

## CITY OF OAKLAND

Mayor's Commission on Persons with Disabilities (MCPD)

**Monday, September 19, 2016, 4:30 p.m. – 7:30 p.m.\***

Hearing Room Four, Second Floor

One Frank H. Ogawa Plaza (City Hall), Oakland, CA 94612

For information call (510) 238-5219 (VOICE) or (510) 238-2007 (TTY)

**\*Please note special time**

### **AGENDA**

- I. Call to Order
- II. Roll Call: *Sherri Rita, ADA Programmatic Access Coordinator, ADA Programs Division*
- III. Public Comments (15 minute limit total)
- IV. Commissioner's Announcements
- V. Approval of Minutes (**Exhibit A**)
- VI. Agenda Modification and Approval
- VII. Chairperson's Report
- VIII. Staff Reports
  - A. ADA Self-Evaluation and Transition Plan Update Status; *Christine Calabrese, ADA Programs Division Manager and Sherri Rita, ADA Programmatic Access Coordinator, ADA Programs Division* (**Exhibit B, B1, B2**) (30 minutes)
  - B. FY 2016-17 ADA Tot Lot Capital Improvement Project (CIP) Lot Prioritization and Astro Tot Lot Project Update; *Denise Louie, CIP Coordinator, Project Delivery Division, Bureau of Engineering and Construction, Oakland Public Works (BEC-OPW)* (**Exhibit C**) (15 minutes)

- C. Dimond Park Pathways Accessibility Evaluation; *Christine Calabrese, ADA Programs Division Manager (Exhibit D)* (15 minutes)
- D. Human Services Department Overview, Fiscal Year 2015-16 Highlights, and Look Ahead; *Scott Means, Human Services Department, Manager, Aging and Adult Services (Exhibit E)* (15 minutes)
- E. Integration of Persons with Disabilities in Parks and Recreation Programs, Fiscal Year 2015-16 Highlights, and Look Ahead; *Erin Burton, Inclusive Recreation Manager, Parks and Recreation (Exhibit F)* (15 minutes)
- F. Library Services and Patrons with Disabilities, Fiscal Year 2015-16 Highlights, and Look Ahead; *Jamie Turbak, Associate Director of Library Services, Oakland Public Library (Exhibit G)* (15 minutes)
- G. Workforce Development Board and Workers with Disabilities, Fiscal Year 2015-16 Highlights, and Look Ahead; *Lazandra Dial, Economic and Workforce Development Department, Workforce Development Board (Exhibit H)* (15 minutes)
- H. Curb Ramp and Sidewalk Repair Programs, Fiscal Year 2015-16 Highlights, and Look Ahead; *Kevin Kashi, Supervising Civil Engineer, Engineering and Right of Way Management, BEC-OPW (Exhibit I)* (15 minutes)
- I. Emergency Preparedness and Integration of Persons with Disabilities and Other Access and Functional Needs in Planning and Response Overview, Fiscal Year 2015-16, and Look Ahead; *Genevieve Pastor-Cohen, Senior Emergency Planning Coordinator, Oakland Fire Department Emergency Management Services Division (Exhibit J)* (15 minutes)
- IX. Agenda for Next Meeting (October 17, 2016, 5:00 p.m. to 7:30 p.m.)
  - A. MCPD Strategic Planning for CY 2017
  - B. Ad Hoc vs. Standing Committees

C. Annual Report to Council

D. Outstanding Staff Reports


X. Adjournment

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NOTE: THE COMMISSION MAY TAKE ACTION ON ANY ITEM  
ON THE AGENDA

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Public Comments: To offer public comments at the MCPD meeting, please register with Sherri Rita, ADA Programmatic Access Coordinator, before the start of the meeting. Public Comments is one of the first agenda items therefore, please, arrive by 4:15 p.m. Please note that the MCPD will not provide a detailed response to your comments but may schedule your issue for a future MCPD or committee meeting. The Public Comment period is limited to 15 minutes and each individual speaker is limited to 5 minutes. If more than 3 public speakers register, however, then each speaker will be limited to 3 minutes. If more than 5 public speakers register, then each speaker will be limited to 2 minutes. Exceptions to these rules may be granted at the discretion of the Chairperson.

 This meeting is wheelchair accessible. To request materials in alternative formats, or to request an ASL interpreter, captioning or assistive listening device, please call Sherri Rita at 238-6919 (V) or 238-2007 (TTY) at least three (3) business days before the meeting. Please refrain from wearing scented products to this meeting so persons who may experience chemical sensitivities can attend. Thank you.



# **CITY OF OAKLAND**

## **Mayor's Commission on Persons with Disabilities (MCPD)**

**June 20, 2016**

### **Minutes**

- I. Called to order at 5:35 p.m.
- II. Roll Call:
  - Quorum: Yes
  - See Exhibit A. 1
- III. Public Comments
  - None
- IV. Commissioner Announcements
  - Commissioner Zisser: Contacted Officer Doria Neff, who is in charge of crisis intervention training for the Oakland Police Department, OPD, and Mr. Anthony Finnell, Executive Director of the Citizens Police Board, CPRB. Will provide an update to MCPD once he has scheduled a meeting with each to discuss their respective activities that are focused on improving police interactions with persons with disabilities.
  - Commissioner Harrington: Has identified potential new members for an ad hoc infrastructure committee; led review of infrastructure bond language for November ballot and is comfortable with how it addresses and prioritizes accessibility improvements.
  - Commissioner Van Docto: introduced Tia Radcliffe, public attendee, as a potential member of an ad hoc



technology committee. Ms. Radcliffe has been working in accessibility technology for 7 years, and currently works at the Albany Orientation Center. She looks forward to collaborating with the MCPD to advance accessible technology initiatives in the City. Also reported on tabling of federal Community Development Block Grant defunding proposal in the Senate that would have affected fair housing affirmative action requirements, and expressed interest in exploring to what extent recent Oakland Fund for Children and Youth funding decisions are supporting programs for children and youth with disabilities.

V. Chair Report, Thomas Gregory reported:

- Interviewed three commissioner candidates to date and all recommended to Mayor for appointment. After providing a brief description of the three candidates, suggested that the remaining, fourth vacancy should be filled by a representative of the Deaf or Hard of Hearing community.
- Pursuant to MCPD commissioner request, staff identified a volunteer graphic designer who can assist in creating MCPD outreach materials.

VI. Approval of Minutes

- Motion/Second: Commissioner Gregory/Commissioner Harrington
- Minutes approved without correction

VII. Agenda Approval and/or Modification

- Item XI.C. to be moved up on agenda (this item was incorrectly numbered in the agenda and has been corrected in these minutes as IX.C., below).
- Motion/Second: Commissioner Gregory/Commissioner Harrington
- Agenda modified

## VIII. New Business

- A. Public Ethics Presentation. Jelani Killings, Program Analyst, Public Ethics Commission, PEC. Mr. Killings described the role of the PEC within the City government. A video was shown discussing the ethical responsibilities under state and local laws of persons that serve on commissions or in elected office.
- B. Status of City of Oakland's Access Improvement Program and Related Programs for Funding Home Modifications for Residents with Disabilities; Rodolfo Duenas and Loyd Ware, Residential Lending Services, Housing and Community Development Department (HCD) presented on the status of the City's home modification programs **(Exhibit B)**:
- HCD is responsible for the administration of various City home rehabilitation programs.
  - Since 2007, funding has steadily decreased (Community Development Block Grant) with no corresponding decrease in demand.
  - Last year (Fiscal Year 2015-2016) was the first year HCD ran out of funding for these programs.
  - New applicants are placed on a waitlist and will be served based on priority once additional funding secured. First priority will be for life safety and disability access modifications.
  - Other municipalities have ceased their home modification programs.
  - HCD conducting a study to determine just how much General Fund is generated by their homeowner and tenant improvement programs. Currently no GF is allocated to support these programs.
  - Commissioner Harrington asked that MCPD be given the opportunity to review the findings of the study when completed, and that staff notify the MCPD in advance of any proposals to Council and be given the opportunity to review.

- Commissioner Zisser recommends ongoing monitoring of these programs via a MCPD subcommittee.

IX. ADA Programs Division Update; Christine Calabrese, ADA Programs Manager reported on the following:

- A. Infrastructure Bond Measure Update. The bond measure framework provides for ADA implementation but additional language might be needed to ensure the proceeds from the bond are used to prioritize and or accelerate disability access compliance programs.
- B. Department of Transportation (DOT) Status. The interim director, Jeff Tumlin, will start in July 2016. His office will be in 250 Frank H. Ogawa Plaza on the 4th floor. See **Exhibit C** for the DOT Press Release distributed with the June 2016 agenda packet.

*Go here to read Jeff Tumlin's bio:*

*<http://nelsonnygaard.com/staff/jeffrey-tumlin/>*

- C. Fiscal Year ADA Capital Improvement Program Status and ADA Tot Lot Improvement Project Proposal: Christine Calabrese, ADA Programs Manager reported.
  - Described the current year's ADA capital improvement projects and on-call minor ADA capital improvement program status.
  - Explained that the ADA Transition Plan Update initiated in Fiscal Year 2015-16 consists of two phases for both the public right of way and for City buildings and facilities. Phase I involves a gap analysis to analyze existing data, barrier removal activities to date, and workflows. Phase II involves the implementation of recommendations from Phase I, including the collection of updated asset data, for the development of updated ADA Transportation and Buildings and Facilities Transition Plans, respectively. The Phase I public right of way/transportation gap analysis and report on recommendations is almost complete.
  - A more detailed report on the status of the ADA Transition Plan Update project status will be provided

at the next MCPD meeting.

- The Woodminster Phase II project is the implementation of the injunctive relief ordered in settlement of the White v. City of Oakland (Woodminster Amphitheater ADA access) case. This project will bring specified accessibility improvements to the lower level of the amphitheater and is due for completion in 2018.
- The On-Call Minor ADA Capital Improvement Program funds are used to respond to complaints, specific requests from individuals with disabilities, and to fund as-needed minor capital improvements to enhance program access. These funds are not used to support baseline, minimum compliance in City capital projects.
  - For example, this program funded the creation of a sensory garden as part of a Measure WW project at Lake Merritt.
  - In prior years, the ADA Capital Improvement Program supported the upgrading of play surfaces at various tot lots citywide beyond minimum ADA play surfacing standards.
  - In light of recent requests from the community to contribute to improvements at the Astro tot lot, and with many lots still in need of upgrading, ADA Programs Division proposes reestablishing and expanding the ADA Tot Lot Capital Improvement Project in Fiscal Year 2016-17 to also include additional accessible play feature upgrades.
  - Such a program would be subject to a prioritization scheme as there are more than 100 tot lots citywide.
  - Public comments were made in support of ADA Programs Division providing the remaining funding required for initiating construction on the community-led and Kaboom supported Astro tot lot project.
  - Discussion between staff and commissioners suggested

the following considerations for establishing tot lot prioritization under the FY 2016-17 ADA Tot Lot Capital Improvement Project: number of school-aged children in neighborhood in special education or receiving disability-related services; proximity of disability-related service providers; and neighborhood socioeconomic data.

- Ms. Calabrese sought motion to approve 1) the proposed revamped Tot Lot Program, and 2) further study of tot lot needs, citywide, including the Astro tot lot.
  - Chair Gregory commented that the MCPD could not take a position on the tot lot prioritization at this time
  - Commissioner Harrington clarified for the public that the MCPD's role is not to decide the scope of any individual project, but to offer recommendations for prioritization to staff to consider. Commissioner Harrington further recognized that opportunities to collaborate on community-driven projects should be taken, when supported by an equity analysis.
  - Chair Gregory stated that an equity and opportunity framework should be used for project prioritization with a justification and analysis by staff supporting the proposed prioritization.
  - Motion: To approve the staff recommendation to allocate the entire FY 2016-17 On-Call ADA Capital Improvement Project budget of \$252,000 for the Fiscal Year 2016-17 ADA Tot Lot Capital Improvement Project, and direct staff to return with a tot lot prioritization program and recommendations.
  - Chief of Staff for Councilmember Abel Guillen Richard Raya stated support for the proposed staff tot lot prioritization process. He also stated that community partner Kaboom wishes to begin construction in November.
- Motion/Second: Commissioner Harrington/ Commissioner Zisser. Motion approved without objection.

- D. ADA Self-Evaluation and Transition Plan Project Update (see item IX.C., above)
  - E. Video Remote Interpreting, VRI, Initiative; Sherri Rita, ADA Programmatic Access Coordinator; tabled.
- X. Old Business
- A. Process for Submitting Action Items to Full Commission; Thomas Gregory; reminder to use previously circulated form for submission of action items (**Exhibit D**).
  - B. Next Full Commission Meeting & Schedule for Remainder of 2016: August 15, 2016 next meeting; schedule for remainder of 2016 attached as (**Exhibit E**).
- XI. Adjourned at 7:34 p.m.

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THE AGENDA**

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6 This meeting is wheelchair accessible. To request materials in alternative formats, or to request an ASL interpreter, captioning or assistive listening device, please call Adriana Mitchell 238-5219 (V) or 238-2007 (TTY) at least three, 3, business days before the meeting. Please refrain from wearing scented products to this meeting so persons who may experience chemical sensitivities can attend. Thank you.

**EXHIBIT A.1 for Attachment to Minutes of Event Date**  
*City of Oakland Mayor's Commission on Persons with Disabilities*  
*Meeting for June 20, 2016*

**COMMISSIONERS  
ROLL CALL**

<b>Quorum</b> <b>Established</b> <u>Yes</u> <b>Number Voting</b> <b>Members Present</b> <u>6</u>	<b>Present</b>	<b>Excused Late</b>	<b>Arrive Late</b>	<b>Leave Early</b>	<b>Absent</b>	<b>Excused</b>	<b>Non- voting status</b>
<b>Chairperson</b> <b>Thomas Gregory</b>	✓						
<b>Co-Vice Chairperson</b> <b>Elise Bernstein</b>	✓						
<b>Co-Vice Chairperson</b> <b>Aaron Zisser</b>	✓						
<b>COMMISSIONERS</b>							
<b>Caleb Van Docto</b>	✓						
<b>Brian Harrington</b>	✓						
<b>Jian Hong</b>							
<b>Danielle Roundtree</b>	✓						
<b>Vacant</b>							
<b>Staff: Christine Calabrese, ADA Programs Division Manager</b> ✓ <b>Sherri Rita, ADA Programs Coordinator</b> ✓ <b>Adriana K. Mitchell, Secretary</b> ✓							
<b>Others:</b>							
<b>Interpreters:</b>							

EXHIBIT A.2 for Attachment to Minutes of Event Date

SIGN IN SHEET

Mayor's Commission on Persons with Disabilities

Monday, June 20, 2016

NAME

MAILING ADDRESS

E-MAIL

MIKE UDKOW 1001 LONG RIDGE RD 94610 mikeudkow@gmail.com

Jelani Killings 1 Frank Ogawa Plaza, Rm 104 jkillings@outland.net.com

Alysa Ratchett

Richard Raya 1 Frank Ogawa raya@oakland.net.com

Marlene CHARD marlene.hendy@oakland.net.com

LOTD WARE 250 FOP STE 5313 lwareco@landnet.com



# RESIDENTIAL LENDING

## PURPOSE/COMMUNITY IMPACT

- Elevate pride of ownership and sustainability in residential neighborhoods
- Improvement of the existing housing stock by assisting low-income homeowners.
- Build community and foster livable neighborhoods  
Systematic restoration of neighborhoods within the City.
- Provide the city with a well-organized mechanism for effectively rehabilitating the City's older housing stock.
- Prevent neighborhood deterioration
- Provide residents with the necessary financial and technical assistance to improve their individual property and the overall environment of the Districts. Facilitate blight removal, lead-hazard reduction, and building code adherence on 1-4 unit residential rehabilitation projects.



# HOUSING REHABILITATION GRANT PROGRAMS

Program Type	Purpose	Max/Min Amount	Income Requirements
Access Improvement - Owner Occupied	Provide grants for accessibility modifications to owner occupied properties.	\$15,000 or \$24,000 with lift Minimum: N/A	Annual Family income cannot exceed 80% of AMI
Access Improvement – Rental Property	Provide grants for accessibility modifications to rental properties.	Existing Construction: \$15,000 per unit, or \$24,000 per unit with lift. \$24,000 max per property	Tenant Annual Family income cannot exceed 80% of AMI
Lead-Safe Housing and Paint Program	Free risk assessment for lead hazards, contracted painting services (exterior and limited interior painting) to qualified owner-occupies low and moderate income households.	\$15,000 Max	The household income shall not exceed <a href="#">50% of the area median income</a> . Families with children under age 6 may have incomes up to <a href="#">80% of the area median income</a> .

# HOUSING REHABILITATION LOAN PROGRAMS

Program Type	Purpose	Max/Min Amount	Income Requirements
Home Maintenance Program (HMIP)	Provides loans to owner-occupies low-income households to correct health and safety violations, abate code deficiencies and repair major systems in danger of failure. Some other home repair needs may be financed, including modifications for accessibility	\$75,000 for single family unit and \$5,000 for each additional unit, up to four units.  Minimum: \$2,500	•0% Deferred Loan: Annual Household Income cannot exceed 50% of AMI •3% Deferred Loan: Annual Household Income cannot exceed 80% AMI
Weatherization and Energy Retrofit Program	Provide loans for weatherization services, including baseline energy efficiency upgrade.	Max: \$30,000 Min: \$6,000	Applicant's annual household income cannot exceed 80% AMI
Emergency Home Repair Program	Free risk assessment for lead hazards, contracted painting services (exterior and limited interior painting) to qualified owner-occupies low and moderate income households.	Max:\$15,000 Min: \$2,500	Applicant's annual household income cannot exceed 50% of the area median income

# HOUSING REHABILITATION

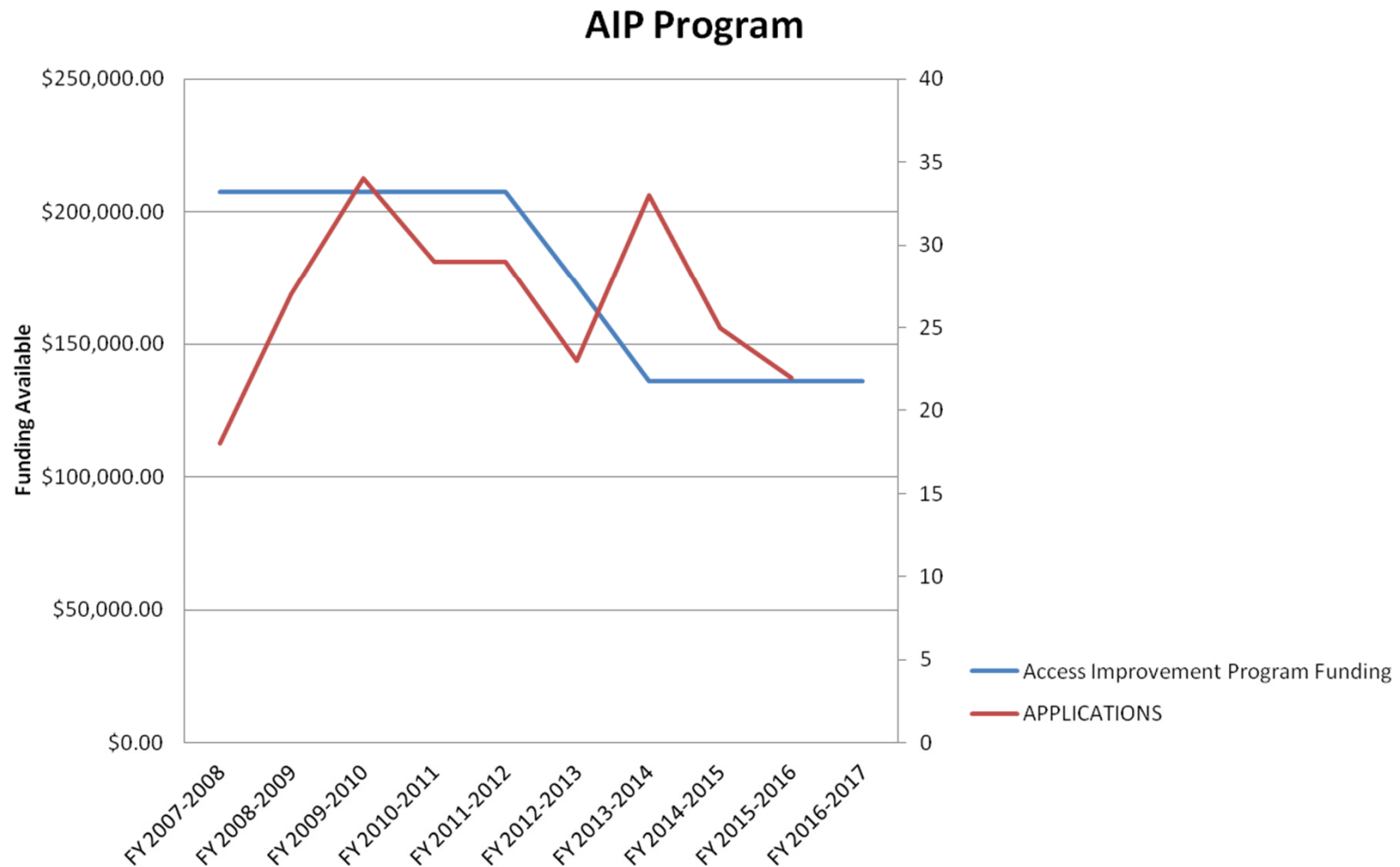
## INCOME LIMITS 2015

**2015 Income Limits**  
**City of Oakland Housing and Community Development Department**  
**Effective Date: HOME Income Limit - March 25, 2015; Home Rent Limits- March 1, 2015;**  
**Sec 8 FMRs - January 12, 2015; TCAC March 6, 2015; State April 15, 2015**

<b>INCOME LIMITS, ADJUSTED FOR HOUSEHOLD SIZE</b>								
<b>INCOME LEVEL</b>	<b>One Person</b>	<b>Two Person</b>	<b>Three Person</b>	<b>Four Person</b>	<b>Five Person</b>	<b>Six Person</b>	<b>Seven Person</b>	<b>Eight Person</b>
25% AMI	\$16,300	\$18,600	\$20,950	\$23,250	\$25,100	\$26,950	\$28,800	\$30,700
<b>30% of Area Median Income (Extremely Low Income)</b>	<b>\$19,500</b>	<b>\$22,300</b>	<b>\$25,100</b>	<b>\$27,850</b>	<b>\$30,100</b>	<b>\$32,350</b>	<b>\$34,550</b>	<b>\$36,800</b>
35% AMI	\$22,770	\$26,030	\$29,290	\$32,500	\$35,130	\$37,740	\$40,320	\$42,940
40% AMI	\$26,030	\$29,750	\$33,480	\$37,150	\$40,150	\$43,130	\$46,080	\$49,080
45% AMI	\$29,290	\$33,480	\$37,670	\$41,800	\$45,180	\$48,520	\$51,840	\$55,220
<b>50% of Area Median Income (CDBG Low Income) (Very Low Income)</b>	<b>\$32,550</b>	<b>\$37,200</b>	<b>\$41,850</b>	<b>\$46,450</b>	<b>\$50,200</b>	<b>\$53,900</b>	<b>\$57,600</b>	<b>\$61,350</b>
<b>60% of Area Median Income</b>	<b>\$39,060</b>	<b>\$44,640</b>	<b>\$50,220</b>	<b>\$55,740</b>	<b>\$60,240</b>	<b>\$64,680</b>	<b>\$69,120</b>	<b>\$73,620</b>
65% AMI	\$41,835	\$47,805	\$53,780	\$59,705	\$64,520	\$69,285	\$74,040	\$78,855
70% AMI	\$44,610	\$50,970	\$57,340	\$63,670	\$68,800	\$73,890	\$78,960	\$84,090
75% AMI	\$47,380	\$54,135	\$60,895	\$67,635	\$73,075	\$78,495	\$83,880	\$89,320
<b>80% of Area Median Income (CDBG Moderate) (Low Income)</b>	<b>\$50,150</b>	<b>\$57,300</b>	<b>\$64,450</b>	<b>\$71,600</b>	<b>\$77,350</b>	<b>\$83,100</b>	<b>\$88,800</b>	<b>\$94,550</b>
<b>100% of Area Median Income (Median Income)</b>	<b>\$65,450</b>	<b>\$74,800</b>	<b>\$84,150</b>	<b>\$93,500</b>	<b>\$101,000</b>	<b>\$108,450</b>	<b>\$115,950</b>	<b>\$123,400</b>
<b>120% of Area Median Income</b>	<b>\$ 78,050</b>	<b>\$ 89,200</b>	<b>\$100,350</b>	<b>\$111,500</b>	<b>\$120,400</b>	<b>\$129,300</b>	<b>\$138,250</b>	<b>\$147,150</b>
<b>150% of Area Median Income</b>	<b>\$98,180</b>	<b>\$112,200</b>	<b>\$126,230</b>	<b>\$140,250</b>	<b>\$151,500</b>	<b>\$162,680</b>	<b>\$173,930</b>	<b>\$185,100</b>

# HOUSING REHABILITATION

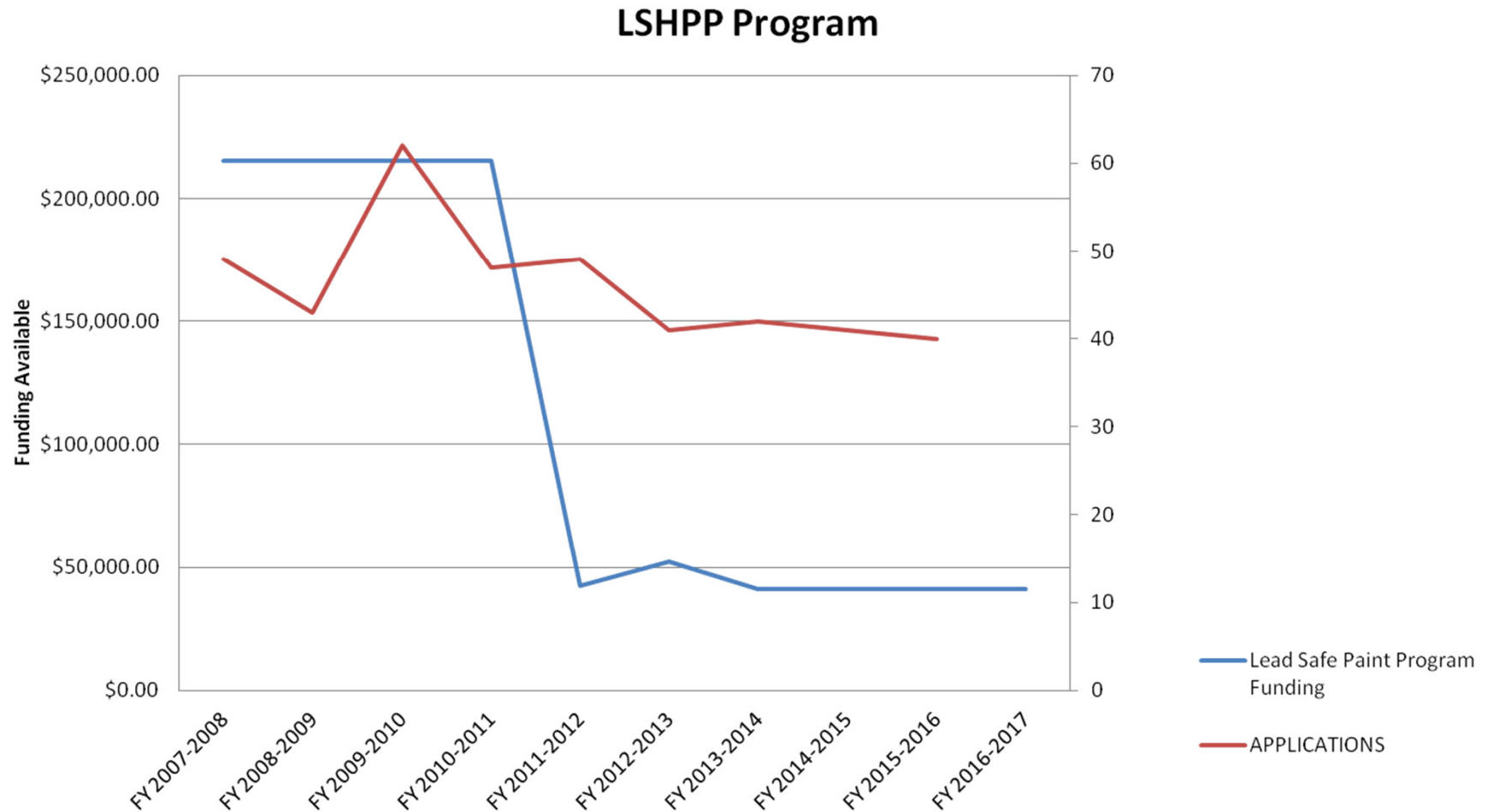
## Historical Overview Funding and Applications





# HOUSING REHABILITATION

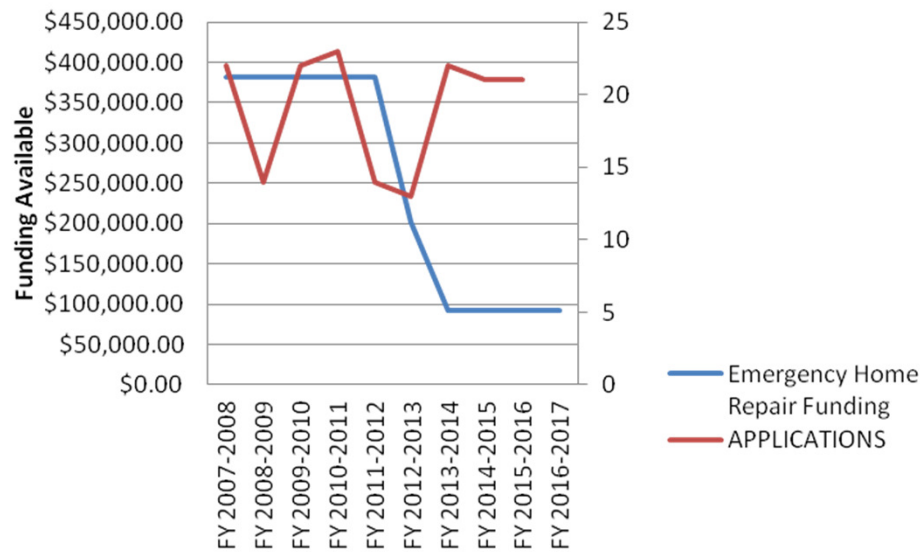
## Historical Overview Funding and Applications



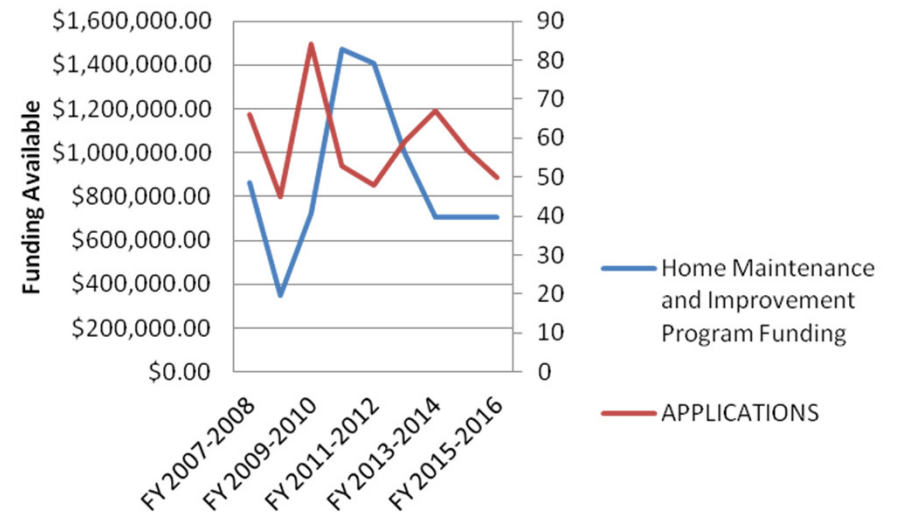
# HOUSING REHABILITATION

## Historical Overview Funding and Applications

### EHRP Program



### HMIP Program



# HOUSING REHABILITATION

## REHAB PROGRAMS TODAY

	Funds available as of 6/14/16		Needed-ALL (Active/Pipeline/non RA assignment)		Shortfall ALL	Projection with Interest List Projects	
AIP	\$24,445.00		\$398,007.00		-\$373,562.00	-\$216,000.00	-\$589,562.00
EHRP	\$46,754.00		\$186,520.00		-\$139,766.00	-\$180,000.00	-\$319,766.00
LSHPP	\$28,148.00		\$319,981.00		-\$291,833.00	-\$435,000.00	-\$726,833.00
HMIP	\$44,620.00		\$4,222,259.00		-\$4,177,639.00	-\$2,550,000.00	-\$6,727,639.00
MHRP							
WERP	\$35,233		See HMIP				
	\$179,200.00		\$5,126,767.00		-\$4,947,567.00	-\$3,381,000.00	-\$8,328,567.00
Residential Lending Projected 2016-2017 Funding (ALL PROJECTS)						Projection with Interest List Projects	
	Projected 2016-17 allocation (BUDGET)	Projected Con Plan Allocations (adjustment to Budget)	Difference between approved Budget and con Plan Budget	Needed-ALL (Pipeline/ No Rehab Assignment)	Shortfall ALL	Interest List Totals	Total
AIP	\$136,099.00	\$172,374.00	\$36,275.00	\$381,000.00	-\$208,626.00	-\$216,000.00	-\$424,626.00
EHRP	\$92,832.00	\$117,574.00	\$24,742.00	\$165,000.00	-\$47,426.00	-\$180,000.00	-\$227,426.00
LSHPP	\$41,196.00	\$178,691.00	\$137,495.00	\$300,000.00	-\$121,309.00	-\$435,000.00	-\$556,309.00
HMIP	\$706,977.00	\$769,746.00	\$62,769.00	\$3,760,540.00	-\$2,990,794.00	-\$2,700,000.00	-\$5,690,794.00
MHRP							
WERP	See HMIP		See HMIP				
	\$977,104.00			\$4,606,540.00	-\$3,629,436.00	-\$3,531,000.00	-\$7,160,436.00



# HOUSING REHABILITATION

## REHAB PROGRAMS TODAY

Number of possible projects on Interest List as of :		6/14/2016	75	Estimate Amount	
Number of possible HMIP/WERP projects on Interest List as of :		6/14/2016	36	\$2,700,000	
Number of possible LSHPP projects on Interest List as of :		6/14/2016	29	\$435,000	
Number of possible AIP projects on Interest List as of :		6/14/2016	9	\$216,000	\$135,000
Number of possible EHRP projects on Interest List as of :		6/14/2016	12	\$180,000	
Number of constituents assisted with AIP in FY 15-16 as of 5/3/16:			10		
AIP Grant funds spent to 5/3/16*:			\$154,035		
Number of constituents assisted with AIP in FY 14-15			13		
AIP Grant funds spent FY14-15			\$285,672		
Average number of applications received in a fiscal year :			206.5		
Average number of AIP applications received in a fiscal year :			27.5		
Average number of EHRP applications received in a fiscal year :			22.5		
Average number of LSHPP applications received in a fiscal year :			41.5		
Average number of HMIP applications received in a fiscal year :			61		
Average number of WERP applications received in a fiscal year :			54		

# HOUSING REHABILITATION

## REHAB PROGRAMS TODAY

What has impacted our ability to continue historical levels of lending and service:

- Loss of Redevelopment
- CDBG Funding allocations reduction
- CDBG used by other departments post dissolution of Redevelopment
- Reduced Loan repayments

Other cities in California have either folded their Rehab Programs or reduced the funding and scope of programs post dissolution of Redevelopment.  
(Richmond, San Jose, Hayward, Concord, East Palo Alto, Los Angeles)

# HOUSING REHABILITATION

## REHAB PROGRAMS TODAY

What are we doing internally to continue to provide lending and service:

- Actively looking at other potential sources of funding (Private and Public)
- Consider requesting General Fund funding
- Introducing other income generating programs (Affordable Housing Development, Short-term Rehab loans, Amortized Loans)
- Infrastructure Bond (?)
- Prioritizing projects based on Health and Safety
- Consider reduction in grant amount/eliminating grants

# HOUSING REHABILITATION

## REHAB PROGRAMS

### **-QUESTIONS?**

Residential Lending Services

250 Frank H Ogawa Plaza Suite 5313

94612

510-238-3909

TDD: 510-238-3254

E-mail: [residentiallending@oaklandnet.com](mailto:residentiallending@oaklandnet.com)

From: [Derryck, Erica](#)

Subject: FOR IMMEDIATE RELEASE: Mayor Libby Schaaf Launches Oakland's Department of

Date: Wednesday, June 08, 2016 1:12:40 PM

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Media Contact:

Erica Terry Derryck  
(510) 238-7072  
[ederryck@oaklandnet.com](mailto:ederryck@oaklandnet.com)

## News from: Office of the Mayor Libby Schaaf

### MEDIA ADVISORY

June 8, 2016

### MAYOR LIBBY SCHAAF LAUNCHES OAKLAND'S FIRST DEPARTMENT OF TRANSPORTATION

NOTED PLANNER JEFF TUMLIN NAMED INTERIM HEAD OF  
NEW DEPARTMENT DURING TRANSITION

Oakland, CA — Today, Oakland Mayor Libby Schaaf announced the establishment of the City of Oakland's first Department of Transportation (DOT). This is a key milestone in the administration goal to more equitably bring greater safety and accessibility to Oakland's streets for the benefit of all city residents. The announcement followed a presentation to the City Council yesterday outlining the new department structure, which will include some responsibilities formerly held by Oakland Public Works, such as road design, resurfacing and maintenance. The DOT will have a strong planning focus on sustainable strategies that can bring needed change quickly to city streets. The two departments will be staffed by current employees.

"A better Oakland starts with better streets today, in every part of our city," said Mayor Schaaf. "We need a world-class transportation department to take a fresh look at our streets, and provide Oakland residents with safer, healthier and more accessible ways to get around, to and from work and school. Equitably enhancing our streets and adding to the array of viable transportation options in Oakland increases the vibrancy of our urban community."

Mayor Schaaf also announced that the transition to the new department will be led by Jeff Tumlin, a transportation consultant and Principal and Director of Strategy with Nelson/Nygaard, an internationally recognized planning firm that focuses on mobility, accessibility and sustainability. Tumlin is renowned for helping build consensus-based projects and will manage the creation of the DOT until a director is appointed at a later date.

"Jeff gets Oakland and understands how to get things done, and I know that our hard-working staff who will be moving to the new department, as well as our city residents and business people, will

benefit from his years of experience in building safer, more vibrant, and more equitable communities,” said Mayor Schaaf.

Mayor Schaaf formed the DOT to help carry out her vision of investing more in Oakland’s infrastructure to support quality of life in the city by creating more vibrant community spaces, and to achieve three key city goals:

1. Economic: To increase the capacity of the City to attract funds, carry out projects and accelerate street and infrastructure maintenance, provide new mobility alternatives, and reduce traffic congestion.
2. Environmental: To leverage the accelerated repair of our streets to make them “complete streets” that increase pedestrian safety and support the needs of drivers, transit riders and bicyclists alike. Improving all types of transportation reduces air pollution and Oakland’s asthma rate, and is critical to our fight against global warming.
3. Social Equity: The DOT will expand Oakland’s capacity to work more actively to bring local transit agencies, private mobility companies, and communities together to ensure that equity considerations are included within all forms of mobility including bike sharing and car sharing. By using better data in decision-making, including socioeconomic information, alongside more conventional safety and traffic data, the City can improve outcomes for all community members.

“This is such an exciting time for transportation in Oakland – our new Department of Transportation is forming just as AC Transit breaks ground on the bus-rapid-transit line connecting downtown Oakland with East Oakland and downtown San Leandro, as bike sharing gets ready to launch, and as the City develops our bond proposal to fund long-deferred infrastructure investments and fight against displacement with affordable housing,” said Mayor Schaaf.

# # #

**City of Oakland  
Mayor's Commission on Persons with Disabilities  
Committee Action Request Form**

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**1. Name of Committee:**

**2. Brief Description of Issue:**

**3. Action Requested:**

**4. Justification for MCPD Action:**

**5. Aligns with the Following MCPD Principles:**

**Considers Impacts Across Disabilities**

**Supports Community Integration**

**Affects All Ages**

**Locally Focused**

**Strategic Communication**

**6. Responsible Commissioner(s):**

**7. Action Required By (date):**

**Committee Chair Signature**

**Committee Chair Name (Print)**

*To be included on the agenda for a selected MCPD meeting, this form must be submitted to the MCPD Chair no later than 5 business days prior to the MCPD meeting date.*

**Exhibit A5**

Full meetings of the MCPD are scheduled at least bimonthly (every other month) on the 3rd Monday from 5:30 to 7:30 p.m. in City Hall, Hearing Room 4, except as indicated below:

<b>DATE</b>	<b>TIME</b>	<b>LOCATION</b>	<b>MEETING TYPE</b>
June 20, 2016	5:30 - 7:30 p.m.	City Hall Hearing Room 4	Regular
August 15, 2016	*5:00 - 7:30 p.m.	City Hall Hearing Room 3	*Special
*September 19, 2016	**4:30 - 7:30 p.m.	City Hall Hearing Room 4	**Special-Annual Staff Report Retreat
October 17, 2016	*5:00 - 7:30 p.m.	City Hall Hearing Room 4	*Special-Annual Planning Retreat
November 21, 2016	5:30 - 7:30 p.m.	City Hall Hearing Room 4	Regular

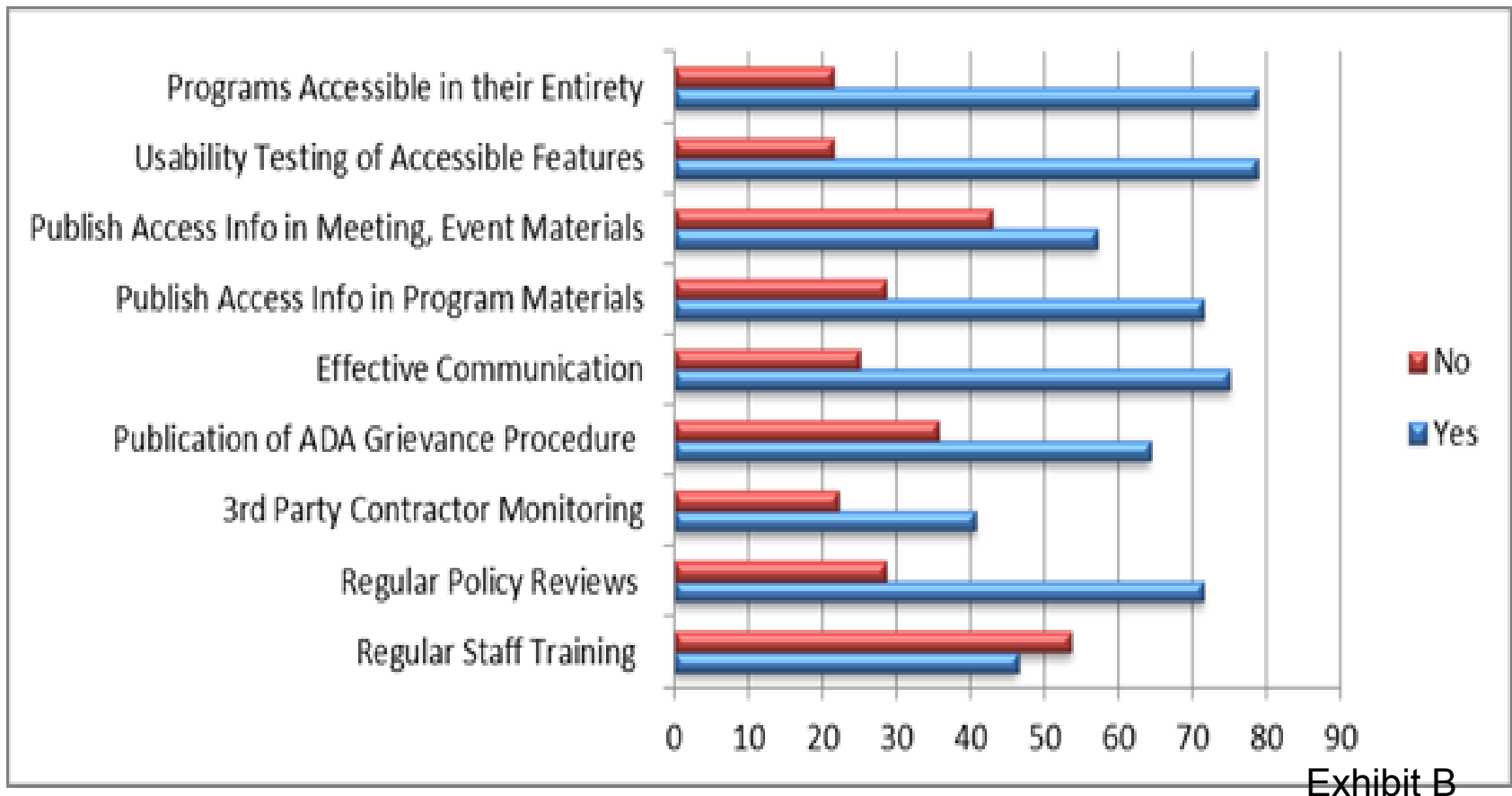
\*Due to 30 minute early start

\*\*Due to 60 minute early start



# Programmatic Self-Evaluation Findings

Summary of DAC responses indicating possible ADA noncompliance in over 20% of departments/programs (by percentage)



# Programmatic Self-Evaluation Findings

Summary of  
Community  
Survey responses  
regarding the  
quality of  
experiences of  
persons with  
disabilities  
accessing City  
programs,  
activities, and  
services



Exhibit B

# Programmatic Self-Evaluation Findings

Community members' knowledge of the City's ADA Grievance Procedure

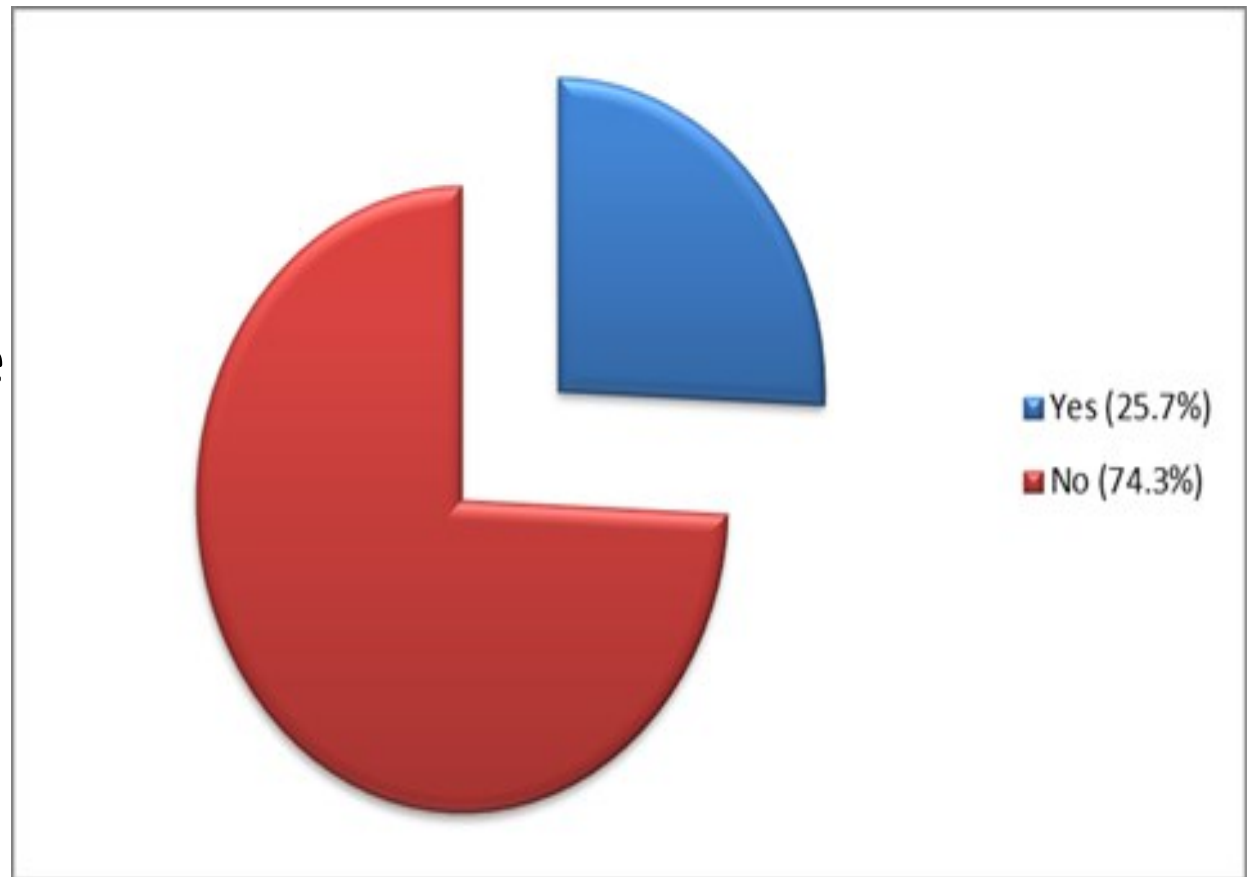


Exhibit B

# Programmatic Self-Evaluation Action Items

Requirement	Reference	Deficiency	Action
<b>Notice of ADA rights and compliance</b>	28 C.F.R. §35.106; AI 123	No posting of notice of ADA rights and compliance	Create and post on City website and at public locations notice of ADA rights and compliance
<b>Grievance procedure</b>	28 C.F.R. §35.107(b); AI 123	Lack of knowledge regarding grievance procedure among staff and public	Place information on grievance procedure on departmental webpages and at program sites

# Programmatic Self-Evaluation Action Items

No discrimination through contract	28 C.F.R. §35.130; AI 123	Lack of monitoring of 3 <sup>rd</sup> party contractors and sites	Provide contractor training regarding contractors' ADA obligations and available resources; disseminate AI 123, grievance procedure, and information for providing auxiliary aids and services at 3 <sup>rd</sup> party sites; develop improved oversight practices
Maintenance of accessible features/equipment	28 C.F.R. §35.133; AI 123	Lack of regular schedule or systems for monitoring usability of accessible features used in programs by persons with disabilities	DACs to receive support from ADA Programs Division in establishing maintenance checklists and other means for regularly assessing usability of features and equipment relied upon by individuals with disabilities to access City programs

# Programmatic Self-Evaluation Action Items

Programs must be accessible in their entirety	28 C.F.R. §35.150; AI 123	Need for updated information regarding accessibility of programs in older buildings and 3rd party program sites; need to assess distribution of accessible parks and recreation programs; no program for improving accessibility at program sites heavily used by individuals with disabilities; no program for improving public rights of way in residential areas with high concentrations of persons with disabilities; need to improve coordination of transportation projects and related decision making with persons with disabilities; need to assess adequacy of programming for transition-age youth and young adults with disabilities; need for improved response time to requests for disability-related services	ADA Programs Division to work with responsible departments to conduct the necessary analyses to assist in developing new programming, policy, or procedural changes as appropriate. Physical access barriers and improvements identified as part of these analyses will be included in the updated Buildings & Facilities or Transportation Transition Plans or other ADA Capital Improvement Program programming.
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# Programmatic Self-Evaluation Action Items

Auxiliary aids and services	28 C.F.R. §35.160(b)(1); AI 123	Inconsistent or nonexistent information regarding the availability of auxiliary aids and services or how to obtain other accessibility information for meetings, special events, and regular programs, activities and services; inconsistent information regarding TDD contact options	ADA Programs Division to work with communications staff to create and distribute language options for various types of communications regarding the availability of auxiliary aids and services, venue accessibility information, and how to obtain additional assistance with disability related accommodations, including TDD contact options wherever phone numbers are listed
Designation of at least one ADA Coordinator	28 C.F.R. §35.107(a); AI 123	Lack of a coordinated DAC Network, definition of duties, and staff support	Formally re-establish the DAC Network, DAC qualifications, and provide regular training, resources and other supports, and explore what incentives may be made available to staff who serve as a DAC; fully staff the ADA Programs Division to enable it to provide physical access oversight (regular participation in design development and plan reviews, post-construction inspections, etc.)

