a way to name the departments that answered questions in the affirmative so that members of the public could provide feedback to whether staff responses accurately described the public's experience.
- It was proposed by a participant that if the City were to administer the staff questionnaire again, a public questionnaire like the staff questionnaire could contribute to an improved assessment of City policies and programs.

ADA Coordinator and Departmental ADA Liaison Organization

- A participant observed that the ADA Liaison role to manage and update available accessibility resources and services would assist in the development of modifications to programs and services within each department.
- ADA Coordinator – a participant stated that managing the ADA Self-Evaluation and Transition Plan implementation is a lot for one person to manage. It's good that the ADA Coordinator role is housed in Public Works as that department manages maintenance at all facilities and would work with other departments' liaisons to address programs.

Right-of-Way Prioritization

- It was noted that the Right-of-Way Prioritization Matrix is complicated to understand with a screen reader for people with low vision.
- A participant suggested using Measure W funds to address barriers where they meet the requirements of the projects defined by the bond.

Transition Plan Approach

- A participant stated that it would be good to incorporate flexible language so the City can adjust the barrier removal approach to adapt to new technologies (autonomous vehicles), code changes, and new tools.
- A participant stated that when there are options for how to approach a barrier removal action, use the most flexible and adaptable solutions available.

- Staff stated that during the upcoming budget cycle, the City is proposing to add a line item in the budget specific to ADA barrier removal projects.
- A participant promoted exploring grant funding and optimizing other types of projects that can also remove accessibility barriers.

Appendix C: ADA Facility Assessment Summary

ADA Facility Assessments

The following Daly City facilities were evaluated in the Summer 2019.

The following tables present unadjusted cost estimates for barrier removal in all the facilities included in this evaluation. Cost estimates currently depict all barrier categories, including categories 4 and 5 for which physical alterations of the facility may not be required due to programmatic alternatives or historic exceptions. During the prioritization process, the City will determine where there are programmatic alternatives to physical alterations and where landmark or historic status may limit physical alterations. The costs associated with categories 4 and 5 will be removed from the cost estimate.

Costs included in this report are planning-level estimates only. Prior to scoping work at a site or preparing budgets or financial forecasts, further consideration will be needed to review site-specific needs, constraints, design and construction management costs, contingencies, and other considerations beyond the scope of a planning-level estimate or analysis.

It is assumed there will be a 3% per year escalation applied to the estimates over the 15-year timeline.

The total unadjusted cost estimate for all city facilities is \$3,983,933.⁹⁴

⁹⁴ As noted in the Executive Summary of the Plan, the total adjusted cost estimate with 40% markup for design, project management, construction management, contingency, and other miscellaneous costs is \$5,577,506.

Table 1: Unadjusted Cost Estimate for Facilities

Bayshore Community Center	90,695
Bayshore Heights Park	182,315
Bayshore Library	17,450
City Hall	591,655
Civic Center North	87,490
Doelger Senior Center	361,850
Fire Station 91	97,875
Fire Station 92	17,525
Fire Station 93	40,195
Fire Station 94	35,670
Fire Station 95	90,280
Former Post Office	20,800
Gellert Park Clubhouse	47,785
Hillside Park Clubhouse	34,610
Human Resources Office	34,525
Imagination Station - Child Development Center	73,675
John Daly Library	24,450
Larcombe Clubhouse	54,825
Lawson Hall	73,855
Lincoln Park Community Center	105,775
Marchbank Clubhouse	26,188
Marchbank Park Restrooms/Concessions	15,390
North County Fire Authority Administration	20,400
Pathway - Beverly	250
Pathway - Bromley	1,610
Pathway - Camelot	4,090
Pathway - Lycett	1,120
Pathway - Lycett Park	2,415
Pathway - Mira Vista	27,355
Pathway - Norwood	33,200
Pathway - Penhurst	17,635
Pathway - St Francis	23,230
Pathway - Vendome Alley	19,200
Pathway - Wilshire Walkway	39,620
Rental House 204 92nd St	87,685
Serramonte Library	48,670
Teglia Community Center	60,550
War Memorial Community Center	180,270
Westlake Community Center/Pacelli Event Center	76,750
Westlake Library	86,320
Westlake Park Common Areas	457,680
Westlake Performing Arts Center	671,005
Total	3,983,933

Barrier Summaries

The following summaries provides an overview of the most common barriers identified at each facility.