# Programmatic Self-Evaluation Action Items

Community Engagement	Ordinance No. 13334 C.M.S.	Need for greater participation of persons with disabilities on or with City boards and commissions, including the Mayor's Commission on Persons with Disabilities (MCPD), and in the development and provision of staff training, especially with respect to first responders	ADA Programs Division, as staff to the MCPD, to support it in the development and implementation of any strategies for increasing disability community participation in civic life and in its advisory role over City programs, activities, and services, including those provided by the Police and Fire Departments
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# Policy Refresh



City of Oakland, California

**Americans with Disabilities Act Title II**

**Citywide Self-Evaluation Update Report**

ADA Programs Division

Oakland Public Works Department

Bureau of Engineering and Construction

Prepared by

Bruckner Consultants LLC

July 2016

City of Oakland, California

**Americans with Disabilities Act Title II**

**Citywide Self-Evaluation Update Report**

This report was commissioned by the ADA Programs Division in 2015 as a result of Council direction to update the City of Oakland's Title II Americans with Disabilities Act Self-Evaluation and Transition Plans.

The City of Oakland ADA Self-Evaluation and Transition Plan Update 2015-2016 Project Team consisted of:

City of Oakland ADA Programs Division

- Christine Calabrese, ADA Programs Division Manager, Project Lead, and Transition Plan Update Team Lead
- Sherri Rita, ADA Programmatic Access Coordinator, Project Coordinator, and Self-Evaluation Update Team Lead

Michael Baker International

- Nick Hutton, Transition Plan Update Team Member

Bruckner Consultants, LLC

- Victoria Bruckner, Self-Evaluation Update Team Member
- William Bruckner, Self-Evaluation Update Team Member

Special thanks to the City Administrator, Department Heads, Departmental Access Coordinators, and members of the public who participated in ADA Self-Evaluation Update surveys, interviews and meetings, and who without their participation and support this report would not have been possible.

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## **City of Oakland**

### **ADA Title II Citywide Self-Evaluation Update Report**

#### **EXECUTIVE SUMMARY**

##### **INTRODUCTION**

Pursuant to the requirements of Title II of the Americans with Disabilities Act (ADA), in 1995 the City of Oakland conducted an ADA self-evaluation of its programs, activities and services to ensure that, when viewed in their entirety, these services, programs, and activities were readily accessible to and usable by individuals with disabilities. 28 C.F.R. Sections 35.105, 35.149-35.151.

At the same time, the City developed a Transition Plan which identified physical obstacles that limit program accessibility, described the methods to be used to achieve program accessibility, and set out a schedule for making the structural changes that were needed at that time. 28 C.F.R. Section 35.150(d).

It has been 20 years since Oakland's original ADA Title II Self-Evaluation and Transition Plan were completed. Over the past two decades, many changes have taken place in City of Oakland government programs, buildings and facilities. Also, in 2010, the US Department of Justice issued new regulations and guidelines for ADA compliance. Furthermore, the U.S. Department of Justice urges state or local governments to regularly update their evaluations of programs, policies and practices, and their plans for removing physical access barriers. Accordingly, the ADA Programs Division of the City of Oakland's Public Works Department has undertaken this citywide ADA self-evaluation update project.

##### **PROJECT SCOPE**

Bruckner Consultants LLC was retained by Michael Baker International, the firm hired by the City for this project, "to support the ADA Programs Division to review the ADA / 504 ADA Self-Evaluation (SE) completed in the 1990s and current ADA policies, practices and procedures; to establish the current programs, activities and services and the ADA roles and responsibilities for each City department (discipline); to identify gaps in citywide and departmental ADA compliance

policies, practices and procedures; and to provide technical assistance and training to existing and newly-identified departmental access coordinators..."<sup>1</sup>

The scope/scale of this Self-Evaluation Update included reviewing the City's ADA related policies, practices and procedures, reviewing a broad selection of departmental materials, surveying and interviewing City staff, and receiving feedback from Oakland residents with disabilities and other interested persons in the community. Specifics of the Self-Evaluation effort are further discussed in the Methodology Section of this report.

This is a programmatic Self-Evaluation and a separate complementary assessment of the City's physical access compliance program is underway. This report also does not contain an assessment of the City's employment policies and practices. This aspect of ADA compliance is the responsibility of the City's Human Resources Management Division, and is therefore outside the scope of the project.

## **OVERVIEW OF ADA TITLE II REQUIREMENTS**

Title II of the ADA protects "qualified individuals with disabilities from discrimination on the basis of disability in the services, programs, or activities of all state and local governments," regardless of the government entity's size or receipt of funding.<sup>2</sup>

The requirements of Title II fall into four broad areas:

- general nondiscrimination requirements
- equally effective communication
- program accessibility
- employment

In addition, the ADA requires public entities to designate at least one employee to coordinate ADA compliance; develop an ADA grievance procedure; provide

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<sup>1</sup> *Exhibit A - Scope of Services, City of Oakland Professional or Specialized Service Agreement*

<sup>2</sup> *ADA Title II Technical Assistance Manual II-1.0000*



notice of ADA requirements to the public; develop a transition plan if structural changes are necessary for achieving program accessibility; and conduct a self-evaluation. 28 C.F.R. Sections 35.105-35.107; 35.150.

## **METHODOLOGY OF THE SELF-EVALUATION REPORT**

Bruckner Consultants LLC worked in close coordination with ADA Programs Division staff: Christine Calabrese, Division Manager and the City's ADA Coordinator, and Sherri Rita, ADA Programmatic Access Coordinator, to identify the steps necessary for completing Oakland's self-evaluation update assessment.

The ADA Programs Division is responsible to coordinate citywide compliance with ADA Title II and related state and federal disability access regulations (excluding employment). Under the supervision of the City Administrator's Office (CAO), the citywide responsibilities of ADA compliance are shared by the Division and each City Department offering programs, services or activities to the public (external services). To facilitate carrying out this shared responsibility, the Division in concert with the CAO has formulated a network of Departmental Access Coordinators (DACs). Each DAC serves as the point of contact between the ADA Programs Division, staff of the Department, and members of the public, and each DAC is actively involved in City ADA compliance.

In addition to a careful review of all of the City of Oakland's ADA related policies, practices and procedures, there were three additional elements involved in this ADA self-evaluation update process: surveying selected DACs about departmental access compliance programs, activities and services; reviewing departmental materials; and receiving feedback from Oakland residents with disabilities, their family members, and representatives of local agencies that serve people with disabilities about their experiences accessing and participating in City programs, services and activities.

Steps involved in the process of surveying Departmental staff were as follows:

- Developing a 55-question online survey for City of Oakland Departmental Access Coordinators (DACs);

- Providing two training sessions to selected DACs, orienting them as to how to complete the survey, and reviewing the City's access policies and ADA compliance responsibilities;
- Distributing the online staff survey, and reviewing survey responses from DACs and other City staff; and
- In some cases, conducting follow-up telephone interviews and distributing and reviewing follow-up questionnaires.

In all, 39 City of Oakland staff gave valuable information in surveys and interviews.

Departmental materials distributed to the public that were reviewed included program brochures and application forms posted on City of Oakland Departmental web pages, special event and public meeting announcements (including, but not limited to, announcements of City Council meetings), the City of Oakland's access policy, special event policy, and ADA grievance procedure, and a selection of other materials that City Departments provide to the public.

Feedback from Oakland residents with disabilities about their experiences accessing and participating in Departmental programs, services and activities was gathered via a print and online community survey that was offered in three languages: English, Spanish and Chinese.

The announcement and distribution of the community survey took place at seven public meetings held in a range of Oakland neighborhoods and at disability and senior service facilities and was presented in multiple language formats to most effectively engage residents with disabilities.

Additional feedback was obtained through community comments given in the course of the public meeting held at City Hall, which featured the participation of four members of the Mayor's Commission on Persons with Disabilities.

## **SUMMARY OF FINDINGS**

### ***Citywide ADA Policies and Procedures***

Bruckner Consultants LLC reviewed the City of Oakland's ADA policies, procedures and forms, including the Citywide Access Policy (AI 123), which is incorporated into this report by reference. All of these appeared to be in compliance with ADA Title II requirements.

However, at the time of the review, no notification statement of the City of Oakland's compliance with the Americans with Disabilities Act, as required by Title II, was found. The consultants supplied draft language for a City of Oakland notification statement, which was promptly posted on the ADA Programs Division's website as of May 19, 2016.

It was often difficult, or even in some cases impossible, to locate or download policies, procedures, forms and notification language on both City of Oakland and Departmental web pages. Appropriate meeting notification language was found on some web pages for the Office of the City Clerk, and for some, but not all, City Departments.

### ***General Prohibitions Against Discrimination***

Department DACs seemed well informed about nearly all of the ADA's general non-discrimination requirements. They consistently recognized that their Department's programs, activities and services were not to have exclusionary eligibility criteria, and that they are required to make reasonable modifications to program, activity and service policies, practices and procedures in order to afford equal opportunity for Oakland residents with disabilities to participate in them. They consistently stated they do not impose surcharges on individuals with disabilities to cover the cost of modifications or disability accommodations.

Department DACs stated that they took steps to not retaliate against those exercising their rights under the ADA or filing a complaint of alleged disability discrimination. They stated that they did not discriminate on the basis of anyone's known association with a person with a disability. Departments appeared to be inconsistent with respect to providing notice to the public about the ADA's

requirements and in informing the public about the City's access policy and ADA grievance procedure.

Departments that contract with third parties to provide programs, activities and services appear to routinely include the City's Contract Schedules C1 or C2, which provide a mechanism for outside agencies to acknowledge their obligations under the ADA and under the City's special events policy, in their cooperative agreements and contracts. However, only about 40% of Department DACs stated that their Departments take other actions (such as site visits, for example) to ensure that their third party contractors will not discriminate against program participants on the basis of disability. 28 C.F.R. Section 35.130(b).

### ***Communications Access***

The City Clerk's Office and KTOP indicated that they have been consistent in their provision of appropriate auxiliary aids and services at City Council and Commission meetings, and in City broadcasts. However, only 75% of other Departments stated that they take the necessary steps to afford equally effective communication to individuals with disabilities, and only 75% of Departments stated that they provided auxiliary aids and services to a person with a disability when they were needed for effective communication.

Department DACs seemed generally unfamiliar with the wide range of auxiliary aids and services that individuals with hearing, vision or speech disabilities might ask for. A few survey respondents confused other language translation with sign language interpreting. Typically, DACs appeared to be aware of using sign language interpreters or writing notes in order to communicate with someone who is Deaf, but had little knowledge of other auxiliary aids and services that might be needed or requested. Illustrative comments from the staff survey included, "would like to increase our awareness," "had no such equipment," and "could use improvement."

Many Departments indicated that they do not consistently include notice of the availability of auxiliary aids and services in their brochures, on their web pages, in their published or broadcast information, or in their special event or meeting notices.

Conversely, nearly 86% of Departments completing the survey indicated that people using the telecommunications relay service could communicate with their Department as effectively as others could.

### ***Program Accessibility***

Programmatic methods for ensuring the accessibility of programs, activities and services include consistently selecting accessible sites for the delivery of services, and for the offering of programs, activities, meetings and special events.

About 78% of staff survey respondents reported that their Departments actively work to ensure that each of their programs, activities and services, when viewed in its entirety, is accessible. About 82% of respondents indicated that their Departments only select locations for their programs, activities and services that offer, at minimum, an accessible entrance, an accessible path of travel from this entrance to the part of the building where principal program activities take place, accessible toilet facilities, and accessible parking. And, about 89% of staff respondents said that their Departments only select locations for their special events that provide, at minimum, all of the above accessibility features.

When Departments operate historic preservation programs, they must give priority to methods that provide access to all program areas to individuals with mobility disabilities. About 14% of the survey respondents reported that their Departments did operate these programs, and indicated that their Departments provided access for persons with disabilities participating in them. About 4% of respondents said that they needed to follow up at some program sites.

Maintenance of accessible features, such as elevators, wheelchair lifts, visible alarms, and assistive listening devices and systems, is critical to affording accessibility at program, activity, service and special event sites. About 78% of survey respondents reported that their Departments periodically test the usability of all features and equipment used in their programs, activities and services by participants with disabilities.

However, no survey respondents could explain the means by which this equipment is checked, or provide the schedules for regularly checking the usability of equipment and features. A few survey comments indicated that

some respondents were aware of the need for more frequent checking of the usability of accessible equipment and features.

All DACs stated that their Departments avoided carrying people with mobility disabilities as an alternative to making structural modifications to afford accessibility. About 82% of survey respondents said that their Departments do not use back doors or service elevators to provide access to individuals with disabilities.

Only about 71% of DACs indicated that their Departments have emergency evacuation procedures that take the specific needs of people with disabilities into account. A few respondents indicated that their Departments had general evacuation procedures that applied to everyone.

### ***ADA Related Community Input***

There were 72 respondents to the community online survey, and an additional two hand written responses. The City services most used by the respondents (those with at least 5 or more responses each) were libraries, senior programs, recreation, police services, public works services, paying a parking ticket, and meetings or special events.

About 95% of the survey respondents rated their experiences with accessing City services on a scale from "excellent" to "poor."

- Almost 38% (26 individuals) rated their experiences as "very good" or "excellent."
- About 40% (29 individuals) rated their experiences as "okay."
- About 22% (15 individuals) rated their experiences as "poor."

Frequently cited problems included uneven or broken sidewalks and missing or broken curb ramps; a perceived lack of on-street disabled parking spaces throughout the City; the potential removal of a frequently used bus stop without community input; the unavailability of accessible affordable housing; long waits for elevator repair at two Oakland Public Library branches; delays experienced with services such as paratransit, trash pick-up assistance, or residential disabled parking zone installation; difficulties accessing needed information via the City's

website; misunderstanding the needs of persons with hidden disabilities; and failure to accommodate persons with mental health conditions.

Also mentioned was the perceived inequitable geographical distribution of accessible recreation programs; the desire for more recreation and employment programs for young adults with autism and intellectual disabilities; and the need to improve staff interactions with individuals with intellectual disabilities and disabilities affecting speech, especially with respect to police interactions.

In listing the barriers to access that they encountered, four individuals mentioned not receiving assistance with filling out forms, five people noted that a service or program was in an inaccessible location, and four people said they did not know how to request auxiliary aids and services in advance of attending or participating in a program.

Two people were unable to obtain information or take part in City services online because the website content or forms were inaccessible. One person said they had no access to forms or other services for the visually impaired. Another person commented on the lack of a "hearing device," and one mentioned that the service counter was too high or too cluttered. One person said they were excluded from a service, program or activity because of a service animal. There were several comments asserting the need for better staff customer service skills when serving Oakland residents with disabilities.

Additionally, about 74% of respondents (52 individuals) indicated that they did not know about the City's ADA Grievance Procedure. Of five individuals who used the grievance procedure, one was able to resolve the complaint, two were able to partially resolve their complaints, and two were unable to achieve complaint resolution.

Issues raised in comments provided at the City Hall public meeting included the need for audible traffic signals and improved safety when crossing the street in neighborhoods where large numbers of people with disabilities and seniors reside; the need for recreation and social programs for transition age youth and young adults with disabilities; and the need for more police training regarding interacting appropriately in crisis situations with persons who have autism and other disabilities that affect communication.



## **CONCLUSIONS AND RECOMMENDATIONS SUMMARY**

### **Conclusions**

The City of Oakland is to be commended for utilizing a proactive, rather than a reactive approach in its ADA Title II compliance efforts. This approach is in stark contrast to the responses of many public entities that have removed structural, communication and programmatic barriers to access primarily as a result of litigation. As but one example of this proactive approach, the ADA Programs Division is currently working to upgrade Departmental capacity to afford effective communication to Oakland residents with disabilities by implementing on demand Video Remote Interpreting (VRI) technology to supplement in-person interpreting services for persons who are Deaf or hard of hearing.

Since 1990, under the leadership of the ADA Programs Division, the City has developed and implemented ADA policies and procedures for all City programs, activities and services, except those concerning Title I, employment, requirements. The Division has actively worked to "support the Mayor's and City Council's social equity, sustainability and liability reduction goals" by providing programs that assist persons with disabilities to thrive in their community.<sup>3</sup> To this end, the ADA Programs Division works to cultivate and support a committed network of Departmental Access Coordinators (DACs) who provide leadership for ADA implementation within each City Department.

This DAC structure facilitates prompt dissemination of ADA compliance information and resources to staff of all City Departments providing external services, and gives members of the public a knowledgeable staff member to contact regarding questions they may have about accessing Departmental services, programs and activities. Some other large cities, including the City of San Francisco, now also utilize this approach.

As the entity charged with coordinating the City's ADA Title II compliance efforts, the ADA Programs Division is actively involved in bolstering the capacity of the

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<sup>3</sup> About ADA Programs Division, Mission and Goals:  
<http://www2.oaklandnet.com/Government/o/PWA/o/EC/s/ADA/DOWD000971>



DAC network. This ADA Self-Evaluation Update was, in part, conceived as a means of gathering needed information to assist the City in targeting Citywide programmatic barrier removal, and focusing on those areas where further training and resourcing of DACs may be needed.

Fully trained and resourced DACs will be able to assist external program staff in acquiring the information and skills they need to be effective agents of ADA compliance, and providers of appropriate customer service to all Oakland residents with disabilities, whether their disabilities are easily visible or hidden.

With the assistance of the ADA Programs Division and the Public Information Officer, City Departments can also work together to develop stories about disability access successes throughout the City, and use these stories as the backbone of a public information campaign that will create a more inclusive, positive flow of information to help make Oakland residents with disabilities feel fully welcomed and respected by their City.

Historically, the City of Oakland has been recognized as a national leader in promoting disability rights and providing disability access. However, during the extremely straitened economic times that followed the financial crisis of 2008, funds were short, many staff layoffs occurred, and Citywide and Departmental resources for furthering disability access and customer service were necessarily extremely limited. Nevertheless, in addition to providing critical feedback, the public has given Oakland credit for doing its best to further disability access, as the following comment from the community survey indicates:

**“This town is doing its best to comply with the laws, both state and federal. From the Mayor to the city worker on the street, all are trying to comply with the laws. The only thing holding the City and its citizens [back] is money.”**

With increasing staffing and financial resources, Oakland can proactively build the effectiveness of its ADA compliance efforts. Oakland’s disability community is highly socioeconomically, politically, racially and culturally diverse. Outreach to all segments of the disability community, maintaining full membership on the Mayor’s Commission on Persons with Disabilities, achieving full staffing of the ADA Programs Division and the DAC network, and increasing representation of

Oakland residents with disabilities on all City Boards and Commissions will all help to ensure that members of Oakland’s disability community will remain highly vocal and active stakeholders in their City’s future.

### **Recommendations**

In all, 35 specific recommended action items were derived from perceived gaps in ADA compliance revealed through the review of City print and online documents distributed to the public, staff online survey responses, staff interview data, community survey responses, and comments at community meetings.

These action items are also presented in the *City of Oakland ADA Title II Self-Evaluation Update 2016 Action Items Log*, a document presented in table format that can be used by the City to track its compliance efforts.

The recommendations have been grouped in fourteen topic areas:

- I. **Notice.** Developing and disseminating uniform language to use when notifying the public about City and Departmental ADA compliance, and informing the public about site accessibility and the availability of auxiliary aids and services when needed to ensure equally effective communication
- II. **Contracting.** Bolstering the ADA compliance of program contractors.
- III. **Coordination.** Developing clearer intradepartmental ADA compliance communication
- IV. **ADA Programs Division Staffing.** Providing increased staffing of the ADA Programs Division, so that it is able to more effectively coordinate physical and programmatic access Citywide
- V. **DAC Network.** Providing increased staffing, training, technical assistance and support to DACs
- VI. **Program Access.** Improving program accessibility at selected program sites
- VII. **Neighborhood Access.** Improving paths of travel and safety in neighborhoods having large numbers of residents with disabilities and seniors (who are more likely to have disabilities)

- VIII. **Equity.** Effecting the equitable distribution of accessible programs, services and facilities throughout the City, to ensure that all of Oakland's programs, activities and services, when viewed in their entirety, are accessible
- IX. **Youth.** Increasing access to City of Oakland programming for transition age youth and young adults with disabilities
- X. **Civic Access.** Increased disability community participation on City Boards and Commissions
- XI. **Police and Fire.** Increased transparency and disability community input into training of police and other City of Oakland first responders
- XII. **Effective Communications.** Improved communication access to non-emergency essential services
- XIII. **Residential Service Delivery.** Improved access and decreased waiting time for residential service delivery to Oakland residents with disabilities
- XIV. **Flow of accessibility information to residents.** Increased flow of positive information between the City of Oakland and its disability community

A detailed listing and explanation of each specific recommendation is contained in Part Four of this report.

#### **DATA AND RESOURCES CONTAINED IN APPENDICES TO THE REPORT**

Part Five of this report contains **15** appendices. These include: lists of DACs and other staff who participated in surveys and interviews; the agenda for training sessions provided to DACs; the online DAC and community surveys that were used in the project; the protocol used for follow-up telephone interviews; the follow-up questionnaire e-mailed to DACs; meeting site and attendance details concerning disability and Deaf community participation in the project; and a list and description of all of the Citywide ADA policies and procedures reviewed.

The ADA Programs Division's newly updated access policy (AI 123) is incorporated by reference. A sample facilities checklist concerning the maintenance of accessible features is included as a resource. Samples of language to be used in ADA compliance notification, and in print materials,

broadcasts, and online, when notifying the public about program accessibility, meetings, and special events are included as well. Guidelines to use when writing about people with disabilities are also provided. The previously mentioned *City of Oakland ADA Title II Self-Evaluation Update 2016 Action Items Log* constitutes the final appendix to this report.

## **City of Oakland**

### **ADA Title II Citywide Self-Evaluation Update Report**

#### **Introduction - Purpose and Organization of this Report**

Title II of the Americans with Disabilities Act (ADA), as amended, provides that 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. 42 U.S.C. Section 12132. This law follows in the long American civil rights tradition of protecting classes of individuals who have historically been subjected to discrimination.

Pursuant to Title II requirements, in 1995 the City of Oakland conducted an ADA self-evaluation of its programs, activities and services to ensure that, when viewed in their entirety, these services, programs, and activities were readily accessible to and usable by individuals with disabilities. 28 C.F.R. Sections 35.105, 35.149-35.151.

At the same time, the City developed a Transition Plan which identified physical obstacles that limit program accessibility, described the methods to be used to achieve program accessibility, and set out a schedule for making the structural changes that were needed at that time. 28 C.F.R. Section 35.150(d).

It has been 20 years since the original ADA Self-Evaluation was completed. Over the past two decades, many changes have taken place in the City of Oakland. Also, in 2010, the US Department of Justice issued new regulations and guidelines for ADA compliance.

The U.S. Department of Justice urges state or local governments to regularly update their evaluations of programs, policies and practices, and their plans for removing physical access barriers. Regularly updating self-evaluations and transition plans can help government entities monitor their compliance and stay on track with making changes to improve accessibility.<sup>4</sup>

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<sup>4</sup> FAQs ADA National Network

Furthermore, undertaking " a serious effort at self-assessment and consultation can diminish the threat of litigation and save resources by identifying the most efficient means of providing required access."<sup>5</sup>

The U.S. Department of Justice, the primary federal agency charged with enforcing the ADA, advances the principle that "being proactive is the best way to ensure ADA compliance.... Training staff on the ADA, conducting periodic self-evaluations of the accessibility of the public entity's policies, programs and facilities, and developing a transition plan to remove barriers are...proactive steps to ensure ADA compliance."<sup>6</sup>

Bruckner Consultants LLC was retained by Michael Baker International, the firm hired by the City for this project, "to support the ADA Programs Division to review the ADA / 504 ADA Self-Evaluation (SE) completed in the 1990s and current ADA policies, practices and procedures; to establish the current programs, activities and services and the ADA roles and responsibilities for each City department (discipline); to identify gaps in citywide and departmental ADA compliance policies, practices and procedures; and to provide technical assistance and training to existing and newly-identified departmental access coordinators..."<sup>7</sup>

This report is organized into five sections.

**Part One** is a brief summary of ADA Title II regulations and requirements.

**Part Two** discusses the tasks and activities that were completed in conducting this self-evaluation update, including the methods that were used to gather input from members of the disability and Deaf community.

**Part Three** presents a summary of the findings that resulted from conducting the self-evaluation update process.

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<sup>5</sup> Northwest ADA Center - <http://nwadacenter.org/toolkit/self-evaluation>

<sup>6</sup> *ADA Update: A Primer for State and Local Governments*, 2015

<sup>7</sup> *Exhibit A - Scope of Services*, City of Oakland Professional or Specialized Service Agreement

**Part Four** is an enumeration of recommended action items to address gaps in compliance. These recommendations were derived from perceived gaps in ADA compliance revealed through the review of City print and online documents distributed to the public, staff online survey responses, staff interview data, community online survey responses, and public comments at community meetings.

**Part Five** contains 15 appendices. These include: lists of DACs and other staff who participated in surveys and interviews; the agenda for training sessions provided to DACs; the online DAC and community surveys that were used in the project; the protocol used for follow-up telephone interviews; the follow-up questionnaire e-mailed to DACs; meeting site and attendance details concerning disability and Deaf community participation in the project; and a list and description of all of the Citywide ADA policies and procedures reviewed.

A sample facilities checklist concerning the maintenance of accessible features is included as a resource. Samples of language to be used in ADA compliance notification, and in print materials, broadcasts, and online, when notifying the public about program accessibility, meetings, and special events are included as well. Guidelines to use when writing about people with disabilities are also provided.

Finally, the *City of Oakland ADA Title II Citywide Self-Evaluation Update 2016 Action Items Log* constitutes Appendix 5.9. This document presents all of the recommended action items in a table that can be used by the City to track its compliance efforts.

This report does not contain any assessment of the City's employment policies and practices, as this aspect of ADA compliance is under the purview of the City's Human Resources Management Division, and outside the scope of the project.

Also, this report contains only a few recommendations related to the removal of structural barriers to access. The recommendations we included came from Oakland residents' comments given in the online community survey, discussed later in this report. Complete recommendations for structural barrier removal will be found, appropriately, in the updated City of Oakland ADA Transition Plan.

## Part One: Title II of the ADA and Self-Evaluation Requirements

### 1.1 The Americans with Disabilities Act (ADA)

The Americans with Disabilities Act of 1990, as amended, is a comprehensive federal law that addresses the rights of people with disabilities. The five titles of the ADA prohibit discrimination on the basis of disability in employment, state and local government, public accommodations, commercial facilities, transportation, and telecommunications.

Title II protects "qualified individuals with disabilities from discrimination on the basis of disability in the services, programs, or activities of all state and local governments," regardless of the government entity's size or receipt of funding.<sup>8</sup>

The requirements of Title II fall into four broad areas:

1. *General nondiscrimination*: discrimination on the basis of disability is prohibited, and specific areas in which antidiscrimination measures must be actively taken are enumerated.
2. *Equally effective communication*: affording equally effective to people with disabilities is required, to provide them with equal opportunity to participate in programs, services and activities. When necessary for equally effective communication, auxiliary aids and services, such as sign language interpreters, assistive listening devices, captioning, and print materials in alternative formats, must be provided.
3. *Program accessibility*: programs must be administered in such a way so that, when viewed in its entirety, each program, service or activity offered to the public is accessible to and usable by individuals with disabilities.
4. *Employment*: Discrimination on the basis of disability in all of a public entity's activities related to employment is prohibited.

As noted earlier, the City of Oakland's ADA compliance structure assigns the responsibility for meeting employment requirements to the Human Services Management Division. The current ADA Self-Evaluation Update is a project of the ADA Programs Division, and the City's ADA employment compliance is outside the scope of this project.

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<sup>8</sup> ADA Title II Technical Assistance Manual II-1.0000



In addition to the four broad areas of Title II requirements described above, the ADA requires public entities to take several administrative steps to achieve compliance. These include: designating at least one employee to coordinate ADA compliance; developing an ADA grievance procedure; providing notice of ADA requirements to the public; developing a transition plan if structural changes are necessary for achieving program accessibility; and conducting a self-evaluation. 28 C.F.R. Sections 35.105-35.107; 35.150.

## **1.2 The Purpose of the Self-Evaluation and the Self-Evaluation Update**

In 1995, the City of Oakland conducted an ADA Title II Self-Evaluation of its programs, activities and services. As mandated, the purpose of this self-evaluation was to identify and correct City policies and practices that were inconsistent with ADA requirements<sup>9</sup> and to ensure that, when viewed in their entirety, these services, programs, and activities were readily accessible to and usable by individuals with disabilities. 28 C.F.R. Sections 35.105, 35.149-35.151.

The purpose of the current ADA Title II Citywide Self-Evaluation Update project is to review the City's current ADA policies, practices and procedures; to establish the current programs, activities and services and the ADA roles and responsibilities for each City Department; to identify gaps in Citywide and Departmental ADA compliance policies, practices and procedures; to draft an ADA / 504 SE Update Report and an updated Citywide Access Policy (AI 123); and to provide technical assistance and training to existing and newly-identified Departmental Access Coordinators.

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<sup>9</sup> *ADA Title II Technical Assistance Manual II-8.2000*

## Part Two: Conducting the City of Oakland ADA Self-Evaluation Update

### 2.1 Methodology

An ADA Title II Self-Evaluation Update requires gathering information about the ways that a public entity provides services to, and interacts with, community members. Working in close cooperation with ADA Programs Division staff: Sherri Rita, the City's Programmatic Access Coordinator, and Christine Calabrese, the ADA Programs Division Manager/Citywide ADA Coordinator, the steps necessary for completing Oakland's self-evaluation update assessment were identified.

In addition to the review of Citywide Access and ADA-related policies and procedures, there are three elements involved in this self-evaluation update process: surveying Departmental staff about their experiences serving individuals with disabilities; reviewing Departmental materials provided to the public; and receiving feedback from Oakland residents with disabilities, their family members, and representatives of local agencies that serve people with disabilities.

#### 2.1.1 Reviewing Citywide ADA-Policies and Procedures

The following City of Oakland Citywide ADA policies, procedures and forms, found either on the City web pages or in print, were carefully reviewed:

- City Access Policy (Administrative Instruction 123)
- ADA Title II Grievance Procedure
- Special Event Access for People with Disabilities (Administrative Bulletin, revised 2014)
- Procedures and Forms for Requesting Auxiliary Aids and Services (ASL Interpreters, Audio, Braille and Captioning)
- City Access for People with EI/MCS (Administrative Instruction 138)
- Contract Schedule C1, *Declaration of Compliance with the Americans with Disabilities Act*, and Contract Schedule 2, *Declaration of ADA Compliance for Facility Use and Special Events Agreements*
- City Website Access Policy

- On-Street Disabled Zone Parking Policy and procedures
- Auxiliary Aids and Services Request Forms

The consultants discussed the above documents with Sherri Rita and Christine Calabrese of the ADA Programs Division. See Appendix 5.4 for a description of each of these City of Oakland ADA Policies and Procedures.

### 2.1.2 Surveying Departmental Staff

The steps involved in this survey process included the following actions.

- Developing a 55-question online survey for City of Oakland Departmental Access Coordinators (DACs) and staff, and an incorporated explanatory glossary of ADA terms and examples. See Appendix 5.1.2.
- Providing training to the Departmental Access Coordinators (DACs) to orient them as to how to complete the survey. During these training sessions, ADA Title II requirements, citywide access policies, the role of the ADA Programs Division to ensure the city's compliance with the ADA, and the role of the Departmental Access Coordinators were reviewed. In addition, staff with disabilities from the Center for Independent Living in Berkeley and Oakland, shared their experiences and insights about people with disabilities utilizing city services. Two sessions, each four hours in length, were conducted. See Appendix 5.1 for lists of training attendees for both sessions. The agendas for these training sessions are found in Appendix 5.1.1.
- Distributing the online staff survey, and reviewing responses from DACs and other City staff. See Appendix 5.1.2 for a copy of this survey. Twenty-nine people completed the staff survey. See Appendix 5.1. for a list of the survey respondents.

In some cases, conducting follow-up telephone interviews and distributing and reviewing follow-up questionnaires. See Appendix 5.1. for a list of the interviewees and questionnaire respondents, Appendix 5.1.3 for the interview protocol, and Appendix 5.1.4 for the follow-up questionnaire.

In all, a total of 39 City staff members, including Departmental Access Coordinators, Division and program managers, and other Department and program staff, provided invaluable information.

### 2.1.3 Reviewing Departmental Materials

- Online Departmental information, including Department and program descriptions, brochures and forms available from Parks and Recreation, Human Services, Economic and Workforce Development, Police, Fire, the Office of the City Clerk, and the ADA Programs Division were reviewed.
- In addition, the consultants examined a selection of other materials that Departments provide to the public, including meeting announcements and agendas, application forms, and event flyers.

### 2.1.4 Disability and Deaf Community Participation in the Process

- With input from Sherri Rita, developed a printed and online community survey consisting of 21 items, which was disseminated in English, Spanish and Chinese. See Appendix 5.2.1 for the community survey.
- Conducted 7 community forums and meetings held in a range of Oakland locations. These included City Hall, each Oakland senior center, and two sites in East Oakland. This outreach effort was undertaken to encourage the participation of people with disabilities from a variety of different ethnic, cultural, and language communities, including youth, adults and seniors who have disabilities, their families, and representatives of local agencies serving the disability community. See Appendix 5.2 for a list of community meeting dates and locations.
- As of May 31, 2016, a total of 74 community members completed print and online surveys.

## Part Three: Findings

### 3.1 Citywide ADA Policies and Procedures

All of the following Citywide ADA policies and procedures appeared to be in compliance with Title II requirements.

- City Access Policy (AI 123)
- The City of Oakland Grievance Procedure for Complaints Arising Under Title II of the ADA
- Special Event Access for People with Disabilities (Administrative Bulletin, revised 2014)
- Procedures and Forms for Requesting Auxiliary Aids and Services (ASL Interpreters, Audio, Braille and Captioning)
- City Access for People with EI/MCS (AI 138)
- Contract Schedule C-1, *Declaration of Compliance with the Americans with Disabilities Act*, and Contract Schedule C-2, *Declaration of ADA Compliance for Facility Use and Special Events Agreements*
- City Website Access Policy
- On-Street Disabled Zone Parking Policy and procedures

However, at the time this review was conducted, no notification statement of the City of Oakland's compliance with the Americans with Disabilities Act, as required by Title II, was found. The consultants provided the ADA Programs Division with sample language to use in this notice. This notification was subsequently posted on the ADA Programs Division website as of May 19, 2016.

Appropriate plans and language for updating the City's Access Policy (AI 123) to bring it into conformance with certain current City procedures and the current situation of certain programs, facilities and activities, were discussed by the consultants with Sherri Rita and Christine Calabrese of the ADA Programs Division. The revised AI 123 is incorporated into this report by reference.

It was often difficult, or even in some cases impossible, to locate or download policies, procedures, forms and notification language on both City of Oakland

and Departmental web pages. Appropriate meeting notification language was found on some web pages for the Office of the City Clerk, and on meeting announcements for some, but not all, City Departments.

Therefore, it is recommended that standard ADA compliance notification language, and standard language concerning program and event site accessibility, and the availability of auxiliary aids and services and other disability accommodations, be developed and utilized on program and event announcements, and on Departmental and Citywide web pages. Procedures for posting Departmental materials on City web pages should be reviewed, to ensure that required notification is always included.

### **3.2 ADA Title II Administrative Requirements**

#### **3.2.1 Designating at least one employee to coordinate ADA compliance (28 C.F.R. Section 35.107(a))**

A public entity that employs 50 or more persons must designate at least one employee to coordinate its efforts to comply with the ADA. Christine Calabrese, Manager of the City of Oakland ADA Programs Division, is the designated ADA Coordinator for all programs, activities and services offered by the City, except those related to employment. Compliance with the employment provisions of Title I of the ADA is the responsibility of the City of Oakland Human Resources Management Division.

The ADA Programs Division contact information (including office address, voice and TTY phone numbers, and the e-mail address) is posted on the ADA Programs Division pages of the City of Oakland website, but was not locatable elsewhere.

The City and the ADA Programs Division have recognized that it is critically important and operationally essential for Departments to have designated Access Coordinators, in addition to the City ADA Coordinator. These Departmental Access Coordinators will serve as contact points for staff, members of the public, and staff of the ADA Programs Division regarding

ADA related issues that may arise in the course of conducting Departmental programs and activities, and providing services.

The ADA Programs Division sees the process of rebuilding and revitalizing its network of Departmental Access Coordinators as central to the Self-Evaluation Update and the City's ongoing ADA compliance process. See Appendix 5.3 for a roster of DACs, current as of May 2016.

### 3.2.2 Posting Notice of Rights (28 C.F.R. Section 35.106)

A public entity is required to disseminate sufficient information to applicants, participants, beneficiaries and other interested persons to inform them of the rights and protections afforded by the ADA. The Notice of Rights afforded by the ADA should at minimum be posted on ADA Programs Division web pages, and ideally, should be posted on the web pages of all other City Departments. It is not found on the ADA Programs Division website, nor is it found on information provided by any other City Departments or programs.

Our review of City of Oakland and Departmental websites and other literature and materials distributed to the public revealed that most Departments and programs do not post notice of persons' rights under the ADA, do not consistently indicate the City's compliance with ADA requirements, and do not include contact information for the City ADA Coordinator, or contact information for requesting auxiliary aids and services or other disability accommodations.

## 3.3 ADA Title II General Requirements (28 C.F.R. Sections 35.130-35.139)

### 3.3.1 General prohibitions against discrimination

Departmental staff who completed the online survey understood, and adhered to, the general nondiscrimination prohibition that. *"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."* 28 C.F.R. Sections 35.130. Specifically, about 93% of staff responding to the online survey stated that their Departments complied with Administrative Instruction 123, the City of Oakland's then current access policy, which provided for nondiscrimination on the basis of

disability. Staff also responded positively to the following nondiscrimination requirements outlined in Title II, as detailed below.

### 3.3.2 No exclusionary eligibility criteria

About 93% of staff reported that their Departments do not impose eligibility criteria that screen out or tend to screen out individuals with disabilities *"from fully and equally enjoying any service, program, or activity, unless such criteria can be shown to be necessary for the provision of the service, program, or activity being offered."* 28 C.F.R. Section 35.130 (b)(8). Furthermore, about 71% of survey respondents said that their Departments periodically reviewed policies and procedures to screen for exclusionary eligibility criteria and standards.

### 3.3.3 Third-party compliance with the ADA

Departments that contract with third parties to provide programs, activities and services always include the City's Contract Schedules C1 or C2 in their cooperative agreements and contracts.

Contract Schedule C-1, *Declaration of Compliance with the Americans with Disabilities Act*, provides a mechanism by which outside agencies acknowledge their general obligations under the ADA before providing goods or services to the City. Contract Schedule C-2, *Declaration of ADA Compliance for Facility Use and Special Events Agreements*, provides a mechanism by which outside agencies acknowledge their obligations under the ADA, and the City's ADA Special Events Policy, before utilizing City facilities for public events and/or delivering special event services to the City.

However, comparatively few Departments take other actions, such as site visits, for example, to ensure that their third party contractors will not discriminate against program participants on the basis of disability. 28 C.F.R. Section 35.130(b). Only about 40% of survey respondents indicated that their Departments took such actions.



### 3.3.4 Integrated programs

Integration is a major tenet of the ADA. About 85% of staff reported that their departments actively work to administer their programs in integrated settings.

Departmental staff also understood that they are not allowed *"to deny a qualified individual with a disability the opportunity to participate in services, programs, or activities that are not separate or different, despite the existence of permissibly separate or different programs or activities."* 28 C.F.R. Section 35.130 (b)(2). About 39% of staff indicated that people with disabilities were allowed to decline separate services and participate in regular programming. About 61% of staff responding to this survey item said it was inapplicable, because their Department did not provide separate services for people with disabilities.

### 3.3.5 Reasonable modifications in policies, practices, or procedures

Survey results also demonstrated that staff knew that their Departments should *"make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless the public entity can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity."* 28 C.F.R. Sections 35.130 (b)(7). About 93% of respondents reported that their Departments reasonably modified policies and practices when necessary to allow for full and equal participation of people with disabilities.

### 3.3.6 No surcharges

Staff knew that they may *"not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the costs of measures, such as the provision of auxiliary aids or program accessibility, that are required to provide that individual or group with the nondiscriminatory treatment required"* by the ADA. 28 C.F.R. Sections 35.130 (f). About 93% of survey respondents reported that their Departments provide program modifications without surcharges or increased fees.

### 3.3.7 No denial because of association

100% of staff reported that their Departments do not *"exclude or otherwise deny equal services, programs, or activities to an individual or entity because of the known disability of an individual with whom the individual or entity is known to have a relationship or association."* 28 C.F.R. Sections 35.130 (g).

### 3.3.8 Safety and direct threat

50% of survey respondents said their Departments apply safety requirements when providing programs, activities and services. 50% reported that their Departments did not do so. About 86% of respondents indicated that their Departments had not excluded people with disabilities because an individual posed a direct threat to the health and safety of others. About 14% said their Departments had done so. Of those who commented, most had indicated threatening behavior, which might or might not have been caused by a hidden disability, such as a mental health condition or autism.

### 3.3.9 Maintenance of accessible features

The majority of staff appeared to understand the importance of maintaining *"in operable working condition those features of facilities and equipment that are required to be readily accessible to and usable by persons with disabilities."* 28 C.F.R. Sections 35.133. About 78% of survey respondents reported that their Departments periodically test the usability of all features and equipment used in their programs, activities and services by participants with disabilities. However, no staff indicated the means by which this equipment is checked, or the schedules for regularly checking the usability of equipment and features. A few survey comments indicated that some staff was aware of the need for more frequent checking of the usability of accessible equipment and features.

### 3.3.10 No retaliation or coercion

About 96% of survey respondents indicated that their Departments took measures not to retaliate against, threaten or coerce any individual who has opposed any act or practice made unlawful by the ADA, or because the

individual filed, or assisted with filing, an ADA grievance. 28 C.F.R. Section 35.134.

### 3.3.11 Service animals permitted

About 96% of staff reported that their Departments permit qualified people with disabilities to be accompanied by their service animals. 28 C.F.R. Section 35.136.

### 3.3.12 Mobility devices permitted

100% of survey respondents said their Departments permit individuals with mobility disabilities to use wheelchairs, manually powered mobility devices, and other power-driven mobility devices in any areas open to pedestrian use. 28 C.F.R. Section 35.137.

### 3.3.13 Ticketing

Only about 18% of respondents indicated that their programs or events require the purchasing of tickets. About 85% said that this item wasn't applicable because Departments did not sell tickets. About 10% reported that their Departments provide equal opportunity, via the same means and price ranges afforded to others, to purchase tickets for accessible seating. 28 C.F.R. Section 35.138.

## **3.4 ADA Title II Communications Access Requirements** (28 C.F.R. Sections 35.160 - 35.164)

The ADA requires that Departments take necessary steps to ensure that communications with applicants, participants, members of the public, and companions with disabilities are as effective as communications with others. 28 C.F.R. Section 35.160(a). In order to provide equal access, a public entity is required to make available appropriate auxiliary aids and services where necessary to ensure effective communication.

Staff understanding of the concept of equally effective communication for people with disabilities, and how to provide it, is often vague and incomplete. Many Department staff indicated that they provide auxiliary aids and services to Oakland residents with disabilities on request, but have an incomplete

understanding of what those aids and services are. Other Department staff state they would provide them if requested, but have not had any requests.

75% of staff survey respondents reported that their Departments took necessary steps to ensure equally effective communication for people with disabilities. 25% of respondents indicated that their Departments did not do so. Illustrative comments include the following. ". . .would like to increase our awareness." "Could use improvements." "We have gotten feedback that our website and registration forms need to be more accessible."

Similarly, 75% of survey respondents indicated that their Departments furnish auxiliary aids and services when necessary to afford equal opportunity for participation to individuals with disabilities, and 25% reported that their Departments did not do so. 75% said that in furnishing auxiliary aids and services, their Departments gave primary consideration to the expressed preferences of the person with a disability, and 25% reported that their Departments did not do so.

The most frequently mentioned auxiliary services in written survey comments and staff interviews were qualified sign language interpreters and writing notes to persons who had hearing loss. Most staff did not indicate any broader knowledge of what auxiliary aids and services were, and a few stated that their Departments "had no such equipment." A few other staff confused other language translation with sign language interpreting.

75% of respondents said their Departments refrain from requiring individuals with disabilities to bring someone with them to interpret or facilitate communication. 25% reported that their Departments did not refrain from doing so. About 68% indicated that their Departments refrained from using adult companions of people with disabilities as interpreters, and about 32% did not refrain from so doing. About 85% of respondents said their Departments refrain from using minor children to interpret or facilitate communication.

About 86% of survey respondents reported that people using telecommunications relay services were able to communicate with their Departments as effectively as others were. About 14% indicated that this was not the case.

Many departments do not consistently include notice of the availability of auxiliary aids and services in their brochures, on their web pages, in their published or broadcast information, or in their special event or meeting notices.

One especially bright note is that staff of the City Clerk's Office and KTOP has been consistent in their provision of appropriate auxiliary aids and services at City Council and Commission meetings, and in City broadcasts.

### **3.5 ADA Title II Program Accessibility Requirements** (28 C.F.R. Section 35.149-159)

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 is known as the "program accessibility" standard.<sup>10</sup>

#### **3.5.1 Methods for achieving program accessibility**

Providing access to facilities through structural methods, such as alteration of existing facilities and acquisition or construction of additional facilities, is the optimum way of ensuring program accessibility. Nonstructural methods include acquisition or redesign of equipment, assignment of aides to beneficiaries, and provision of services at alternate accessible sites.<sup>11</sup>

The structural methods of achieving accessibility in existing facilities, as well as the accessibility of the City of Oakland's streets, roads and walkways, are all issues that are being addressed in the Transition Plan update portion of this project.

Programmatic methods for ensuring the accessibility of programs, activities and services include consistently selecting accessible sites for the delivery of services, and the offering of programs, activities, meetings and special events.

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<sup>10</sup> ADA Title II Technical Assistance Manual, 2010, II-5.2000

<sup>11</sup> ADA Title II Technical Assistance Manual, 2010, II-5.2000

About 78% of staff survey respondents reported that their Departments actively work to ensure that each of their programs, activities and services, when viewed in its entirety, is accessible. About 22% reported that their Departments do not do so.

About 82% of respondents indicated that their Departments only select locations for their programs, activities and services that offer, at minimum, an accessible entrance, an accessible path of travel from this entrance to the part of the building where principal program activities take place, accessible toilet facilities, and accessible parking. About 18% of respondents said that their Departments did not do this. About 89% of staff respondents said that their Departments only select locations for their special events that provide, at minimum, all of the above accessibility features. About 11% reported that their Departments did not do so.

### 3.5.2 Back doors and freight elevators

The ADA states that back doors and freight elevators can only be used as a last resort, and in very limited, and described, situations<sup>12</sup> About 82% of survey respondents said that their Departments do not use back doors or service elevators to provide access to individuals with disabilities.

### 3.5.3 Carrying an individual with a disability

Carrying persons with mobility impairments is contrary to the goal of providing accessible programs. It is not an acceptable method of achieving program access, and is allowed in only two prescribed cases.<sup>13</sup> 100% of staff survey respondents reported that their Departments prohibited carrying as an alternative to making structural modifications.

### 3.5.4 Historic preservation programs

About 82% of survey respondents said that their Departments did not operate any historic preservation programs. About 14% reported that their Departments did operate these programs, and indicated that their Departments provided

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<sup>12</sup> ADA Title II Technical Assistance Manual, 2010, II-5.2000.

<sup>13</sup> ADA Title II Technical Assistance Manual, 2010, II-5.2000.

access for persons with disabilities participating in them. About 4% of respondents said that they needed to follow up at some program sites.

### 3.5.5 Emergency evacuation procedures

About 71% of survey respondents reported that their Departments had policies and procedures for the evacuation of people with disabilities in emergencies. About 29% indicated that their Departments did not have evacuation procedures that specifically included the needs of people with disabilities. A few of these respondents commented that their Departments or programs had general evacuation procedures that applied to everyone.

## 3.6 ADA-Related Community Input

Community input for the City of Oakland's ADA Title II Self-Evaluation Update process was gathered at a series of seven public meetings held in a range of Oakland neighborhoods: at City Hall, at each City of Oakland senior center, and two East Oakland locations, to encourage the participation of people with disabilities from a variety of different ethnic, cultural, and language communities. Another primary source of community input was an online community survey, consisting of 21 items and provided in three languages: English, Spanish and Chinese.

### 3.6.1 Community online survey responses and feedback

As of May 31, 2016, there were 72 respondents to the community online survey, and an additional two handwritten responses.

The City services most used by the respondents (those with at least 5 or more responses each) were libraries, senior programs, recreation, police services, public works services, paying a parking ticket, and meetings or special events.

70 of the survey respondents (94.6%) rated their experiences with accessing City services on a scale from "excellent" to "poor."

- 13.5% (9 individuals) rated their experiences as "excellent."
- 23.8% (16 individuals) rated their experiences as "very good."

- 40.3% (28 individuals) of those who rated them characterized their experiences with accessing City services as "okay."
- 22.4% (15 individuals) rated their experiences as "poor."

Frequently cited problems included uneven or broken sidewalks and missing or broken curb ramps; a perceived lack of on-street disabled parking spaces throughout the City; the potential removal of a frequently used bus stop without community input; the unavailability of accessible affordable housing; long waits for elevator repair at two Oakland Public Library branches; delays experienced with paratransit, trash pick-up assistance, or residential disabled parking zone installation; difficulties accessing needed information via the City's website; misunderstanding the needs of people with hidden disabilities; and failure to accommodate persons with mental health conditions.

Also mentioned was the perceived inequitable geographical distribution of accessible recreation programs; the desire for more recreation and employment programs for young adults with autism and intellectual disabilities; and the need to improve staff interactions with individuals with intellectual disabilities, and disabilities affecting speech, especially with respect to police interactions.

70 of the 74 survey respondents (about 95%) addressed the question, "Do you believe that you or others with disabilities have been denied access to City services, or the opportunity to participate in any City programs or activities, because of a disability?" About 55% of these respondents (36 individuals) answered "yes" and 45% (30 individuals) answered "no." Additionally, about 74% of the respondents (52 individuals) indicated that they did not know about the City's ADA Grievance Procedure. Of five individuals who used the grievance procedure, one stated the complaint was resolved, two indicated they were able to partially resolve their complaints, and two stated they were unable to achieve complaint resolution.

In listing the barriers to access that they encountered, four individuals mentioned not receiving assistance with filling out forms, five people noted that a service or program was in an inaccessible location, and four people said they did not know how to request auxiliary aids and services in advance of attending or participating in a program. Two people stated they were unable to obtain



information or take part in City services online because the website content or forms were inaccessible, one person mentioned that a service counter was too high or too cluttered, and another person said they were excluded from a service, program or activity because of a service animal.

Other reasons given for denial or lack of access included all of the frequently cited problems listed above, with some additional observations, such as the following.

"City events do not include a description of what accessible conditions to expect (crowdedness, single-stall non-gendered restrooms, water fountains, easy exits, captioned speakers, noise level)." "Events such as carnivals, flea-markets, and farmer's markets are very difficult for those who are totally blind, due to lack of assistance and support." "Assistance at the ballot box for voting is not well understood or provided for individuals with intellectual and developmental disabilities, and should be." "Pools are too expensive for someone receiving SSI, paratransit tickets and writing forms too difficult for myself who struggles with limited hand mobility." "Just know that the Oakland website is terrible and cannot count on it for info."

Several comments also drew attention to staff customer service skills regarding Oakland residents with disabilities. These included the following: "When staff is called ahead of time, so I can plan, my questions take a while to be answered and sometimes never get answered at all." "It's mostly because staff doesn't have awareness of how to serve people with disabilities." "Access doesn't mean 'wheel chair' access only. Access also means help with seeing, hearing, etc. in addition to mobility. Also cognitive issues need to be addressed." "Mentally ill people are excluded."

An especially notable positive comment given in the online survey was, "This town is doing its best to comply with the laws, both state and federal. From the Mayor to the city worker on the street, all are trying to comply with the laws. The only thing holding the City and its citizens [back] is money."

### 3.6.2 Feedback from community meetings

The vast majority of feedback from the series of seven community meetings held throughout the City was found in survey responses. The majority of surveys responses were submitted online.

One parent at the community meeting held at City Hall on March 31, 2016 relayed her experiences witnessing a police encounter with her young adult son, who has autism and who had been acting rageful, but who had calmed down just before police arrived, after they had been called to her home. In response to this account, more disability specific hands-on crisis intervention training for first responders was recommended by the Mayor's Commission on Persons with Disabilities.

Also at this meeting, seniors with disabilities voiced their concern about safety when crossing the street in East Oakland, and described the need for better control of heavy, fast traffic flow in their neighborhood. They suggested prioritizing the installation of a traffic light with audible signals in this part of the City.

## **Part Four: Conclusions and Recommendations**

### **4.1 Conclusions**

The City of Oakland is to be commended for utilizing a proactive, rather than a reactive approach in its ADA Title II compliance efforts. This approach stands in stark contrast to the responses of many state and local government entities that have removed structural, communication and programmatic barriers to access primarily as a result of litigation. As but one example of this proactive approach, the ADA Programs Division is working to upgrade Departmental capacity to afford effective communication to Oakland residents with disabilities by various state of the art means, including implementing Video Remote Interpreting (VRI) capabilities citywide.

The ADA Programs Division, under the leadership of Christine Calabrese and Sherri Rita, has implemented ADA policies and procedures for all City programs, activities, and services, except those concerning Title I, employment, requirements. The Division has actively worked to "support the Mayor's and City Council's social equity, sustainability and liability reduction goals" by providing programs that assist persons with disabilities to thrive in their community.<sup>14</sup> To this end, it has created and trained a committed network of Departmental Access Coordinators (DACs) who are working as contact points for ADA implementation within each City Department.

This structure facilitates prompt dissemination of ADA compliance information and resources to staff of all City Departments providing external services, and gives members of the public a single point of contact in each Department. Some other large cities, including the City of San Francisco, now also utilize this approach.

As the entity charged with coordinating the City's ADA Title II compliance efforts, the ADA Programs Division is actively involved in bolstering the capacity of the DAC network. This ADA Self-Evaluation Update was, in part, conceived as a means of gathering needed information to assist the City in re-establishing the

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<sup>14</sup> About ADA Programs Division, Mission and Goals:  
<http://www2.oaklandnet.com/Government/o/PWA/o/EC/s/ADA/DOWD000971>

DAC network, and to learn where further training and resourcing of DACs may be needed.

Fully trained and resourced DACs will be able to assist external program staff in acquiring the information and skills they need to be effective agents of ADA compliance, and providers of appropriate customer service to all Oakland residents with disabilities, whether their disabilities are easily visible or hidden.

With the assistance of the ADA Programs Division and the Public Information Officer, City Departments can also work together to develop stories about disability access successes throughout the City, and use these stories as the backbone of a public information campaign that will create a more inclusive, positive flow of information to help make Oakland residents with disabilities feel fully welcomed and respected by their City.

Historically, the City of Oakland has been recognized as a national leader in promoting disability rights and providing disability access. The public has given Oakland credit for doing its best, despite recent financial setbacks experienced by all municipalities, which presented challenges to maintaining a proactive approach to furthering disability access, as the following comment from the community survey indicates:

**“This town is doing its best to comply with the laws, both state and federal. From the Mayor to the city worker on the street, all are trying to comply with the laws. The only thing holding the City and its citizens [back] is money.”**

With increasing staffing and financial resources, Oakland can return to proactive ADA compliance efforts. Oakland’s disability community is socioeconomically, politically, racially and culturally diverse. Outreach to all segments of the disability community, full membership on the Mayor’s Commission on Persons with Disabilities, full staffing of the ADA Programs Division and the DAC network, and the increased representation of Oakland residents with disabilities on all City Boards and Commissions, will all help to ensure that members of Oakland’s disability community will remain vocal and active stakeholders in their City’s future.

## 4.2 Recommended Action Items

The following 35 recommendations were derived from perceived gaps in ADA compliance revealed through the review of City print and online documents distributed to the public, staff online survey responses, staff interview data, community online survey responses, and public comments at community meetings.

The 34 recommendations have been grouped in 14 topic areas.

The first five topic areas include the 20 recommendations that are primarily for the City's ADA Programs Division to implement with Departmental Access Coordinators and other key Department staff.

The other nine topic areas include 15 recommendations that that will involve input and participation by the ADA Programs Division, but may largely be carried out by other Divisions or City Departments.

### ***Recommendations that are primarily for the City of Oakland's ADA Programs Division to implement with DACs and key Department staff.***

#### *Topic 1. Uniform notice language regarding City of Oakland ADA compliance, and uniform accessibility and auxiliary aids and services request language*

- 1.1 Develop a City of Oakland Notice of Compliance Under the Americans with Disabilities Act, and post this Notice on the ADA Programs Division website. A sample ADA Notice is found in Appendix 5.5.
- 1.2 Distribute this Notice of Compliance Under the ADA to Departments to post onsite, in Departmental literature, and on Department websites. See Appendix 5.5.1 for a list of ways suggested by the US Department of Justice to provides this Notice
- 1.3 Ensure more prominent placement of the City of Oakland's ADA grievance procedure on City web pages and at Department and program locations.
- 1.4 Develop, and distribute to Departments, standardized language concerning the accessibility of special event, meeting, and program locations; the availability of auxiliary aids and services, instructions for

requesting them, and contact information for the person to request them from. Samples of this posting language are found in Appendix 5.6.

- 1.5 Departments should be consistently including this accessibility and auxiliary aids and services language in all of their print, online and broadcast program, meeting and special event information.

*Topic 2: Bolstering ADA compliance of program contractors*

- 2.1 As staff support and staffing levels increase, work with Departmental Access Coordinators and managers of programs operated by contractors to develop means for more closely and consistently monitoring contractors' compliance with ADA nondiscrimination requirements, and ADA requirements for providing equally effective communication for program participants with disabilities. Ensure that all contractors have copies of the City's ADA Grievance Procedure and AI 123, when updated.

*Topic 3: Develop clearer intradepartmental ADA compliance communication*

- 3.1 To facilitate ongoing ADA compliance efforts, it is recommended that each Department create and periodically update a roster of its current public programs, including the current program location, name of contractor operating the program (if any), and contact information for the program director or other responsible program staff.
- 3.2 In those City Departments that are quite decentralized, outreach to DACs and key program management staff to assist them to develop a clear and systematic means for ongoing communication, and for intradepartmental technical assistance, regarding ADA compliance.
- 3.3 Within Departments, consider appointing an additional DAC, or DACs, for specific programs, or groups of programs, that may require more intensive or specialized oversight compared to other Departmental programs. For example, programs that serve high numbers of individuals with disabilities, or that substantially differ from other Departmental programs, might require specialized subject matter expertise in order to effectively carry out the implementation of the City's access policies.

#### Topic 4: *Training, technical assistance, and support for DACs and staff*

- 4.1 Institute ADA update quarterly meetings for DACs. These will provide ADA Programs staff and DACs the ongoing opportunity to share information about their experience serving city customers who have a range of disabilities. It will also give ADA Programs staff the opportunity to provide technical assistance regarding specific issues related to ADA compliance.
- 4.2 Further incentivize the active participation of DACs through providing opportunities for increased compensation and more advanced training and/or certification (such as ADA Coordinator certification).
- 4.3 Designate a specific number of job hours per pay period for DACs to carry out Departmental ADA compliance responsibilities. Designated hours may vary from Department to Department, depending on a range of factors, including, for example, how much public contact Department staff have.
- 4.4 Prepare DACs to train or advise staff in their Departments about disability customer service issues. This DAC preparation could include hands-on training, and/or guidance on using print or web based resource materials.
- 4.5 Develop an easily accessible online DAC Toolkit on the ADA Programs Division website for use by DACs (and, potentially, members of the public). This Toolkit should include, at minimum, an updated list of DACs, the City's accessibility policy, other relevant City policies, procedures and forms, and current contact information for Oakland and other disability community resources.
- 4.6 Develop a series of brief FAQs, bulletins, or fact sheets that can be e-mailed to City Department staff, on a regular basis, as "disability updates," and stored on the online DAC Toolkit web page described above.
- 4.7 Consider instituting an online resource where DACs can share experiences, success stories and difficulties they may have faced when their Departments served city customers with disabilities.

- 4.8 Assist departments to develop maintenance checklists so that program staff can regularly assess the usability of accessibility equipment and features. See the sample document in Appendix 5.7.
- 4.9 Outreach to programs and Divisions that have only recently formally designated a staff member to serve as the single point of contact for Departmental access coordination, as part of the reestablished DAC network, to see if they have an increased need for ADA compliance related technical assistance and support.
- 4.10 Provide technical assistance and training to Oakland Parks and Recreation in general, and to the Human Services Department's programs specifically serving children and youth. The scope of technical assistance and training should include program planning, advertising and administration to welcome participants with disabilities; program modifications for participants with disabilities; information about currently available auxiliary aids and services; how and when to arrange for auxiliary aids and services for program participants with disabilities; and other proactive strategies for barrier removal and effective communication in these programs.

*Topic 5: Increased staffing of the ADA Programs Division*

- 5.1 Increase staffing of the ADA Programs Division, so that it is able to more effectively coordinate physical and programmatic access citywide.

***Recommendations that will involve input and participation by the ADA Programs Division, but may largely be carried out by other Divisions or City Departments.***

*Topic 6: Improved program access at selected program sites*

- 6.1 If possible, work closely with Head Start to facilitate nonstructural methods of barrier removal, and to ensure staff fulfills their obligations to make program modifications, and to provide access to auxiliary aids and services to children and their families who participate in Head Start / Early Head Start programs.



- 6.2 At all City sites managed by third party contractors, ensure that contractors are aware of their obligation to comply with City access policies, and include these sites in any building and facility surveys and prioritization, as part of the City's ADA Transition Plan Update.
- 6.3 At all City recreation facilities, conduct surveys of current conditions to identify physical access barriers as part of ADA Transition Plan Update.
- 6.4 Assess City recreation programs, to ensure each program is available at geographically dispersed and accessible locations with proximity to public transportation.
- 6.5 As part of the City's ADA Transition Plan, schedule improvements at facilities experiencing a high level of participation by individuals with disabilities to provide for increased and enhanced accessibility, such as provision of additional accessible parking spaces, or other amenities that go beyond minimum access requirements.

*Topic 7: Improved path of travel access and traffic safety in neighborhoods with large numbers of people with disabilities and seniors*

- 7.1 Place path of travel renovations, including sidewalk repair, and curb ramp and audible traffic signal installation, in a higher tier of priority for neighborhoods having large numbers of residents with disabilities and seniors (who are statistically more likely to have disabilities).
- 7.2 Administer the City's various transportation programs to ensure that decisions regarding transportation improvements and changes are only made after fully considering the potential impacts on travelers with disabilities, especially pedestrians with disabilities. In addition to adhering to the priorities set forth in the ADA and related standards and guidelines for prioritizing right of way accessibility improvements, implement transportation projects in a manner that prioritizes bringing accessibility features to those parts of the City which higher concentrations of persons with disabilities reside in or utilize.

*Topic 8: Equitable distribution of accessible services and facilities throughout the City, to ensure that all of Oakland's programs, activities and services, when viewed in their entirety, are accessible.*

- 8.1 Work to ensure that residents with disabilities in all of Oakland's neighborhoods have access to an equally effective and equally representative range of all community services (including, for example, social and recreational programs). This might involve relocating some programs to accessible facilities in different neighborhoods than the ones in which they are currently located, or making structural modifications to existing facilities in neighborhoods which have these services, but do not offer them in facilities that are accessible.

*Topic 9: Increased access to City of Oakland programming for transition age youth and young adults with disabilities.*

- 9.1 As City financial and staffing resources become more available, provide more recreational, social, pre-vocational and job-related program participation options for transition age youth and young adults with disabilities.

*Topic 10: Increased disability community input on City Boards and Commissions*

- 10.1 Work with the Mayor's Commission on Persons with Disabilities and City Boards and Commissions, including, among others, the Workforce Investment Board and the Police Review Board, to increase recruitment and representation from Oakland's disability community.

*Topic 11: Increased transparency and disability community participation in training of police and other City of Oakland first responders*

- 11.1 Work with the Mayor's Commission on Persons with Disabilities, interested members of Oakland's disability community, and Oakland Police Department representatives to improve curriculum and increase hands-on training time devoted to first responders' crisis intervention response in situations involving people with disabilities who have

communication difficulties (such as autism, intellectual disabilities, speech disabilities, mental health conditions, hearing loss, and vision loss).

*Topic 12: Improved communication access to non-emergency essential services*

12.1 Ensure the existence of telephone and TTY numbers for police and fire services that are of a non-emergency nature. Advertise those non-emergency contact numbers prominently on OFD, OPD, and City of Oakland web pages, and in brochures, flyers and other print and broadcast materials.

12.2 Continue to implement Text to 9-1-1 services.

*Topic 13: Improved access and decreased waiting time for residential service delivery to Oakland residents with disabilities*

13.1 As Departmental staffing and funding resources increase, work to decrease waiting time for receipt of services at residential locations, such as blue zone parking installation, trash pick-up assistance, and OPED, for Oakland residents with disabilities who apply for these services.

*Topic 14: Increased flow of positive information between the City of Oakland and its disability community*

14.1 Work together with the Public Information Office and other City Departments to develop a series of "accessibility success stories" regarding the City of Oakland's successfully affording full access to its programs activities and services to Oakland residents with both visible and hidden disabilities. Publicize these stories in the community via online postings, television and radio PSAs, billboards, local news stories, and other appropriate means.

## **Part Five: Appendices**

### **5.1 City of Oakland Staff Participation in the SE Update Process**

(Lists of DACs and staff who: attended the self-evaluation update orientation training sessions; submitted online surveys; participated in follow-up telephone interviews; and/or completed follow-up e-mailed questionnaires)

#### **5.1.1 Orientation Training Agenda**

#### **5.1.2 DAC Online Survey**

#### **5.1.3 Follow-up Telephone Interview Protocol**

#### **5.1.4 Follow-up Questionnaire**

### **5.2 Disability and Deaf Community Participation in the SE Update Process**

(Lists of the dates, locations, and numbers of people attending each event; and the total number of community members completing the survey)

#### **5.2.1 The City of Oakland Disability and Deaf Community Survey**

### **5.3 Roster of DACs (current as of May 2016)**

### **5.4 City of Oakland ADA Policies and Procedures**

### **5.5 ADA Notice (sample)**

#### **5.5.1 Posting Notice: Where and how to post**

### **5.6 Accessible Meeting Information**

### **5.7 Daily Facility Checklist: Maintenance of Accessible Features (sample)**

### **5.8 Guidelines for Writing About People With Disabilities**

### **5.9 City of Oakland ADA Title II Citywide Self-Evaluation Update 2016 Action Items Log**

## 5.1 City of Oakland Staff Participation in the SE Update Process

The following are the lists of DACs and staff who attended the self-evaluation update orientation training sessions, submitted online surveys, participated in follow-up interviews, and/or completed follow-up questionnaires.

### DAC Self-Evaluation Update Orientation Training Participants

#### February 10, 2016 Session

City Clerk: Sandy Wong

Economic & Workforce Development: Donna Howell

Housing & Community Development: Sylvia Shannon

Human Services: Scott Means

Mayor/Oakland residents Assistance Center: Al Lujan

Parks & Recreation: Erin Burton

Police: Cecilia Belue

#### February 17, 2016 Session

Clerk/KTOP: Michael Munson

Finance: David Jones

Fire: Genevieve Pastor-Cohen

Information Technology: Annie To

Library: Jamie Turbak

Planning and Building: Kevin Dumford

Police: Doria Neff

Police: Jenny Lim

### DACs and Other Staff Completing SE Online Survey

15 Departments

29 Respondents

ADA Programs Division	Sherri Rita
Animal Services	Eugenia Taulealo
City Auditor	Timothy Knight (DAC) - written response
City Clerk	Sandy Wong (DAC)

City Clerk/KTOP	Michael Munson (DAC)
Economic & Workforce Development -- Real Estate Division -- Broadway Shuttle -- Business Assistance Center	Nalungo Conley Zach Seal Susana Villarreal
Finance – Treasurer Finance -- Revenue Management Bureau	David Jones (DAC) Shahla Azimi (DAC)
Fire	Genevieve Pastor-Cohen (DAC)
Housing & Community Development	Sylvia Shannon (DAC)
Human Services -- Aging & Adult Senior Services -- Children & Youth Services -- MSSP -- ASSETS -- OPED -- Sr. Companion/Foster Grandparent -- Oakland Unite	Scott Means (DAC) Sachelle Heavens (DAC) Karyl Eckels Dan Ashbrook Hakeim McGee Andrea Turner Peter Kim
Library	Jamie Turbak (DAC)
Mayor/Oaklanders Assistance Center	Al Lujan (DAC)
Parks & Recreation – Inclusion Parks & Recreation -- Aquatics	Erin Burton (DAC) Tiffanie Lai Inouye
Planning & Building -- Building Services Planning & Building -- Planning Division	Kevin Dumford (DAC) Aubrey Rose (DAC)
Police Police -- Training Division	Jennie Lim Doria Neff (DAC) with additional input from A Bautista, D Hoppenhauer, J Mendez, A Pierce, S McDaniel, A Sydney, and D Taylor
Public Works -- Bureau of Engineering & Construction -- Public Works - Bldg Services/Facilities	Christine Calabrese (City ADA Coord) Derin Minor (DAC)

## DACs and Other Staff Participating in Follow-up Telephone Interviews

### Economic & Workforce Development:

Administrative Services - Donna Howell

Business Assistance Center - Susana Villarreal

Downtown Broadway Shuttle - Zach Seal

Public Arts and Cultural Funding Programs - Kristen Zarembra

Workforce Investment Board - Lazandra Dial

### Fire:

Emergency Services - Genevieve Pastor-Cohen

### Housing & Community Development:

Sylvia Shannon

### Planning & Building:

Kevin Dumford

### Police:

Officer Doria Neff

Jenny Lim

### Public Works:

Derin Minor

## DACs and Other Staff Completing Follow-up Questionnaires

City Clerk: Sandy Wong

Clerk/KTOP: Michael Munson

Human Services: Scott Means

Library: Jamie Turbak

Mayor/Oakland residents Assistance Center: Al Lujan

Parks & Recreation: Erin Burton

### **5.1.1 SE Update Orientation Training Agenda**

#### **Oakland ADA Self-Evaluation Update Orientation**

A Training for City of Oakland Staff

Presented by the  
Oakland ADA Programs Division  
February 10 and 17, 2016

#### Speakers:

Sherri Rita / ADA Program Access Coordinator / ADA Programs Division  
Christine Calabrese / ADA Programs Division and BRT Program Manager  
Victoria Bruckner and William Bruckner / Bruckner Consultants LLC  
Margie Cochran and Senya Hawkins / CIL Berkeley and Oakland

#### Agenda:

- 1:05 Welcome: Introductions, agenda review, goals of the training
- 1:15 The Americans with Disabilities Act and the City of Oakland
  - How the City has implemented the ADA
  - The role of the Departmental Access Coordinator
  - The ADA Self-Evaluation update
  - About the ADA
- 1:40 Definitions and demographics: Who are people with disabilities?
- 2:00 The requirements of Title II of the ADA
- 2:30 Break
- 2:45 Experiences of people with disabilities
  - Members of the disability community share their experiences utilizing city services and participating in city programs and activities
- 3:10 Completing the staff survey
  - Step-by-step review of the survey
- 4:40 Next steps in the process
- 5:00 Adjournment



### 5.1.2 DAC Online Survey

#### City of Oakland ADA Title II Self-Evaluation

##### INSTRUCTIONS

This survey serves as an update to the City of Oakland's Self-Evaluation as mandated by the Americans with Disabilities Act and its implementing regulations under Title 28 of the Code of Federal Regulations (28 C.F.R. Part 35).

Each question seeks information about your Department's policies and practices in delivering its programs, activities, and services to the public. This survey is not seeking information regarding your Department's policies or practices regarding City of Oakland employment or employees.

This survey consists of five (5) sections, totaling 55 questions, and is estimated to take approximately one to two hours to complete:

Section One (5 questions)

Section Two (26 questions)

Section Three (11 questions)

Section Four (6 questions)

Section Five (7 questions)

If you are unable to complete the survey in one sitting, you can leave your browser open and your computer on and return to the survey later. Survey responses are due no later than February 26, 2016.

If you have any questions about this survey or encounter technical difficulties, please contact Sherri Rita, Citywide ADA Programmatic Access Coordinator, at [srita@oaklandnet.com](mailto:srita@oaklandnet.com) or 510.238.6919.

Your Information

Your Name:

Phone Number:

E-mail Address:

Your Role:

*Check all that apply*

Designated Departmental Access Coordinator (DAC)

Department Head

Other (Please describe below)

Name of Department:

Name of DAC (if not you):

DAC Phone Number (enter N/A if already entered):

DAC E-mail Address (enter N/A if already entered):

Section One: About Your Department

1. Has your Department appointed a Departmental Access Coordinator (DAC)?

YES / NO

If YES, name of DAC:

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**Term:** Departmental Access Coordinator (DAC)

Departmental Access Coordinator (DAC) is the individual designated by the Department Head to serve as a single point of contact for the public and the ADA Programs Division regarding disability access in Departmental programs, services, and activities. The DAC will have knowledge of the programs, activities, and services of the Department, city access policies and resources for obtaining auxiliary aids and services, and other methods for achieving program access. The DAC works in coordination with and with the support of the ADA Programs Division in implementing citywide access policies at the program level, including the provision of technical assistance and training to program staff, complaint investigations, and resolution.

## Section One: About Your Department (cont.)

2. In your opinion, is your Departmental DAC sufficiently trained and resourced to provide technical assistance and direction to staff on how to provide access to persons with disabilities to all departmental programs, activities, and services?

YES / NO / N/A

If NO or N/A, please provide an explanation:

3. Does your Department provide periodic staff training or take other measures to ensure that staff is familiar with the City's and your Department's policies and practices for the full participation of persons with disabilities in your programs, activities, and services?

YES / NO

Please provide an explanation for your answer above:

4. Are your Department's services primarily external (for members of the public) or internal (for other City units and staff), or a combination of both?

INTERNAL /EXTERNAL /BOTH

If BOTH, describe:

5. Does your Department offer specialized services for persons with disabilities?

YES / NO

If YES, please describe

## Section Two: General Requirements

1. Does your Department adhere to City Administrative Instruction #123, the City Access Policy?

<http://www2.oaklandnet.com/oakca1/groups/pwa/documents/ai/oak044624.pdf>

YES / NO

If you answered NO to the previous question, please provide an explanation:

2. Does your Department actively work to administer its programs, services, and activities so as to not exclude qualified individuals with disabilities from participation in or the benefits of your programs, services, or activities? 28 C.F.R. §35.130(a).

YES / NO

If you answered NO to the previous question, please provide an explanation:

\_\_\_\_\_

Term: Qualified individual with a disability

Qualified individual with a disability means an individual with a disability who, with or without reasonable modifications 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 a public entity. 28 CFR § 35.104.

3. Does your Department periodically review its policies and practices to determine whether any include eligibility criteria or standards that screen out or tend to screen out qualified persons with disabilities or a class of individuals with disabilities in its programs, activities, and services? 28 C.F.R. §35.130(b)(8).

YES / NO

If you answered NO to the previous question, please provide an explanation

\_\_\_\_\_

Term: Eligibility criteria or standards that screen out or tend to screen out individuals with disabilities

It is discrimination for a state or local government to apply eligibility criteria or standards that screen out or tend to screen out individuals with disabilities from fully and equally enjoying any goods or services. 28 CFR §35.130(b)(8)

#### Example

An individual is required to present a driver's license to reserve a space at a city facility for a private event. Such a requirement could prevent a person who due to disability is unable to drive from successfully participating in a city's facility rental program.

#### Section Two: General Requirements (cont.)

4. Does your Department include in its cooperative agreements, contracts, or other arrangements with third parties contract schedule C1 or C2 and or use other mechanisms to ensure the that the third party will not discriminate against program participants on the basis of disability? 28 C.F.R. §35.130(b).

YES / NO

N/A, THERE ARE NO THIRD PARTIES INVOLVED IN ADMINISTERING OR DELIVERING DEPARTMENTAL PROGRAMS.

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#### Term: Contracts

A state or local government that enters into a contract with a private entity must ensure that the activity operated under the contract is in compliance with the ADA. 28 CFR §35.102.

In other words, the ADA prohibits discrimination on the basis of disability in those activities of a public entity's contractors which pertain to the fulfillment of that contract. This means that public entities must ensure that the programs or activities operated under each contract are in compliance with the ADA.

At minimum, public entities can ensure that the language of their contracts includes a requirement prohibiting discrimination on the basis of disability in the contractor's employment policies, and in the contractor's operation of the programs and activities covered by the contract, and that program participants at third party contractor sites are aware of the city's ADA Grievance Procedure.

It is the policy of the City of Oakland to require contractors to complete Schedules C1 or C2, Declaration of Compliance with the Americans with Disabilities Act or Declaration of ADA Compliance for Facility Use and Special

Events Agreements, as applicable:

<http://www2.oaklandnet.com/Government/o/PWA/o/EC/s/ADA/DOWD005073#web>

Term: Discrimination

The ADA prohibits discrimination by any state or local government against any qualified individual with a disability, because of such individual's disability. It is discrimination for a state or local government to apply eligibility criteria or standards that screen out or tend to screen out individuals with disabilities from fully and equally enjoying any goods or services. It is also discrimination to deny an individual with a disability equal opportunity to fully participate in a public entity's programs and activities, to receive its services, or to enjoy its benefits. 28 CFR §35.130.

Section Two: General Requirements (cont.)

5. Apart from contract compliance (Schedule C1 or C2), does your Department take other actions to ensure that your program's aid, benefits, or services that are provided by a third party entity are delivered in a manner that does not discriminate against qualified individuals with disabilities, such as site evaluations? 28 C.F.R. §35.130(b).

YES / NO

N/A, THERE ARE NO THIRD PARTIES INVOLVED IN ADMINISTERING OR DELIVERING DEPARTMENTAL PROGRAMS

If you answered NO to the previous question, please provide an explanation:

6. Does your Department actively work to administer its programs and activities in the most integrated setting appropriate to the needs of qualified individuals with disabilities? 28 C.F.R. §35.130(d).

YES / NO

If you answered NO to the previous question, please provide an explanation:

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Term: Integrated setting

It is a violation of the ADA if a state or local government fails to provide programs and services in the most integrated setting appropriate to the needs of the individual, namely, in a setting that enables individuals with disabilities

to interact with non-disabled persons to the fullest extent possible. 28 CFR §35.130(d).

State and local governments can offer programs that are specifically designed for people with disabilities, but, an individual with a disability cannot be denied the opportunity to participate in programs or activities that are not separate or different, even when a special program exists. 28 CFR §§35.130(b)(2).

Example:

A special event for the public is being organized by a city and an historic city building has been selected as its venue. The event planners would like to use the mezzanine for a portion of the event that will be a meet and greet with city leaders but it is only accessible by taking stairs. The planners should instead consider using the first floor lobby for the meet and greet, as it is accessible from the street to wheelchair users and others who may not be able to use stairs. Or, a different building should be selected, because persons with mobility impairments will otherwise not be able to participate in this portion of the programming.

## Section Two: General Requirements (cont.)

7. If separate services are offered to persons with disabilities, are the services provided to qualified persons with disabilities as effective as those provided to others? 28 C.F.R. §35.130(b) (1)(ii-iv).

YES / NO

N/A, SERVICES FOR PERSONS WITH DISABILITIES ARE NOT SEPARATE.

If you answered NO to the previous question, please provide an explanation:

---

Term: Effective

Effective access must be provided under the ADA. This means that persons with disabilities have an equal opportunity to derive the same result, benefit, or level of achievement from the program as provided to persons without disabilities. 28 CFR §35.130(b)(1)(iii).

8. If separate services are provided for persons with disabilities, are persons with disabilities allowed to decline these services and participate in your general programming? 28 C.F.R. §35.130(b)(2).

YES / NO

N/A, SERVICES FOR PERSONS WITH DISABILITIES ARE NOT SEPARATE.

If you answered NO to the previous question, please provide an explanation:



## Section Two: General Requirements (cont.)

9. Does your Department apply safety requirements necessary for the safe operation of its services, programs, or activities? 28 C.F.R. §35.130(h).

YES / NO

If you answered YES to the previous question, please describe these requirements:

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Term: Safety requirements

State and local governments may impose legitimate safety requirements. However, these requirements must be based on actual risks and facts about particular individuals, not on speculation, stereotypes, or generalizations about individuals with disabilities, or on the basis of presumptions about what a class of individuals with disabilities can or cannot do. 28 CFR §35.130(h).

Examples:

An advanced swimming class can't exclude a wheelchair user because it is assumed that she can't swim well enough to participate. However, such a class may require that all participants, including people with disabilities, pass a swimming test as a program qualification.

A Deaf person is not allowed to berth her boat at a city marina because she is Deaf and the Harbormaster is afraid he won't be able to communicate with her; this is not an acceptable application of a safety requirement and instead the Deaf boater should be offered appropriate auxiliary aids or services to enable her to communicate effectively with the Harbormaster.

## Section Two: General Requirements (cont.)

10. Has your Department excluded persons with disabilities from its services, programs, or activities because an individual has posed a direct threat? 28 C.F.R. §35.139.

YES / NO

If you answered YES to the previous question, please describe these requirements:

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Term: Direct threat

Direct threat means a significant risk to the health or safety of others that cannot be eliminated by a modification of policies, practices or procedures, or by the provision of auxiliary aids or services. 28 CFR §35.104.

In determining whether an individual poses a direct threat to the health or safety of others, a public entity must make an individualized assessment, based on reasonable judgment that relies on current medical knowledge or on the best available objective evidence, to ascertain: the nature, duration, and severity of the risk; the probability that the potential injury will actually occur; and whether reasonable modifications of policies, practices, or procedures or the provision of auxiliary aids or services will mitigate the risk. 28 CFR §35.139.

Example:

A child who has autism is participating in a summer camp program and repeatedly hits other children. The staff intervenes with multiple attempts to reduce the behavior, makes appropriate program modifications, and provides the child with one-to-one staff assistance, but the behavior persists. The Director should seek out more effective behavioral assistance from an aide with appropriate training regarding behavioral modifications for children with autism, including knowledge of age, disability, and setting appropriate interventions, before determining the child cannot safely participate in the program.

## Section Two: General Requirements (cont.)

11. Do your Department's programs include eligibility criteria that screens participants based on current or former drug use? 28 C.F.R. 35.131.

YES / NO

N/A, ELIGIBILITY CRITERIA DOES NOT CONSIDER CURRENT OR FORMER DRUG USAGE

If you answered YES to the previous question, please provide an explanation:

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Term: Current or former drug use

Under the ADA current illegal use of drugs may be grounds for permissible discrimination. Persons who are in recovery, or who are taking medications under the supervision of a licensed healthcare practitioner and the use is permitted under Federal law, however, are protected from discrimination. 28 CFR §35.131.

Current illegal use of drugs cannot be the basis for denying health services connected to drug rehabilitation services, if the individual is otherwise eligible for such services, but a drug rehab or treatment program may deny participation to individuals engaged in illegal use of drugs while in the program. 28 CFR §35.131(b).

12. Does your Department permit qualified persons with disabilities to participate in its programs, activities, and services accompanied by their service animals? 28 C.F.R. §35.136

YES / NO

If you answered NO to the previous question, please provide an explanation:

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Term: Service animal

Service animal means any dog or a 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. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks

performed by a service animal must be directly related to the individual's disability. 28 CFR §35.104; 28 CFR §35.136. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of meeting the ADA definition of service animal. 28 CFR § 35.104.

Examples:

- Assisting individuals who are blind or have low vision with navigation and other tasks
- Alerting individuals who are deaf or hard of hearing to the presence of people or sounds
- Providing non-violent protection or rescue work
- Pulling a wheelchair
- Assisting an individual during a seizure
- Alerting individuals to the presence of allergens
- Retrieving items such as medicine or the telephone
- Providing physical support and assistance with balance and stability to individuals with mobility disabilities
- Helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

13. Does your Department permit individuals with mobility disabilities to use wheelchairs, manually powered mobility devices, and other power-driven mobility devices in any program areas open to pedestrian use? 28 C.F.R. §35.137.

YES / NO

If you answered NO to the previous question, please provide an explanation:

Term: Manually powered mobility devices

Manually powered mobility devices must be permitted and may include wheelchairs and manually-powered mobility aids such as walkers, crutches,

canes, braces, or other similar devices designed for use by individuals with mobility disabilities in any areas open to pedestrian use. 28 C.F.R. §35.137(a).

Term: Other power driven mobility devices

Other power-driven mobility devices means any mobility device powered by batteries, fuel, or other engines—whether or not designed primarily for use by individuals with mobility disabilities—that is used by individuals with mobility disabilities for the purpose of locomotion, including golf cars, electronic personal assistance mobility devices (EPAMDs), such as the Segway® PT, or any mobility device designed to operate in areas without defined pedestrian routes, but that is not a wheelchair. These devices must be permitted as a reasonable accommodation unless the device cannot be safely operated with adopted, legitimate safety requirements. 28 CFR § 35.104; 28 CFR §35.137(b).

## Section Two: General Requirements (cont.)

14. Does your Department reasonably modify its policies and practices as necessary to allow for full and equal participation of persons with disabilities? 28 C.F.R. §35.130(b)(7).

YES / NO

If you answered NO to the previous question, please provide an explanation

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Term: Reasonable modification

State and local governments must make reasonable modifications in policies, practices and procedures when such modifications are necessary to provide programmatic access. 28 CFR §35.130(b)(7).

Examples:

A residential drug and alcohol treatment program that requires abstinence from drug and alcohol use cannot exclude an otherwise qualified applicant with a disability who takes medication, if he is appropriately taking prescription medication required for treatment of his disability. However, the program can require that the medication be administered by staff.

A children's science center waives admission fees for the 1:1 behavioral aide accompanying a child with autism

A zoo modifies its “no pets” policy to permit a patron to be accompanied by a service animal but may require the person to travel a designated route in order to avoid interaction with prey animals

A lengthy and complicated student volunteer application process is modified by providing more individualized assistance so that an otherwise eligible person with an intellectual disability can apply

Section Two: General Requirements (cont.) .

15. Does your Department make reasonable modifications in its programs so that physical barriers do not prevent persons with disabilities from participation? 28 C.F.R. §35.150(b).

YES / NO

If you answered NO to the previous question, please provide an explanation:

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Term: Reasonable modification

Reasonable modification State and local governments must make reasonable modifications in policies, practices and procedures when such modifications are necessary to provide programmatic access. 28 CFR §35.130(b)(7).

Examples:

- Redesign of equipment
- Reassignment to accessible buildings
- Use of aides
- Home visits
- Delivery of services at alternative accessible sites
- Use of accessible vehicles
- Alteration of existing facilities
- Construction of new facilities

NOTE: City staff and contractors cannot carry an individual with a disability as a method of providing program access, except in “manifestly exceptional” circumstances.

## Section Two: General Requirements (cont.)

16. Does your Department ensure that persons with disabilities have the right to refuse accommodations when participating in your regular programming if the individual so chooses? 28 C.F.R. §35.130(e)(1).

YES / NO

If you answered NO to the previous question, please provide an explanation:

Term: Right to refuse an accommodation

Right to refuse an accommodation means that an individual with a disability is not required by the ADA to accept an accommodation, aid, service, opportunity, or benefit that the individual chooses not to accept. 28 CFR §§35.130(b)(2) and (e).