Bayshore Community Center

- Bathing Facility – overhanging object, reach range
- Built-in Elements – height of service counters
- Doors – closing time, operating effort, tactile/braille signage, window heights, maintaining clear maneuvering areas
- Drinking Fountains – knee clearance, water flow
- Hazards – openings in ground surface
- Kitchen – Reach ranges, overhanging object, work surface, sink
- Restrooms – clear floor spaces, dispenses, grab bars, pipe insulation
- Stairs – handrails, inadequate tread striping, uniformity, slopes, nosings
- Walks – cross slopes, openings in ground surface

Bayshore Heights Park

- Assembly area – accessible route to platform
- Curb ramp – top landing
- Drinking fountain – clear ground space
- Gates - kickplates
- Other/Outdoor constructed feature – companion seating at bench, clear ground space at receptacles
- Parking – striping, signage, slopes, openings in ground surface
- Play Area – ground surface, accessible route, tread striping
- Picnic area – tables, clear ground surface
- Restrooms – signage, compartment, fixtures, grab bars, dispensers
- Walks – cross slopes and running slopes, surface openings, surface discontinuity

Bayshore Library

- Built-in Elements – height of work surface
- Doors – closing time, operating effort, signage, maintaining clear
- Drinking fountain – clear ground space
- Library – clear width of aisles
- Restrooms –dispenses, grab bars, lavatory, signage

City Hall

- Assembly Area – accessible route to dais
- Built-in Elements – height and width of service counters, knee clearance
- Curb ramp – built-up curb ramp, grade break
- Doors – closing time, operating effort, tactile/braille signage, window heights, kickplates, maneuvering areas, threshold, accessible routes
- Drinking fountain – clear floor space, standing person fountain
- Eating Area – tables, vending machines
- Elevator – car dimensions, indicators (visual, tactile, and audible)
- Hazards – overhanging or protruding objects
- Judicial Facility – bench depth
- Other – reach range
- Parking – striping, signage, slopes
- Picnic area – Knee clearance
- Ramps – landings, slopes, handrails, adjacent surfaces
- Restrooms – signage, compartment, fixtures, grab bars, dispensers
- Room – maneuvering area
- Signs – location, no tactile/braille sign corresponding to visual sign
- Stairs – handrails, inadequate tread striping, uniformity, slopes
- Telephone – reach range, clear floor space, accessible route
- Walks - cross slopes and running slopes, surface openings, surface discontinuity, clear width

Civic Center North

- Built-in Elements – height and width of service counters
- Corridor – clear width between wall and cubicle
- Doors – closing time, operating effort, tactile/braille signage, window heights, maintaining clear maneuvering areas, accessible routes
- Elevator – audible indicators
- Hazard – distorted guardrail, overhanging or protruding objects
- Parking – striping, slopes, detectable warnings
- Ramp - landings
- Restrooms – signage, compartment door, fixtures, grab bars, dispensers, lavatory
- Room – maneuvering area
- Signs – location, no tactile/braille sign corresponding to visual sign
- Stairs – handrails, inadequate tread striping, uniformity
- Walks – detectable warnings, running slope