Example:

The city's parking citation hearing request form includes information about how to seek disability-related accommodations for the hearing. A woman whose disability affects her speech has requested a hearing, but she has not indicated any need for accommodations, such as a qualified interpreter, to assist her in being understood when she appears. Since she has not made such a request, she cannot be forced to work with an interpreter at the hearing.

## Section Two: General Requirements (cont.)

17. If services of a personal nature are provided as part of your program, activities, or services, are these also extended to persons with disabilities? 28 C.F.R. §35.130(b); 28 C.F.R. §35.135

YES / NO

N/A

If you answered NO to the previous question, please provide an explanation:

Term: Services of a personal nature

Ordinarily, a public entity is not required by the ADA to provide personal or individually prescribed devices, or services of a personal nature (such as eyeglasses, hearing aids, a wheelchair for personal use, or assistance with eating, toileting or dressing) to a qualified individual with a disability. 28 CFR §35.135.

However, if such personal services or devices are customarily provided to other individuals in the program (such as toileting assistance in a child care or classroom setting), then these personal services should also be provided to individuals with disabilities. If the unavailability of the device or service is a barrier to equal participation by an otherwise qualified individual with a disability, then the service or equipment may need to be provided in order to avoid discrimination on the basis of disability.

18. Does your Department's program staff know to seek guidance from a Department Head or the City Administrator's office when a requested disability-related accommodation may result in a fundamental alteration of your Department's program, or may pose an undue financial or administrative burden to the City? 28 C.F.R. §35.150(a)(3).

YES / NO

If you answered NO to the previous question, please provide an explanation:



Term: Fundamental alteration and/or undue burden Undue burden

A public entity is not required to take any action that it can demonstrate would result in a fundamental alteration in the nature of a service, program, or activity or in an undue financial or administrative burden.

Term: Fundamental alteration

A fundamental alteration is a modification that is so significant that it alters the essential nature of the goods, services, facilities, privileges, advantages or accommodations offered..

Term: Undue burden

Undue burden means significant difficulty or expense. A public entity has the burden of proving that taking the proposed action would result in such alteration or burden.

The ADA regulations anticipate that providing program access will generally not result in undue financial and administrative burdens; such burdens will result in only the most unusual cases.

The decision that a particular modification or accommodation would result in a fundamental alteration or undue burden must be made by the head of the public entity or his or her designee after considering all resources available for use in the funding and operation of the service, program, or activity. In the case of municipalities, the entire city budget is considered, not just the program or department budget. The finding of fundamental alteration or undue burden must be accompanied by a written statement of the reasons for reaching that conclusion.

Even after a finding of fundamental alteration or undue burden with respect to a particular modification or accommodation, a public entity must nevertheless ensure that, to the maximum extent possible, individuals with disabilities receive the benefits or services provided by the public entity. 28 CFR §35.150(a).

Examples of fundamental alteration and undue burden

A city-run planetarium darkens the auditorium for a planetarium night sky show. A Deaf individual requests that the policy of darkening the planetarium be modified in order to have a small spotlight directed at a sign language interpreter. If it would not be a fundamental alteration to have one interpreter

lighted in a corner of the room, the practice of dimming all lights would have to be modified. However, if the request was to keep all the lights on in the auditorium, this would likely be a fundamental alteration of this particular planetarium program.

A city-run garbage collection program generally requires people to place their garbage bins on the sidewalk. A person who is unable to push his bins out to the sidewalk due to disability may request for no additional charge an alternate pick up location. The cost of an alternative pick up location does not create an undue financial or administrative burden on the program and does not alter the nature of the program.

A male teenager with an intellectual disability uses a recreation facility with the assistance of a female one-to-one aide. The teen must use a locker room facility in order to shower and requires the aide's assistance. As there are no other shower facilities outside of the men's and women's locker rooms, the program determined it could allow the teen to use the women's locker room by taking measures for protecting his and the privacy of others, such as setting up a curtained shower and dressing area for his use, and working with the aide to coordinate his entry into and exit from the women's locker room so as to not interfere with the privacy of other patrons. Such modifications do not compromise the fundamental nature of the women's locker room facilities, or impose an undue financial or administrative burden.

19. Does your Department offer services, programs, or activities that require the purchasing of tickets?

YES / NO

20. If your Department sells tickets for a single event or series of events, does your Department provide an equal opportunity to individuals with disabilities to purchase tickets for accessible seating at all times, through all methods and sales outlets, and under the same terms and conditions as other tickets? 28 C.F.R. §35.138(a)(2).

YES / NO

N/A DEPARTMENT DOES NOT SELL EVENT TICKETS

If you answered NO to the previous question, please provide an explanation:

Term: Equal opportunity

Just as other individuals are, people with disabilities are entitled to equal access and equal opportunity to participate in, and enjoy the benefits of, a public entity's programs and activities, or to receive its services.

Example:

With respect to ticketing, equal opportunity means persons with disabilities are able to purchase tickets for accessible seating in the same manner, at the same time, in the same places, and under the same terms and conditions as other patrons. 28 CFR §35.138(a)(2).

If tickets are sold online, at a box office, and by phone, persons who wish to reserve wheelchair accessible seating should also be able to reserve their tickets online, at the box office, and by phone.

All modalities used for ticket purchasing must also include a means for people with disabilities to make requests for auxiliary aids and services, such as sign language interpretation.

21. Does your Department allow all qualified persons to participate in your services, programs, and activities regardless of the person's association with individuals or an entity associated with persons with disabilities? 28 C.F.R. §35.130(g).

YES / NO

If you answered NO to the previous question, please provide an explanation:

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Term: Association

It is discrimination for a state or local government to exclude or deny equal services, programs or activities to an individual or entity because of the known disability of another individual with whom the individual or entity has a relationship or association. 28 CFR §35.130(g).

## Section Two: General Requirements (cont.) .

21. Does your Department allow all qualified persons to participate in your services, programs, and activities regardless of the person's association with individuals or an entity associated with persons with disabilities? 28 C.F.R. §35.130(g).

YES / NO

If you answered NO to the previous question, please provide an explanation:

---

### Term: Association

It is discrimination for a state or local government to exclude or deny equal services, programs or activities to an individual or entity because of the known disability of another individual with whom the individual or entity has a relationship or association. 28 CFR §35.130(g).

### Examples:

The parent of an applicant for a summer day camp program uses a wheelchair. It would be discriminatory for the program to deny the child's application out of fear that her mother will complain about the accessibility of the facility where the camp is located.

A care organization is denied a conditional use permit to build a group home in a residential neighborhood. It would be discriminatory to deny the permit based solely on the fact that the proposed housing is for persons with psychiatric disabilities.

22. Does your Department provide individuals with disabilities or groups of individuals with disabilities program modifications or accommodations without surcharges and without adding the costs of such measures onto the individual's or group's registration or other program fees? 28 C.F.R. §35.130(f)

YES / NO

If you answered NO to the previous question, please provide an explanation:

### Term: Surcharges

A state or local government may not impose an additional charge on an individual with a disability, or a group of individuals with disabilities, to cover the cost of measures taken to comply with the ADA, such as the provision of auxiliary aids and services or program access. 28 CFR §35.130(f).

#### Examples:

A person who is blind requests a Braille copy of an upcoming commission agenda that has been posted online. The commission cannot charge for the braille transcription.

The clerk provides copies of meeting minutes for a fee. A request for minutes in an audio format can be charged at the same amount.

The admission fee at a municipally-owned amusement park for young children ages 5 and below should not be charged for the admission of the adult behavioral aide of child with a disability who is also accompanied by an adult guardian because the aide is not using the facilities and is required to allow the child to be able to enjoy the park. The adult guardian, however, may be charged since adult supervision is required for all children admitted to the park.

23. If your Department administers a licensing or certification program, does it include requirements that do not subject qualified persons with disabilities to discrimination and is it otherwise administered in a manner that does not discriminate on the basis of disability? 28 C.F.R. §35.130(b)(6).

YES / NO

N/A

If you answered NO to the previous question, please provide an explanation

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### Term: Licensing and certification

A state or local government entity may not discriminate against a qualified individual with a disability, on the basis of disability, in the granting of licenses and certifications. A state or local government may not administer a licensing or certification program in a manner that subjects qualified individuals with disabilities to discrimination on the basis of disability, nor may a state or local government establish requirements for the programs or activities of licensees

or certified entities that subject qualified individuals with disabilities to discrimination on the basis of disability. 28 CFR §35.130(b)(6).

Examples:

Special event license materials are available on standardized print forms. The program must furnish the materials in an alternative format such as large print or electronically if requested by an applicant with a vision impairment.

A certification course run by a fire department helps people prepare individually for an emergency. To receive the final certificate, participants are asked to complete an online quiz with a 30-minute time limit at the end of the course. Additional time to complete the quiz should be provided if requested by a participant with a learning disability.

## Section Two: General Requirements (cont.) .

24. Does your Department take necessary measures to ensure that persons who have opposed any act or practice prohibited under the Americans with Disabilities Act or related antidiscrimination laws, or who has assisted with a complaint regarding or investigation into alleged disability discrimination, are not harassed or retaliated against by staff or others in your program? 28 C.F.R. §35.134.

YES / NO

If you answered NO to the previous question, please provide an explanation:

Term: Retaliation

Individuals who exercise their rights under the ADA, or assist others in exercising their rights, are protected from discrimination, coercion, intimidation, threats, or interference. This protection extends to anyone filing, or participating in the investigation of, a complaint concerning discrimination on the basis of disability. 28 CFR §35.134.

Example:

A person who is accompanied by a service dog is initially stopped by a security guard who refuses to allow admittance due to a building's "no pets" policy. The person explains the dog is not a pet and is a service animal trained to assist

with her disability and that she doesn't want to have to lodge a complaint with the city if she is not permitted entry. The security guard lets her and her dog pass, but keeps an eye on her the entire time she is in the building lobby and remarks to another security guard and others in the lobby loudly, "how is that woman disabled? How is that dog doing anything for her? I swear people will try to pull anything these days! I call BS!" This could easily be perceived as intimidating behavior in retaliation for her exercise of rights under the ADA.

25. Does your Department publish or otherwise provide information for participants regarding the City's disability grievance procedure? 28 C.F.R. §35.106; 28 C.F.R. §35.107(b).

YES / NO

If you answered NO to the previous question, please provide an explanation:

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Term: Grievance procedure

A public entity that employs 50 or more persons shall adopt and publish grievance procedures providing for prompt and equitable resolution of complaints alleging any action that would be prohibited under the ADA. 28 CFR §35.107(b). The City of Oakland's grievance procedure and form can be located at <http://www2.oaklandnet.com/Government/o/PWA/o/EC/s/ADA/DOWD005074>

26. Does your Department inform its third-party service providers and contractors of the City's disability grievance procedure and ensure this information is readily available to program participants at third-party program/service sites? 28 C.F.R. §35.106; 28 C.F.R. §35.107(b)

YES / NO

If you answered NO to the previous question, please provide an explanation:

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Term: Contracts

A state or local government that enters into a contract with a private entity must ensure that the activity operated under the contract is in compliance with the ADA. 28 CFR §35.102.

In other words, the ADA prohibits discrimination on the basis of disability in those activities of a public entity's contractors which pertain to the fulfillment of that contract. This means that public entities must ensure that the programs or activities operated under each contract are in compliance with the ADA.

At minimum, public entities can ensure that the language of their contracts includes a requirement prohibiting discrimination on the basis of disability in the contractor's employment policies, and in the contractor's operation of the programs and activities covered by the contract, and that program participants at third party contractor sites are aware of the city's ADA Grievance Procedure.

It is the policy of the City of Oakland to require contractors to complete Schedules C1 or C2, *Declaration of Compliance with the Americans with Disabilities Act* or *Declaration of ADA Compliance for Facility Use and Special Events Agreements*, as

applicable: <http://www2.oaklandnet.com/Government/o/PWA/o/EC/s/ADA/DOWD005073#web>

### Section Three: Communications Access

1. Does your Department take necessary steps to ensure that communications with applicants, participants, members of the public, and companions with disabilities are as effective as communications with others? 28 C.F.R. §35.160(a).

YES / NO

If you answered NO to the previous question, please provide an explanation

Term: Effective communications

Communications with members of the public and their companions with disabilities must be as effective as communications with )others. 28 CFR §35.160(a).



### Section Three: Communications Access (cont.)

2. Does your Department furnish appropriate auxiliary aids and services when necessary to afford individuals with disabilities an equal opportunity to participate in, and enjoy the benefits of, your Department's programs and activities? 28 C.F.R. §35.160(b).

YES / NO

If you answered NO to the previous question, please provide an explanation:

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Term: Auxiliary aids and services

Auxiliary aids and services are a requirement of effective communication if necessary to afford qualified individuals with disabilities an equal opportunity to participate in and enjoy the benefits of a service, program, or activity of a public entity. 28 CFR §35.104.

To be effective, auxiliary aids and services must be provided in accessible formats, in a timely manner, and in such a way as to protect the privacy and independence of the individual with a disability.

Examples:

Auxiliary aids and services that can benefit individuals with hearing impairments include, but are not limited to:

- Qualified interpreters
- Video remote interpreting (VRI) services
- Computer-aided transcription of what is being spoken, projected in real time onto a screen, PDA or computer terminal
- Notetakers
- Exchange of written notes
- Telephone handset amplifiers

### Examples of Auxiliary Aids and Services (Cont.):

Auxiliary aids and services that can benefit individuals with hearing impairments include, but are not limited to:

- Telephones compatible with hearing aids
- Assistive listening devices or systems
- Open and closed captioning of videos and films
- Text telephones, captioned phones, and videophones
- Videotext displays
- Accessible electronic and information technology

Auxiliary aids and services that can benefit individuals with vision impairments include, but are not limited to:

- Qualified readers
- Taped texts
- Audio recordings
- Brailled materials and displays
- Screen reader software
- Screen magnification software
- Closed circuit TV magnifiers
- Large print materials
- Accessible electronic and information technology

Auxiliary aids and services that can benefit individuals with speech impairments include, but are not limited to:

- Telephone relay services
- Speech synthesizing computer devices
- Qualified oral interpreters
- Communication boards

### Section Three: Communications Access (cont.)

3. When furnishing auxiliary aids and services, does your Department give primary consideration to the expressed preferences of the individual with a disability? 28 C.F.R.

YES / NO

If you answered NO to the previous question, please provide an explanation:

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Term: Preferences of the individual with a disability

In determining what types of auxiliary aids and services are necessary, a public entity shall give primary consideration to the requests of individuals with disabilities. 28 CFR §35.160 (b)(2).

4. Does your Department refrain from requiring individuals with disabilities to bring another individual to interpret for him or her when participating in your programs, activities, and services, in lieu of providing access to a qualified interpreter?

YES / NO

If you answered NO to the previous question, please provide an explanation:

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Term: Qualified interpreter

A qualified interpreter is an interpreter who, via a video remote interpreting (VRI) service or an on-site appearance, is able to interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. Qualified interpreters include, for example, sign language interpreters, oral transliterators, and cued-language transliterators. 28 CFR § 35.104

### Section Three: Communications Access (cont.)

5. Does your Department refrain from using adult companions to interpret or facilitate communication with a person with a disability except in emergency situations when no qualified interpreter available, or at the request of the person with a disability, and then only when reliance on that adult for such assistance is appropriate under the circumstances? 28 C.F.R. §31.160(c)(2).

YES / NO

If you answered NO to the previous question, please provide an explanation:

---

Term: No reliance on companions to interpret or facilitate communication except in an emergency

Public entities are prohibited from requiring an adult companion from serving as an interpreter or facilitator for a person with a disability except in an emergency situation, defined as an imminent threat to the safety or welfare of an individual or the public when no qualified interpreter is available, or when the individual with a disability specifically requests that the accompanying adult interpret or facilitate communication, the accompanying adult agrees, and such assistance would be appropriate under the circumstances. 28 C.F.R. §31.160(c)(2).

6. Does your Department refrain from using minor children to interpret or facilitate communication with a person with a disability except in an emergency and there is no qualified interpreter available? 28 C.F.R. §31.160(c)(3).

YES / NO

If you answered NO to the previous question, please provide an explanation:

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Term: No reliance on minor children to interpret or facilitate communication except in an emergency

No reliance on minor children to interpret or facilitate communication except in an emergency involving imminent threat to safety or welfare of an individual or the public and no qualified interpreter is available. There is no exception allowing minor children to interpret or facilitate even if requested by the person with a disability and the child agrees. 28 C.F.R. §31.160(c)(3).

### Section Three: Communications Access (cont.)

7. Are persons using telecommunications relay services able to communicate with your Department as effectively as those making other telephone calls? 28 C.F.R. §31.161(c).

YES / NO

If you answered NO to the previous question, please provide an explanation:

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Term: Telecommunications relay services (TRS)

TRS uses operators, called communications assistants (CAs), to facilitate telephone calls between people with hearing and speech disabilities and other individuals. A TRS call may be initiated by either a person with a hearing or speech disability, or a person without such disability calling 711 anywhere in the United States. When a person with a hearing or speech disability initiates a TRS call, the person uses a teletypewriter (TTY) or other text input device to call the TRS relay center, and gives a CA the number of the party that he or she wants to call. The CA places an outbound traditional voice call to that person, then serves as a link for the call, relaying the text of the calling party in voice to the called party, and converting to text what the called party voices back to the calling party.

When a state or local government communicates with the public by telephone, the ADA requires that text telephones (TTYs) or equally effective telecommunications be used to communicate with people who have hearing or speech impairments. 28 CFR §35.161.

While many people may now be using the 711 relay service for placing calls, it is still advisable to retain and publish a TTY number for TTY users to be able to call directly, and staff should be trained in appropriate TTY usage.

City departments and programs must list TTY numbers in any information they disseminate to the public that includes department and/or program telephone numbers.

TTY numbers are especially important to include in any material that informs the public about how to request auxiliary aids and services.

### Section Three: Communications Access (cont.)

8. Does your Department include on its website home page, brochures, and other materials that auxiliary aids and services are available upon request to individuals with disabilities and instructions for making such requests? 28 C.F.R. §35.160(b).

YES / NO

If you answered NO to the previous question, please provide an explanation:

Term: Instructions for requesting auxiliary aids and services

Auxiliary aids and services are a requirement of effective communication if necessary to afford qualified individuals with disabilities an equal opportunity to participate in and enjoy the benefits of a service, program, or activity of a public entity. 28 CFR §35.104.

At a minimum, programs should state on websites, brochures, and any other materials advertising a program, activity, or service, that "auxiliary aids and services for persons with disabilities are available upon request" and provide a phone number and/or e-mail address for making the request.

9. Does your Department include on its website home page, brochures, and other materials that auxiliary aids and services are available upon request to individuals with disabilities and instructions for making such requests? 28 C.F.R. §35.160(b).

YES / NO

N/A, PROGRAM INFORMATION IS NOT PUBLISHED OR BROADCASTED IN NEWS MEDIA

If you answered NO to the previous question, please provide an explanation:

10. If marketing, recruitment, and other materials indicate that your Department may be reached by telephone, do the materials include a TTY or relay service number? 28 C.F.R. §35.161(a).

YES / NO

If you answered NO to the previous question, please provide an explanation:

### Section Three: Communications Access (cont.)

11. Do your Department's special event and meeting notices include information for requesting auxiliary aids and services and other disability-related accommodations? 28 C.F.R. §35.160(b).

YES / NO

If you answered NO to the previous question, please provide an explanation:  
\_\_\_\_\_

Term: Special events

Public entities must ensure that the special events they sponsor take place in accessible locations, that auxiliary aids and services to ensure equally effective communication are provided to attendees with disabilities on request (these requests may need to be submitted in advance), and that notices announcing these special events include information about the accessibility of the location, and about how to request auxiliary aids and services.

### Section Four: Program Access

1. Does your Department actively work to ensure that each of its programs, when viewed in its entirety, is readily accessible to and usable by persons with disabilities? 28 C.F.R. §35.150(a)

YES / NO

If you answered NO to the previous question, please provide an explanation:  
\_\_\_\_\_

Term: Program is readily accessible to and usable by persons with disabilities in its entirety

Public Program is readily accessible to and usable by persons with disabilities in its entirety means that while not all program sites may be architecturally accessible to persons with disabilities, the program itself is readily available to persons with disabilities. Public entities should consider the distribution of facilities where the program is offered; the hours the program is available at each site; connectivity to public transportation; and what modifications are available for making programs accessible at existing sites that are not architecturally accessible. 28 CFR §35.150(a).

Example:

A Head Start program operates at ten locations citywide. Only three of the program sites have wheelchair accessible entrances, and all are located on the west side of the City. This program, in its entirety, is not readily accessible to and usable by persons with disabilities because accessible sites are concentrated in only one part of the city.

#### Section Four: Program Access (cont.)

2. Does your Department actively work to ensure that its services, programs, and activities are offered to qualified persons with disabilities in the most integrated setting appropriate? 28 C.F.R. §35.150(b)(1).

YES / NO

If you answered NO to the previous question, please provide an explanation:

Term: Most integrated setting appropriate

Most integrated setting appropriate when modifying a program to eliminate barriers to access in existing facilities that are not architecturally compliant, a public entity must prioritize those program modifications that will allow persons with disabilities to interact with non-disabled persons to the fullest extent possible. 28 CFR §35.150(b)(1).

Example:

A city runs an after-school program at a park where children can enjoy supervised, structured play. The park features a rec center and a jungle gym. The ground leading to and below the jungle gym is sand and so is not wheelchair accessible. This makes it impossible for a wheelchair user to participate when the activities center on that area. This program can minimize the extent to which the inaccessible playground equipment is used by designing activities that maximize opportunities for interaction.

3. Does your Department prohibit staff or others from carrying persons with disabilities as an alternative to making structural modifications or relocating a program to an alternative, accessible site? 28 C.F.R. 35.150(b)(1).)

YES / NO

If you answered NO to the previous question, please provide an explanation:



Term: Carrying

Carrying is generally not permitted as a means of providing program access when architectural barriers interfere with the participation of persons with disabilities. Carrying is not permitted as an alternative to structural modifications, and is only allowed in very rare and exceptional cases, such as onto an oceanographic vessel where independent physical access cannot be provided (like a submarine). 28 CFR §35.150(b)(1).

4. Does your Department use back doors or freight elevators to provide program access to persons with disabilities? 28 C.F.R. §35.150(b)(1).

YES / NO

If you answered NO to the previous question, please provide an explanation:

Section Four: Program Access (cont.)

Term: Back doors or freight elevators

Back doors or freight elevators are not acceptable means for providing individuals with disabilities access to a public entity's programs, activities, or services, unless they are used as a last resort, and meet the following conditions: they must be available for use during the same hours as the main door or elevator; the passageway to and from is accessible, well-lit, neat and clean; and do not require traveling excessive distances or through non-public areas such as kitchens or storerooms to gain access. 28 CFR §35.150(b) (1).

A freight elevator is acceptable only if it is upgraded so as to be usable by passengers generally, and if the passageways leading to and from the elevator are well-lit, neat and clean.

5. If your Department operates an historic preservation program, does it employ methods that provide physical access to persons with disabilities or alternative methods for program access if the historic property cannot be physically altered to become accessible? 28 C.F.R. §35.150(b) (3).

YES / NO

If you answered NO to the previous question, please provide an explanation:

Term: Historic preservation programs

Historic preservation programs have preservation of historic properties as a primary purpose. 28 CFR § 35.104.

In achieving program accessibility in historic preservation programs, a public entity must give priority to methods that provide independent physical access to individuals with disabilities. Physical access is particularly important in an historic preservation program, because a primary benefit of the program is the unique experience of the historic property itself.

Term: Alternative methods for program access

- Alternative methods for program access in a historic preservation program may consist of the following:
- Using audio-visual materials and devices to depict inaccessible portions of a historic property;
- Assigning aides to guide persons with disabilities through those parts of the historic property that would be inaccessible without the guide; or
- Adopting other innovative methods

Term: Historic properties

- Historic properties are those listed or eligible for listing in the National Register of Historic Places or properties designated as historic under State or local law. 28 CFR § 35.104.
- A program that occupies a historic property but does not have historic preservation as a primary purpose is subject to the general program access requirements, 28 CFR §35.150.

## Section Four: Program Access (cont.)

Term: Historic properties

Example:

A city-sponsored hip-hop dance class is held on the second floor of a historic building. The second floor is only accessible by stairs. The dance class is not an historic preservation program and therefore is subject to general program access requirements. This means that the class should be relocated to an accessible site.

6. Does your Department have policies or procedures for evacuating program participants with disabilities in the event of an emergency?

YES / NO

If you answered NO to the previous question, please provide an explanation:

---

Term: Emergency

Emergency programs and services must be designed and administered to not discriminate against individuals with disabilities and to provide individuals with disabilities an equal opportunity to participate in or benefit from the aid, benefits, and services that are not separate or different from what is provided to others. 28 CFR §35.130.

Example:

A housing assistance center is located on the third floor of a city building and accessible by elevator. In the event of an emergency, staff should have a plan and necessary equipment available for evacuating persons who use wheelchairs or who have other mobility limitations that would prevent them from independently using the stairs,

## Section Five: Structural Access

1. Does your Department take necessary measures to select locations for its programs, services, and activities so that each service, program, and activity, when viewed in its entirety, is readily accessible to and usable by individuals with disabilities? 28 C.F.R. §35.150(a).

YES / NO

If you answered NO to the previous question, please provide an explanation:

---

Term: Program is readily accessible to and usable by persons with disabilities in its entirety

Program is readily accessible to and usable by persons with disabilities in its entirety means that while not all program sites may be architecturally accessible to persons with disabilities, the program itself is readily available to persons with disabilities. Public entities should consider the distribution of facilities where the program is offered; the hours the program is available at each site; connectivity to public transportation; and what modifications are available for making programs accessible at existing sites that are not architecturally accessible. 28 CFR §35.150(a).

Example:

A Head Start program operates at ten locations citywide. Only three of the program sites have wheelchair accessible entrances, and all are located on the west side of the City. This program in its entirety is not readily accessible to and usable by persons with disabilities because accessible sites are concentrated in only one part of the city.

2. Does your Department only select locations for its programs, activities, and services that offer, at a minimum: at least one accessible route from an accessible entrance to the parts of the building where principal program activities take place; accessible toilet facilities; and accessible parking facilities?

YES / NO

If you answered NO to the previous question, please provide an explanation

## Section Five: Structural Access (cont.)

3. Does your Department only select locations for its special events that offer, at a minimum: at least one accessible route from an accessible entrance to the parts of the building where principal program activities take place; accessible toilet facilities; and accessible parking facilities?

YES / NO

If you answered NO to the previous question, please provide an explanation:

---

Term: Special events

Public entities must ensure that the special events they sponsor take place in accessible locations, that auxiliary aids and services to ensure equally effective communication are provided to attendees with disabilities on request (these requests may need to be submitted in advance), and that notices announcing these special events include information about the accessibility of the location, and about how to request auxiliary aids and services.

4. Does your Department periodically test the usability of all features and equipment used in its programs, activities, and services by participants with disabilities, and report maintenance issues to Facilities Management when appropriate?

YES / NO

If you answered NO to the previous question, please provide an explanation

---

Term: Maintenance

A public entity is required to maintain in operable working order those features of facilities and equipment that are required to be readily accessible to and usable by persons with disabilities. 28 CFR §35.133.

5. Does your Department work with Facilities Management to post appropriate signage at all inaccessible entrances at each of your facilities directing users to the accessible entrance, or to a location with information about accessible facilities? 28 C.F.R. §35.163(b).

YES / NO

If you answered NO to the previous question, please provide an explanation:

---

Term: Signage at inaccessible entrances

Signage at inaccessible entrances is required at each program facility directing users to an accessible entrance or to a location where they can obtain information about accessible facilities

Section Five: Structural Access (cont.)

6. Does your Department report to Facilities Management the lack of appropriate signage using the International Symbol of Accessibility at each accessible entrance to your facilities? 28 C.F.R. §35.163(b).

YES / NO

If you answered NO to the previous question, please provide an explanation



7. Does your Department take necessary steps to ensure that interested persons, including persons with impaired vision or hearing, can obtain information as to the existence and location of accessible services, activities, and facilities? 28 C.F.R. §35.163(a).

YES / NO

If you answered NO to the previous question, please provide an explanation:

Term: Existence and location of accessible services, activities, and facilities

Public entities Public entities must ensure that interested persons, including persons with impaired vision or hearing, can obtain information as to the existence and location of accessible services, activities, and facilities. 28 CFR §35.163(a).

Examples:

A parks and recreation department publishes an online map showing the locations of its facilities and their amenities (such as pools, tot lots, and tennis courts) citywide. The map indicates which of the identified amenities are accessible to persons with disabilities.

A transportation department publishes an online map showing all improved city streets, locations of curb ramps, bike facilities, transit stops, parking lots, on-street disabled parking spaces, city buildings, and other major landmarks, to assist with trip planning.

Both of these online maps should include a phone number and e-mail address for seeking additional accessibility information. These maps must also be designed to be usable by persons who rely on screen reader software, and with easy to read graphics, which can help persons with cognitive disabilities or who have low vision.

### **5.1.3 Self-Evaluation Follow-up Interview Protocol**

#### City of Oakland ADA Title II Self-Evaluation Update

##### Departmental Interview Questions

1. Which of your programs have had experience with serving City of Oakland customers who have disabilities?
2. a. Please tell us about your experiences serving members of the public who have disabilities.  
  
b. What have been some of your positive experiences when interacting with, or providing services to, children, adults or seniors who have disabilities?  
  
c. What have been some of your less positive, or negative, experiences?
3. Tell us about your experience providing City customers with disability accommodations. (Examples: providing a sign language interpreter, reader or note taker, furnishing large print, Braille, or e-mail copies of printed materials, describing aloud what is written on a blackboard, or otherwise assisting a person with a disability to participate in program activities.)
4. Tell us about your experience communicating with customers who are Deaf, or are hard of hearing, or who have speech disabilities. (Examples: by texting, by e-mail, by using a TTY, by using the California Relay Service.)
5. a. Have you ever had to modify a program policy or procedure in order for a City customer with a disability to fully participate in any of your programs or services? (Examples: allowing a person's guide dog to accompany them during program participation, allowing a person to use adaptive aids during program participation, relocating a program or service to an accessible site.)  
  
b. If so, how was the modification of the policy or procedure accomplished?  
  
c. What were the results for the customer and for your staff?
6. a. Have any City customers with disabilities been unable to participate in any of your programs?  
  
b. If they were unable to participate, why couldn't they?



7. a. Have you ever had to refuse permission for a person with a disability to participate in one of your programs, or to receive a service that you ordinarily offer to the public?
  - b. If you had to do this, what were the reason or reasons that you did so?
8. a. Does your Department, or do any of your programs, provide or coordinate any public meetings or public special events?
  - b. What has your experience been following the City of Oakland's special events policy regarding holding the events at wheelchair accessible locations, and providing equally effective communication for people with disabilities who attend?
9. a. Does your Department use third-party contractors to provide any services or programs offered to the public?
  - b. If so, do you need assistance monitoring these contractors' compliance with ADA requirements?
- 10.a. To your knowledge, has your Department, or have any of your programs or services, been the object of a complaint from a member of the disability community?
  - b. If so, what did the complaint involve, and how did you handle it?
11. In terms of serving Oakland residents with disabilities, in what areas do you think your Department has done especially well?
12. What type of training, tools, or other assistance would enhance your Department's ability to serve people with disabilities?
13. With your supervisor's approval, are you willing to participate in a quarterly meeting with other DACs and the ADA Programs Division to receive training and exchange information?
14. What other questions do you, your staff, and/or your contractors have about serving City of Oakland customers with disabilities?

Thank you very much for you time and attention.

#### 5.1.4 Self-Evaluation Update Follow-up E-mail Questionnaire

Directions:

Please fill in your answers to the following questions. Then, save your document and e-mail it to [consultants@brucknerconsultants.com](mailto:consultants@brucknerconsultants.com)

Questions:

1. What do you think your Department has done especially well when serving Oakland residents with disabilities?
2. Please give us a few examples of your experience providing City customers with disability accommodations. (Examples: providing a sign language interpreter, reader or note taker, furnishing large print or Braille, or otherwise assisting a person with a disability to participate in program activities.)
3. Please tell us about your experience communicating with customers who are Deaf, or are hard of hearing, or who have speech disabilities. (Examples: in face-to-face interactions, or by texting, or by e-mail, or by using a TTY, or by using the California Relay Service.)
4. When your Department sponsors public special events, what has been your experience following the City of Oakland's special events policy regarding holding the events at wheelchair accessible locations, and providing equally effective communication for people with disabilities who attend?
5. What type of assistance do you need for monitoring how well your contractors who provide services to the public are complying with Americans with Disabilities Act (ADA) requirements?
6. Have any City customers with disabilities been unable to participate in any of your programs, activities or services? Yes/No  
If they were unable to participate, why couldn't they?
7. Have you ever had to refuse permission for a person with a disability to participate in one of your programs, or to receive a service that you ordinarily offer to the public? Yes/No  
If you had to do this, what were the reason or reasons that you did so?

8. To your knowledge, has your Department or program been the object of a complaint from a member of the disability community? Yes/No  
If so, what did the complaint involve, and how did you handle it?
9. What type of training, tools, or other assistance would enhance your department's ability to serve people with disabilities?
10. With your supervisor's approval, are you willing to participate in a quarterly meeting with other DACs and the ADA Programs Division to receive training and exchange information?

Thank you very much for you time and attention,  
William and Victoria Bruckner

#### Departments that received the questionnaire

Seven Departmental Access Coordinators who completed the online SE Update Survey were sent a follow up questionnaire. Four of the DACs received abbreviated versions because some of the questions were not applicable.

- Animal Services (omitted item # 5)
- City Clerk
- City Clerk/KTOP (omitted items # 4 & 5)
- Human Services
- Library (omitted item # 5)
- Oakland residents Assistance Center (omitted items # 4, 5, 6, and 7)
- Parks & Recreation

## **5.2 Disability and Deaf Community Participation in the ADA Title II Citywide Self-Evaluation Update Process**

### **Outreach to collect community input**

Staff from the ADA Programs Division conducted special community forums in order to collect input from members of the disability and Deaf community. The following is a list of the dates and locations of these forums.

March 31: City Hall

April 11: Center for Independent Living, Downtown Oakland office

April 13: Center for Independent Living, Fruitvale office

May 20: Fruitvale/San Antonio Senior Center

Also in April and May, staff attended/will be attending regularly scheduled community meetings to inform community members of the opportunity to provide input via the survey, as follows:

April 15: Downtown Oakland Senior Center Advisory Council

April 21: North and West Oakland Senior Center Advisory Council

April 25: East Oakland Senior Center Advisory Council

May 23: Allen Temple Baptist Church Disability Ministry Meeting

Finally, hard copies of surveys and tent cards with information regarding how to access the survey online were distributed/posted at all the Downtown, North, West, East Oakland, Hong Lok and Fruitvale/San Antonio Senior Centers; at various library branches; and at the Human Services Department's job seekers' computer lab.

### 5.2.1 The City of Oakland Disability and Deaf Community Survey

The City of Oakland is in the process of updating its Americans with Disabilities Act (ADA) Title II Self-Evaluation. An ADA Self-Evaluation is the City's review of its programs, activities and services, and its current policies and practices as they relate to providing full and equal access to persons with disabilities.

An important part of the self-evaluation update process involves getting feedback from people with disabilities, their family members, and disability community agencies, regarding experiences using City services and participating in City programs and activities.

Some examples of the many programs, activities and services offered by the City of Oakland include, but are not limited to:

Animal Care Services	Paramedic Services
Building Permits	Parking Tickets
Business Tax License	Police Services
Emergency Services	Public Library
Head Start	Recreation Programs
Housing Services	Senior Center Programs
Meetings & Special Events	Street and Sewer Repair

We want to hear about your experiences with City of Oakland programs, activities and services, attending City Council and Commission meetings, and participating in City special events such as the annual Art & Soul festival.

Thank you,

City of Oakland ADA Self-Evaluation Team

This survey is optimized when using the Chrome (<https://www.google.com/intl/en/chrome/>) or Firefox browsers (<https://www.mozilla.org/en-US/firefox/new/>). For more information or for assistance with completing this form, please contact Sherri Rita, City ADA Programmatic Access Coordinator, 510-238-6919 or at [srita@oaklandnet.com](mailto:srita@oaklandnet.com)

1. I am:

*Check all that apply.*

A person with a disability

A family member with a disability

A service provider with a disability

Other

2 If "other" please describe:

3. What City of Oakland services have you or others with a disability used/participated in? (select all that apply)

Paying a parking ticket

Adopting an animal/other Animal Services

Library services

Paramedic services / other emergency services

Police services

Head Start / Early Head Start

Recreation Center programs

Senior programs

Public Works programs (Call Center, requests; requests for sidewalk or pothole repair, disabled parking; etc.)

Meetings / Special Events

Other

4. If you checked "other" above, please describe what other City services you or others with a disability have used/participated in

5. Please indicate generally how you would rate your experience or that of others with disabilities in accessing City services:

*Mark only one: Excellent / Very Good / Okay / Poor*

6. Please describe why you selected the rating above:

7. Do you believe that you or others with disabilities have been denied access to City services, or the opportunity to participate in any City programs or activities, because of disability? *YES / NO*

8. If "yes" please describe

9. Have you or others encountered any of the following disability-related barriers when trying to participate in City programs, attend City-sponsored public meetings or events, or use City services?

*Check all that apply.*

Did not receive assistance with filling out forms or obtaining them in an alternative format

Program/service in an inaccessible location

Requested but did not receive sign language interpretation, assistive listening device or real-time captioning

Did not know how to request auxiliary aids or services in advance of attending/participating in a program, activity or service

Unable to request auxiliary aids or services or obtain accessibility information because I called the TTY number & no one answered

Unable to request auxiliary aids or services or obtain accessibility information because someone hung up on the relay operator

Unable to obtain information or take part in City services online because the website content/forms were inaccessible

Service counter too high or cluttered

Excluded from a service, program, or activity because of a service animal

Directed to a different program just for persons with disabilities

Informed that persons with disabilities are unable to participate in program, service, or activity

Staff asked questions about my disability

Harassed or retaliated against in a City program, activity, or service based on disability

Other (please describe below)

10. Please describe the barriers you encountered and in what City program, activity, or service:
11. Are you aware of the City's ADA Grievance Procedure?  
*Mark only one . YES / NO*
12. If you have used the City's ADA Grievance Procedure, please describe the results:  
*Mark only one*  
Fully resolved the complaint  
Partially resolved the complaint  
Did not resolve the complaint  
Other (please describe below)
13. Please describe your experience with the City's ADA Grievance Procedure:
14. Please provide any additional feedback that will help the City improve its delivery of services, programs, and activities to persons with disabilities



### 5.3 Departmental Access Coordinators' Roster (current as of May 2016)

Department/Program	DAC	Contact Information
Aging & Adult Services/Human Services Department	Scott Means	<a href="mailto:smeans@oaklandnet.com">smeans@oaklandnet.com</a> 510.238.6137
Auditor	Timothy Knight	<a href="mailto:tknight@oaklandnet.com">tknight@oaklandnet.com</a> 510.238.3379
Building Division/Planning & Building Department	Kevin Dumford	<a href="mailto:kdumford@oaklandnet.com">kdumford@oaklandnet.com</a> 510.238.6217
Bureau of Engineering & Construction/Public Works Department	Christine Calabrese (interim)	<a href="mailto:ccalabrese@oaklandnet.com">ccalabrese@oaklandnet.com</a> 510.238.4754
Bureau of Facilities & Environment/Public Works Department (Building & Facilities Maintenance)	Derin Minor	<a href="mailto:dminor@oaklandnet.com">dminor@oaklandnet.com</a> 510.238.3998
Bureau of Facilities & Environment/Public Works Department (Parks)	Brian Carthan	<a href="mailto:bcarthan@oaklandnet.com">bcarthan@oaklandnet.com</a> 510.615.5510
Bureau of Infrastructure & Operations/Public Works Department	Vacant	
Children & Youth Services/Human Services Department	Sachelle Heavens	<a href="mailto:SHeavens@oaklandnet.com">SHeavens@oaklandnet.com</a> 510.238.3088
City Clerk/KTOP	Michael Munson	<a href="mailto:mmunson@oaklandnet.com">mmunson@oaklandnet.com</a> 510.238.6565
City Clerk/Records	Sandy Wong	<a href="mailto:swong@oaklandnet.com">swong@oaklandnet.com</a> 510.238.7979
Economic & Workforce Development/Business Assistance Center	Susana Villareal	<a href="mailto:svillareal@oaklandnet.com">svillareal@oaklandnet.com</a> 510.238.7794
Economic & Workforce Development/General	Donna Howell	<a href="mailto:dhowell@oaklandnet.com">dhowell@oaklandnet.com</a> 510.238.3852
Economic & Workforce Development/Workforce Investment Board	Lazandra Dial	<a href="mailto:ldial@oaklandnet.com">ldial@oaklandnet.com</a> 510.238.3474
Emergency Services/Fire Department	Genevieve Pastor-Cohen	<a href="mailto:Gpastor-cohen@oaklandnet.com">Gpastor-cohen@oaklandnet.com</a> 510.238.2326
Finance Department	Shahla Azimi	<a href="mailto:sazimi@oaklandnet.com">sazimi@oaklandnet.com</a> 510.238.2972
Housing and Community Development Department	Sylvia Shannon	<a href="mailto:Sshannon@oaklandnet.com">Sshannon@oaklandnet.com</a> 510.238.3715

Department/Program	DAC	Contact Information
Library	Jamie Turbak	<a href="mailto:jturbak@oaklandnet.com">jturbak@oaklandnet.com</a> 510.238.6610
Oakland Animal Services	Tiana Scott	<a href="mailto:tscott@oaklandnet.com">tscott@oaklandnet.com</a> 510.535.5602
Oaklander's Assistance Center/Mayor's Office	Al Lujan	<a href="mailto:alujan@oaklandnet.com">alujan@oaklandnet.com</a> 510.238.7366
Parks & Recreation Department	Erin Burton	<a href="mailto:eburton@oaklandnet.com">eburton@oaklandnet.com</a> 510.597.5064
Planning Division/Planning & Building Department	Aubrey Rose	<a href="mailto:arose@oaklandnet.com">arose@oaklandnet.com</a> 510.238.2071
Police-Training Division	Doria Neff	<a href="mailto:dneff@oaklandnet.com">dneff@oaklandnet.com</a> -----
Police-Youth and Community Services	Vacant	
Project Implementation	Vacant	
Public Works Administration/Public Works Department	Yolanda Lopez	<a href="mailto:ylopez@oaklandnet.com">ylopez@oaklandnet.com</a> 510.238.2098

## **5.4 City of Oakland ADA Policies and Procedures**

The following is a list of the Citywide ADA policies and procedures reviewed during the Self-Evaluation Update project.

### **City Access Policy: Administrative Instruction 123**

The City Access Policy outlines procedures and guidelines, and designates parties responsible for ensuring that City departments shall not discriminate on the basis of disability in employment or any of its programs, activities or services.

### **ADA Title II Grievance Procedure**

This Grievance Procedure is established to meet the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs or benefits by the City of Oakland. A separate form and procedure is to be used when filing a complaint alleging City of Oakland employment discrimination. This grievance procedure does not address complaints of disability discrimination involving other public entities or private businesses.

### **Special Event Access for People with Disabilities Policy and Procedures**

It is the policy of the City of Oakland to make its special events accessible to people with disabilities in accordance with ADA requirements. Special events include indoor and outdoor concerts, festivals, fairs, luncheons, ceremonies and other activities to which the public is invited, whether held on City property or at other sites. This policy contains procedures for making these events accessible for people who have a range disabilities and access needs.

### **On-Street Disabled Parking Zone Policy and Program**

The City of Oakland establishes on-street disabled parking zones in the public right of way where required by the ADA. This policy provides a schedule for remediation of existing non-compliant disabled parking zones in the public right of way. The City operates additional discretionary programs under which on-street disabled parking zones may be installed upon request by qualified individuals with disabilities and by public accommodations.

## **Web Site Access Policy**

All City web sites shall be designed to be substantially compliant with the ADA; and all people, regardless of their physical, sensory or developmental abilities, shall have access to the City's web-based information and services. The City Web Site Access Policy established guidelines and procedures for achieving this compliance.

## **Contract Schedules C-1 and C-2**

### *Contract Schedule C-1, Declaration of Compliance with the ADA*

Private organizations that provide goods and services to the public have independent responsibilities under Title III of the Americans with Disabilities Act, regardless of their funding sources. Contract Schedule C-1, provides a mechanism by which outside agencies acknowledge their general obligations under the ADA before providing goods or services to the City.

### *Contract Schedule C-2, Declaration of ADA Compliance for Facility Use and Special Events Agreements*

Contract Schedule C-2 provides a mechanism by which outside agencies acknowledge their obligations under the ADA and the City's ADA Special Events Policy before utilizing City facilities for public events and/or delivering special event services to the City.

## **Auxiliary Aids and Services Request Forms**

These are forms that City staff may use when responding to requests for auxiliary aids and services from customers with disabilities who wish to attend City meetings or events, or to participate in City programs or activities. These forms may be used to arrange for sign language interpreting services, real time captioning services, Braille translation of printed materials, and audio translation of printed materials.

Note: Per the scope of this Self-Evaluation Update project, the consultants did not review the Equal Employment Opportunity/Anti-Discrimination/Non-Harassment Policy and Complaint Procedure (Administrative Instruction 71). City of Oakland Equal Opportunity Employment Programs are administered by the Human Resources Management Division. In addition, the consultants were not tasked with reviewing the City's Mass Care and Shelter Plan and Mass Care and Shelter Plan Functional Needs Annex.

## 5.5 ADA Notice

### City of Oakland Notice of Compliance Under The Americans With Disabilities Act

In accordance with the requirements of the Americans with Disabilities Act (ADA) of 1990, the California Fair Employment & Housing Act (FEHA), the Rehabilitation Act of 1973 (as amended), and other applicable laws and codes, the City of Oakland will not discriminate against individuals on the basis of disability in its services, programs or activities.

Complaints that a program, activity or service of the City of Oakland is not accessible should be directed to the City ADA Coordinator:

**Christine Calabrese, Citywide ADA Coordinator, City of Oakland**

1 Frank H. Ogawa Plaza, 11th Floor / Oakland, CA 94612

Phone: (510) 238-5219 / TTY: (510) 238-2007

**Email:** [ccalabrese@oaklandnet.com](mailto:ccalabrese@oaklandnet.com)

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

**Effective Communication:** The City of Oakland will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities, including sign language interpreters, documents in Braille and other ways of making information and communication accessible to people with disabilities so they can participate equally in the City's programs, services and activities.

**Modification to Policies and Procedures:** The City of Oakland will make 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 behaving within applicable standards are welcome in City offices and facilities, even when pets are generally prohibited.*

Anyone who requires auxiliary aids and services for effective communication, or a modification of policies or procedures to participate in a City program, service or activity should contact the Departmental Access Coordinator [\[insert a web link to the DAC roster here\]](#) for the Department offering the service or event, as soon as possible, but no later than **3 business days/72 hours** before the scheduled event.

Neither the ADA nor state law require the City of Oakland to take actions that would fundamentally alter the nature of its programs, activities or services, or impose an undue financial or administrative burden.

The City of Oakland will not place a surcharge on a particular individual with a disability or a group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy.

### 5.5.1 Posting ADA Notice

#### How and where should the notice be provided?

The U.S. Department of Justice states that "publishing and publicizing the ADA notice is not a one-time requirement...local governments should provide the information on an ongoing basis." (ADA Best Practices Tool Kit for State and Local Governments, 2006)

The Department of Justice suggests a variety of ways to provide this notice. These include the following.

- Publish the notice on the government entity's **website** (Also, consider posting an ASL video clip of the Notice on the City of Oakland website, as was done by the City of Fresno)
- Post the notice **at all facilities** (and program and service sites)
- Include the notice with **job applications**
- Publish the notice periodically in **local newspapers**
- Broadcast the notice in public service announcements on **local radio and television stations**
- Include the notice in **program handbooks**
- Include the notice in **activity schedules**
- Announce the notice at **meetings** of programs, services, and activities
- Publish the notice as a **legal notice** in local newspapers
- Post the notice in bus shelters or other **public transit stops**

(ADA Best Practices Tool Kit for State and Local Governments, 2006)

## 5.6 City of Oakland Accessible Meeting Information

Accessible Meeting Information should be included as part of each of the City's notices including meeting agendas, e-mails, website postings, and flyers. The following are two versions of suggested language that the City of Oakland and its Departments, Divisions, offices, or programs can use.

### Accessible Meeting Information (Long Version)

This meeting is accessible to persons using wheelchairs and others with disabilities. Materials in alternative formats, such as large print, and ASL interpreters, real-time captioning and other accommodations will be made available upon request. Please make your request for alternative format or other accommodations, to **[name, phone, and email]**. Providing at least (3?/5?) business days' notice prior to the meeting will help to ensure availability. (If assistive listening devices are at the site, as in City Hall, write "Assistive listening devices are available.")

AC Transit bus lines serving the area are **[Specific Info]**. Accessible curbside parking is available on **[Specific Info]**. (If applicable) The nearest BART station is **[Specific Info]**

Also, in compliance with Oakland's policy for people with environmental illness or multiple chemical sensitivities, please refrain from wearing strongly scented products to meetings.

### Accessible Meeting Information (Limited Space, Short Version)

This meeting is wheelchair accessible. To request materials in alternative formats, or to request an ASL interpreter, captioning, assistive listening device, or other accommodations, please contact **[Individual's name, telephone and e-mail contact information]** at least (3?/5?) business days before the meeting. Please refrain from wearing scented products to this meeting so persons who may experience chemical sensitivities can attend.

## 5.7 Daily Facility Checklist: Maintenance of Accessible Features

Maintenance of accessible features helps to provide equitable access to San Francisco Public Library facilities as well as collections, programs and other public services. In fact, SFPL is required by law to maintain its facilities and equipment so that they are readily accessible and usable by individuals with disabilities.

This checklist is to be reviewed as a part of each day's opening routine. As you walk through the library, move furniture or other objects that are making paths of travel inaccessible. Note any problems you cannot safely and readily correct and bring them to the attention of your supervisor or division head.

✓ Item

\_\_\_ Doorways are clear and doors open easily.

\_\_\_ Automatic door opener (if any) is working correctly.

\_\_\_ Elevators & wheelchair lifts (if any) are operable; no obstructions block access to call buttons

\_\_\_ Floors are dry, carpet is flat and edges of rain mats are flush with the floor.

\_\_\_ Floors are clear of trash and debris, including toys, board books, magazines, etc. that could cause people to slip or fall.

\_\_\_ All aisles as well as paths around tables, between security pylons, etc. are at least 36" wide and free of book trucks, step stools, plants, displays, etc.

\_\_\_ Protruding objects, including oversized books, do not extend more than 4" into paths of travel.

\_\_\_ Furniture is in place with chairs pushed in.

\_\_\_ Signs, including blue & white disability information placards, are clear, accurate, & not blocked.

\_\_\_ Banners, displays, etc. hang no lower than 80" from the floor where people walk.

\_\_\_ Hazardous areas are clearly marked from all accessible sides.

\_\_\_ Accessible workstations and adaptive aids are working.

\_\_\_ Adaptive equipment stored at the desk is in place.

\_\_\_ Public toilet rooms are cleared of any storage items or furniture. Trash cans are not located adjacent to the latch side of a door or blocking paths in toilet rooms. Baby changing appliances are securely closed.

Any other access concerns?

Date: \_\_\_\_\_

Time: \_\_\_\_\_

Surveyed by: \_\_\_\_\_

Branch / Main Floor: \_\_\_\_\_

Adapted from a checklist developed by Marti Goddard, San Francisco Public Library Access Services Manager and ADA Coordinator, and used with her permission.



## 5.8 Guidelines for Writing About People With Disabilities

Developed by, and used with the permission of, the ADA National Network  
<http://adata.org/factsheet/ADANN-writing>

### **Words are powerful.**

The words you use and the way you portray individuals with disabilities matters. This factsheet provides guidelines for portraying individuals with disabilities in a respectful and balanced way by using language that is accurate, neutral and objective.

#### **1. Ask to find out if an individual is willing to disclose their disability.**

Do not assume that people with disabilities are willing to disclose their disability. While some people prefer to be public about their disability, others choose to not be publically identified as a person with a disability.

#### **2. Emphasize abilities, not limitations.**

Choosing language that emphasizes what people can do instead of what they can't do is empowering.

<b>Use</b>	<b>Don't Use</b>
<i>Person who uses a wheelchair</i>	<i>Wheelchair-bound; confined to a wheelchair</i>
<i>Person who uses a communication device; uses an alternative method of communication</i>	<i>Is non-verbal; can't talk</i>

#### **3. In general, refer to the person first and the disability second.**

People with disabilities are, first and foremost, people. Labeling a person equates the person with a condition and can be disrespectful and dehumanizing. A person isn't a disability, condition or diagnosis; a person *has* a disability, condition or diagnosis. This is called Person-First Language.

<b>Use</b>	<b>Don't Use</b>
<i>Person with a disability, people with disabilities</i>	<i>Disabled person; the disabled</i>
<i>Man with paraplegia</i>	<i>Paraplegic; paraplegic man</i>
<i>Person with a learning disability</i>	<i>Slow learner</i>
<i>A person of short stature or little person</i>	<i>Dwarf, midget</i>

**4. However, always ask to find out an individual's language preferences.**

People with disabilities have different preferences when referring to their disability. Some people see their disability as an essential part of who they are and prefer to be identified with their disability first – this is called Identity-First Language. Others prefer Person-First Language. Examples of Identity-First Language include identifying someone as a *deaf person* instead of a *person who is deaf*, or an *autistic person* instead of a *person with autism*.

**5. Use neutral language.**

Do not use language that portrays the person as passive or suggests a lack of something: *victim, invalid, defective*.

Use	Don't Use
<i>Person who has had a stroke</i>	<i>Stroke victim</i>
<i>Congenital disability</i>	<i>Birth defect</i>
<i>Person with epilepsy</i>	<i>Person afflicted with epilepsy, epileptic</i>
<i>Person with a brain injury</i>	<i>Brain damaged, brain injury sufferer</i>
<i>Burn survivor</i>	<i>Burn victim</i>

**6. Use language that emphasizes the need for accessibility rather than the presence of a disability.**

Use	Don't Use
<i>Accessible parking</i>	<i>Handicapped parking</i>
<i>Accessible restroom</i>	<i>Disabled restroom</i>

Note that 'handicapped' is an outdated and unacceptable term to use when referring to individuals or accessible environments.

**7. Do not use condescending euphemisms.**

Terms like *differently-abled, challenged, handi-capable* or *special* are often considered condescending.

**8. Do not use offensive language.**

Examples of offensive language include *freak, retard, lame, imbecile, vegetable, cripple, crazy, or psycho*.

## 9. Describing people without disabilities.

In discussions that include people both with and without disabilities, do not use words that imply negative stereotypes of those with disabilities.

Use	Don't Use
<i>People without disabilities</i>	<i>Normal, healthy, able-bodied, whole</i>
<i>She is a child without disabilities</i>	<i>She is a normal child</i>

## 10. Remember that disability is not an illness and people with disabilities are not patients.

People with disabilities can be healthy, although they may have a chronic condition such as arthritis or diabetes. Only refer to someone as a patient when his or her relationship with a health care provider is under discussion.

## 11. Do not use language that perpetuates negative stereotypes about people who have psychiatric or mental health disabilities.

Much work needs to be done to break down stigma around mental health disabilities. The American Psychiatric Association has new guidelines for communicating responsibly about mental health.

Use	Don't Use
<i>He has a diagnosis of bipolar disorder; he is living with bipolar disorder</i>	<i>He is (a) bipolar; he is (a) manic-depressive</i>
<i>Attempted suicide</i>	<i>Unsuccessful suicide</i>
<i>Died by suicide</i>	<i>Committed suicide</i>
<i>Is receiving mental health services</i>	<i>Mental Health patient/case</i>
<i>Person with schizophrenia</i>	<i>Schizophrenic, schizo</i>
<i>Person with substance use disorder; person experiencing alcohol/drug problem</i>	<i>Addict, abuser; junkie</i>
<i>She has a mental health condition, mental health challenge, or psychiatric disability</i>	<i>She is mentally ill/ emotionally disturbed/ insane</i>

**12. Portray successful people with disabilities in a balanced way, not as heroic or superhuman.**

Do not make assumptions by saying a person with a disability is heroic or inspiring because they are simply living their lives. Stereotypes may raise false expectations that everyone with a disability is or should be an inspiration. People may be inspired by them just as they may be inspired by anyone else. Everyone faces challenges in life.

**13. Do not mention someone's disability unless it is essential to the story.**

The fact that someone is blind or uses a wheelchair may or may not be relevant to the article you are writing. Only identify a person as having a disability if this information is essential to the story. For example, say, "Board president Chris Jones called the meeting to order." Do not say, "Board president Chris Jones, who is blind, called the meeting to order." It's ok to identify someone's disability if it is essential to the story. For example, "Amy Jones, who uses a wheelchair, spoke about her experience with using accessible transportation."

**14. Create balanced human interest stories instead of tear-jerking stories.**

Tearjerkers about incurable diseases, congenital disabilities or severe injury that are intended to elicit pity perpetuate negative stereotypes.

Content was developed by the ADA Knowledge Translation Center, and is based on professional consensus of ADA experts and the ADA National Network.

ADA Knowledge  
Translation Center  
206-685-4181

<http://adakt.washington.edu>

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## **5.9 City of Oakland ADA Title II Citywide Self-Evaluation Update 2016 Action Items Log**

The City of Oakland ADA Title II Citywide Self-Evaluation Update 2016 Action Items Log was developed as part of the City of Oakland Americans with Disabilities Act Title II Citywide Self-Evaluation Update Report (July 2016).

This document, presented in table format, is a tool for ongoing tracking of actions undertaken by the City in its effort to comply with the non-structural requirements for public entities described in Title II of the Americans with Disabilities Act (ADA) of 1990, as amended.

The recommended action items contained in this Log were derived from perceived gaps in ADA compliance revealed through the review of City print and online documents distributed to the public, staff online survey responses, community survey responses, and public comments at community meetings.

## City of Oakland ADA Self-Evaluation Update 2016 Action Items Log

Category	Requirement	Regulatory Reference	City Policy Reference	Description of Deficiency	Action	Deadline
<i>Administration &amp; General Requirements</i>	Notice	28 C.F.R §35.106	AI 123	Lack of notice language on City communications	ADA Programs Division to develop and work with DACs to have posted on department websites and onsite locations	
	Grievance Procedure	28 C.F.R §35.107(b)	AI 123	Lack of knowledge among staff and public regarding grievance procedure	ADA Programs Division to work with DACs to place information re: grievance procedure on departmental web pages and make available at program sites, including 3rd party sites	
	No Discrimination through Contract	28 C.F.R §35.130	AI 123	Lack of active monitoring 3rd party contractors delivering City services	ADA Programs Division to work with DACs to ensure all contractors aware of and make available Grievance Procedure and have reviewed and understand AI 123, including but not limited to offering contractor training	
					ADA Programs Division to work with DACs to develop methods for proactively monitoring contractors	
					ADA Programs Division to work with DACs to ensure participants in 3rd party administered programs can access necessary auxiliary aids and services and other program modifications, especially in Head Start/Early Head Start programs	

Category	Requirement	Regulatory Reference	City Policy Reference	Description of Deficiency	Action	Deadline
<i>Maintenance of Accessible Features</i>	Maintain in operable working condition those features of facilities and equipment that are required to be readily accessible to and usable by persons with disabilities	28 C.F.R. §35.133	AI 123	Lack of regular schedule or specific system for monitoring usability of accessibility features at program/department level	ADA Programs Division to work with DACs to develop maintenance checklists so that program staff can regularly assess the usability of features and equipment used in their programs by individuals with disabilities	
<i>Program Access</i>	Each service, program, activity of a public entity shall be operated so that when viewed in its entirety, it is readily accessible to and usable by individuals with disabilities, such as by redesign or acquiring equipment, reassignment of services to accessible buildings, assignment of aides to participants, home visits, delivering services at alternate accessible sites, altering existing facilities, construction of new facilities, or any other methods.	28 C.F.R. §35.150	AI 123	Head Start/Early Head Start facilities in older buildings that may not be fully physically accessible	ADA Programs Division to work with HSD-Children & Youth Services DAC and Head Start/Early Head Start administrators to identify structural barriers and facilitate nonstructural methods for providing program access as needed	

Category	Requirement	Regulatory Reference	City Policy Reference	Description of Deficiency	Action	Deadline
<i>Program Access</i>	Each service, program, activity of a public entity shall be operated so that when viewed in its entirety, it is readily accessible to and usable by individuals with disabilities, such as by redesign or acquiring equipment, reassignment of services to accessible buildings, assignment of aides to participants, home visits, delivering services at alternate accessible sites, altering existing facilities, construction of new facilities, or any other methods.	28 C.F.R. §35.150	AI 123	Need inventory and accessibility assessment of 3rd party program sites	Include in ADA Buildings & Facilities Transition Plan Update	
				Need inventory and accessibility assessment of parks and recreation assets	Include in ADA Buildings & Facilities Transition Plan Update	
				Parks & Recreation programs may not be sufficiently geographically dispersed	Work with OPR-DAC to map all programs and locations; establish criteria for identifying priority locations for offering programs not already available in a specific area and provide recommendations to OPR Department Head	
				Need updated program for enhancing accessibility at program sites heavily used by individuals with disabilities	Include in ADA Buildings & Facilities Transition Plan Update and annual ADA On-Call CIP programming	



Category	Requirement	Regulatory Reference	City Policy Reference	Description of Deficiency	Action	Deadline
<i>Program Access</i>	Each service, program, activity of a public entity shall be operated so that when viewed in its entirety, it is readily accessible to and usable by individuals with disabilities, such as by redesign or acquiring equipment, reassignment of services to accessible buildings, assignment of aides to participants, home visits, delivering services at alternate accessible sites, altering existing facilities, construction of new facilities, or any other methods.	28 C.F.R. §35.150	AI 123	Need updated program for enhancing public right of way accessibility in residential areas with higher concentrations of seniors and persons with disabilities	Include in ADA Transportation Transition Plan Update and continue to address individual requests through on-call ADA Sidewalk Repair & Curb Ramp Programs	
				Lack of coordination with the ADA Programs Division and other programs responsible for carrying out ADA compliance responsibilities in projects or decisions affecting transportation and public right of way access for persons with disabilities	Include in ADA Transportation Transition Plan Gap Analysis recommendations to City Administrator for improving coordination among disability compliance, transportation, and other capital project stakeholders	

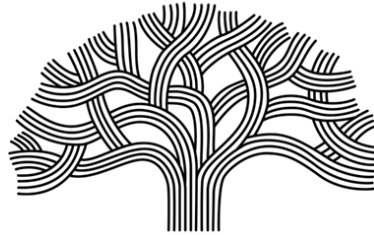
Category	Requirement	Regulatory Reference	City Policy Reference	Description of Deficiency	Action	Deadline
<i>Program Access</i>	Each service, program, activity of a public entity shall be operated so that when viewed in its entirety, it is readily accessible to and usable by individuals with disabilities, such as by redesign or acquiring equipment, reassignment of services to accessible buildings, assignment of aides to participants, home visits, delivering services at alternate accessible sites, altering existing facilities, construction of new facilities, or any other methods.	28 C.F.R. §35.150	AI 123	Need information regarding whether there are sufficient community-based recreational, social, pre-vocational and job-related programs for serving transition-aged youth and young adults with disabilities in Oakland	ADA Programs Division to recommend via the HSD-Children and Youth Services DAC that HSD conduct a needs assessment of TAY/young adults with disabilities in Oakland to determine programming gaps and opportunities for expanded or new programs	
				Inconsistent or delayed wait times when applying for specialized services such as residential blue zones, paratransit and off-street trash pickup	ADA Programs Division to continue to monitor delivery of specialized services for individuals with disabilities and remind relevant DACs of the priority that these requests must be given	

Category	Requirement	Regulatory Reference	City Policy Reference	Description of Deficiency	Action	Deadline
<i>Communications</i>	The City shall furnish appropriate auxiliary aids and services to afford qualified individuals with disabilities an equal opportunity to participate in a service, program, or activity	28 C.F.R. §35.160(b)(1)	AI 123	Inconsistent or nonexistent information regarding the availability of auxiliary aids and services or how to obtain accessibility information for public meetings and special events on announcements and other communications	ADA Programs Division to work with DACs and Public Information Officers to create and distribute language for informing people of the availability of auxiliary aids and services, event venue accessibility, and contact information for additional requests or information; Public Information Officers to enforce use of this standardized language in all communications regarding meetings and events	
				Inconsistent or nonexistent information regarding TDD options provided on Department materials, including for OFD and OPD non-emergency services	ADA Programs Division to work with OFD and OPD DACs to ensure inclusion of TDD options on all print and electronic materials where phone numbers are listed	
				No Text to 911 capability	ADA Programs Division to work with OPD DAC to monitor OPD efforts towards bringing Text to 911 capability to the City	

Category	Requirement	Regulatory Reference	City Policy Reference	Description of Deficiency	Action	Deadline
<i>Departmental Access Coordinators Network</i>	Public entities that employ 50 or more persons shall designate at least one employee to coordinate its efforts to comply with and carry out responsibilities under the ADA; the City must make available the name, address, and phone number of the employees so designated	28 C.F.R. §35.107(a)	AI 123; AI XXX (DAC Network Policy)	Lack of coordinated DAC Network, definition of duties, and staff support	City Administrator to re-establish DAC network and policy	
					ADA Programs Division to hold, at a minimum, quarterly DAC meetings/trainings	
					ADA Programs Division to ask City Administrator to examine how to incentivize serving as a DAC such as premium pay for advanced training/certifications and implement accordingly	
					In new DAC AI, establish parameters for DAC responsibilities such as number of hours required and/or special expertise based on department needs	
					ADA Programs Division to create resources including server and web-based DAC resources and tools	

Category	Requirement	Regulatory Reference	City Policy Reference	Description of Deficiency	Action	Deadline
<i>Departmental Access coordinators Network</i>	Public entities that employ 50 or more persons shall designate at least one employee to coordinate its efforts to comply with and carry out responsibilities under the ADA; the City must make available the name, address, and phone number of the employees so designated	28 C.F.R. §35.107(a)	AI 123; AI XXX (DAC Network Policy)	Lack of coordinated DAC Network, definition of duties, and staff support	ADA Programs Division to work with DACs and Public Information Officers to provide periodic disability access updates to all staff which will provide tools and reminders for day to day ADA compliance	
					ADA Programs Division to offer more intensive technical assistance and training support to newly appointed or less experienced DACs	
					ADA Programs Division to offer targeted support to OPR and HSD staff via their DACs regarding program planning, advertising, and administration to welcome participants with disabilities, including making arrangements for auxiliary aids and services and other program modifications	
<i>ADA Programs Division</i>		28 C.F.R. §35.107(a)		Lack of sufficient staff within the ADA Programs Division to more effectively coordinate physical and programmatic access citywide	Achieve full staffing of the ADA Programs Division, so that it is able to more effectively coordinate physical and programmatic access citywide.	

Category	Requirement	Regulatory Reference	City Policy Reference	Description of Deficiency	Action	Deadline
<i>Community Engagement</i>			Ordinance No. 13334 C.M.S.	Need for greater participation of individuals with disabilities on City boards and commissions, especially those that are instrumental in creating resources for or redressing the concerns of persons with disabilities, such as the Workforce Investment and Citizens' Police Review boards	ADA Programs Division to assist Mayor's Commission on Persons with Disabilities with the development/implementation of strategies for increasing disability community participation in City boards and commissions	
				No formal mechanism for disability community participation in the development of curricula and delivery of trainings for first responders regarding crisis intervention involving persons with disabilities	ADA Programs Division to support the Mayor's Commission on Persons with Disabilities in the latter's role of overseeing and advising on City policies and practices, including those training practices, for first responders.	



## CITY OF OAKLAND

ADA Public Right of Way (PRoW)  
Transition Plan Gap Analysis  
August 19, 2016

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## EXECUTIVE SUMMARY

In late 2015, the City of Oakland ADA Programs Division, pursuant to City Council direction, initiated the process of updating the City's federally-mandated ADA Transition Plan for public right of way (PRoW) compliance. To most effectively accomplish the updating of the City's inventory, methods, prioritization, costing and schedule for physical access barrier removal, the Division conducted an ambitious assessment of the current business processes, data collection methods, and asset information systems that are currently utilized by City personnel to carry out PRoW access compliance activities. The overall objective of this document is to provide a structured and balanced self-assessment of the City's PRoW access compliance efforts across programs and disciplines, based on surveys of key stakeholders in the current Oakland Public Works Department (Administration; ADA Programs; Engineering, Design and Right-of-Way Management; Transportation Services; and Electrical Services Divisions), and analysis of associated policies, engineering, design and construction practices, staffing, data collection and management systems, and monitoring and reporting activities that currently support PRoW access compliance.

The primary purpose of this analysis was to assess and document the existing business conditions; develop recommendations that would enable the City to build upon its existing ADA transition plan implementation framework; and develop recommendations for a series of improvements that would result in a more integrated, sustainable and cost effective ADA PRoW compliance program. The central component of the project was a thorough analysis of the City's existing ADA organizational structures, workflows, and data, and the subsequent documentation of the gaps within the systems that were identified by stakeholders as perceived impediments in the City's progress towards achieving ADA compliance, and specifically those gaps that are believed to adversely impact the systematic execution of the activities required for an efficient and accountable ADA compliance structure that works in harmony with other City functions.

*The two key functional areas of the assessment were:*

- A. An evaluation of current PRoW asset management systems workflows, data and application, and
- B. An evaluation of current PRoW asset management data collection systems

*The following functional categories were assessed:*

- 1. Organizational Structure and Workflows
- 2. Asset Management Systems Software
- 3. Geospatial Information Technology
- 4. Asset Data Management Processes
- 5. Data Collection Methods and Processes

In the final analysis, the gaps identified in categories 1, 4, and 5 (Organizational Structure, Asset Data Management, and Data Collection, respectively) were found to be the most detrimental to the ADA transition planning process. These gaps were largely associated with the absence of clear and well

defined asset management workflow processes, as well as a general lack of resources required for adequate ADA regulation enforcement and accountability. For the most part, while many of the staff interviewed as part of this analysis acknowledged that they were mindful of the ADA regulations, adherence to the requirements varied considerably between and among business units.

Conversely, ED-RoWM's overall use of asset management software and geospatial technologies (Items 2 & 3 respectively) were found to be “at or better” than current industry standards for similar public works organizations on a national level. While it is true that these systems and technologies could be put to greater use for ADA transition planning activities, the way in which the City currently utilizes these systems was not adversely impacting ADA-related functions. To that end, if the City is successful in implementing improved organizational structures and data management workflows (Items 1, 4 & 5), the use of the existing asset management and geospatial information technologies could be leveraged to an even greater extent to support the ongoing ADA PRoW compliance activities. It should be pointed out that these recommended workflow and data management improvements – if implemented – would not only benefit ADA compliance activities, but would also significantly enhance the City’s overall public right of way infrastructure asset management lifecycle processes.

*The following is a summarized listing of the primary gaps identified as part of this analysis:*

1. Lack of well-defined (ADA) organizational structure
2. Lack of well-defined asset data management processes
3. Lack of current/updated asset condition data
4. Limited access to asset data
5. Lack of resources needed to keep pace with PRoW access compliance mandates and / or to upkeep of aging infrastructure
  - A. Insufficient funding for FTE’s
  - B. Insufficient annual funding for ADA Transition Plan implementation programs
  - C. Insufficient funding for delivery of optimal asset repair treatment options

*The following table is a summation of the assessment categories along with the key findings and recommendations.*

Table 1: Summary of Assessment Categories and Primary Recommendations

Assessment Categories	Primary Gap	Cause(s)	Primary Recommendations
1. Organizational Structure and Workflows	Loss of ADA Program Division (City ADA Coordinator) influence at key points in the ADA asset management lifecycle, particularly in the construction and maintenance processes.	a) Lack of well-defined organizational structure for ADA oversight b) Lack of adequately trained and authorized staff c) Lack of funding	a) Return budgetary and programming control to the City ADA Coordinator for all ADA PRoW C.I.P., and fill vacant Citywide Physical Access Coordinator position. b) Centralize all ADA PRoW implementation programs in one Division in the new DOT. c) Implement the proposed Departmental Access Coordinator (DAC) network and identify an ADA PRoW Access Coordinator in the DOT.
2. Asset Management Systems Software	No notable gaps were found in the use of the CityWorks application for overall PRoW activities, but the system is not being well utilized for ADA purposes	a) Lack of well-defined asset data management workflows	a) Develop and implement data management workflows that leverage the use of the existing asset management COTS applications (CityWorks)
3. Geospatial Information Technology	No notable gaps were found in the use of GIS applications for overall PRoW activities, but the system is not being well utilized for ADA purposes	a) Lack of well-defined asset data management workflows	a) Develop and implement data management workflows that leverage the use of the existing GIS and web mapping technologies and skillsets
4. Asset Data Management Processes	Limited access to data sources and lack of sufficient ADA asset attributes	a) Lack of GIS capabilities within ADA programs Division b) No uniform ADA asset data model	a) Develop and implement an ADA asset data model and data integration framework b) Develop and implement data management workflows that leverage the use of the existing GIS and web mapping technologies for use in sharing and integrating ADA asset data across the

Assessment Categories	Primary Gap	Cause(s)	Primary Recommendations
			enterprise
5. Data Collection Methods and Processes	Lack of updated asset condition data	a) Last citywide curb ramp survey was done in 2002 and last major sidewalk infrastructure inventory was done in 2006.	a) Perform citywide asset inventory using latest mobile LiDAR and video logging technologies b) Develop systematic process for performing routine asset data collection by City staff

In summary, the information included in this document is intended to provide the reader with a detailed description of the approach and methodologies used to perform the analysis and assessment, along with the related findings, conclusions, and recommendations. The overarching goal of this report is to provide the City of Oakland with current, relevant and actionable information and recommendations to most efficiently and effectively revitalize its ADA Transition Plan implementation in the public right of way.

**A. INTRODUCTION:**

Michael Baker International (MBI) has been contracted by the City of Oakland to support the ADA Transition Plan update through a business process and technology needs assessment and development of recommendations for system-wide improvements. Specifically, MBI is to assist the ADA Services Division with the evaluation of preexisting ADA public right-of-way (PRoW) asset management systems (map based and other) and recommend cost effective method(s) for:

1. The ongoing inventory of City PRoW assets for ADA compliance
2. Supporting City departments, especially Oakland Public Works and the new Department of Transportation, in tracking and managing ADA barrier removal and physical access compliance activities as part of their regular workflows
3. Communicating the current status of assets across City departments and to the public.

**B. BACKGROUND**

Twenty-five years ago, on July 26, 1990, the U.S. congress passed Americans with Disabilities Act of 1990 (ADA), a sweeping federal civil rights law to prohibit discrimination against persons with disabilities in all areas of society. This law built upon Section 504 of the Rehabilitation Act of 1973 that applied only to federally funded entities. Both federal laws recognized that discrimination against persons with disabilities was systemic, and that marginalization was the result not of disability itself, but of societal attitudes and inaccessible physical environments.

To eliminate these barriers to disability community participation, the ADA requires state and local entities to provide full and equal access to their programs and services, by lifting programmatic barriers and by removing physical barriers where program modification is insufficient. Additionally, any new construction or alteration of a state or local building or facility must be fully accessible, as measured by the most stringent federal and state standards for accessible design.

To eliminate barriers to program access, the ADA required that public entities conduct a self-evaluation. Where physical modifications were required to provide full and equal access, these were to be removed based on the timeline and methods set forth in the state or local entity's Transition Plan. Municipalities were required to complete their Transition Plans by July 26, 1992, and the structural changes identified therein were to be completed by January 26, 1995.

Oakland adopted its Citywide Access Policy, Administrative Instruction #123 in 1992 and its Buildings and Facilities Transition Plan in 1996. Since then the City has developed additional plans and programs for access compliance, including but not limited to the Sidewalk Repair Program Prioritization (2008), ADA Curb Ramp Transition Plan (2009) and the On-Street Disabled Parking Policy (2009).

The original 1996 Transition Plan was intended to be completed within three years, with an estimated cost for full implementation of up to \$20 million. From Fiscal Year 1996-97 through Fiscal Year 2014-15, the Oakland City Council allocated over \$10 million to the ADA capital improvement program, in addition to significant annual allocations for curb construction, sidewalk repair, and other pedestrian access improvements. Moreover, many ADA improvements were completed under other City capital efforts, such as the Street Resurfacing program. Nevertheless, the City did not complete all the barrier removal activities scheduled under the 1996 Plan.

It is a best practice of major municipalities to update their ADA Transition Plans in response to emerging ADA case law and evolving U.S. Department of Justice's regulations and standards, including but not limited to the adopted ADA Standards for Accessible Design (2010) and proposed Public Right of Way Access Guidelines (2011). Aging infrastructure, changes to asset portfolio and facility uses in the past 20 years since the original accessibility inventory, and Mayor / Council direction under the Fiscal Year 2015-17 budget to revitalize the City's ADA implementation efforts led the ADA Programs Division to seek authorization to contract with Michael Baker International, to assist with an ADA Self-Evaluation and Transition Plan Update.

The project team, led by Christine Calabrese, Manager of the ADA Programs Division, established phases for updating the City's buildings, facilities, and transportation Transition Plans, prioritizing first the analysis of the City's implementation of the ADA in the public right of way in order to align with the opportunities created by the recent establishment of the City's first Department of Transportation. This report represents the results of this analysis.

## 1. SCOPE

### 1.1. Initial Organizational Discovery

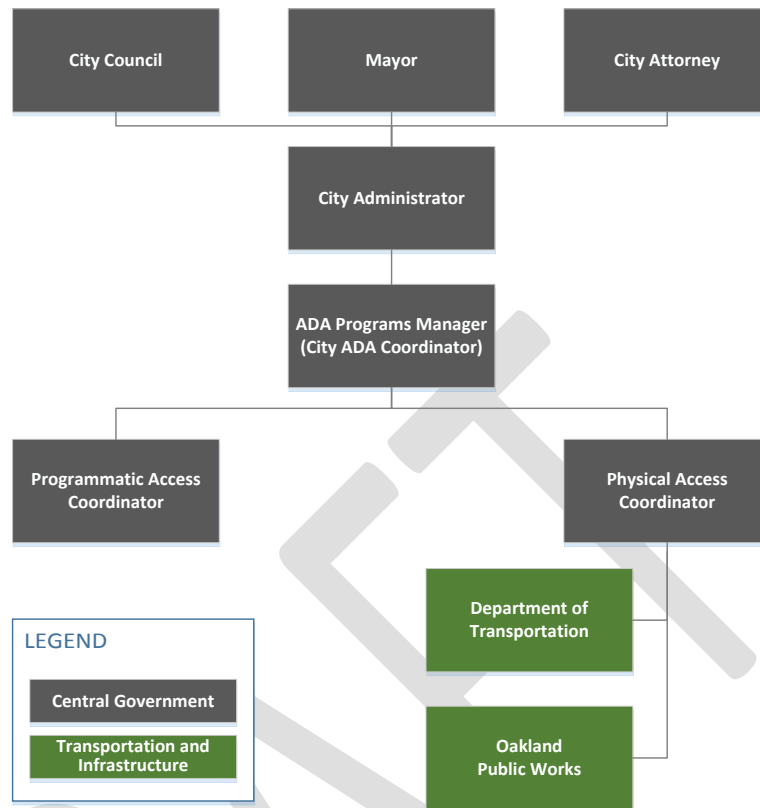
Prior to the assessment of the City's ADA public right of way asset management systems, data collection methods and information architecture, the project began with an evaluation of the City's current organizational structure (refer to Appendix F – City of Oakland Organizational Summary). The consultant team felt that by establishing a general awareness of the hierarchical structure early on in the assessment, a clearer understanding of how the ADA Programs Division interacts with other City units to develop and implement ADA public right of way ADA Transition Plan programs would be formed. The initial step in the process was to examine the citywide hierarchical structure and determine which Departments, Bureaus and Divisions were most instrumental in carrying out ADA compliance activities in the public right of way.

#### ADA Programs Functional Organization

The ADA Programs Division, while housed in Oakland Public Works, is responsible for citywide ADA Title II compliance and reports to the City Administrator in its capacity as City ADA Coordinator. Since passage of the ADA, the City has relied on a decentralized method of ADA implementation and oversight. The ADA Programs Division develops access compliance policies, practices and procedures; provides technical assistance and training; and conducts complaint investigations and appeals programs. Departments are responsible to implement access compliance mandates as they apply to their business operations and to assist the City ADA Coordinator with oversight and monitoring activities.

At the time of this evaluation, ADA Public Right-of-Way (PRoW) the transition plan and other ADA transportation access compliance programs were located in the Oakland Public Works Department (OPW). (The reorganization of certain OPW units into a new Department of Transportation reorganization was in-process.) The ADA Physical Access Coordinator position was vacant, and as such, the City ADA Coordinator was fulfilling this function and covering certain OPW Departmental Access Coordinator responsibilities.

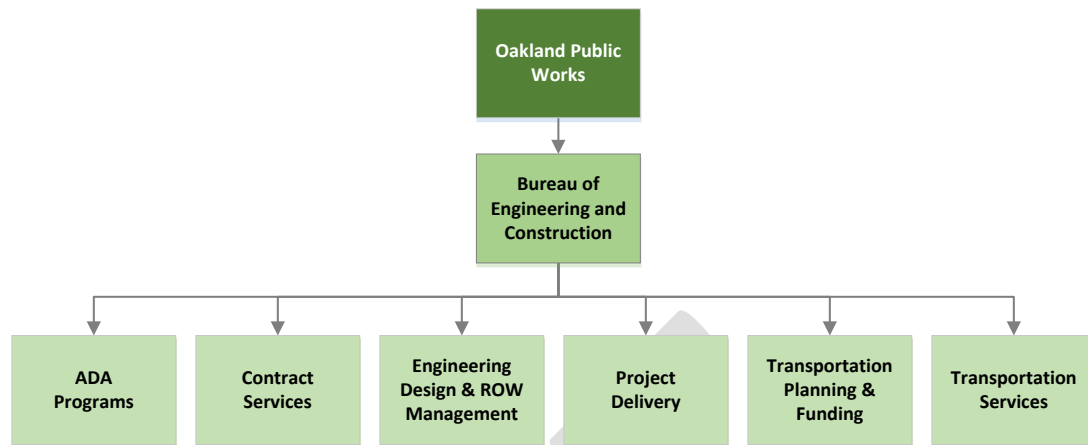




*Figure 1: Partial Citywide ADA Functional Organization (June 2016)*

### Public Right of Way (PRoW) Functional Organization

It was determined, therefore, that an exhaustive assessment of the entire City organization was not necessarily required to achieve the desired project outcomes, but rather, that the assessment would focus on the intradepartmental behaviors of the OPW, and more specifically, the Bureau of Engineering and Construction (BEC). The following figure is an illustration of the organizational structure of BEC within the OPW. (Refer to Appendix A for the full OPW organizational chart.)



*Figure 2: BEC Organizational Structure (April 2016)*

Ultimately, the perspective gained from this discovery would provide the team with the requisite knowledge needed to effectively identify existing workflows and business processes that could be improved upon to increase the efficiency and effectiveness of the City's ADA PRow access compliance programs, activities, and services.

During the initial discovery process, it was determined that the majority of the functional challenges associated with the ADA PRow compliance program could be categorized as follows:

- 1) Workflows (business process)
- 2) Authorities and controls (oversight and monitoring)
- 3) Resource limitations
- 4) Data (access, maintenance and dissemination)

It should be noted that at the time of this writing the City of Oakland was in the process of modifying its current business organizational structure to include the following:

- 1) The establishment of a new Department of Transportation (DOT) [the formal establishment of the new DOT was ratified on June 7, 2016]
- 2) The restructuring of the existing Department of Public Works (OPW)
- 3) Expansion of the City-wide Departmental Access Coordinator (DAC) networks. Refer to Appendix B for the full updated ADA Functional Organization Chart, which is subject to City Administrator approval.

The key distinction between the revised OPW and the new DOT is that the DOT will be focused on providing services related primarily to the streets and sidewalks and above ground infrastructure within the public right of way (streets, sidewalks, curb ramps, traffic signals, lighting, signage, etc.). The revised OPW will remain focused on providing citywide

services including planning, designing, constructing and maintaining facilities, equipment, parks and trees and environmental services, as well as retaining responsibility for sewers and storm drainage.

As previously stated, at the onset of this project, the ADA Programs Division fell under the OPW Department. However, under the new reorganization, the ADA Programs Division is slated to exist under the DOT. At this time, it is difficult to predict how the final organizational structure will impact the Division's current and future business objectives.

### 1.1.1 ADA Coordinator Influence on the Asset Lifecycle Business Process

The following figure is an illustration of the ideal ADA asset lifecycle process. This image depicts where in the overall asset management lifecycle, the ADA Programs Division (the City ADA Coordinator) and the Departmental Access Coordinators should have influence.

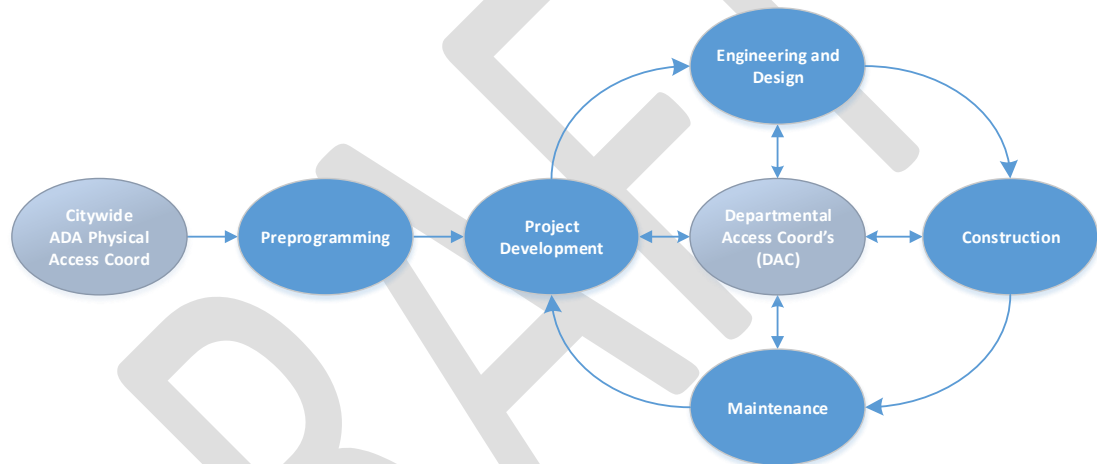


Figure 3: Ideal ADA Asset Life Cycle Business Process

The next figure is an illustration of the *actual* influence that the ADA Coordinators have on the ADA asset management lifecycle processes.

The City ADA Coordinator has signatory authority for all City Capital Improvement Project (C.I.P.) plans, specifications and estimates. This review process compensates, to some degree, for the lack of dedicated and fully trained Departmental Access Coordinators in the Bureau of Engineering and Construction Divisions. The City ADA Coordinator is able to identify and suggest ways to resolve ADA non-compliance during the preliminary engineering and final design processes. Nevertheless, the situation is neither ideal nor sustainable and often results in project managers and other stakeholders having to scramble to find the resources to cover the cost of necessary scope and design changes. In no case does the City ADA Coordinator have the resources to engage in detailed design review and or conduct construction site visits.

ADA PRoW capital programs are largely completed under “maintenance and repair” business process where no formal engineering (design) drawings are produced or circulated for approval. This includes but is not limited to the Curb Ramp, Sidewalk Repair, and Paving and the On-Street Disabled Parking Zone programs administered by the Engineering, Design and Right-of-Way Management Division and the Transportation Services Division respectively.

Under the aforementioned programs, the ADA asset management business process is one that takes place with the City ADA Coordinator’s involvement occurring primarily during the preprogramming and engineering and design phases. While the ADA Programs role in the preprogramming process is currently effective in driving and influencing ADA policy and preprogramming priorities, when the ADA PRoW assets move into the project development, engineering, construction and maintenance phases, the influence of the ADA Programs Division is proportionally diminished.

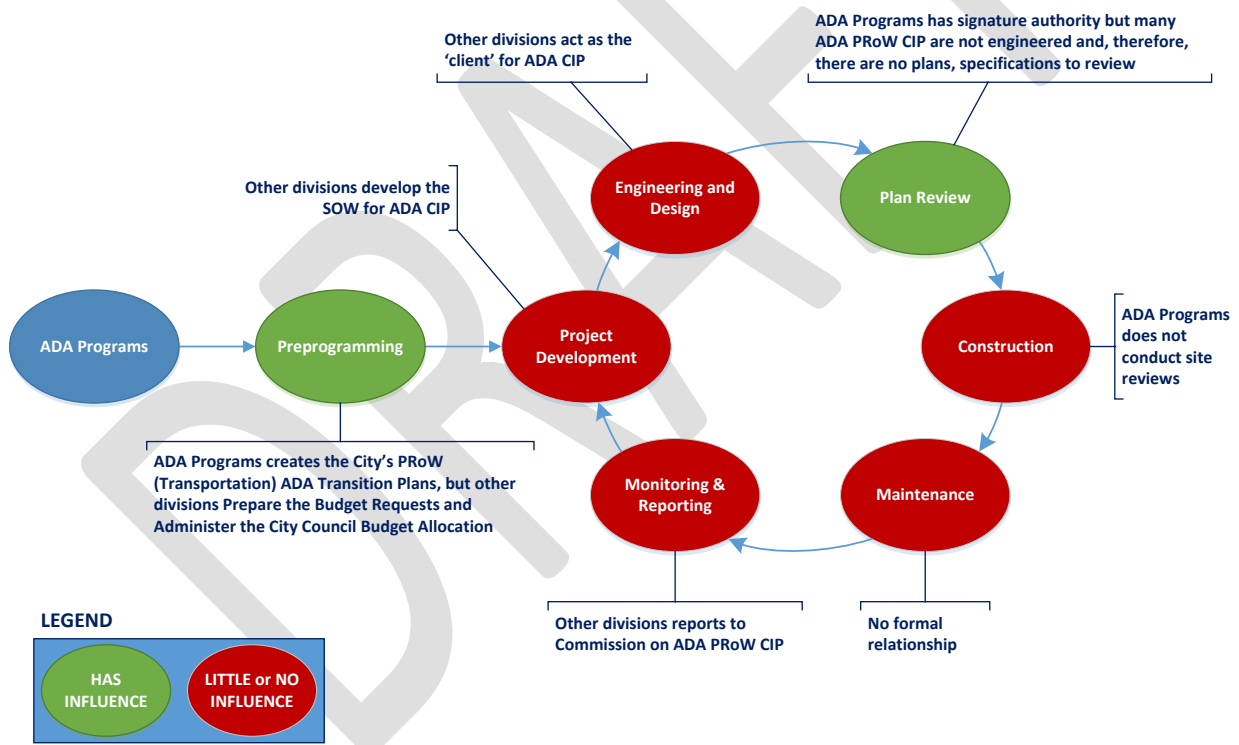


Figure 4: ADA Coordinator Influence on ADA Asset Life Cycle Business Process Issues

This breakdown in ADA oversight is due primarily to the following:

- 1) The absence of dedicated and fully trained departmental access coordinators influencing each of the functional lifecycle processes. The Public Right of Way Access Coordinator (Departmental Access Coordinator) in the Engineering, Design, and Right of Way Management Division (ED-ROWM) reports that he does not have the authority or capacity to fulfill this role.
- 2) A gap in the current organizational process that inhibits the City ADA Coordinator's ability to provide consistent oversight and control throughout the full ADA asset lifecycle process. In the case of Curb Ramps, ADA Sidewalk Repair, and On-Street Disabled Parking Zone programs, the full administrative authority for these access compliance programs has been delegated to the ED-ROWM and Transportation Services Division (TSD) Managers respectively. The ADA Programs Division is neither consulted during the biennial budget process nor during the project development phases. The Division typically learns how ADA policies have been interpreted and applied during the monitoring phase, when staff reports to the Mayor's Commission on Persons with Disabilities are requested.
- 3) Indirect impacts of the current bifurcation of Engineering and Maintenance on ADA PRow access compliance programs were identified during OPW stakeholder interviews and are documented herein. This report does not, however, make recommendations on how to resolve or otherwise elaborate on these coordination and resourcing issues. Rather, it is anticipated that these issues will be addressed as part of the new DOT organization.
- 4) On-going resource limitations (the lack of staff resources).

Ideally, City ADA Coordinator and Departmental Access Coordinator input, oversight and overall influence should commence at the preprogramming phase, **and then persist consistently throughout each of the functional steps in the ADA asset lifecycle process.** This could be accomplished by: 1. Returning budgetary and programming control to the City ADA Coordinator for ADA PRow Transition Plan capital improvement programs; 2. Consolidating ADA PRow access compliance programs into one Division; and 3. Assigning a dedicated and fully trained PRow Access Coordinator to that Division.

### **1.1.2 Organizational Challenges**

The following is a summary of the organizational challenges that were identified during the initial discovery process.