Doelger Senior Center

- Built-in Elements – height of service counters
- Corridor – clear width due to movable objects
- Doors – closing time, operating effort, tactile/braille signage, window heights, maintaining clear maneuvering areas, accessible routes, kickplates, threshold
- Drinking fountain – bubbler heights, hardware, water flow, clear floor space, standing person fountain
- Eating Area – height service counters, accessible seating
- Hazard – overhanging or protruding objects, surface openings
- Game and Sports Area – accessible route
- Kitchen – accessible route, counters and work surfaces, dispensers
- Library – workstation, aisle width
- Picnic Area – knee clearance
- Ramps – slopes, handrails, surface discontinuity
- Restrooms – signage, compartment, fixtures, grab bars, dispensers, lavatory, accessible route, fundamental accessibility of restrooms
- Room – maneuvering area, sinks, accessible routes, reach ranges
- Stairs – handrails, uniformity
- Walks - cross slopes and running slopes, surface openings, surface discontinuity, clear width

Fire Station 91

- Doors – closing time, operating effort, window heights, maintaining clear maneuvering areas, accessible routes, kickplates, threshold
- Hazard – overhanging or protruding objects, surface openings
- Restrooms – signage, compartment, fixtures, lavatory, dispensers, lavatory, fundamental accessibility of single user restroom

Fire Station 92

- Doors – closing time, operating effort, signage, window heights, maintaining clear maneuvering areas, accessible routes, threshold
- Drinking Fountain – bubbler location, water flow
- Restroom – signage, grab bars, fixtures, dispensers
- Walks - cross slopes

Fire Station 93

- Doors – closing time, operating effort, window heights, maneuvering areas, threshold, kickplate
- Drinking fountain –water flow, clear floor space, standing person fountain
- Parking – signage, striping, slopes
- Restroom – signage, grab bars, fixtures, dispensers, maneuvering area
- Walks – cross slopes and running slopes

Fire Station 94

- Doors – closing time, operating effort, window heights, maneuvering areas, threshold, kickplate, hardware, clear opening
- Restroom – grab bars, fixtures, lavatory, dispensers, maneuvering area
- Walks – cross slopes, surface openings, surface discontinuity, clear width

Fire Station 95

- Doors – closing time, operating effort, window heights, maneuvering areas, threshold, kickplate, clear opening
- Restroom – signage, grab bars, fixtures, lavatory, dispensers, maneuvering area, fundamental accessibility of single user restroom
- Walks – cross slopes and running slopes, surface discontinuity, clear width

Former Post Office

- Built-in Elements – height of service counters, knee clearance
- Doors – signage, window heights, maneuvering areas, threshold, kickplate
- Kitchen – height of worksurface, maneuvering area, dispensers
- Restroom – signage, grab bars, fixtures, lavatory, dispensers, maneuvering area
- Signs – no tactile/braille sign corresponding to visual sign

Gellert Park Clubhouse

- Doors – closing time, operating effort, signage, maneuvering areas, threshold, kickplate
- Drinking fountain – protruding object, water flow, accessible fountain
- Hazard – surface openings
- Parking – signage, striping, slopes
- Restrooms – signage, grab bars, compartment, fixtures, lavatory, dispensers, protruding object
- Room – height of worksurface, light switches and controls
- Walk – cross slopes

Hillside Park Clubhouse

- Doors – closing time, operating effort, signage, maneuvering areas, threshold
- Drinking fountain – knee clearance, water flow, standing person fountain
- Kitchen – height of worksurface, knee clearance, dispensers
- Restrooms – signage, grab bars, fixtures, lavatory, dispensers
- Room – Knee clearance at worktables
- Walks – cross slopes and running slopes

Human Resources Office

- Doors – closing time, operating effort, signage, maneuvering areas, threshold, clear opening
- Restrooms – grab bars, compartment, fixtures, lavatory, dispensers

Imagination Station - Child Development Center

- Built-in Elements – height of worksurfaces
- Curb ramp – surface opening, landing
- Doors – closing time, operating effort, signage, maneuvering areas, signage, window heights, kickplates, hardware
- Drinking fountain – bubbler location, water flow
- Hazard – surface discontinuity
- Other – Clear ground space at receptacle
- Picnic Area – clear ground space
- Play Areas – play surface material/condition, play component count
- Restrooms – signage, grab bars, fixtures, lavatory, dispensers
- Room – accessible route, maneuvering area, height of worksurfaces
- Stairs – handrails
- Walks – cross slopes and running slopes, clear width