- (1) Loss of ADA transition program integrity as assets moves through the lifecycle

- (2) The City ADA Coordinator is also serving as the Citywide Physical Access Coordinator and fulfilling certain BEC departmental access coordinator functions. This is unsustainable both because the PRow access compliance coordination is a full-time job and because of the conflict of interest inherent in fulfilling both the (external) oversight function and (internal) administrative function.
- (3) Lack of clear definition, job descriptions and trained personnel resources (staffing) at DAC level, and at the administration level.
  - (a) *A series of recession driven departmental consolidations have significantly inhibited the City's ability to provide ample staff (DACs) to improve (or even maintain) pace with the current transition planning schedule.*
- (4) General apathy towards ADA compliance progress among stakeholders serving in some ADA capacity at the Department level.
  - (a) *This is due in part to the fact that ADA compliance activities are not naturally integrated into existing workloads/workflows.*
- (5) Lack of adequate funding (for barrier removal activities and staffing).
- (6) The PRow transition plan (barrier removal) process is moving at a slow pace, which is creating an increase in the City's vulnerability to liability cases. To exacerbate the problem, in some cases, even those ADA infrastructure assets that are being repaired and or updated are being done so in ways that may still result in a non-compliant condition.

### **1.1.3 ADA PRow Transition Plan Update Targets and Milestones**

During the discovery sessions, the project team established the following high-level targets for the ADA Public Right-of-Way, or Transportation, Transition Plan Update:

- (1) Reestablish Oakland as "model City" for ADA compliance
  - (a) *Establish a sustainable and equitable program framework that is directed by the designated City ADA Coordinator, ADA PRow Access Coordinator, and Community Advisory Body (the Mayor's Commission on Persons with Disabilities).*
- (2) Establish and sustain a high level of business continuity in communicating and executing current ADA Program requirements throughout the ADA physical asset life cycle process. The primary purpose would be to achieve **significant and measurable improvements** in the quality and quantity of the ADA transition plan and barrier removal activities that are currently performed on a City-wide scale.
  - (a) *Increase the quantity of and rate at which the physical infrastructure is brought up to current ADA standards*
  - (b) *Increase quality of physical infrastructure construction, maintenance and inspection activities by achieving tighter adherence to program regulations (statutory) and engineering standards and specifications*

- (c) *Reduce the risk and consequence of failure, and the overall number of potential liability cases brought against the City*

#### **1.1.4 Recommendations (How do we hit the target?)**

The following is a list of organizational recommendations that were developed by the project team.

(1) Reestablish and expand the Citywide Departmental Access Coordinator (DAC) Network

*Note: Expanding and strengthening the City's departmental access coordinator (DAC) network will provide the required business framework for establishing consistency and continuity in carrying out the City's ADA physical and programmatic access compliance mandates, no matter where the ADA Programs Division is located. It should be noted however that while the DAC network will provide the necessary foundational structure, **the City will need to appoint a full-time Physical Access Coordinator in the ADA Programs Division and fully support and resource the DAC positions in Oakland Public Works and the Department of Transportation before the benefits of this decentralized physical access compliance framework can be fully realized.***

- (a) *An Administrative Instruction (AI) is currently being drafted. It is highly recommended that the City Administrator demonstrate an executive level commitment to systematically implementing the proposed DAC initiative by mandating and adequately resourcing / compensating the DAC network.*

(b) *Responsibility => Accountability*

- (i) *If the DAC is responsible for the department performance, then he/she must have the authority to hold others accountable for their performance.*
- (ii) *Establish clear roles, responsibilities and performance expectations.*
- (iii) *Provide training, education and peer support networks.*
- (iv) *Provide DACs with opportunities for professional growth, development and advancement (empower, encourage)*

(2) City Administrator must also support the central ADA Program Division by underpinning the Division's authority.

(3) Hire a dedicated Citywide Physical Access Coordinator (CPAC)

- (a) *The CPAC position is presently vacant. As such, its responsibilities are currently being performed by the City ADA Coordinator.*

(4) Improve organization workflows:

- (a) *Develop and implement a series of business policy directives and related organizational workflows that would be designed to maintain the integrity of ADA transition plan requirements throughout the full physical asset management lifecycle.*



- (b) Pursuant to Figure 3 above, ideally the Citywide Physical Access Coordinator (CPAC) and Departmental Access Coordinator (DAC) should be involved at all phases of the asset lifecycle. The CPAC should retain signatory authority for all relevant City Capital Improvement Projects.*
  - (c) The DAC (ADA Public Right of Way Access Coordinator) should be part of the development and design review team for all capital programs involving the public right of way.*
- (5) Hire a DOT Asset Manager:
- (a) Another key element identified during the organizational discovery process was that the new DOT should include an “Asset Manager” position within its organizational structure. While it was not entirely clear at the time of this writing what impact the new DOT would have on the overall existing ADA compliance and transition activities, it was generally agreed that the presence of a dedicated Asset Manager would have a positive impact on the maintenance and management of – and access to – the City’s ADA asset data, and would also serve a key role in establishing and implementing a Citywide enterprise-level asset management program.

In conclusion, the City has already taken a number of key steps to improve some of the gaps found during the initial organizational discovery process. The formal establishment and expansion of the DAC network will be an essential component in addressing the loss of ADA program continuity throughout the ADA PRow asset lifecycle. However, this is simply a change in structure at this time. For ADA PRow transition plan implementation to fully succeed in Oakland, it will need to establish workflows that address ADA compliance throughout design, construction and maintenance. The DAC network must be fully staffed and supported, and the City Administrator through its designated City ADA Coordinator in the ADA Programs Division must have the ability to enforce and hold accountable the City Departments for their actions (or inactions) associated with ADA compliance and Transition Plan implementation. In order for the new DAC network to achieve its maximum potential benefit, it will be imperative for the ADA Programs Division to work closely – and collaboratively – in defining the required workflows, and in using this network to establish and maintain clear lines of communication between and among the City Departments responsible for ADA Transition Plan implementation, including in public rights of way.



## **1.2 Review of Existing Asset Management Systems**

### **1.2.1 Evaluation of public right-of-way (PRoW) asset management systems**

#### **1.2.1.1 Approach**

The review and evaluation of the City's existing asset management systems (software, data and workflows) was a significant component of the overall ADA needs assessment. Through the City ADA Coordinator, a series of (on and offsite) meetings and workshops were conducted with staff members from the Bureau of Engineering and Construction (BEC) and Bureau of Infrastructure and Operations (BIO) who were identified as the most knowledgeable about the City's public works asset management business processes and data. As part of this assessment process, a series of discovery sessions were also conducted with the key stakeholder groups within OPW. The groups included the discovery process were:

- ✓ ADA Programs Division in BEC
- ✓ Engineering, Design and Right of Way Management (ED-RoWM) in BEC
- ✓ Transportation Services Division (TSD) in BEC
- ✓ Information Technology Department (GIS Specialists) embedded in BEC
- ✓ Electrical Services (BIO)

The discovery sessions included the development of a series of questionnaires that were designed to identify gaps within the existing workflow processes associated with the maintenance and management of public infrastructure asset data, specifically those related to ADA PRoW access compliance. Refer to Appendix G thru J for the questionnaires and the stakeholder responses.

#### **1.2.1.2 Findings**

The findings documented in this section of the report have been categorized and organized either by stakeholder entity or by the primary business purpose or function served. It includes the results of the meeting, workshops and discovery sessions discussed in the "Approach" section above. The following is an ordered listing of each of the findings categories.

- ✓ *Asset Data Management Workflows*
- ✓ *Asset Management Software*
- ✓ *GIS Environment*
- ✓ *Asset Datasets*
- ✓ *Summary of Interviews with Curb Ramp and Sidewalk Repair managers in ED-RoWM*
- ✓ *Summary of Stakeholder Interviews*

*PRoW Asset Data Management Workflows:*

One of the key findings of this assessment was that there was a noticeable absence of established data management workflows that are needed to support ADA implementation.

The two predominant areas where the workflow gaps were most observed:

- 1) Intradepartmental communication, and
- 2) Data management (collection, maintenance and dissemination)

Among the findings of this assessment was that while ED-RoWM staff believes the City does an adequate job of updating the ADA-related asset data with maintenance activities (mainly curb ramps and sidewalks), new construction activities relevant to ADA compliance are not effectively tracked. The GIS staff at BEC is responsible for maintaining the asset data for all the Divisions but there are no established protocols in place for data maintenance to specifically support tracking of ADA improvements or the current status of assets with regard to ADA compliance. The lack of well-defined ADA data management workflows present significant challenges to the City ADA Coordinator who is mandated with developing the City's ADA Transition Plan programs, responding to appeals and complaints, and monitoring ADA implementation progress, including reporting to the Mayor's Commission on Persons with Disabilities and other community stakeholders.

*Asset Management Software:*

The city currently uses two separate asset management applications: CityWorks and Accela. Both are commercial-off-the-shelf (COTS) products and are commonly found in use in other public agencies, nationally and abroad. While there is a fair amount of overlap in the capabilities of these systems, the City of Oakland uses CityWorks as the primary application to manage and store most (if not all) public works asset data. It is tightly integrated with the City's GIS system (Oracle/SDE) and is used as the principal work order and inventory management system. Accela's software is used for permitting, ROW management, and regional management of the capital improvement projects within the City. Like CityWorks, Accela is also integrated with the City's Oracle/SDE GIS database.

In addition to the Accela and CityWorks, the City also uses StreetSaver for its Pavement Management System. StreetSaver is provided and supported by the Metropolitan Planning Commission (MTC), which covers a nine-county Region in the Bay Area and Napa Valley.

At this time, the existing asset management applications are being used in such a way that they do not pose any notable challenges to maintaining the ADA specific

asset data. However, improvements in the data management workflows, and in intradepartmental communication methods, would significantly enhance the City's ability to build upon and leverage these existing resources to be more optimally utilized.

#### *GIS Environment*

The BEC currently maintains and manages a fairly robust enterprise-level GIS environment. Based in Oracle/SDE, the City is using the traditional ArcGIS Server and Desktop applications, and has made considerable use of Esri's ArcGIS Online web mapping platform. At this time, the City is using a blended approach for the hosting of map services and web mapping applications. Some data and apps are published and hosted from the City's internal ArcGIS Server and others are being published to the AGO cloud (Amazon AWS). This is due in part to the need to exercise good web publishing practices for managing AGO credit consumption. In addition to ArcGIS Online, the City has also developed and published web applications using a blend of open source web mapping technologies. For example, CartoDB and OpenStreetMap are currently being used for the BEC Map Landing Page Web application, which is hosted on Amazon AWS.

In summary, while the ADA PRoW data management workflows need to be established and enforced, the City GIS staff has exhibited a high level of ability to leverage the use of current web and web mapping technologies for the dissemination of public work asset data, and should form a solid foundation from which new ADA data management best practices could be leveraged and applied.

#### *Asset Datasets:*

The City's ADA Coordinator in the ADA Programs Division relies on timely and accurate data to fulfill its role in monitoring and reporting on Citywide ADA compliance, and serving as the City's liaison to the disability community. The following table provides a listing of the ADA-related datasets that are currently maintained and managed by the City's Public Works Department:

Table 2: Listing of ADA-Related PRoW Asset Types

<b>Public Right of Way</b>	<b>Asset Manager Organization</b>
Curb Ramps	ED-RoWM
Sidewalk Damage	ED-RoWM
Other Sidewalk Barriers (Slope, Grade, Etc.)	ED-RoWM
Curb & Gutter	ED-RoWM
Crosswalks (Striping)	Transportation Services
Pedestrian Signals (Subset of Traffic Signal)	Transportation Services

On Street Disabled Parking (Subset of Parking)	Transportation Services
Signs (Posts)	Transportation Services
Bus Stops	Transportation Services
Street Trees	BFE (Bureau Facilities & Environ.)

It is important to point out that the primary asset data needed to support ADA compliance is essentially “owned” by multiple divisions within OPW. As such, there are inherent challenges that confront the ADA Coordinator when attempting to access, collect, analyze, maintain and disseminate asset data for the purpose of ADA transition planning and compliance. As part of the asset data assessment, the consultant team was directed to the City’s public facing ArcGIS Online site.

<http://oakgis.maps.arcgis.com/home/index.html>

The site contains a variety of feature layers, web maps and (web) applications that are intended to serve a broad range of public uses. However, our teams focus was on assessing the ADA-related features and functions. Refer to Appendix C for a complete listing of the content contained within the site.

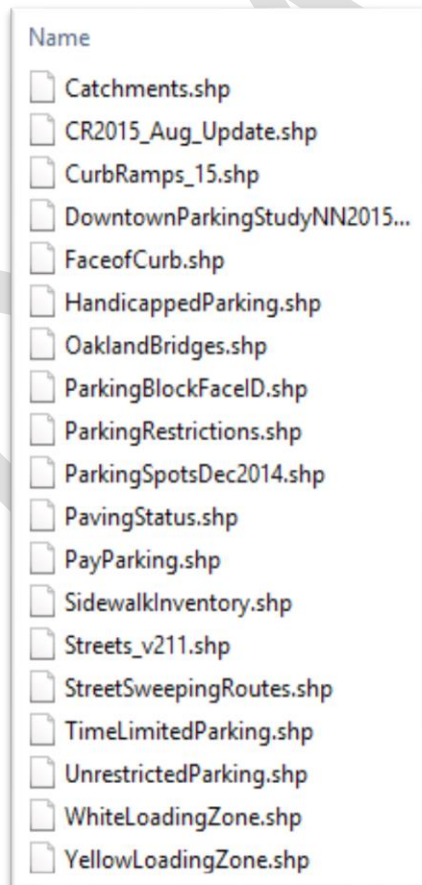


Figure 5: Spatial Datasets

The consultant team was provided with the appropriate login credentials, which granted permission to access the sites’ feature layers. Upon review of the feature layer listing for ADA program relevance, the data sets in the associated figure were subsequently downloaded as shape files, stored locally, and organized logically for further review and analysis.

Each dataset was reviewed for spatial relevance and completeness. An attribute analysis was also performed, which compared the existing source schemas against a target schema whose attribute table structure was based on current ADA data management and compliancy best practices. Refer to Appendix D for the ADA asset database schema used in the attribute comparison. While there were some commonalities observed across the datasets, such as the presence of a global ID, and references to street names, etc., there was no notable consistency that would

indicate that the attribute schemas were designed for a specific purpose, such as ADA compliance. Furthermore, it appears that all of the datasets associated with Parking were confined to a small portion of the city, which we assumed was collected previously as part of a pilot study or proof of concept.

In addition to the review of the City's public facing ArcGIS Online site, the consultant team was also directed to the Bureau of Engineering Map Landing Page.

[https://s3.amazonaws.com/OakPWABEC/MapLanding/internal\\_index.html](https://s3.amazonaws.com/OakPWABEC/MapLanding/internal_index.html)

The site contained a series of high quality web maps and robust web applications that provided users with the ability to search and discover content in a wide variety of functional categories. The team's review of this site was focused on its potential role in creating greater transparency for internal and external monitoring of the City's ADA Transition Plan implementation status and providing assistance to persons with disabilities with trip planning through specialized applications and/or map programs.

There was a considerable amount of discussion during the discovery sessions about the quality and quantity of the ADA-related data sets.

The general opinion of staff is that while ED-ROWM has made concerted efforts to update the curb ramp and sidewalk inventories since the original inventories in 2002 and 2006 respectively, they have had difficulty obtaining data for work completed by other divisions and by external entities. Moreover, the qualitative accuracy of the current data – which is needed to assess the asset compliance status – is in question. The remaining ADA asset inventories have only been sporadically updated since 2006.

#### *Summary of Stakeholder Interviews*

##### ***ED-ROWM – Sidewalks and Curb Ramp Programs Interview***

The Engineering Design and Right of Way Management (ED-ROWM) Division is responsible for implementation of the City's sidewalk, curb & gutter and curb ramp improvements in areas where there are existing facilities. Pertinent to the City's ADA assets within the public right-of-way, ED-ROWM states their focus is on the repair and improvement to existing sidewalks and curb ramps. Kevin Kashi, Supervising Civil Engineer, is the City's designated ADA Public Right of Way Access Coordinator, a position created by the 2009 Curb Ramp Transition Plan. Currently, Mr. Kashi is the only official departmental access coordinator position in OPW/DOT. Refer to the Appendix G-J for the questionnaire and notes gathered from that interview.

The typical workflow process for ED-ROWM to implement an ADA asset improvement project is:

1. Project Identification (either Predefined Corridor or On Demand)
2. Perform Site Visit with Senior Construction Inspector
3. Develop Conceptual Plan (per City or Caltrans Standards) and Cost Estimate
4. Verify Available Funding
5. Implement Construction Process (similar to Design/Build)
6. Update GIS Database with Improvements

#### Project Identification

The city's ADA assets that are selected for improvement or repair by ED-ROMW (curb ramp and sidewalk), are identified primarily through three programs:

- ✓ Predefined Corridors (50%)
- ✓ Residential (Compliant Based) (40%)
- ✓ On Demand (Liability Reduction) (10%)

The predefined corridors were established as part of the 2008 Sidewalk Repair Program Prioritization Plan (2008 SW Repair Plan). Corridors are selected based upon priorities set forth in the ADA regulations and adopted by the City.

The major transit corridors listed in the 2008 SW Repair Plan have been the City's first priority, and are almost complete. Mr. Kashi reports that ED-ROWM is currently making a "second pass" at the corridors.

The "On Demand" Programs for both curb ramps and sidewalk repairs respond to requests from individuals with disabilities. ED-ROWM will construct ADA improvements to existing sidewalks and curb returns in areas outside of the predefined corridors if complaints or concerns are identified by the local community through these programs.

#### Site Visit

City staff, typically an engineer and a senior construction inspector, will conduct a site visit to assess the existing conditions and feasibility of the construction of improvements to the sidewalk and/or curb ramps. The curb ramp type and design are typically determined by ED-ROWM staff and the contractor based on field conditions.

Based on the site visit, ED-ROWM staff will determine if the project should move forward or not. A small percentage of repair work is transferred to other City Departments (typically TSD) and is included in a traditional CAD design process.

#### Conceptual Plan and Estimate

Based on the existing conditions, City staff will determine the extent of improvements that can be feasibly constructed, identify the standards to be used, and determine a construction cost estimate. If no ramp exists, a new ramp is installed (unless technically infeasible). On transit corridors, where possible, existing non-compliant diagonal ramps are replaced with dual directional ramps.

The ED-ROWM's focus is on maintenance—bringing the existing assets into current compliance (sidewalk, curb ramps and curb and gutter). This process does not typically include changes to the roadway geometry.

ADA compliance, safety and trees are the top priorities when considering the improvements to be implemented. Curb and gutter repair may be delayed where tree root pruning is required for sidewalk repair.

#### Verify Available Funding

The scope and extent of the annual ADA asset repair program is limited by available funding. If adequate funding is still available in the current fiscal budget, then implementation will proceed. If adequate funds are not available, the improvements will be programmed for a following year. Occasionally grant funding is obtained.

#### Construction

Construction is typically performed by on-call contractors from the City's pre-qualified list. The City's senior construction inspector will manage the project throughout and be on-site at all times. No new sidewalk construction is being performed by ED-ROWM. Street trees are included in the repair activities (root pruning / tree well reconfiguration).

#### Data Updates

Upon completion, the improvements are generally updated in the City's GIS database, but there are no as-built drawings prepared.

The ADA Programs Division is not involved in the implementation (programming, design or inspection processes) of ADA asset repair activities. The only involvement is in policy (preprogramming) and monitoring via the Mayor's Commission on Persons with Disabilities.



### ***ED-ROWM - Paving Interview***

The 2008 Sidewalk Prioritization (Corridor) Plan is not used to develop paving prioritization plan. Unlike other curb ramp and sidewalk capital improvement projects, paving projects are identified through the City's StreetSaver Pavement Management System, from which the City's seven-year Pavement Prioritization Plan is established. As such, any curb ramps, curbs and/or sidewalks that fall within the paving project limits are repaired accordingly. The Paving manager noted that the ADA compliance requirements are "set in stone" by federal and local policy.

Existing pavement conditions are established by way of visual inspections done within predefined sample sections that are identified by the StreetSaver program. No scanning or laser technologies are currently being used for pavement condition assessments.

The paving program budget is allocated as follows:

- ✓ 80% of the paving program budget used on StreetSaver "best streets"
- ✓ 20% of budget goes towards "work streets". This is essentially a complaint-based system, and the budget is divided up among the seven districts (20%/7).

### **The Design Process**

The ADA asset design process is based primarily on field observations where measurements are taken and details regarding the existing condition of the assets are gathered to assess constructability. These field assessments are done by members of the City's engineering staff and contractor and generally are done on paper. Design drawings are typically not prepared for these asset repairs.

### **Asset Data Management**

A GIS street network does exist and there are GIS resources within the group that support the maintenance of street network data. Many of the BEC physical ROW asset data are stored and maintained in the CityWorks program. However CityWorks is currently not used in the CIP process. Paving program data is managed primarily in ArcGIS, and then integrated with StreetSaver to produce the PMS program.

BEC maintains a number of public facing web sites that publish asset data: The most notable are as follows:

- ✓ City of Oakland Map Landing Page  
[https://oakbec.s3.amazonaws.com/MapLanding/internal\\_index.html](https://oakbec.s3.amazonaws.com/MapLanding/internal_index.html)
- ✓ City of Oakland Paving Dashboard  
<http://oakbec.s3.amazonaws.com/MapLanding/maps/pavingdashboard.html#PCI>



Utility companies, private developers, and other City capital improvement programs are also constructing/repairing curb ramps and sidewalks, and ED-ROWM is having some difficulty tracking these activities. According to the annual ADA Curb Ramp Transition Plan report from ED-ROWM, very few ramps are constructed by “others”, which was estimated in 2008 to be approximately 150.

The Paving Manager noted that there are currently no established formulas for establishing deterioration curves for ADA assets, although BEC is currently in the process of developing deterioration models for Sanitary Sewer assets. The City currently uses an application named InfoMaster to manage its Sanitary Sewer assets. The system permits the development and customization of deterioration models and also integrates with the City’s existing GIS environment.

When asked about a full PRow asset data refresh, the Paving Manager noted that he felt it would be worthwhile, and was in support of the idea.

#### ***Transportation Service Division Interview***

The Transportation Services Division (TSD) is responsible for the design, maintenance and improvement of the City’s traffic related elements, including signals, signing & striping, on-street parking, bus stops, and crosswalks. Design of each capital improvement or maintenance project is completed in house, then transferred via work order to BIO-Electrical Services or put out for construction bid. The designs are generally customized to adapt to each condition, but standard equipment is typically used. Refer to the Appendix G-J for the questionnaire and notes gathered from that interview.

The typical workflow process for a TSD capital improvement project through TSD is as follows:

1. Project Identification (often State or regional transportation grant)
2. Design Initiated
3. Project Bid for Construction
4. Construction
5. As-built Drawings Developed and Data Sets Updated\*

The typical workflow process for a maintenance project through TSD is as follows:

1. Project Identification (Staff Observation or On-Demand Community Request)
2. City Investigates and Reviews for Approval
3. Design Initiated
4. Work Order Issued
5. Construction

6. As-built Drawings developed and Data Sets Updated\*

\* Note: data set updates are not routinely performed in either case.

Project Identification

The TSD assets that are selected for improvement or repair are identified primarily through two programs:

- ✓ TSD Staff Observation
- ✓ On Demand (Complaint)

Project prioritization is based on city identified safety hazards, outside funding, development projects, location, obsolete and or malfunctioning equipment, and ADA compliance. Project identification via community call is a more frequent and dependable source of condition assessment. The City's electrical service staffers are the ones who perform maintenance; they perform periodic inspections and respond to public calls.

TSD implements the City's On-Street Disabled Parking program. All improvements in non-residential areas must meet ADA standards. These On-Street Disabled Parking Zone (DPZ) improvements are performed in coordination with the ED-ROWM curb ramp program (Kevin Kashi). DPZ projects are typically implemented via the maintenance (work order) process described above. For On-Street DPZ improvements in residential areas, drive ways can serve as ramps.

Note: The ED-ROWM pavement rehabilitation program also installs curb ramps. The paving program is a driver for the transportation planning. New paving impacts existing running slopes at street crossings.

New traffic signals are typically installed only when associated with developments. The TSD focus is on the upgrade and maintenance of existing assets, with safety as a driver. Repair work is done to bring signals up to standards. If a signal is touched, it is brought up to current standards. ADA compliance does not drive signal improvements. Projects are prioritized based on the availability of outside funding, then obsolete/malfunctioning equipment. For example, the I-80 ICM project, in coordination with ACTC, includes improvements to on/off ramps, signals on arterials.

Crosswalk installations and repairs are identified in response to streetscape improvement programs, community requests, or in coordination with ED-ROWM paving, sidewalk repair and or curb ramp programs. All improvements must meet ADA standards.

Surface parking lots will be included in the buildings and facilities category of the updated City ADA Transition Plan.

The City allows a third party (clear channel) to install bus stops and Project Delivery in BEC administers that program.

Asset data collection and maintenance is variable throughout TSD. Data sets exist for signing & striping. Data sets for blue zone records are maintained in multiple formats: CADD, spreadsheet and CMMS city-wide, although the data is not consolidated. The City is in the process of developing a traffic signal layer, a robust dataset but not mapped. All design plans prepared by TSD are developed into as-builts once construction is completed.

The ADA Programs Division is involved in the design process with TSD due to signatory authority for all City capital improvement projects. ADA Programs is not involved in improvements made without design drawings.

#### ***GIS-IT Asset Data Managers Interview Summary***

It should be pointed out that there were multiple meetings with the GIS-IT stakeholders for this gap analysis. Initially, there were two sets of interviews conducted early on in the project. These initial meetings were somewhat informal and took on a more “dialogue-based” approach, where the discussions centered on the generalized use of asset management technology and data for ADA compliance at the City. The information listed above in the *Asset Data Management Workflows*, *Asset Management Software*, *GIS Environment*, *Asset Data Holdings* sections was derived largely from those initial meetings. However, the information in this section was derived from the final discovery session, which was more structured. This section is a summary of the information gathered during that final interview session. Refer to the Appendix G-J for the questionnaire and notes gathered from that interview.

#### **Data Update Workflow**

Public right of way asset data is updated using a variety of methods, and depends, at least in part, on the asset type being updated. In general terms, asset data for curb ramps and sidewalks is collected to support design and repair activities and is typically done using a combination of paper and digital methods.

This current “hybrid” process makes it more difficult for the City’s asset data managers to track data collection activities. It was pointed out during the discussion, that the data was simpler (to track) when it was all being done on paper, when

paper 'as-built' drawings were routinely created and archived as part of project closeout. There is currently no formal end of project process for capturing as-built information for post-construction curb ramp and sidewalk repair/update work.

Another key challenge in tracking asset data updates is that there are limited resources available to assist in getting the asset data collected in a consistent and timely manner.

#### ADA Asset Update Triggers

For the most part, most ADA public right of way improvements are completed under: 1) ADA capital improvement programs (curb ramp, sidewalk repair, on-street disabled parking zone) 2) other Bureau of Engineering and Construction CIP, 3) other department CIP, and 4) private/utilities development projects. In some cases however, ADA asset work is completed by private developers and utilities, where a more comprehensive permitting process would help to bridge the gap in tracking maintenance and repair activities

It was pointed out that TSD has implemented several streetscape improvement programs (e.g. Safe Routes to School), which also include the design and construction of certain ADA assets.

#### Traffic Signals Data

The traffic signals data set is currently being migrated from a MS Access database into GIS. The signal data will include a single point that represents the approximate location of each signal timing unit, which controls the operation of multiple signals and related apparatus at a particular intersection. As such, there is not a point location that represents every signal post feature.

#### Enterprise Geodatabase (EGDB)

For the most part, all of the City's public infrastructure asset data resides in a singular enterprise GIS database (Oracle/SDE). While it is good that all of the data exists in a single location, there are some challenges associated with keeping the EGDB updated. At this time, the EGDB is not set up to use versioning. In addition, the City GIS-IT environment is not structured as a multi-tiered architecture. In this case, there are challenges associated with keeping the database updated, since all transactions are essentially done on the production version of the database. For this reason, the City has published a number of their right of way asset datasets as map and feature services to the Amazon cloud. This method of updating allows field workers to consume the map services on mobile devices and changes to the data are recorded in the cloud version of the dataset, and thus do not directly impact the production database. Changes are committed to the database after the revisions have been properly vetted. It should be noted that both CityWorks and AutoCAD (for ArcGIS) are currently consuming the published features services.

It was pointed out that the City was in the process of getting ready to perform a significant upgrade to their GIT infrastructure which would potentially move all applications and storage to managed cloud services (hosted in Amazon AWS).

#### Web Mapping

The City currently makes very good use of web mapping technology. While it may be true that the asset data update process can be improved, the City's GIS-IT staff has shown excellent capabilities in disseminating the asset data through web mapping and Dashboarding technologies. Brian Kimball is the primary administrator/author of the City's Dashboard and map landing web pages. He is using both ArcGIS Online (AGO) and open source technology for web map publishing (CartoDB/OpenStreetMap). Most of the web maps are developed by using templates as a base, and then some coding is done to tweak applications as needed. The City is also making heavy use of AGO in the field by using the AGO Collector application on phones and tablets. Brian currently has a staff of 2.5.

#### Key Challenges

Among the challenges described during this interview, the most prevalent was the lack of well-defined asset data management workflows. It was pointed out that the City's GIS-IT staff was actively working on improving these workflows. Additional challenges included needing buy-in from both the executive level and the operational level of the City government, as well as a general lack of personnel resources.

When asked about the need for a City-wide PRow asset data refresh, the GIS-IT staff agreed that it was needed and that they would support it.

***Maintenance (Electrical Services) Interview***

This interview was conducted with two representatives of the Bureau of Infrastructure and Operations, Electrical Services Division, who described their role as that of a sub-contractor, providing infrastructure repair and maintenance services for the Transportation Services Division (TSD). Their ADA-related work typically involves the repair and update of curb markings, signs, signals, reflectors, and pavement striping (including crosswalks), and the installation and removal of on-street disabled parking zones.

The predominant workflow is one where work orders are issued to BIO Electrical Services (by TSD) by way of the CityWorks Asset Management software application. The work orders are validated by the BIO manager/supervisor before deploying field crews. When the repair work is finished, the work order form is completed in CityWorks and any hardcopy as-built drawings are returned to TSD for archival and storage. The key takeaway from this discussion is that the BIO interacts primarily with TSD, and has little or no interaction with ED-RoWM and the ADA Programs Division.

Another key finding was that the BIO Electrical Services division is understaffed but is nevertheless doing as much as possible to keep up with the demand for infrastructure maintenance and repair.

#### **1.2.1.3 Recommendations: Asset Data Management Systems**

As mentioned in the previous sections, since all PRow asset data is owned and maintained by other City Departments, the ADA Program Division has had difficulty in gaining timely access to the asset data needed to effectively support their business objectives. The recommendation described herein will therefore focus on the development and implementation of an integrated enterprise information architecture that will be designed to harvest the required ADA asset data from its original sources. Furthermore, the proposed integration processes will be designed to invoke as little disruption to the existing business units as possible. The ADA asset data model and integration process is intended to consume the required data for analysis, visualization and reporting purposes, but is not intended to become the authoritative source for data maintenance and management. That responsibility can remain as-is. It should be further pointed out that this model will not impact the quality or quantity of the data that is collected and managed by the individual business units: it is simply a mechanism to expose existing data to the ADA Programs Division. The issue of data collection and data quality are described in more detail in the following section.

The following figure is a graphical representation of the proposed ADA asset data model and integration framework. It is intended to illustrate the basic logical concepts of the model to the reader in a simplified manner. Conversely, it is neither intended to serve as an architectural design document, nor does it include many aspects of the City's physical information technology infrastructure. The actual logical and physical architecture would be defined as part of the data model development and would occur with close contact and a high level of communication and input from the City's IT department.

## City of Oakland Proposed ADA Asset Data Model and Integration Framework

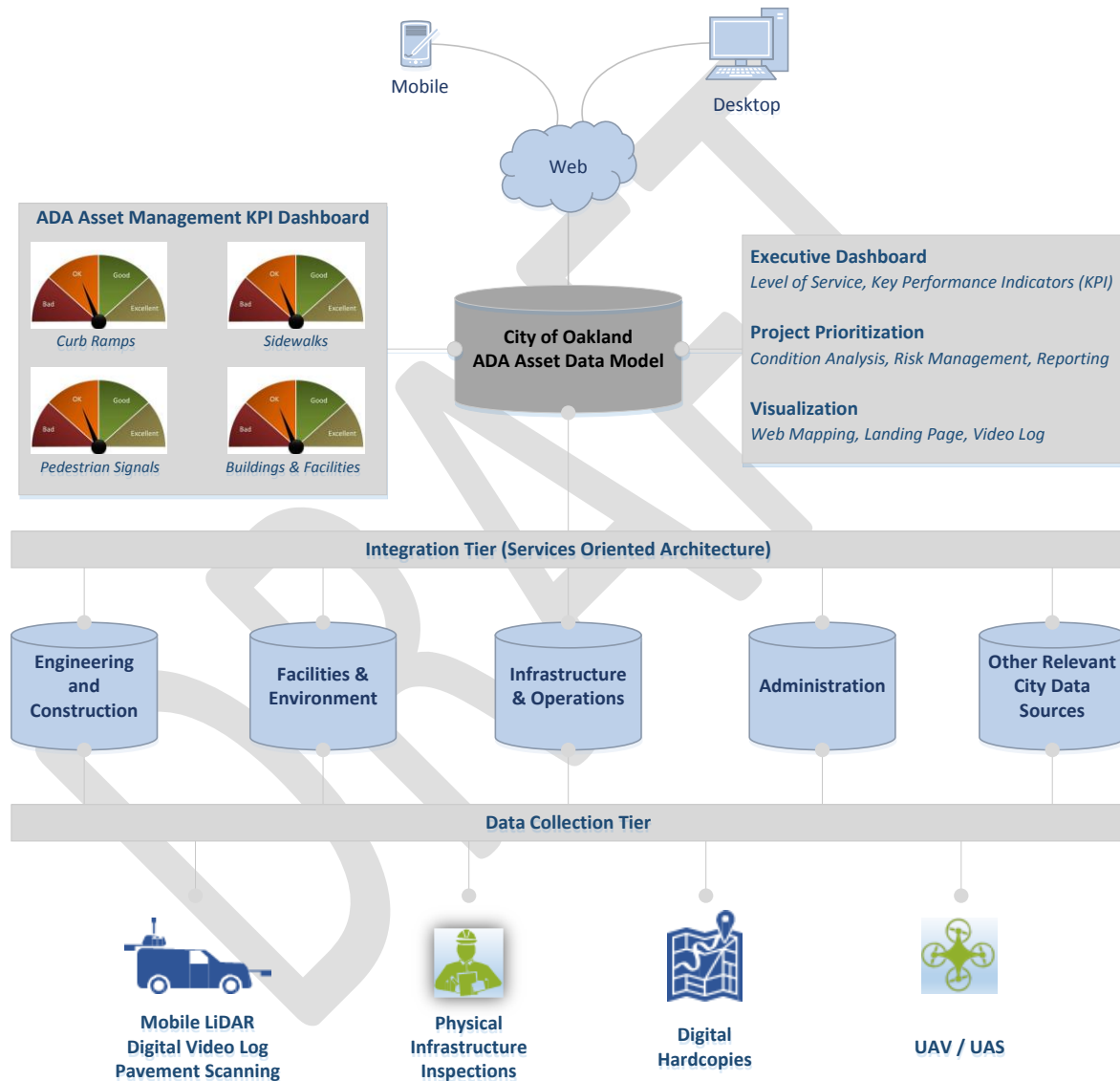


Figure 6: Proposed ADA Data Model



The basic concepts of the model can be broken down as follows:

**1) Data Collection**

While data collection will be described in more detail in the following section, it is included in this section because it is an integral part of the overall integration framework. However, the method and/or frequency in which the data are collected will not affect the flow of information through the proposed model. At this time, the City of Oakland collects its PRow asset data primarily using a “boots on the ground” approach. This means that personnel are dispatched to the field to visually observe measure, collect and document information about a specific asset type or types. The methods by which the data get entered into the City’s asset management systems vary by program type and collection methods. The key point is that the proposed ADA data model and integration framework does not drive the data collection methods. The integration processes can be designed to consume data in virtually any digital format.

**2) Data Integration**

The data integration process is arguably one of the most important elements of the proposed ADA data model framework. The processes occur behind the scenes and are set up to programmatically execute specific functions on a scheduled basis, or can be dynamically triggered by a change or update to an existing data source. The primary function of the integration process is to extract data from the target sources and load it into ADA data model. This is commonly referred to as the ETL process (Extract, Transform and Load). The ETL process is a well-known and widely used concept that has been in place for many years. It was (and is) often used in large-scale, macro computing environments to populate enterprise level data warehouses and data marts.

In recent years however, the (ETL) technology used in performing data integration has improved greatly and is now commonly used for data integration and migration at the micro computing level. Scripting languages like SQL and Python, along with robust commercial process automation applications like FME, are very popular for the migration and geoprocessing automation of infrastructure asset data. In most cases, asset data are stored in an Esri ArcGIS format, such as shapefiles or geodatabases, or they exist in spreadsheets, or in database applications such as Oracle, Microsoft’s SQL Server, or Microsoft Access. In any case, the ETL processes that would be designed and developed as part of this framework would be capable of harvesting the vast majority of the asset data required for the ADA data model. In those instances where data was not in some digital form, efforts would need to be

made to perform a onetime conversion of the source data into a digital format suitable for integration automation

### **3) Data Analysis, Visualization and Dissemination**

Data visualization is perhaps the most impacting component of the framework because this is what the users see, and it is how they interact with the information on a regular basis. While most of the complex work is done in the design and development of the data model, and in the design and coding of the ETL processes, presenting the data to the user community as actionable information in an aesthetically pleasing and useful manner has significant benefit and value to the organization.

As mentioned previously, the City of Oakland OPW currently possesses a fairly robust and mature geospatial data infrastructure. The city uses ArcGIS Online and other web mapping technologies and is familiar with the processes associated with disseminating asset data and information in a web mapping environment. As such, **the goal of this part of the framework would be to leverage the City's existing geospatial infrastructure and technical architecture to the maximum extent feasible.** The key element of this process however would be to design and develop a series of web and mapping applications and interfaces that would allow the City ADA Program Division to perform a variety of functions that would support both daily operations, as well as aid in the capital planning and programming processes.

It is highly recommended that the City endeavor to use commercial off the shelf (COTS) products wherever possible in all aspects of the proposed framework implementation. The COTS applications should be highly configurable and should also possess an application programming interface (API) in the event that custom features would be required as an expansion of the core application. For the purposes of this report, the project team would recommend using Esri's ArcGIS Online as the primary visualization platform.

The following is a listing of the steps that would need to be taken to complete the development and implementation of the data model, the integration framework, and the analysis and visualization interfaces as described above.

- A. Design ADA database model: at a minimum, the model will include the following feature layers:
  - 1) *Curb Ramps*
  - 2) *Sidewalks*
  - 3) *Pedestrian Signals*

- 4) *Crosswalks*
- 5) *On-Street Disabled Parking*
- B. Design of the logical and physical system architecture
- C. Development of sustainable ADA data maintenance workflows
- D. Development of the required automation processes for ADA data integration
- E. Set up and configuration of ArcGIS Collector for field reviews and inspections
- F. Set up and configure ArcGIS server for the local hosting of web and map services
- G. Set up and configure layer symbology and publish map services
- H. Set up and configure ArcGIS Operational Dashboard
- 1) *KPI's*
- 2) *Condition Analysis*
- 3) *Prioritization*
- 4) *Reporting*

As an alternative to the aforementioned approach, the City could consider bypassing the design and development of the data model, and instead access the ADA asset data directly from its source. The integration and visualization components however, would still be required, but the efforts and costs associated with the data model development would be removed. **It should be pointed out that while the City may save money by not developing the ADA asset data model, the ADA Programs Division will be severely limited in their abilities to perform more robust analysis and reporting activities in this scenario. This is largely due to the fact that the existing schemas and attributes of the ADA-related asset data are "somewhat generic", and in their current form, do not serve the specific needs of the ADA program.** The ADA asset data model would be designed to be scalable, and would to include attributes that support the broader enterprise level needs of the ADA program.

### **1.3 Review of Current Data Collection Tools and Methods**

#### **1.3.1 *Evaluation of existing and previously used data collection tools and methodologies***

##### **1.3.1.1 Approach**

During the initial discovery sessions with the ADA Programs Division team, the consultant was provided with several documents, which were previously developed as part of three independent studies, and which contained pertinent information about the City's ADA infrastructure statistics, and the methods by which the statistical data were gathered and compiled. To complete this task, the project team performed a detailed review of each of the following existing reports and documents:

- ✓ 2002 Curb Ramp Inventory
- ✓ 2007 Sidewalk Condition and ADA Survey
- ✓ 2012 Infrastructure Report Card

In addition to these documents, the consultant team also conducted several on and offsite discovery sessions with key personnel from the Oakland Public Works Department (OPW) who were familiar not only with the overall project details, but who also were familiar with the actual data collection methods that were used for each project. The primary purpose of this section of the analysis was to identify and evaluate the past and current field data collection processes, and provide an assessment of the use and applicability of these system and processes for future ADA transition planning purposes.

##### **1.3.1.2 Findings**

While the overall purposes of these individual reports differed, the common component of each was that a field inventory was conducted. In all cases, the inventory was done using a "boots-on-the-ground" process, meaning that personnel were dispatched to the field to conduct a physical inventory and visual assessment of each of the respective asset types.

##### ***2002 Curb Ramp Inventory***

The primary purpose of the 2002 Curb Ramp Inventory was to conduct an inventory of the location, type, and condition, of curb ramps within the seven (7) City Districts. In areas where curb ramps were located, an assessment of each location was performed to determine the status of (visual) compliance (or visual non-compliance). To complete this task, the City acquired the services of a consultant team who dispatched several field crews between the months of June and September, equipped them with iPAQ PDA's (personal digital assistants) and performed the inventory. The field work took approximately 8 weeks to complete and resulted in the following:

- ✓ There were 17,759 inventory locations
- ✓ There were 9,078 locations where no curb ramps were found (Approx. 51%)
- ✓ There were 8,672 locations where curb ramps did exist (Approx. 49%)
  - *Of the 8,672 curb ramps identified:*
    - 4,947 were found to be visually compliant (Approx. 28% of the total)
    - 3,725 were found to be visually non-compliant (Approx. 21% of the total)

#### *2007 Sidewalk Condition and ADA Survey*

In 2005/2007, the City of Oakland conducted a comprehensive sidewalk inventory and condition assessment, and a survey of ADA related assets. The primary purpose of this effort was to provide the City's Public Works officials with both quantitative and qualitative information that would support the City's ongoing planning and engineering activities, as well as assess the status of ADA compliance (or non-compliance). In addition, it provided the City with information that would substantiate their cost-to-repair estimates. The following table is a listing of the asset types collected and the total number of locations inventoried.

Table 3: Summary of Feature Classes from 2007 Sidewalk Condition Survey

Feature Classes	Locations
Sidewalk Damage	110,715
Trees & Wells	42,661
Parking Restrictions	35,174
ADA Barriers	53,999
Curb & Gutter Damage	50,550
Signs and Markings	45,475
Bus Stops	1,665

It should be pointed out that the assets inventoried and assessed as part of this project were only those that were found within an existing sidewalk feature. As such, any assets that existed outside of the sidewalk area were not captured. So while the inventory of the damaged sidewalk infrastructure can be considered a "complete inventory", the same cannot be said about all of the other assets collected as part of this effort.

According to the project timeline found in the final report, the project began in April of 2005 and was completed by June of 2007. The actual field data collection work spanned from August 2005 to October 2006.

Similar to the 2002 Curb Ramp inventory, the City made liberal use of the enabling mobile data collection, digital imaging and geospatial technologies available at the

time. However, the inventory was largely a “boots-on-the-ground” effort, which was staffed by multiple teams (8) of primarily local resources.

*2012 Infrastructure Report Card*

In addition to providing valuable information about the current state of asset location and condition for the City, the project also produced seven (7) robust data GIS sets that were to serve as the basis for all future asset data maintenance and management. However, for various reasons, no new city-wide inventories have been completed since that time, and the asset data management and updating process is largely now a function of the City’s various capital improvement projects, and their existing on-call complaint-based system.

A thorough review of the 2012 City of Oakland Infrastructure Report Card was also performed. While the report’s focus was on a wide variety of public works infrastructure assets, several of the key ADA assets types were included in the report. The primary purpose of the infrastructure report card was to provide a reference to City leadership for the development of a strategy of addressing the current condition and future needs of the City physical infrastructure. The report used a letter grading system methodology that evaluated the “capacity, condition, funding, future needs and operation and maintenance and public needs”. The grading system followed an approach used by the American Society of Civil Engineers (ASCE). The following table was included in the original report document, but is included here as a reference.

Table 4: 2012 City of Oakland Infrastructure Report Card

Infrastructure Component	Description	Facility Grade	Comments
Local Streets and Roads	806 miles of paved streets	D	Street paving is totally funded by state and federal funds. Lack of local funds has created 85 year paving cycle. Street condition ranks 98 <sup>th</sup> out of 109 Bay Area cities. Measure B1, sales tax for transportation, lost by 750 votes.

<b>Sidewalks, Curb Ramps, Stairs, Paths</b>	1,126 miles of sidewalk; 17,978 curb ramp locations; 232 sets of stairs and paths	<b>D</b>	City is spending \$2.3M/year for improvements, but backlog is \$109M. City needs to have property owners fix own sidewalks.
<b>Bridges</b>	38 bridges	<b>D</b>	Grade will rise to B when funded work on 21 bridges is completed.
<b>Traffic Signals, Signs and Markings</b>	677 traffic signal Intersections; 200,000 signs	<b>C</b>	75% of signals need to be replaced. Need to retime signals and install "intelligent" traffic signal system.
<b>Street Lighting</b>	37,000 streetlights	<b>B-</b>	Lights meet current standards. Converting to energy efficient lights would save the cost of electricity.
<b>Storm Water</b>	400 miles of storm drains; 80+ miles of open creek	<b>D</b>	60-70 year old system with no dedicated fund source for maintenance, repair, or replacement.
<b>Wastewater Collection</b>	919 miles of sewer pipes; 7 pump stations,	<b>B</b>	25% of system rehabilitated in last 25 years. Rate increases have provided funding for increased cleaning and inspection. Pump station upgrades under way. Need to reduce storm water infiltration and inflow.
<b>Public Buildings</b>	300+ public buildings	<b>D</b>	Inadequate funding for capital improvements and preventive maintenance. Roofs leaking; boilers beginning to fail.
<b>Parks and Landscaping</b>	134 parks and public spaces	<b>D+</b>	25 gardeners laid off due to budget cuts. No routine maintenance of medians. No staff to maintain newly constructed parks.
<b>Trees</b>	42,642 street trees, plus trees in parks & medians	<b>D+</b>	Extensive tree canopy, but five years of staffing cuts have eliminated tree planting and tree maintenance. Remaining staff responds to emergencies only.