John Daly Library

- Doors – closing time, operating effort, signage, maneuvering areas, signage, threshold, kickplates, window height
- Drinking fountain – knee clearance, clear floor space
- Library – height of worksurfaces, knee clearance, clear width of aisle
- Restrooms – accessible route, grab bars, fixtures, dispensers, door hardware, protruding objects
- Room – reach range
- Signs – no tactile/braille sign corresponding to visual signs

Larcombe Clubhouse

- Doors – operating effort, signage, maneuvering areas, signage, threshold, kickplates, window height, accessible routes, clear opening
- Hazard – edge protection
- Kitchen – height of worksurface, knee clearance, dispensers
- Restrooms – signage, compartment, grab bars, fixtures, lavatory, dispensers, door hardware
- Room – reach range for outlets
- Stairs – handrail

Lawson Hall

- Assembly Area – accessible route to stage
- Doors – closing time, operating effort, signage, maneuvering areas, signage, threshold, kickplates, window height, accessible routes, clear opening, door hardware
- Drinking Fountain – water flow, standing person fountain
- Kitchen – height of worksurface, knee clearance, dispensers, reach ranges, accessible route
- Ramp – running slopes, clear width, wheel guide
- Restrooms – signage, compartment, grab bars, fixtures, lavatory, dispensers, door hardware, protruding objects
- Stairs – handrails, inadequate tread striping, uniformity, nosings, open risers

Lincoln Park Community Center

- Doors – closing time, operating effort, signage, maneuvering areas, signage, threshold, kickplates, window height
- Drinking Fountain – water flow
- Hazard – overhanging object
- Kitchen – height of worksurface, knee clearance, dispensers, reach ranges, accessible route, storage
- Parking – signage, striping, slopes
- Restrooms – signage, compartment, grab bars, fixtures, lavatory, dispensers, door hardware, protruding objects, baby change table
- Walks – cross slopes and running slopes, clear width

Marchbanks Clubhouse

- Doors – closing time, operating effort, signage, maneuvering areas, threshold
- Ramps – cross slope and running slope, landing, handrail, surface opening
- Restrooms – signage, grab bars, lavatory, dispensers
- Room – Knee clearance at worktables
- Walks – cross slopes and running slopes, surface openings

Marchbanks Park Restrooms/Concessions

- Built-in Elements – height of service counter
- Doors – closing time, operating effort, accessible route, maneuvering areas, threshold
- Restrooms – signage, grab bars, fixture, lavatory, dispensers
- Room – height of sink rim

North County Fire Authority Administration

- Built-in Elements – height of reception counter
- Corridor - no tactile/braille sign corresponding to visual sign
- Doors – closing time, operating effort, signage, maneuvering areas, threshold, kickplate, clear opening
- Stairs – handrails, uniformity, nosings
- Walks – running slope, clear width

Pathways

- Hazard – edge protection, surface openings
- Ramp – handrail, running slope
- Stairs – handrails, inadequate tread striping, slopes, uniformity
- Walks – cross and running slopes, surface openings and discontinuity, clear width

Rental House 204 92nd St

- Corridor – carpet surface
- Doors –threshold, clear opening
- Restroom - fundamental accessibility, accessible route, maneuvering area
- Room – maneuvering area
- Stairs – handrails, inadequate tread striping, uniformity

Serramonte Library

- Built-in Elements – width of service counter
- Hazard – protruding object
- Doors –operating effort, signage, maneuvering areas, threshold
- Drinking Fountain – clear floor space, water flow
- Library – reach ranges, knee clearance, clear width of aisle
- Parking – striping, slopes
- Restrooms – accessible route, door hardware, lavatory, dispensers
- Walks – cross slopes, surface discontinuity, clear width