<b>Fleet and Equipment</b>	1,489 vehicles and pieces of equipment	<b>D</b>	Fleet is 10.7 years old, twice recommended age. 341 old vehicles have been sold. Request to lease 150 vehicles has been submitted.
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key takeaway from the infrastructure report card – for the purposes of this gap analysis – was that the City received a grade of “D” for the condition of its curb ramps and sidewalks.

### 1.3.1.3 Recommendations: Asset Data Collection Tools & Methods

As noted in the previous sections, the City of Oakland conducted two citywide inventories of public infrastructure assets in 2002 and 2006. In addition, the City also implemented a sidewalk repair prioritization project and a curb ramp transition plan update in 2008 and 2009 respectively.

While these efforts produced valuable information at the time, much time has passed since and the gap between “what was then” and “what is now” is considerable, and expanding. Furthermore, this gap, which represents the delta between the past inventory statistics and the current and actual state of the City’s asset inventory is also exacerbated by the city’s inability to keep pace with the needed repairs. In other words, the gap is widening. As such, we would recommend that the City conduct a comprehensive citywide refresh of the all public works infrastructure assets.

There are several options available to the City to carry out such an inventory.

**Option 1** would be to perform a citywide collection using modern mobile LiDAR and video logging technologies. These newer laser scanning systems have the ability to capture high precision point cloud data and high resolution 360 spherical digital imagery – simultaneously. The point cloud produced from the LiDAR will allow the city to capture a considerable amount of 2D and 3D Planimetric data (such as slopes and cross slopes, measured bridge clearances, and capture the dimensions of physical assets with a high degree of precision and efficiency), utilizing sophisticated computerized processing methods that occur in the office. In addition, the LiDAR data can be used to augment (or replace) conventional terrestrial surveying methods in certain cases. The video log technology has also advanced considerably in recent years. Most systems today use a combination of still forward and rear facing cameras and a 360 degree spherical camera (akin to the Google man-on-the-street perspective). One of the key advances in these technologies is the extraction



of physical assets using a combination of the point cloud data *and* the video imagery. In some cases, advanced software systems can provide a certain level of automated feature extraction based on highly sophisticated image analysis algorithms. It should be pointed out however that in an urban environment such as Oakland, not all surfaces will be visible at the time of collection (parked and moving cars, tree canopy, etc.), and as such the extraction of features would more than likely have to be augmented with some level of boots on the ground collections.

A **second option** (Option 2) could be to perform the inventory using a boots on the ground approach only. Like mobile data collection technologies, advancements in handheld GPS, mobile web, and web mapping technologies, and tablet computing technologies have made the collection of asset data in the field a very feasible option for performing asset inventories. The benefit to this approach is that there is a high level of effectiveness at assessing actual conditions visually and making observations that may otherwise be difficult to make from a digital image. Conversely, this option is generally more labor intensive and time consuming than mobile van-based collection methods and thus is generally more costly. In addition the van based option is a safer alternative to dispatched field crews.

A **third option** (Option 3) could be a hybrid approach that uses a blend of both the mobile LiDAR van and boots on the ground methods. An example of this would be to deploy field crews to the more densely populated parts of the City where vehicular travel can be challenging due to traffic conditions and the contestant stop-and-go patterns associated with dense network of signalized intersections. In this case, the van may be of better use in the more rural and hilly sections of Oakland where vehicular travel would be more effective than foot travel.

In the final analysis however, the decision as to which method and technology to be used would be subject to the City's specific needs and requirements, staffing capabilities, and available funding, among other factors. In general terms, the most common approach used by many public agencies for conducting large scale asset inventories is to make use of van- based (or even aerial) data collection methods that are designed to collect data in bulk. The data is then updated and maintained by the agencies using hand-held mobile technologies to perform on-going asset data maintenance and updating activities.

## 2. CONCLUSIONS & SUMMARY OF RECOMMENDATIONS

The conclusions and recommendations provided in this section have been organized based on the process that was used to perform the stakeholder interviews and discovery sessions, which focused on an evaluation and assessment of the existing workflows associated with the **organizational structure** and **asset data management** processes within the OPW / BEC. The following table is a rolled up and summarized illustration of the key findings and recommendations.

Table 5: Summary of Gaps and Recommendations (by Business Function)

Business Function	Key Gaps Identified	Primary Recommendations
<b>Organizational Structure and Business Workflow</b>	<ul style="list-style-type: none"> <li>A. Lack of proper and consistent ADA Programs influence throughout the public works asset lifecycle</li> <li>B. Lack of staff resources</li> <li>C. Lack of accountability</li> <li>D. Lack of funding (for ADA PRoW Transition Plan implementation, staffing, and maintenance and upkeep of the physical infrastructure)</li> </ul>	<ul style="list-style-type: none"> <li>A. Return budgetary and programming control to the ADA Programs Division for all ADA PRoW Capital Improvement Projects, and fill vacant Citywide Physical Access Coordinator position.</li> <li>B. Centralize all ADA PRoW implementation programs in one Division in the new DOT.</li> <li>C. Implement the proposed Departmental Access Coordinator (DAC) network.</li> <li>D. Hire of qualified personal to fill the DAC positions and establish performance metrics</li> <li>E. Provide ongoing training and education to DACs and all personnel involved in ADA PRoW programs</li> <li>F. Executive level support from Mayor's office and City Council</li> </ul>
<b>Asset Data Management</b>	<ul style="list-style-type: none"> <li>A. ADA asset condition upkeep is lagging behind. The last citywide curb ramp assessment was performed 14 years ago in 2002, and the last full sidewalk damage assessment and ADA asset inventory was done in 2006. The final report was developed in 2007.</li> <li>B. Lack of organized and consistent data management workflows both within and across public works business lines</li> <li>C. Lack of staff resources</li> </ul>	<ul style="list-style-type: none"> <li>A. Develop updated ADA transition plan</li> <li>B. Perform Citywide asset refresh</li> <li>C. Establish ADA data model</li> <li>D. Develop and implement systematic data maintenance workflow processes</li> <li>E. Develop a series of mobile and web mapping applications that support ADA asset tracking, monitoring and reporting activities</li> </ul>
<p><b>NOTES:</b> The key risk here is the perpetuation of inconsistency in the enforcement of ADA policy (the ADA PRoW Transition Plan) during the PRoW improvement and maintenance processes. The potential outcome of this process is that the ADA PRoW Transition Plan is updated (data sets are refreshed) but the City continues to implement and track ADA PRoW in ways that are inconsistent with adopted policies, state and federal design standards, and community priorities.</p>		

### 3. COST ESTIMATE

#### City of Oakland ADA Public Right-of-Way Transition Plan Update Cost Estimate

<b>Task 1: Citywide PRow Asset Inventory Using Mobile LDAR/Video Log</b>	<b>Estimated Costs</b>
<b>A. ADA Asset Data Collection and Extraction</b>	<b>\$1,000,000</b>
<i>Data Collection</i>	<i>\$350,000</i>
<i>Curb Ramps, Sidewalks (damage, hazards and obstructions)</i>	<i>\$350,000</i>
<i>Pedestrian Signals (all types), Crosswalks, Disabled Parking Facilities</i>	<i>\$300,000</i>
<b>B. Option: (Signs, Other Signals, Drainage, Other Curb Markings, Trees)</b>	<b>\$300,000</b>
<b>Task 1 Total</b>	<b>\$1,300,000</b>

<b>Task 2: Development of 2016 ADA Transition Plan Report</b>	<b>Estimated Costs</b>
Analysis of infrastructure asset condition and compliance status	\$50,000
Development of barrier removal methods	\$30,000
Development of transition schedule	\$10,000
Development of cost estimates	\$10,000
Assemble draft and final reports	\$30,000
<b>Task 2 Total</b>	<b>\$130,000</b>

<b>Task 3: Development of Organizational Workflows</b>	<b>Estimated Costs</b>
ADA Data Management (Collection, Maintenance, Dissemination)	\$250,000
<b>Task 3 Total</b>	<b>\$250,000</b>

<b>Task 4: Development of ADA Data Model</b>	<b>Estimated Costs</b>
Design and develop data model	\$50,000
Design and develop data integration workflows	\$50,000
Develop automation scripts	\$50,000
Design and develop dashboard content (maps, apps, KPI,'s reporting)	\$50,000
Implement data management workflow processes	\$25,000
Implement dashboard application/interface	\$25,000
<b>Task 4 Total</b>	<b>\$250,000</b>

### Cost Summary

#### ADA PRow Transition Plan Update:

Task 1A: Citywide PRow Asset Inventory Using Mobile LDAR/Video Log .....	\$1,000,000
Task 2: Develop 2016 ADA Transition Plan Report .....	\$130,000
<b>Total .....</b>	<b>\$1,130,000</b>

#### Options:

Task 1B: Other PRow Asset Data Extraction .....	\$300,000
Task 3: Development of Organizational Workflows.....	\$250,000
Task 4: Development of ADA Data Model.....	\$250,000
<b>Total .....</b>	<b>\$800,000</b>

#### Note:

The cost values shown on this page are estimated **and are intended to be used for budgetary purposes only**. The actual cost may vary considerably based on the selected firm, types of technology used, processing methods and workflows, labor sources and rates, actual scope of work for each task, and other factors. The costs listed above were based on the results of this needs analysis, and the consultant teams' general knowledge of industry standards, trends, best practices, and enabling technologies.

#### Assumptions:

Cost estimate based on an estimated 806 centerline miles (1612 lane miles) within Oakland City limits.

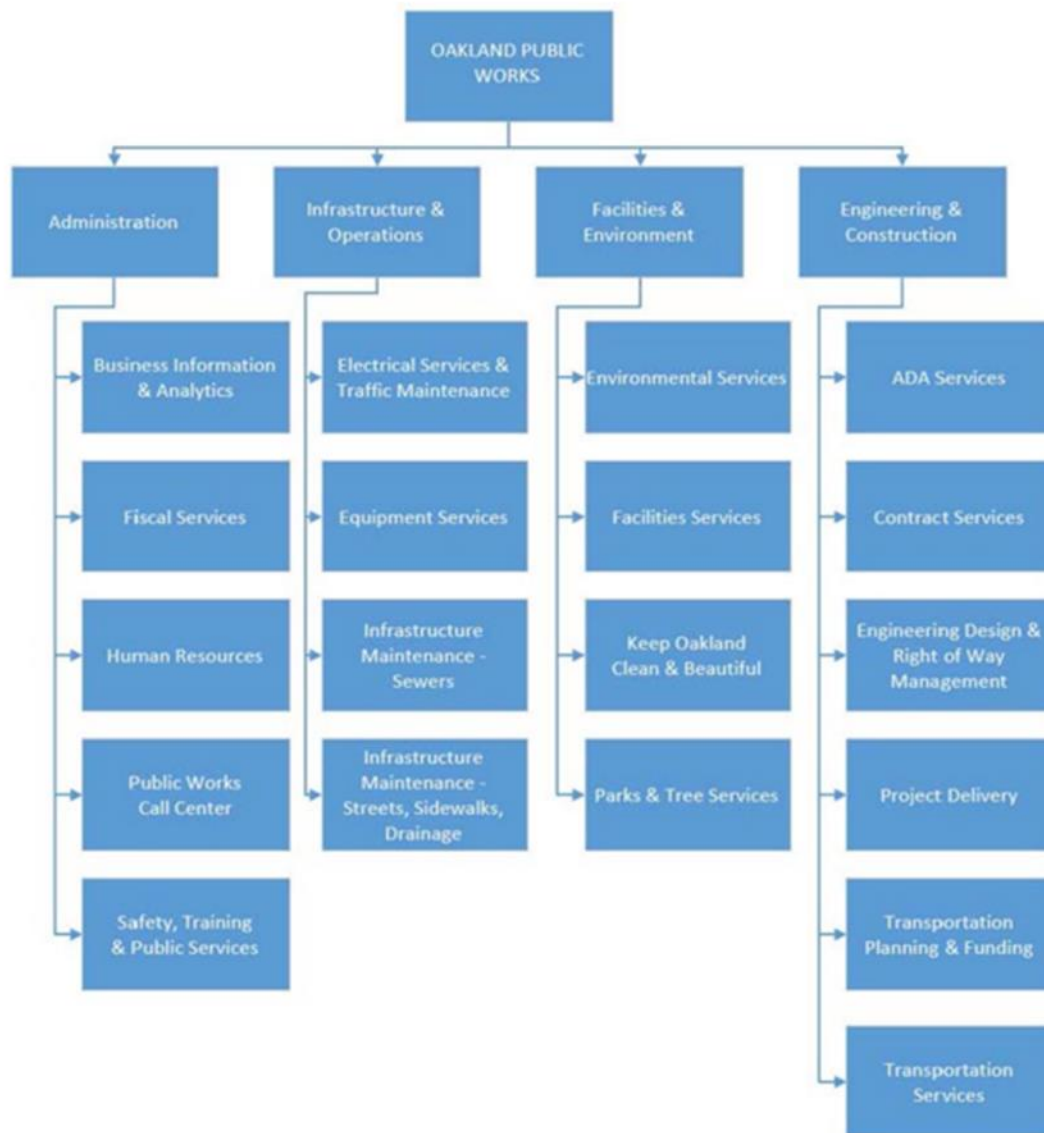
# Appendices

DRAFT

## Appendix A

### City of Oakland Public Works Organizational Structure

(April, 2016)

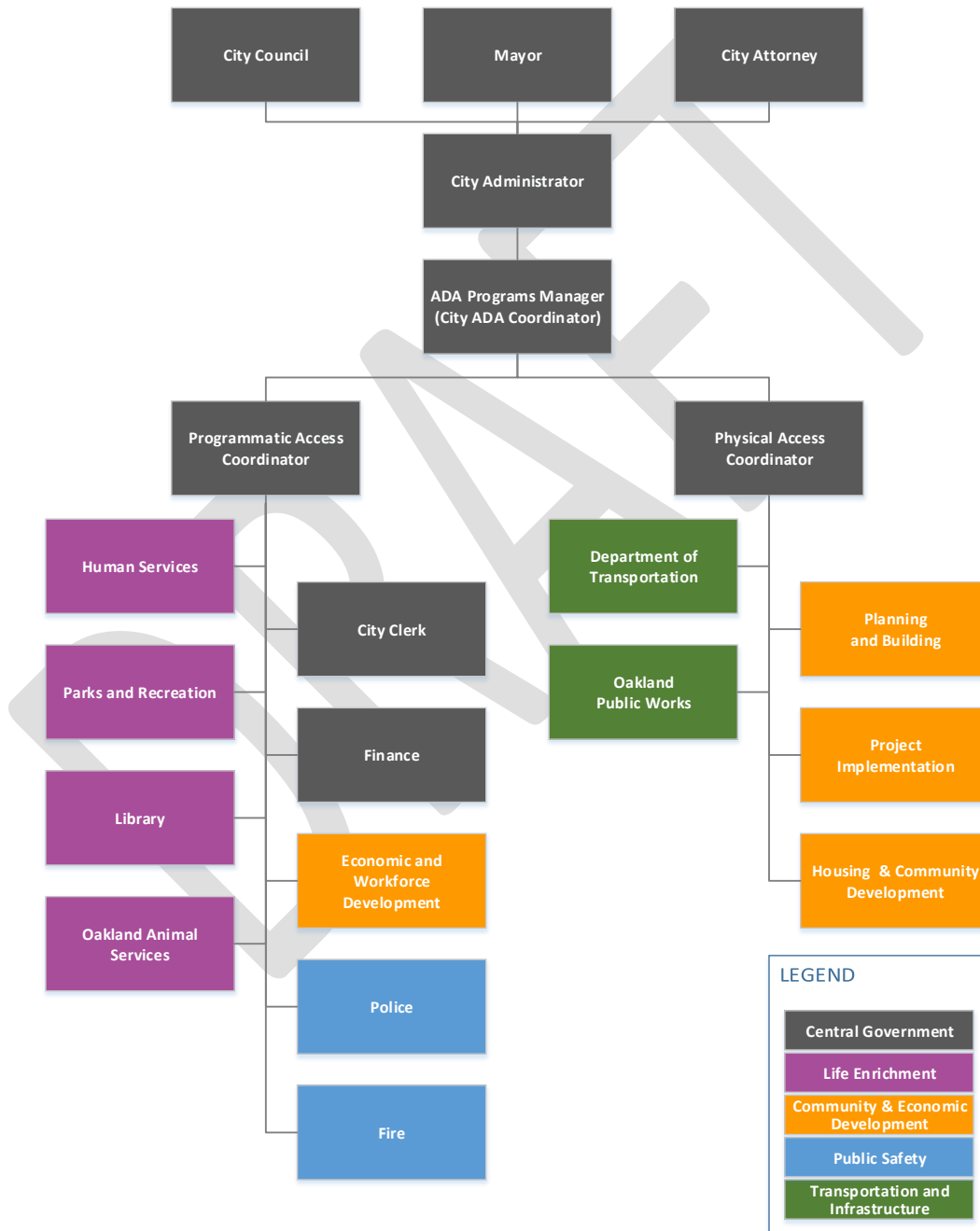


## Appendix B

### ADA Programs Division Departmental Access Coordinator

June 2016 [DRAFT]

#### ADA Programs Division Functional Responsibilities



## Appendix C

### City of Oakland ArcGIS Online Content Listing

<http://oakgis.maps.arcgis.com/home/index.html>

(March, 2016)

#### WebMaps

- BECbase1
- Bridgeinspections2015
- Capital Improvement Projects 2014
- Construction Status
- Core Sample Public
- Curb Ramp Compliance Log
- DEC
- DOPS Draft Map
- Downtown Parking Work Map
- Medallion
- Off Street Parking
- Parking Spaces
- Parking Survey
- Paving Status Map 2015
- Paving Core Samples 2015
- Residential Parking Permit Areas
- Sanitary Sewer System Overflow Update
- Sewer Dashboard
- Sewer 2015
- SewerLateral
- StormSystemPipes
- Watershed

#### Feature Layers

- AsBuilt (polygons - contains Hyperlinks to Asbuilt pdfs)
- CIP2014Draft
- CityFacilities
- CoreSamples
- CR2015\_AUG\_Update
- Creeks
- CurbRamps15
- FaceofCurb
- GISADMIN.MasterProject (Line-contains Project No)
- GISADMIN.SSOJan12012toJune302014
- GISADMIN. Catchments

- GISADMIN.Structures
- MasterProjects
- MasterProjectsJune2014
- NewCoreSamples
- NewSewerLateral
- OaklandCouncilDistricts
- OaklandBridgeswithPictures (points Contains hyperlinks to jpgs)
- OaklandStreetSweepingSchedule
- ParkingBlockFace\_ID
- Parking Spots Dec2014
- PavingStatus\_Pic
- SewerGrid
- SewerLateralCleanout
- SewerPipeHistory2010\_2015
- SidewalkInventory
- StormStructures2015
- StormSystemPipes
- Streetsv211
- SubBasins

#### Web Mapping Applications

- CoreSamplePublic
- CRtest1
- CurbRamp Compliance logger
- Curb Ramps 2015\_2
- Master Project Boundary Map
- Medallion
- Oakland Core Samples
- Parking Spaces
- Parking Survey
- Paving Status Map
- Sewer Dashboard October2015
- Sewer Dashboard Test1
- Sewer2015
- SewerProj
- SewerProjectMap2015
- SewerLateral
- TrashCapturesDevices



## Appendix D

### City of Oakland ADA Attribute Analysis Database Schema

Curb Ramps	Sidewalks	Ped Signals
Street 1	Street Name	Street 1
Street 2	Street Name Begin	Street 2
Intersection Number	Street Name End	Intersection Number
Direction	Street Side	Direction
Ramp Type	Street Grade	Approach Type
Dome Depth	Width	Clear Floor Space Width (Parallel Type)
Dome Width	Sidewalk Cross Slope	Clear Floor Space Length (Parallel Type)
Dome Contrast	Sidewalk Slope (or match street grade)	Clear Floor Space Width (Forward Type)
Gutter Slope	Heavings	Clear Floor Space Length (Forward Type)
Gutter X-Slope	Driveway	Accessible Path
Bottom Landing Slope	Driveway Cross Slope	Clear Floor Slope (Parallel Type)
Bottom Landing X Slope	Horizontal Obstructions Present	Clear Floor X Slope (Parallel Type)
Bottom Landing Width	Vertical (Overhead) Obstructions Present	Clear Floor Slope (Forward Type)
Bottom Landing Length	Protrusion	Clear Floor X Slope (Forward Type)
Ramp Slope (L)	Guywire	Button Height
Ramp X Slope (L)	Cracking Present	Button Reach Depth
Ramp Slope_R	Cracking Length	Button Diameter
Ramp X Slope_R		Button Pressure
Ramp Width (L)		Closed Fist Operation
Ramp Length (L)		Visual Contrast Text
Ramp Width_R		Contrasting Color Bands
Ramp Length_R		Audible Walk Indicator Text
Top Landing Slope (L)		Button Locator Tone
Top Landing X Slope (L)		Tactile Arrow Text (1) Yes_No Y / N
Top Landing Slope_R		
Top Landing X Slope_R		
Top Landing Length (L)		
Top Landing Width (L)		
Top Landing Length (R)		
Top Landing Width (R)		
Crosswalk present		
Bottom Landing in X Walk		
Gutter Lip		
Flare Slope (L) 10 percent max		
Flare Slope (R) 10 percent max		
Cracking present		

## **Appendix E**

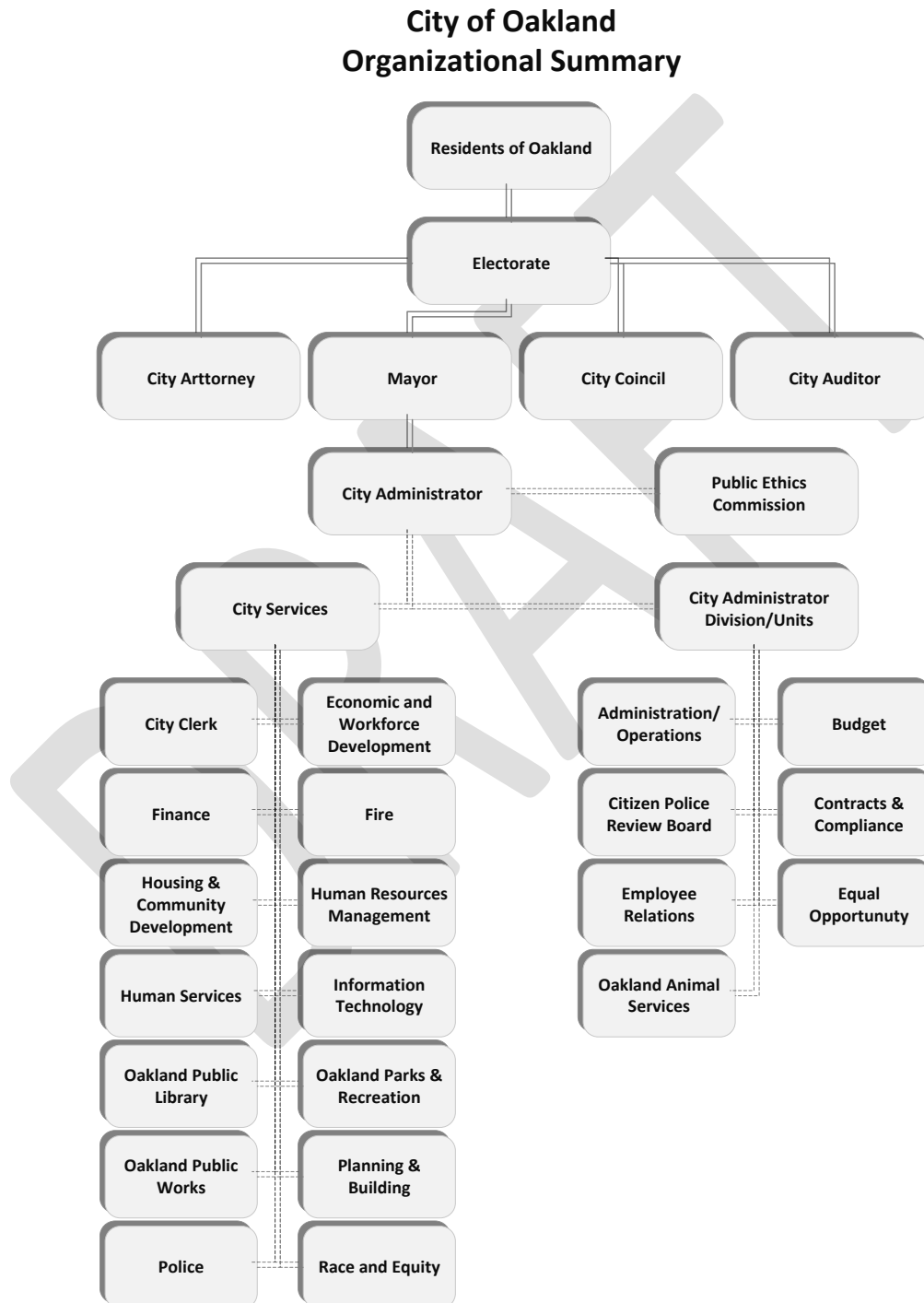
### **List of Documents Used in Assessment Research**

The following documents were used by the consultant team to research and assess the past data collection methods used by the City of Oakland ADA Services Division:

- ✓ 2002 Curb Ramp Inventory
- ✓ 2007 Sidewalk Condition and ADA Survey
- ✓ 2012 Infrastructure Report Card
- ✓ 2010 ADA Standards for accessible design (DOJ)
- ✓ STRIDE 2012-067S Final Report 2015

## Appendix F

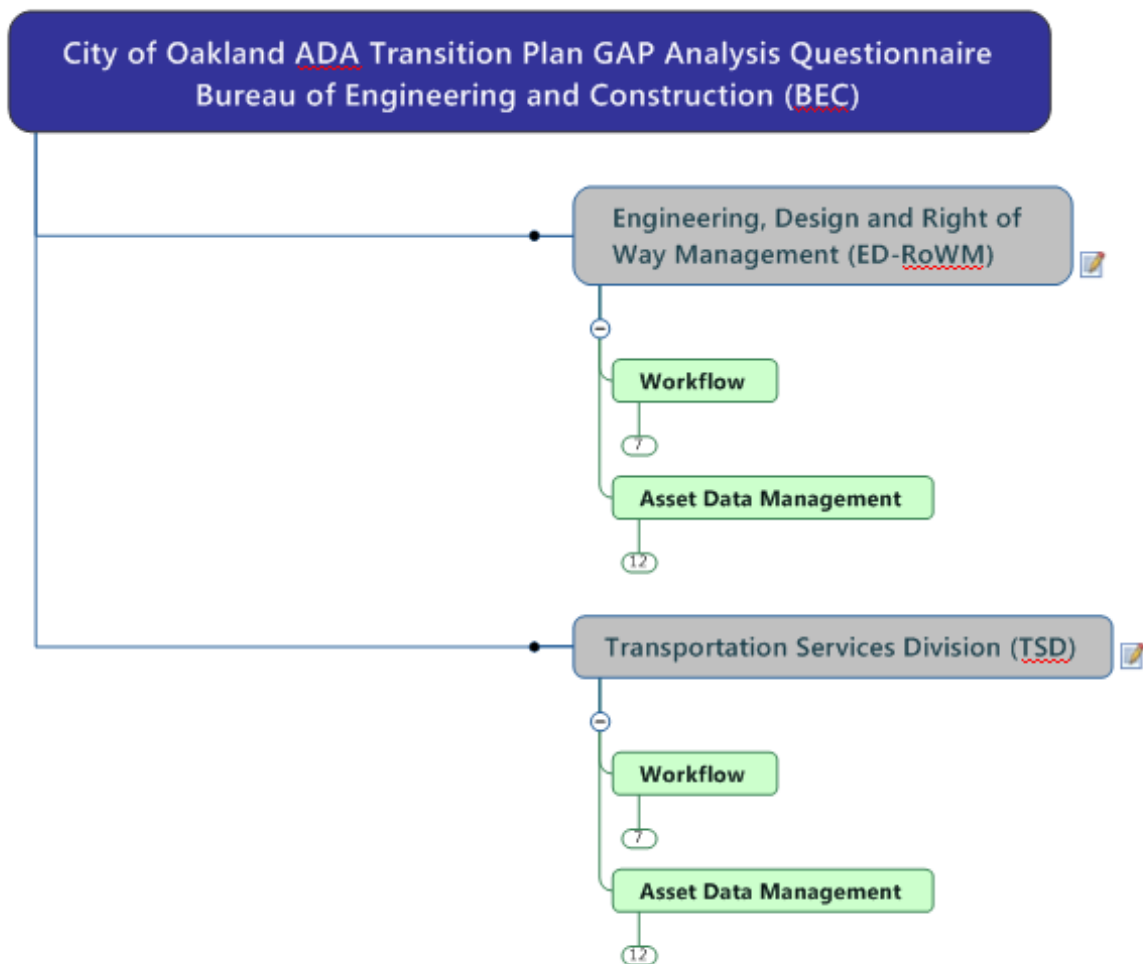
### City of Oakland Organizational Summary



## Appendix G

### City of Oakland ADA Transition Plan GAP Analysis Questionnaire ED-RoWM and TSD

July 20, 2016



## Engineering, Design and Right of Way Management (ED-RoWM)

**Meeting held on Wednesday July 20 at 2:00 -3:30 PST**

1. Attendees:
  - a. Wladimir Wlassowsky: [wwlassowsky@oaklandnet.com](mailto:wwlassowsky@oaklandnet.com)
  - b. Ade Oluwasogo: [aoluwasogo@oaklandnet.com](mailto:aoluwasogo@oaklandnet.com)
  - c. Darian Avelino: [DDAVELINO@oaklandnet.com](mailto:DDAVELINO@oaklandnet.com)
  - d. Ellen Ellsworth: [eellsworth@oaklandnet.com](mailto:eellsworth@oaklandnet.com)
  - e. Lee White: [lwhite@oaklandnet.com](mailto:lwhite@oaklandnet.com)
  - f. Joe Wang: [jwang@oaklandnet.com](mailto:jwang@oaklandnet.com)
  - g. Kevin Kashi: [kkashi@oaklandnet.com](mailto:kkashi@oaklandnet.com)
2. Christine Calabrese and Sherri Rita attended from ADA Programs Divisions
3. Kevin Gustorf from MBI attended in person
4. Nick Hutton from MBI facilitated meeting via WebEx

### Workflow

Can you describe the current workflow process associated with the curb ramp and sidewalk, curb and gutter repair infrastructure lifecycle?

(Design => Construction => Maintenance)

- ED-ROMW ADA asset (curb ramp and sidewalk) repair activities done based on predefined corridors
- Corridors were established as part of the 2008 Sidewalk (SW) Repair Program Prioritization Plan
- Corridors are selected based upon priorities set forth in the ADA and adopted by the City; Major transit corridors are 1<sup>st</sup> priority
- Major transit corridors listed in 2008 SW Repair Plan almost done, but as federal requirements change certain corridors need to be revisited; ED-ROWM making a second pass at the corridors.
- No new SW construction is being done (except in private developments). The ED-ROWM's focus is on maintenance—bringing the existing assets into current compliance (sidewalk, curb ramps and curb and gutter)
- Street trees are included in the repair activities (root pruning / tree well reconfiguration).
- Annual ADA asset repair scope is limited by available funding
- ADA compliance, safety and trees are top priorities. Curb and gutter repair is delayed where tree root pruning is required for sidewalk repair.
- The vast majority of ADA asset repair design is done in field by contractor and ED-ROWM staff.
- Ramp type / design is typically determined by ED-ROWM and contractor based on field condition
- If no ramp exists a new ramp is installed (unless technically infeasible)
- On transit corridors, where possible existing non-compliant diagonal ramps are replaced with dual directional ramps.
- Only small percentage of repair work is transferred to other City Departments for CAD design (typically TSD)
- Repair work is generally updated in GIS database, but there are no as-built drawings.

- ADA Programs Division not involved in implementation (programming, design or inspection processes) of ADA asset repair activities. Only involvement is in policy (preprogramming) and monitoring via the Mayor's Commission on Persons with Disabilities.
- Kevin Kashi is the designated ADA Public Right of Way Access Coordinator, pursuant to the 2009 Curb Ramp Transition Plan—this is the only official departmental access coordinator position in OPW/DOT

*Is the current workflow effective?*

*For ED-ROWM*

- The current workflow is effective for ED-ROWM, and has been since 2008
- The primary limitation is budget (they have an allowance)

*For ADA Programs*

- Current workflow is problematic for meeting system wide ADA compliance
- The lack of ADA Programs influence in the repair workflow process divorces their ability to address community access and city liability concerns unless or until a complaint is filed
- The great recession, lawsuits and other factors have forced the City to take a "catch up as quickly as possible" approach, and to forego the formal design process.
- ADA Programs need more involvement in implementation of ADA transition plan(s)

*Is the workflow documented?*

- Policy? Yes
- Checklists? No
- Diagrams? No

What are the top three pain points?

Can you make any recommendations for improvements?

#### Asset Data Management

Can you describe the existing workflow associated with the maintenance and management of curb ramp and sidewalk, curb and gutter condition data?

How is data collected?

*How often?*

*What is the method?*

*What type of data is collected?*

Is it sufficient?

For ED-RoWM

For ADA Programs

Can you describe the use of CADD and GIS technology?

*Is there sufficient CADD/GIS data interoperability?*

What are the top three pain points?

Can you make any recommendations for improvements?

## Transportation Services Division (TSD)

### Workflow

Can you describe the current workflow process associated with ADA transportation assets [traffic signal (ped push buttons and audible pedestrian traffic signals); striping and signage (crosswalks, etc.); and on-street parking (blue zones) and bus stop (signage, furnishings) infrastructure lifecycle? (Design => Construction => Maintenance)

#### General Notes:

- Design done in house, then bid
- Prioritization: city identified safety hazards, outside funding, development projects, location, obsolete and or malfunctioning equip, ADA compliance
- Call in from public is a more frequent and dependable source of condition assessment
- Electrical Service staff are the ones who perform maintenance; they perform periodic inspections and respond to public calls
- ADA Programs involved in design process due to signatory authority for all City capital improvement projects. ADA not involved in signal improvements made without design drawings.
- In the process of developing traffic signal layer - robust dataset but not mapped
- I-80 ICM project - includes on/off ramps and signals on arterials

#### Target Corridor Program:

- Must meet ADA standards
- Done in coordination with Kevin Kashi
- ADA Program Division reviews all drawings

#### Pavement Program:

- Also installs curb ramps
- Paving program is driver for the transportation planning
- Work under ED ROW
- New paving impacts existing running slopes at street crossings

#### Signals:

- New signals typically installed only when associated with developments
- Focus on upgrade and maintenance of exiting assets. Repair work is done to bring signal up to standards

#### On Street Disabled Parking Zones (DPZ):

- Is an ADA program
- Repairs done by demand
- Subsequent work orders are issued
- Design is done using AutoCAD and spreadsheets, but it needs to be consolidated.
- Residential work done using modified standards according to 2009 On-Street Disabled Parking Zone Policy
- Other DPZ work done according to full ADA compliance
- ED-ROWM contracts tapped to install curb ramps in association with new or relocated on-street DPZ
- Surface parking lots will be included in buildings and facilities category of updated City ADA Transition Plan

#### Crosswalk:

- Need additional info



**Bus Stop Layer:**

- City allows third party (clear channel) to install bus stops

**Signing & Striping:**

- Data sets exists

Is the current workflow effective?

*For TSD*

*For ADA Programs*

- ADA Programs need more QC and oversight
- More involvement in implementation

Is the workflow documented?

- Policy? Yes
- Checklists? No
- Diagrams? No
- Customer process documented
- Back end process for work orders not documented

What are the top three pain points?

Can you make any recommendations for improvements?

**Asset Data Management**

Can you describe the existing workflow associated with the ADA transportation assets [traffic signal (ped push buttons and audible pedestrian traffic signals); striping and signage (crosswalks, etc.); and on-street parking (blue zones) and bus stop (signage, furnishings)] data?

How is data collected?

*How often?*

*What is the method?*

*What type of data is collected?*

Is it sufficient?

For TSD

For ADA Programs

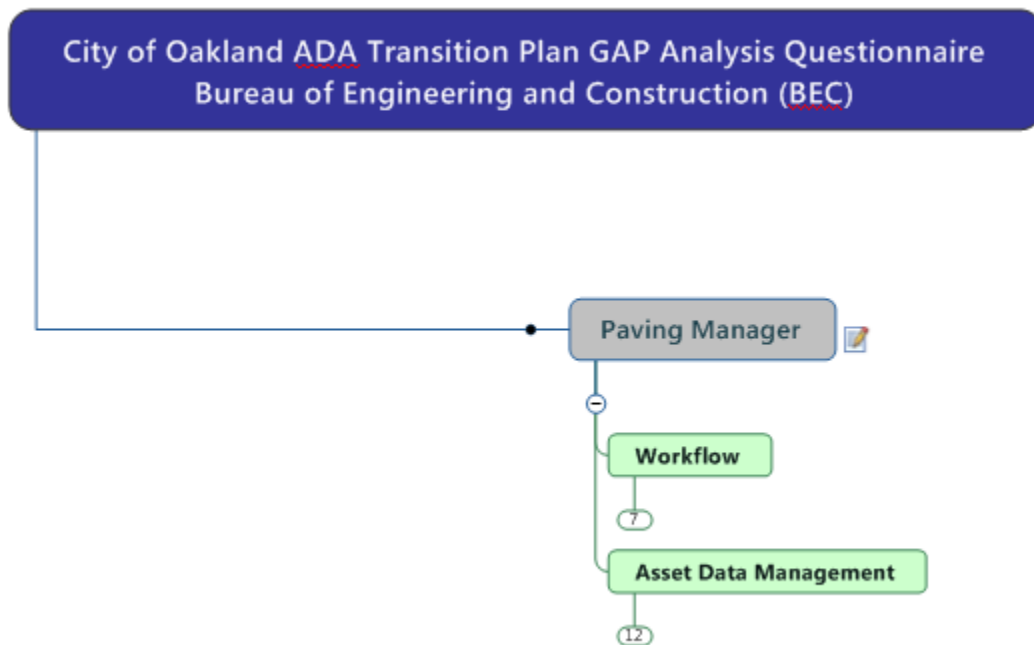
Can you describe the use of CADD and GIS technology?

*Is there sufficient CADD/GIS data interoperability?*

What are the top three pain points?

Can you make any recommendations for improvements?

**Appendix H**  
City of Oakland ADA Transition Plan  
GAP Analysis Questionnaire  
Paving Manager  
*July 25, 2016*



## Paving Manager

**Meeting held on Monday July 25 at 4:00 -5:30 PST**

5. Jimmy Mach - Paving Manager interviewed
  - a. JMach@oaklandnet.com
  - b. 510-238-3303
6. Christine Calabrese and Sherri Rita attended from ADA Programs Divisions
7. Nick Hutton from MBI facilitated meeting via WebEx

## Workflow

Can you describe the current workflow process associated with ADA transportation assets infrastructure lifecycle as it pertains to your business unit?

- 2008 Sidewalk Prioritization (Corridor) Plan not used to develop paving prioritization plan
- Curb ramps, curbs and some sidewalk repair included as part of the paving projects
- City uses MTC Street Saver application to store pavement condition data and to develop the 5 year plan (AKA Paving Prioritization Plan)
- Pavement condition inspections are done visually - no scanning technology is currently being used
- Paving projects are identified through the City Street Saver PMS program
- 80% of paving program budget used on Street Saver "best streets"
- 20% of budget goes towards "work streets". This is essentially a complaint-based system. The budget is divided up by the 7 districts (20%/7).
- Regarding ADA, compliance requirements are "set in stone" by federal and local policy
- Design drawings are typically not developed
- Design is based primarily on field observations: measurements are taken, sometime lasers are used to capture key measurements. Mobile devices are also used to collect field information. Field constructability assessments are done with city engineering staff and contractors, where curb ramp types are defined (e.g. diagonal, directional)
- A letter is produced that documents the design requirements
- No checklists are currently in use that define the workflow process around ADA inspection, design or construction.
- There is an SOP curb ramp inspection worksheet that was worked up previously but is not in use (will be provided to ADA for review)
- The worksheet was created by Jimmy Mach
- The Paving group updates 100 curb ramps per year
- Sidewalk repairs are done when there is damage resulting from city street trees.
- Only 16% of damaged sidewalks are in city Jurisdiction. 84% of city sidewalk damage is private property owner responsibility.
- ED-ROWM operates a Notice to Repair program to affect private property owner sidewalk repair but the NTR program is not activated in association with the Paving program.
- Paving group does 10 -20 miles of paving projects per year
- Arterial and collector inspections are done on a two year cycle
- Residential areas done in 5 year cycle
- MTC performs visual assessments
- TTAP provides local match of funding

Is the current workflow effective?

*For TSD*

*For ADA Programs*

Is the workflow documented?

What are the top three pain points?

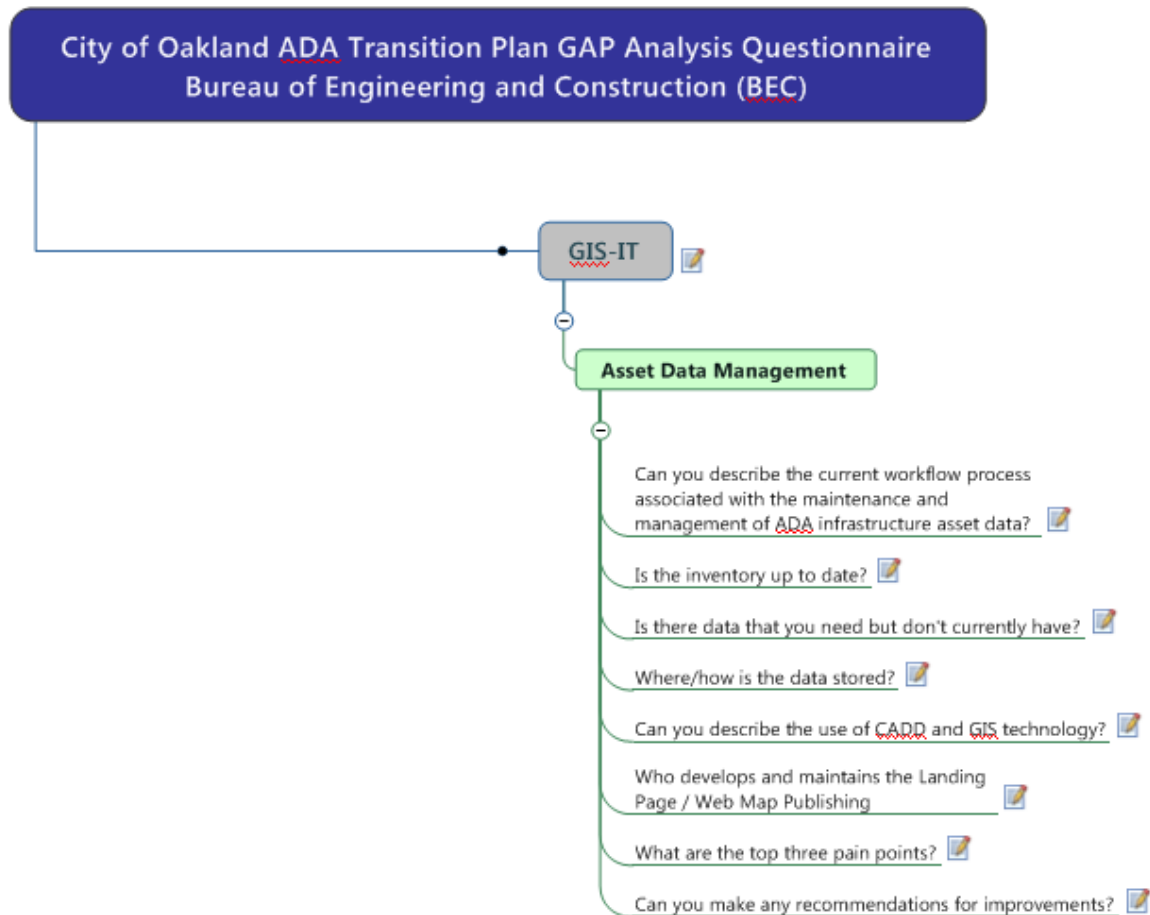
Can you make any recommendations for improvements?

### Asset Data Management

Can you describe the existing workflows associated with the collection, maintenance and management of ADA asset data as it pertains to your business unit?

- A GIS street network does exist
- There is a GIS "group" that supports the Paving section
- David Lok is relatively new and primarily supports TSD. Brian Kimball is a long time employee and supports ED-ROWM.
- BEC asset data is stored and maintained in CityWorks. However CityWorks is not used in the CIP process.
- John McCabe in charge of CityWorks and also produces a monthly asset management report
- Paving data is managed in ArcGIS (not CityWorks?) then integrated into StreetSaver for PMS activities
- BEC maintains several public facing web sites that publish asset data
  - City of Oakland Map Landing Page  
[https://oakbec.s3.amazonaws.com/MapLanding/internal\\_index.html](https://oakbec.s3.amazonaws.com/MapLanding/internal_index.html)
  - City of Oakland Paving Dashboard  
<http://oakbec.s3.amazonaws.com/MapLanding/maps/pavingdashboard.html#PCI>
- Utility companies, private developers, and other city capital improvement programs are constructing curb ramps but ED-ROWM is having some difficulty tracking these.
- According to annual ADA Curb Ramp Transition Plan reports from ED-ROWM, very few ramps are constructed by "others"
- ED-ROWM had estimated in 2008 that this number should be approximately 150
- For CADD the BEC is using AutoCAD Civil 3D, Esri ArcGIS for GIS, and Esri Collector for field data collection
- When asked about a full asset data refresh, Jimmy said that he felt it would be worthwhile and was in support of the idea.
- There are currently no established formulas for establishing deterioration curves for ADA assets. Although BEC is currently in the process of developing deterioration models for Sanitary Sewer assets.
- The City is currently using InfoMaster for maintaining sewer system data. InfoMaster does integrate with the City's GIS.

**Appendix I**  
**City of Oakland ADA Transition Plan**  
**GAP Analysis Questionnaire**  
**GIS-IT Asset Data Managers**  
*July 27, 2016*



## GIS Division

**Meeting held on Wednesday July 27 at 1:00 -2:30 PST**

1. Attendees:
  - a. Brian Kimball GIS Manager (IT Services)  
*i. BKimball@oaklandnet.com*
  - b. David Lok GIS Tech  
*i. DLok@oaklandnet.com*
  - c. Jimmy Mach - Paving Manager  
*i. JMach@oaklandnet.com*
2. Christine Calabrese and Sherri Rita attended from ADA Programs Divisions
3. Nick Hutton from MBI facilitated meeting via WebEx

## Asset Data Management

Can you describe the current workflow process associated with the maintenance and management of ADA infrastructure asset data?