Teglia Community Center

- Curb Ramp – slopes, detectable warnings, surface discontinuity, landing
- Doors –closing time, operating effort, kickplate, signage, maneuvering areas, threshold, door hardware, window height
- Drinking Fountain –non-operational, no standing person fountain, clear floor space
- Hazard – protruding and overhanging objects
- Kitchen – height of worksurface, knee clearance, dispensers, reach ranges
- Parking – no accessible parking provided in off-street parking lot
- Restrooms – signage, compartment, maneuvering area, door hardware, fixtures, lavatory, dispensers, grab bars
- Walks – cross slopes and running slopes, surface opening, clear width

War Memorial Community Center

- Door/Gate – kickplate, door hardware, closing time, operating effort, signage, maneuvering areas, threshold, window height
- Drinking Fountain – knee clearance, protruding object
- Eating Area – height of service counter
- Elevator – usable clear width of car, hallway signals, audible indicators
- Hazard – edge protection
- Other – clear floor space
- Outdoor Constructed Feature – companion seating at bench
- Parking – striping, slopes, surface opening
- Ramp – cross slopes and running slopes, landing
- Restrooms – signage, compartment, maneuvering area, door hardware, fixtures, lavatory, dispensers, grab bars
- Room – height of sink counter
- Signs – no tactile/braille sign corresponding to visual signs
- Stairs – handrails, inadequate tread striping, water accumulation, uniformity, nosings
- Walks – cross slopes, surface opening, clear width

Westlake Community Center/Pacelli Event Center

- Door/Gate – kickplate, door hardware, closing time, operating effort, kickplate, signage, maneuvering areas, threshold, window height, clear opening, accessible route
- Drinking Fountain – wheelchair fountain
- Hazards – protruding objects
- Kitchen – height of worksurface, knee clearance, dispensers, reach ranges
- Other – reach range
- Ramp – handrails
- Restrooms – signage, compartment, maneuvering area, fixtures, lavatory, dispensers, protruding object
- Room – maneuvering area, reach range
- Stairs – padded handrails, uniformity

Westlake Library

- Door/Gate – kickplate, door hardware, closing time, operating effort, signage, maneuvering areas, threshold, surface opening, window height
- Drinking Fountain – clear floor space, maneuvering area, fountains reversed-wheelchair fountain is mounted at height of standing person
- Library – reach ranges, low counter availability, knee clearance, clear width of aisle
- Parking – striping, slopes, signage
- Ramp – running slope, handrail
- Restrooms – signage, accessible route, door hardware, grab bars, maneuvering area, fixtures, lavatory, dispensers
- Sign – no tactile/braille sign corresponding to visual signs
- Stair – uniformity, tread striping, handrails
- Walks – cross slopes, surface opening, clear width

Westlake Park Common Areas

- Bus Stop – slope of clear ground space
- Curb Ramps – not provided, flared side slope, landings, detectable warning, running slopes and cross slope
- Other – Clear ground space at receptacle
- Parking – striping, slopes, signage, surface openings, adequate spaces not provided
- Picnic Areas – clear ground space, accessible tables
- Play Area – ground surface, accessible route
- Ramps – running slope and cross slope, handrails
- Sign – directional sign not provided where accessible and circulation routes diverge
- Stair – uniformity, inadequate tread striping, handrails, slope, clear width
- Walks – cross and running slopes, surface openings and discontinuity, clear width

Westlake Performing Arts Center

- Built-in Elements – height of service counters
- Door/Gate – kickplate, closing time, operating effort, signage, maneuvering areas, threshold, window height, clear opening
- Drinking Fountain – standing person fountain, clear floor space
- Hazard – overhanging or protruding object, surface opening
- Parking – striping, slopes, signage
- Play Area – ground surface, accessible route
- Ramps – running slope, handrails and wheelguide, landing
- Restrooms – signage, accessible route, compartment, door hardware, grab bars, maneuvering area, fixtures, lavatory, dispensers, fundamental accessibility
- Rooms – knee clearance, counter heights
- Sign – no tactile/braille sign corresponding to visual signs
- Stair – uniformity, inadequate tread striping, handrails, slope, clear width, surface
- Walk – cross slopes and running slopes, surface discontinuity