- Asset data is updated in a variety of ways, and depends in part on the asset type being updated
- In general terms asset data for curb ramps and sidewalks is collected to support design and repair activities and is typically done using a combination of paper and digital methods
- Some are scanning the paper documents in as PDF's, which are getting placed into project folders, and some are using the available web tools and capturing data digitally
- The current hybrid process makes it more difficult to track and manage data collection activities. It was simpler (to track) when it was all done on paper , and paper 'as-built' drawings were routinely created and archived as part of project closeout.
- There are limited resources available to assist in getting the asset data updated in a consistent and timely manner.
- The only driver for ADA asset data collection are ADA compliance reporting requirements.
- ADA public right of way improvements are completed under: 1) ADA capital improvement programs (curb ramp, sidewalk repair, on-street disabled parking zone) 2) other Bureau of Engineering and Construction CIP, 3) other department CIP, and 4) private/utilities development projects
- For work completed by private developers and utilities, a more comprehensive permitting process would help to bridge the gap in tracking maintenance and repair activities
- ED-RoWM runs the Curb Ramp, Sidewalk Repair, Paving, and Streets programs.
- TSD has implements several streetscape improvement programs (e.g. Safe Routes to School), which also include the design and construction of certain ADA assets ED-RoWM interested in adopting an ADA management overlay
- There is currently no formal end of project process for capturing as-built information post-construction curb ramp and sidewalk repair/update work
- The traffic signals data set is currently being migrated from a MS Access database into GIS. The GIS signal data will include one point that represents the approximate location of a signal controller unit, which controls the operation of multiple signals and related apparatus at an intersection, as opposed to having a point for every signal post
- There is not much data that exists for parking restrictions, and it is not currently being captured
- TSD does leverage the use of BIO services. Work orders are issued for ADA asset repair work in this scenario
- In some cases, asset data is converted to feature services and published to the cloud using ArcGIS server. The feature services are accessible through the City's website and are generally consumed by field personnel using Esri's ArcGIS Collector application for making/recording asset updates in the field
- CityWorks is also set up to consume the feature services

- The City is in the process of getting ready to perform a significant upgrade to their GIT infrastructure which would move all applications and storage to managed cloud services (hosted in Amazon AWS)
- The City is in the final stages of completing an aerial LiDAR project. They are awaiting final delivery now. The primary deliverable will be building footprints
- ADA is looking for applications that would support a "differential-based" analysis of ADA assets. They would also like to see an Physical Access path/routing application developed as well

#### Is the inventory up to date?

- No. A full city-wide data refresh would be supported (BK)

#### Is there data that you need but don't currently have?

- Jimmy Mach from Paving needs the striping layer
- BRT: need coring data update (paving program)

#### Where/how is the data stored?

- There is essentially one enterprise geo-database (EGDB) that contains Oakland's public works infrastructure asset data
- The EGDB exists in a single-tier architecture and the database is not versioned. Therefore making updates to the EGDB requires that the database be temporarily shut down

#### Can you describe the use of CADD and GIS technology?

- The City has implemented AutoCAD for ArcGIS, which allows AutoCAD users to consume map and features services published by way of ArcGIS Server. These services are read only at this time
- Asset data is updated in the cloud and "pushed back" to server
- The City is looking to develop workflow's that will improve the asset update process
- The City is in the process of developing a CADD Layer Standard, which they hope to be able to impose on Developers as a requirement to increase consistency in project deliverables.

#### Who develops and maintains the Landing Page / Web Map Publishing

- Brian Kimball is the primary administrator/author of the City's Dashboard and map landing web pages. He is using both ArcGIS Online (AGO) and open source technology for web map publishing (CartoDB/OpenStreetMap)
- Most of the web maps are developed by using templates as a base, and then some coding is done to tweak applications as needed
- The City is making heavy use of AGO in the field by using the AGO Collector application on phones and tablets

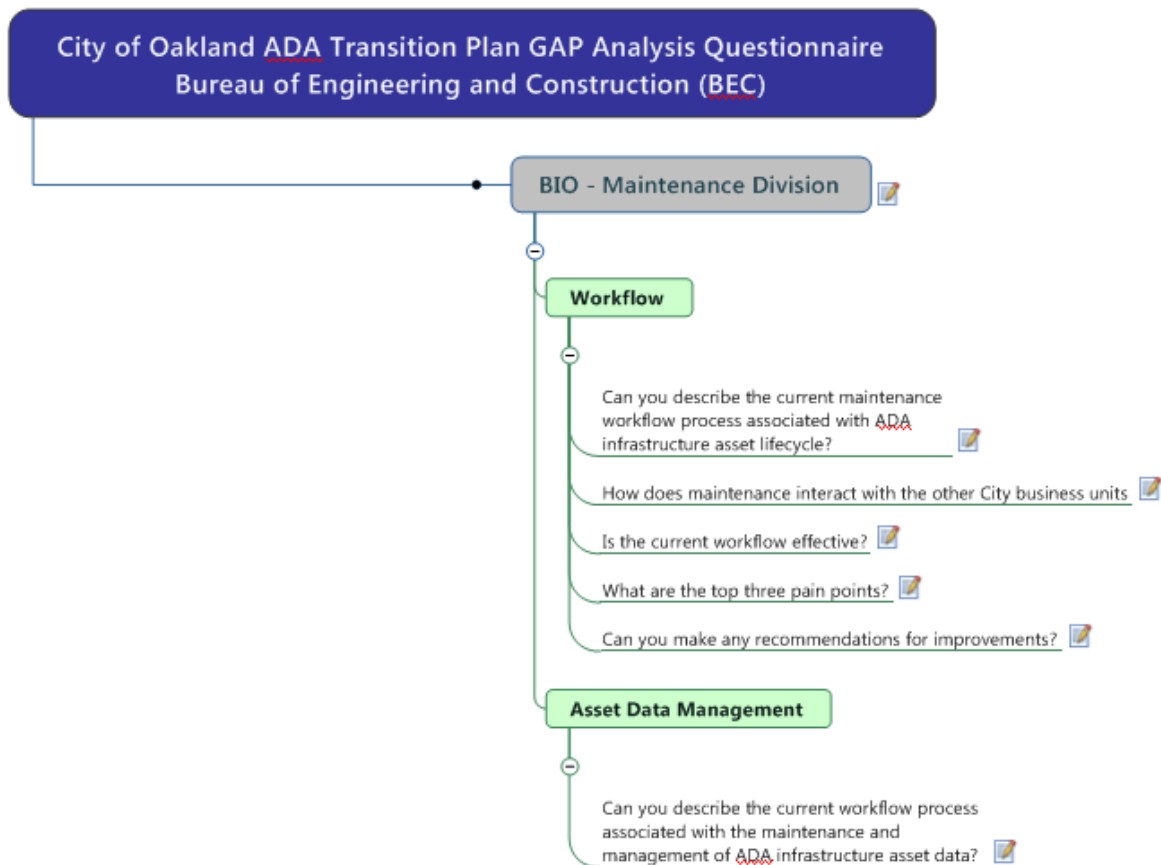
#### What are the top three pain points?

- Undefined workflow's
- Need better organizational buy-in (top and bottom)
- Lack of available resources. Brian Kimball is an IT employee and currently has a staff of 2.5 people

#### Can you make any recommendations for improvements?

- Need system to collect all data (citywide)
- Need to develop defined workflow's
- Need to establish accountability
- Need to define data required for ADA implementation and monitoring

**Appendix J**  
City of Oakland ADA Transition Plan  
GAP Analysis Questionnaire  
BIO-Maintenance Division (Electrical Services)  
*August 1<sup>st</sup> 2016*





## BIO - Maintenance Division (Electrical Services)

**A meeting was held on Monday August 1, 2016 at 11:00 - 12:45 PST**

1. Jamie Ramey, Allen Law (BIO-Electrical Services) interviewed
  - a. jramey@oaklandnet.com
  - b. ALaw@oaklandnet.com
2. Christine Calabrese from ADA Programs attended
  - a. CCalabrese@oaklandnet.com
3. Nick Hutton (Michael Baker Int'l - facilitated meeting via WebEx)
  - a. Nick.Hutton@mbakerintl.com

### Workflow

Can you describe the current maintenance workflow process associated with ADA infrastructure asset lifecycle?

- Electrical Services staffers perform services similar to a sub-contractor. Their work is assigned by the issuance of work orders primarily from TSD. All Work orders are issued from CityWorks.
- Plan set and/or CAD drawings are generally input into CityWorks (by TSD). A hardcopy of the plan set is printed out (by BIO – Electrical Services) with the actual work order.
- Jamie Ramey (BIO – Electrical Services) reviews the plan and work order to make sure that the requested work is "legitimate" (validity/legality), before crews are dispatched. There have been instances where work orders were created for assets that do not fall within the City's jurisdiction).
- BIO – Electrical Services staff complete the physical repair and reconstruction work according to what is listed in/on the WO.
- In Electrical Services, there are 4 painters, 7 signal staff, and 3 maintenance workers who generally support the painting crew(s).
- Their (BIO - Electrical Services) ADA asset-related work typically involves the repair and update of curb markings, signs, signals, reflectors, and pavement striping (including crosswalks).
- Electrical Services performs signal repairs and installs / removes on-street disabled parking zones.
- Some sidewalk repair work is being done by other BIO groups, mostly in trip and fall scenarios. However, no comprehensive concrete program currently exists.
- Potholes repairs are done by BIO. BIO is resourced and is ramping up to perform paving/resurfacing projects.
- It appears that most (if not all) BIO Electrical ADA asset-related work comes from work orders issued by TSD. (Much of BIO's work is complaint driven, but staffers are responsible for the routine maintenance in each of their respective groups as well.)
- The key drivers for ADA infrastructure updates and maintenance are the Corridor Plan or other localized priorities. As such, it appears that (ADA) asset maintenance and repair decisions are currently being made without consideration of past or future liabilities and or consequences of failure.
- The Corridor Program was implemented from 2007 Sidewalk/ADA study. Prior to that, all/most maintenance activities were driven by a complaint-based system.
- BIO - Electrical Services was part of an ADA "corrective action" process to update the on-street disabled parking inventory (via TSD), but a lack of coordination resulted in the successful removal of ADA barriers, but

no replacement work was performed. The issue was that ED-ROWM did not install the necessary curb ramps to serve the replacement disabled parking spaces.

- BIO is currently implementing the "Make Safe" program, which deals primarily with trip and fall hazards. While the program serves to mitigate certain trip and fall hazards, in general terms it is not effective at removing ADA barriers.
- The Project Delivery Division does ~~their~~its own inspections. Construction supervision is "built-in" to the construction oversight process.

How does maintenance interact with the other City business units?

- There is little or no interaction between the ED-RoWM and BIO groups.
- There is little or no interaction between ADA Programs and BIO.

Is the current workflow effective?

- They are "making do" with the staff that they have.
- They need a better records management system.

What are the top three pain points?

1. **Lack of staff:**
  - a. Only 4 painters cover all 7 districts
2. **Lack of funding and coordination:**
  - a. Certain work orders come without funding
  - b. (see above)
3. **Organizational:**
  - a. Some confusion exists between ED-RoWM and BIO in terms of what constitutes a maintenance activity. Evidently, ED-RoWM believes that they perform certain maintenance activities. BIO disagrees, based on the idea that their (ED-RoWM) construction work is associated with a design project.
  - b. Programs are lagging – particularly on-street disabled parking
  - c. There are multiple OPW divisions working on the same asset repair projects. There is a need for better intradepartmental coordination and communication.
  - d. There is a lack of consistency of the maintenance and repair methods used for ADA assets between engineering (ED-RoWM) and BIO-Electrical Services.

Can you make any recommendations for improvements?

- The proposed Departmental Access Coordinator (DAC) network should have significant (positive) impact on the current business process. The general sense is that a fully resourced and trained OPW/DOT DAC –or physical access coordinator—could alleviate some of the pressures on the current BIO staff who manage and perform maintenance activities.
- A better "records management" system is needed. The current records management process lacks "good sequence". However, in spite of this, the BIO staff seem to "keep up".

Asset Data Management

Can you describe the current workflow process associated with the maintenance and management of ADA infrastructure asset data?

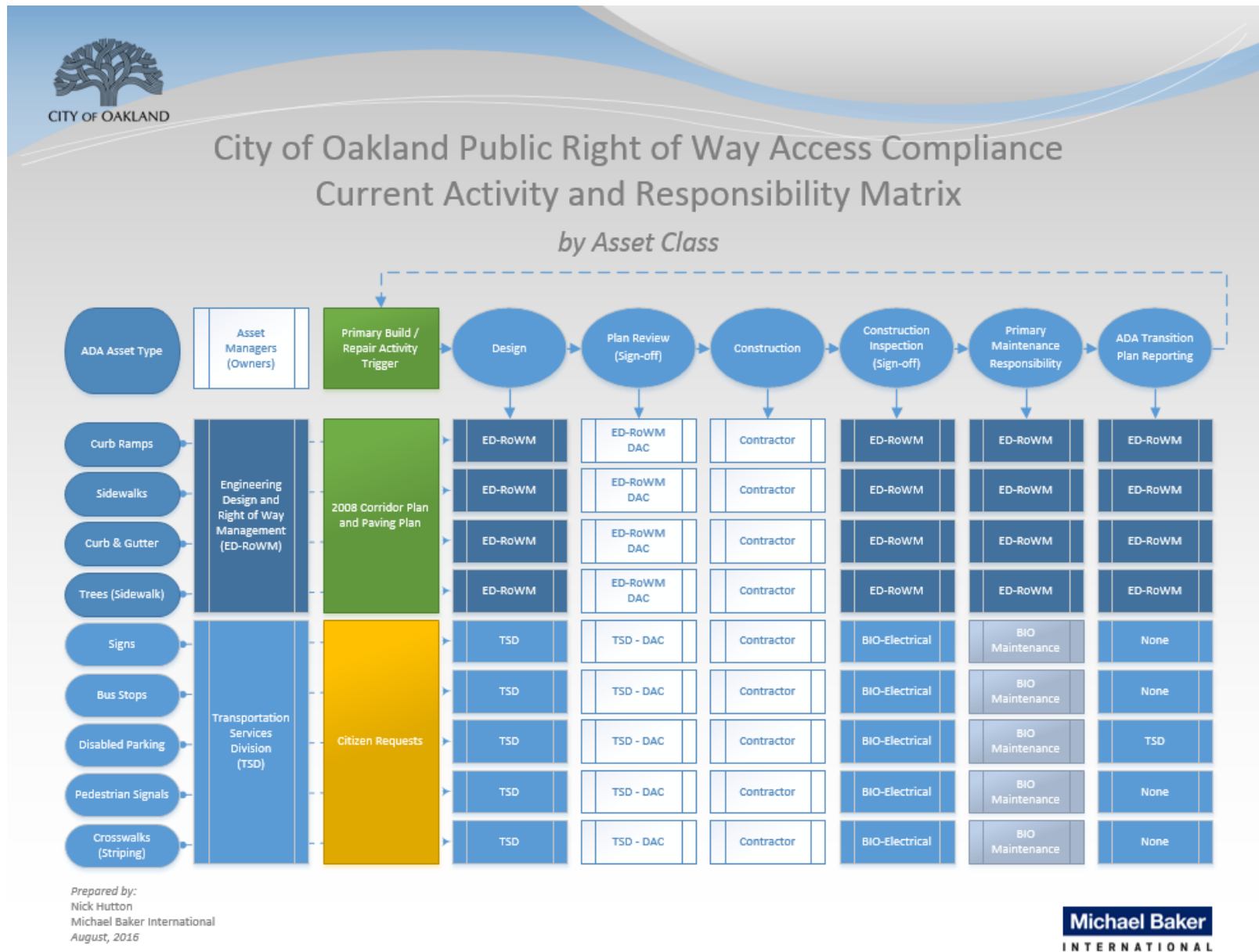
**Asset Data Management Workflow:**

- 1) TSD uploads CADD drawings into CityWorks

- 2) Work orders are issued to BIO
- 3) BIO supervisor reviews work order and drawing for validity before dispatching field crews
- 4) Copies of plans from BIO supervisor are provide to the field crew - along with a copy of the work order
- 5) Field crew dispatched
- 6) Work completed
- 7) Periodic construction oversight and final inspection performed by field Supervisor (RE)
- 8) Work order forms are completed and entered into CityWorks
- 9) Plans (hard copies) are marked up and returned to TSD

DRAFT

## Appendix K





**Public Works Agency**  
ADA Programs Division  
Design, Engineering & Construction

## Memorandum

To: Mayor's Commission on Persons with Disabilities  
Attn: Thomas Gregory, Chair

From: Denise Louie, CIP Coordinator  
CC: Lily Soo Hoo, Supervisor  
Date: September 19, 2016  
Re: Astro Tot Lot Phase I KaBOOM! Implementation Update

---

### SUMMARY

This report provides background, budgetary information and the status of Astro Tot Lot Phase I Kaboom implementation.

### BACKGROUND

The Oakland Parks & Recreation Foundation (OPRF) has received a project commitment from KaBOOM! to donate and install play equipment valued at \$100,000 that will replace and renovate the Astro Tot Lot located on Lakeshore Avenue. The capital improvement project has \$40,000 in additional private donations and/or in-kind services and \$100,760 Measure WW funding to complete the site preparation work. The total value of the capital improvement project is estimated at approximately \$300,760. The remaining \$60,000 allocated from the FY 2016-17 ADA Tot Lot Capital Improvement Project (C.I.P.) will complete the project funds required.

In June 2016 the Mayor's Commission on Persons with Disabilities passed a motion allocating the entire FY 2016-17 On-Call ADA Capital Improvement Project budget of \$252,000 to the Tot Lot C.I.P. MCPD members acknowledged that identification of locations under the Tot Lot C.I.P. remained an administrative (staff) activity and was not subject to Commission approval.

In early August 2016, ADA programs Division with the support of other Oakland Public Works (OPW) divisions made a preliminary review of previously published tot lot resurfacing prioritization programs. The OPW team found that the Astro Tot Lot, while not shown on previous lists, would rank high (as a top priority) under prior and anticipated new criterion. Because the Astro Tot Lot KaBOOM! project is being fast-tracked and this partnership opportunity requires a local match to cover the upgrade from loose fill (bark) to resilient rubber surfacing, ADA programs therefore allocated \$60,000 for the installation of the poured-in-place resilient rubber surfacing.

### BUDGET SUMMARY

Measure WW	\$100,760
KaBOOM! In-kind Playground	\$100,000
ADA Tot Lot C.I.P.	\$ 60,000
Private Donations	\$ 40,000
<b>Total</b>	<b>\$300,760</b>

## **PROJECT STATUS**

### **Astro Tot Lot KaBOOM! Phase I (one)**

The Phase I (one) project at Astro Tot Lot was carved out based on a Tot Lot master plan created with the community in late 2015. Given the limited Measure WW funding available, only the sand area could be replaced with the poured in-place safety surfacing. However, the play equipment itself was also in need of replacement because OPW could no longer find replacement parts and the equipment is outdated lacking a variety of play value. Installing the play surfacing without an equipment upgrade/addition would add very little to the overall play experience at the park. The community thus embarked on an effort to replace the play equipment.

The Phase I (one) project encompasses two new KaBOOM! volunteer-built playgrounds (one for 6-12 years and one for 2-5 years), pathway, drinking fountain, parking lot, seating improvements and the poured-in-place resilient rubber safety surfacing.

OPW, together with input from ADA Programs Division, will review the KaBOOM! design drawings and inform the KaBOOM! design team of inclusive play equipment to be incorporated within the defined space.

## **SCHEDULE**

The tot lot design just completed 80% construction documents with 100% anticipated mid-September.

<b>Date</b>	<b>City Responsibility</b>	<b>KaBOOM! Responsibility</b>
Mid-Sep 2016	100% Construction Documents	
Oct 2016	Bid/Award	Oct 5: Design Workshops w/ Community; Playground/equipment design and selection; weekly coordination calls
Nov 2016	Demolition, site preparation, other improvements	Play equipment fabrication; weekly coordination calls continue
Dec 2016	Poured-in-Place resilient rubber surfacing installation after build day	Dec 6: KaBOOM! Build Day

## **BENEFIT**

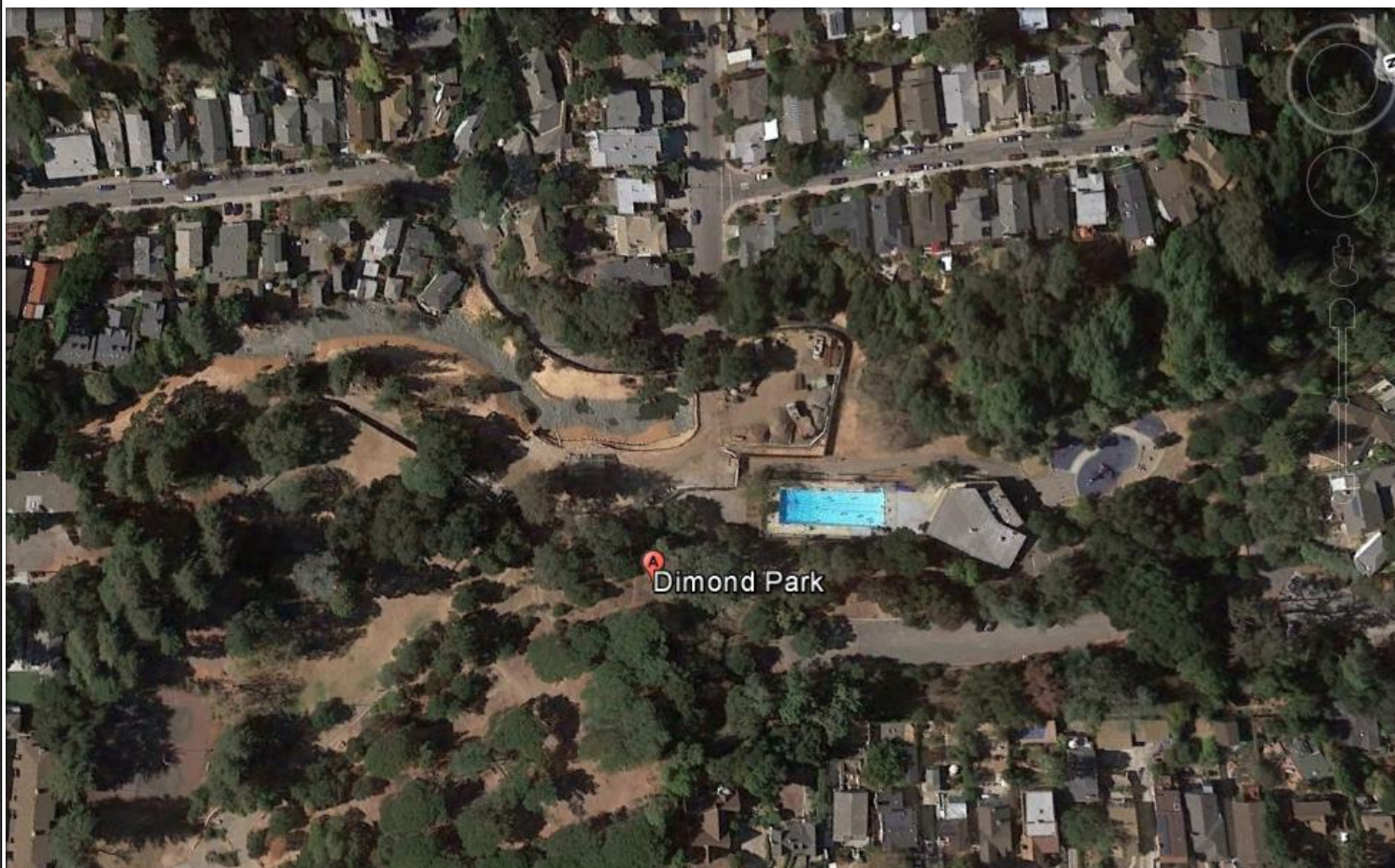
The Astro Tot Lot Phase I project provides compliant pathways, drinking fountain, seating, parking space and an accessible tot lot surface. In addition, the new equipment will offer additional inclusive elements currently lacking at this heavily used park.



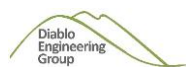
# DRAFT

## Dimond Park Pathways Accessibility Evaluation

Prepared for: The City of Oakland, ADA Programs Division



PREPARED BY:



1300 CLAY STREET, SUITE 600  
OAKLAND, CA 94612  
510-550-8959  
SEPTEMBER 8, 2016

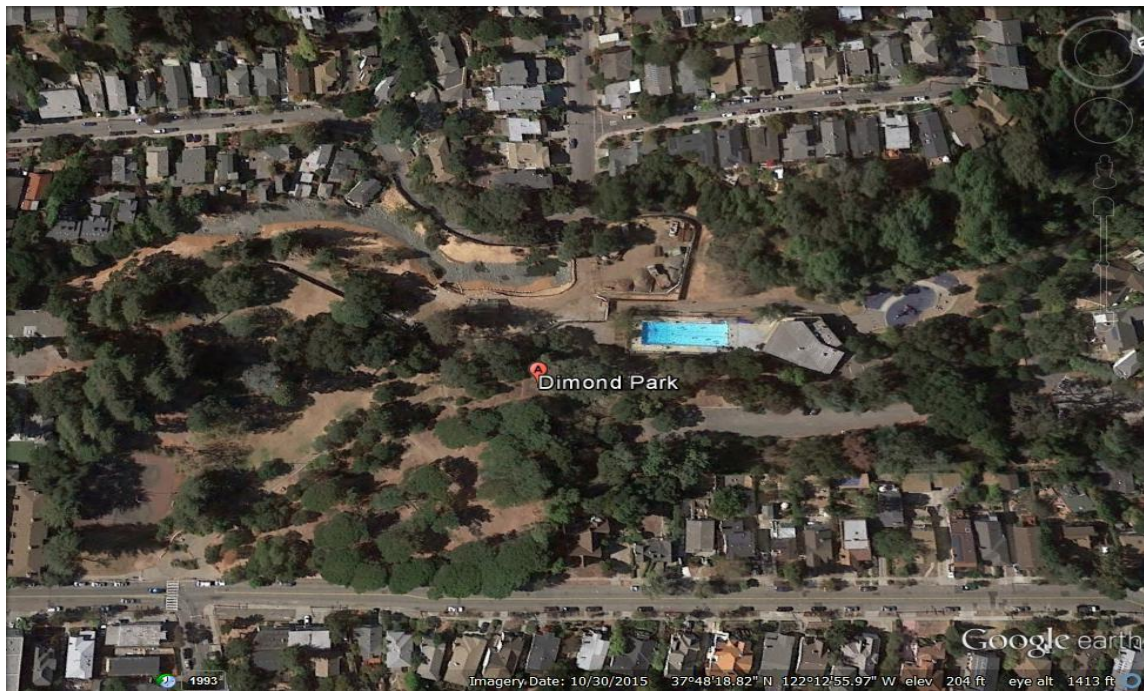
# DIMOND PARK PATHWAYS ACCESSIBILITY EVALUATION

Prepared for: The City of Oakland, ADA Programs Division

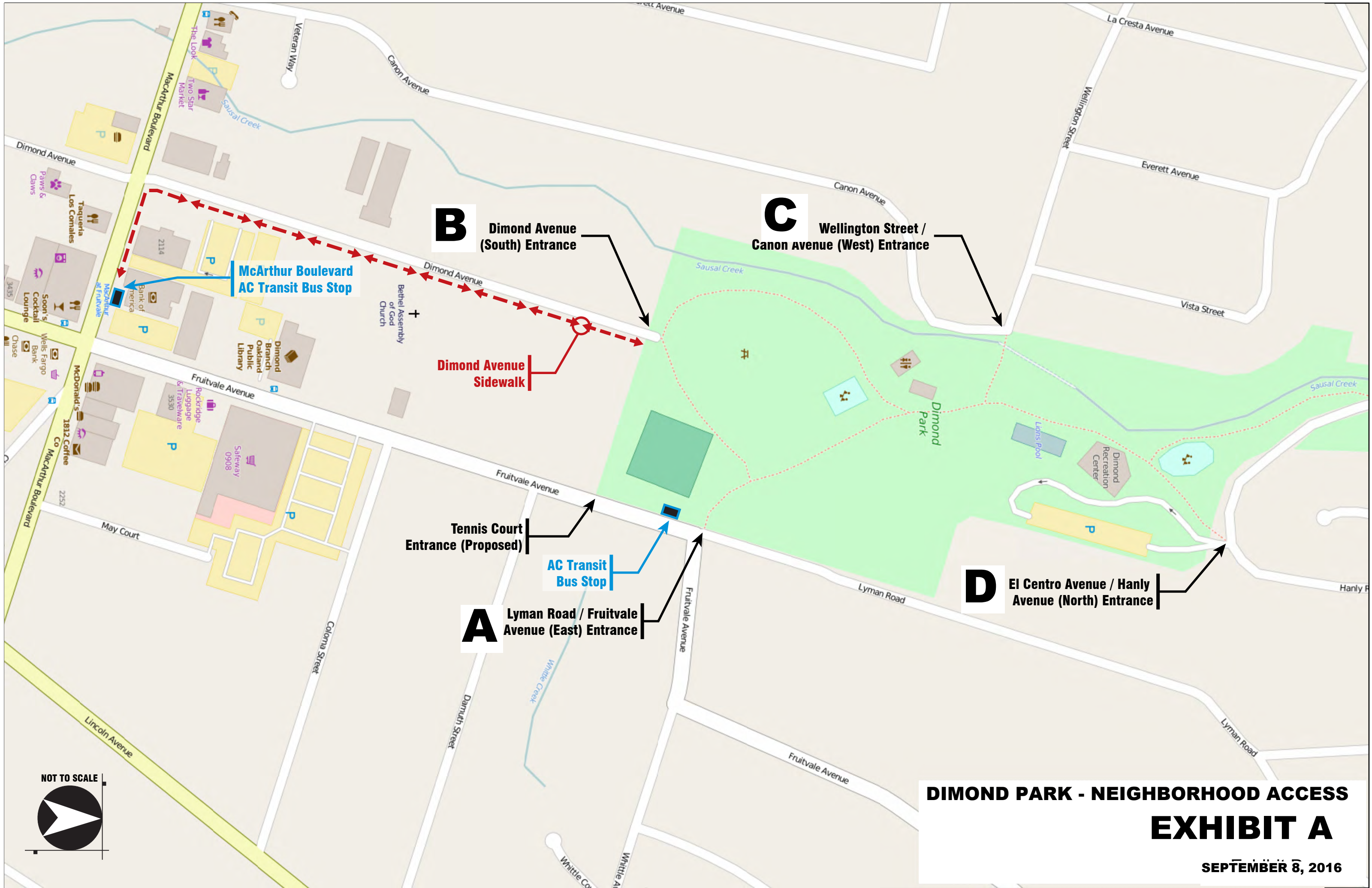
## Introduction

On May 19, 2016, the City ADA Coordinator and Diablo Engineering Group performed a field walk of Dimond Park to assess existing conditions specifically for the purpose of evaluating accessibility of routes to and within the park. This existing community park is situated within a residential neighborhood, bounded by Lyman Road/Fruitvale Avenue, El Centro Avenue/Hanly Avenue, Wellington Street/Canon Avenue and Dimond Avenue. The park is rectangular shaped and is accessible from all four sides. The Lyman Road/Fruitvale Avenue (East) side of the park accommodates adjacent on-street parallel parking and pedestrian access. The Dimond Avenue (South) side of the park accommodates pedestrian access where Dimond Avenue terminates at the park entrance. The Wellington Street/Canon Avenue (West) side of the park accommodates 90-degree parking on Canon Avenue (2 Disabled and 8 General stalls), maintenance vehicle access into the park and pedestrian access where Wellington Street terminates. The El Centro Avenue/Hanly Avenue (North) side of the park accommodates both pedestrian and vehicle access. The on-site access road accommodates an existing loading and unloading area, 2 Disabled parking stalls, pedestrian access and a driveway to the on-site parking lot.

Sausal Creek travels through Dimond Park from North to South, generally along the westerly edge of the park. The City of Oakland has an ongoing Sausal Creek restoration construction project that includes improvements to park amenities, inclusive of restroom modifications, new sidewalks and sidewalk repairs.







**B** Dimond Avenue  
(South) Entrance

**C** Wellington Street /  
Canon Avenue (West) Entrance

McArthur Boulevard  
AC Transit Bus Stop

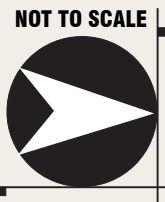
Dimond Avenue  
Sidewalk

Tennis Court  
Entrance (Proposed)

AC Transit  
Bus Stop

**A** Lyman Road / Fruitvale  
Avenue (East) Entrance

**D** El Centro Avenue / Hanly  
Avenue (North) Entrance



**DIMOND PARK - NEIGHBORHOOD ACCESS**  
**EXHIBIT A**

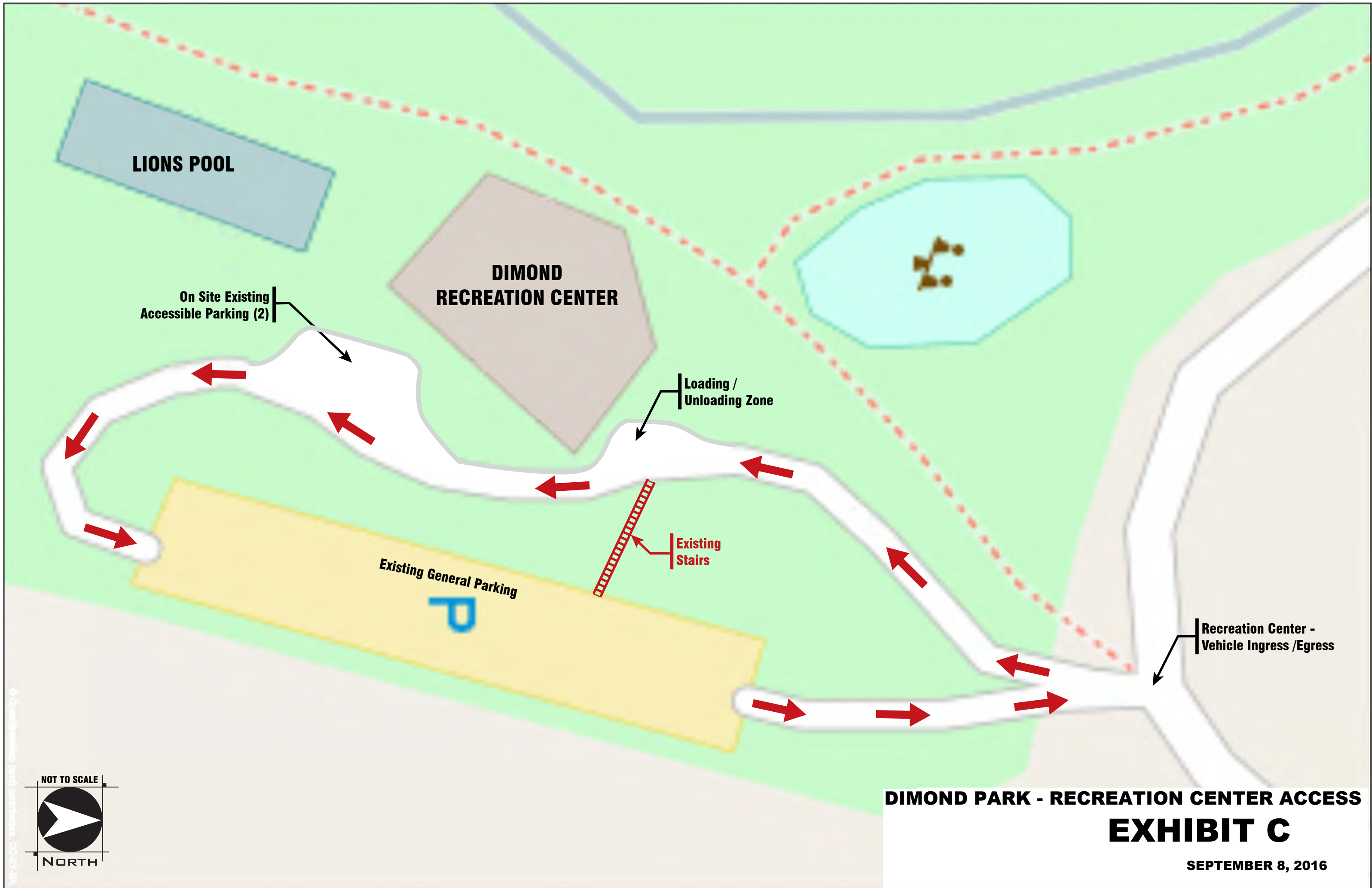
SEPTEMBER 8, 2016





**DIMOND PARK - INTERIOR ACCESS ROUTES**  
**EXHIBIT B**

SEPTEMBER 8, 2016



# DIMOND PARK - RECREATION CENTER ACCESS

## EXHIBIT C

**SEPTEMBER 8, 2016**



## Accessibility to/from Dimond Park to/from adjacent streets – See Exhibit A

**A. Lyman Road/Fruitvale Avenue (East)** – The East access point to/from the park accommodates existing sidewalks and stairs. There are also a few dirt trails adjacent to the stairs that accommodate bicyclists. These dirt trails have developed over years of use and were not part of the original designs. The existing terrain in the vicinity of this primary Easterly access point changes elevation quickly. There are design options to construct gradually sloped ramps to accommodate persons with disabilities. However, these improvements would require the removal of existing mature landscaping and the installation of costly retaining walls. [Exhibit A] After evaluating various alternative, the following are the recommended accessibility improvements in the vicinity of the Easterly entrance:

- A. Several of the existing red brick stair treads that require repairs. These stair treads need to be reconstructed. See photo #1.
- B. The stairs need to have handrails installed at the center of each stair case. See photos #2 and #3.
- C. The edge of each stair tread needs to be delineated with a contrasting color. See photo #2.
- D. The trench drain grates in the vicinity of the stairs need to be replaced with ADA compliant grates. See photos #2 and #5.
- E. Improvements should be made to accommodate bicyclists that wish to bypass the stairs. A new compacted gravel pathway should be constructed northerly of the stairs. See photo #4.
- F. A new passenger loading and unloading zone (painted white curb and signage) should be installed just south of the Fruitvale Avenue/Lyman Road intersection. The existing AC Transit bus stop and trash can should also be relocated southerly. Note that the AC Transit bus stop is out of service. Communication with AC Transit is needed to determine if this out of service is short-term. See photo #6.
- G. The curb ramps at the intersection of Fruitvale Avenue and Lyman Road should be field surveyed and modified to be in compliance with current curb ramp requirements. See photos #7, #8, #9 and #10.
- H. A new Disabled Parking stall should be installed (painted blue curb and signage) on Fruitvale Avenue, adjacent to the most southeasterly corner of Dimond Park. See photos #11 and #12.
- I. A new mid-block curb ramp will also need to be installed adjacent to the above noted Disabled Parking stall. See photos #11 and #12.
- J. A new concrete sidewalk should be installed along the southerly limit of Dimond Park, between Fruitvale Avenue and Dimond Avenue. This new sidewalk should reconstruct curb ramp access from the sidewalk into the tennis court area. This new sidewalk should be installed with proper root trimming, root barriers, drainage inlets and tree branch trimming. See Exhibit B and photos #13, #14, #15, #16, #17 and #18.

1. Stair treads need to be reconstructed.



2. Edge of stair treads need contrasting color.



3. Stairs need to have handrails installed.



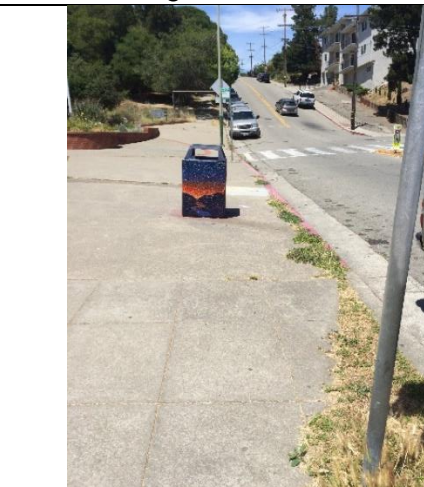
4. Accommodate bicyclists that wish to bypass the stairs.



5. Retrofit drainage with ADA compliant grates.



6. Install new passenger loading and unloading zone.





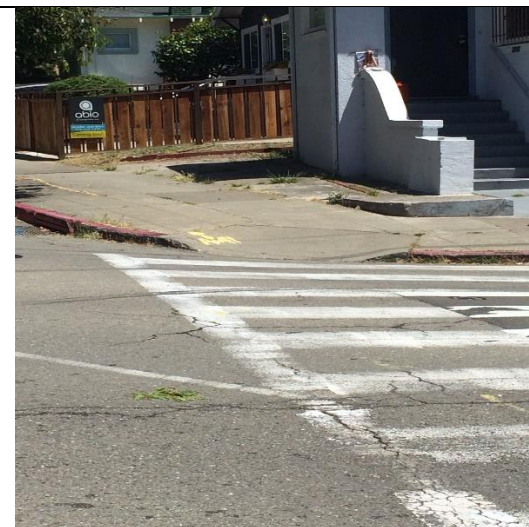
7. Curb ramp at Dimond Park East Entrance.



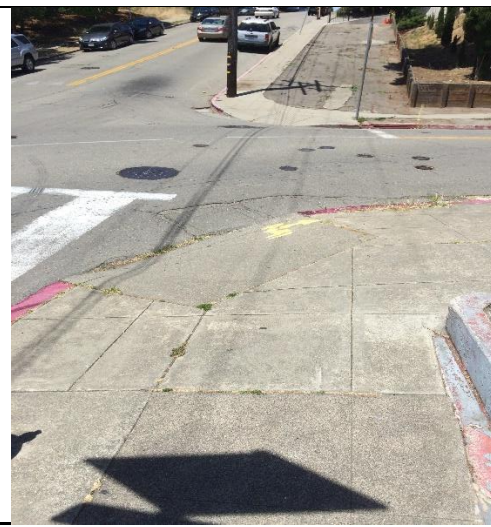
8. Crossing at Fruitvale.



9. Curb ramp at NE corner of Fruitvale/Lyman.



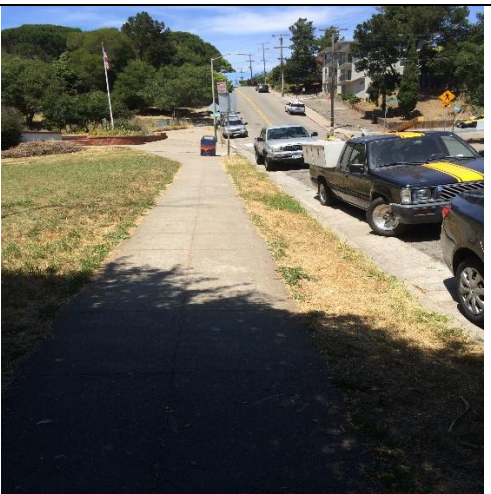
10. Curb ramps at Fruitvale/Lyman.



11. One disabled parking stall should be installed on Fruitvale Avenue in SW corner.



12. One disabled parking stall should be installed on Fruitvale in SW corner.





13. New sidewalk along SW corner of Dimond Park.



14. New sidewalk along SW corner of Dimond Park.



15. New sidewalk along SW corner of Dimond Park.



16. New sidewalk along SW corner of Dimond Park.



17. New sidewalk along SW corner of Dimond Park.



18. New sidewalk along SW corner of Dimond Park.





**B. Dimond Avenue (South)** – The South access point to/from the park is at the terminus of Dimond Avenue. Pedestrian access is convenient as Dimond Avenue has sidewalks on both sides of the street, the gradient of the street is relatively flat and the sidewalk pathways entering into Dimond Park are of equal flat gradient. There are no stairs or off concrete dirt pathways. Although it appears vehicle maintenance/construction access is accommodated at this location, the Sausal Creek construction contract will restore boulders and/or bollards across this entrance to prohibit vehicle access. [Exhibit A] The following are the recommended accessibility improvements for the Southerly entrance:

1. AC Transit operates several bus routes along and in the vicinity of MacArthur Boulevard. Access routes from nearby bus stops to Dimond Park need to be evaluated. Curb ramps at the intersection of Dimond Avenue and Mac Arthur Boulevard should be field surveyed and modified to be in compliance with current curb ramp requirements. The sidewalks along Dimond Avenue from MacArthur Boulevard to the southerly park entrance require spot repairs to eliminate excessive sidewalk joint differentials and sidewalk damage. Root trimming, root barriers and tree trimming should also be incorporated into the sidewalk repairs. See Exhibit A, Exhibit B and photos #19 and #20.

19. Terminus of Dimond Road at South Entrance of Dimond Park.



20. Sidewalk repairs are needed along Dimond Road.



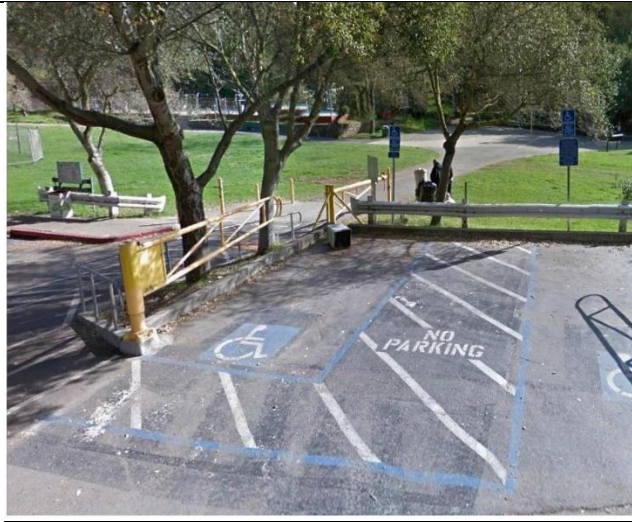


**C. Wellington Street/Canon Avenue (West)** – The West access point to/from the park is at the terminus of Wellington Street. Pedestrian access is accommodated at this westerly park entrance and there are two existing Disabled Parking stalls immediately adjacent. Disabled access along Canon Avenue is not accommodated, as this roadway does not have sidewalks and the street gradient is very steep. Wellington Street has sidewalks, but is on a steep gradient. There are no stairs or off concrete dirt pathways. Vehicle maintenance/construction access is currently accommodated at this location, and the Sausal Creek construction contract will reconstruct the “extension” of Wellington Street with hardscape surface into Dimond Park. This “extension” will accommodate pedestrian and maintenance vehicle access. Vehicle access at this location is controlled by a gate. [Exhibit

A] The following are the recommended accessibility improvements for the Westerly entrance:

1. The City ADA Coordinator and Dimond Recreation Center Director reported that community stakeholders have requested that two of the existing general 90-degree parking stalls be converted to Disabled Parking stalls. See photo #23.
2. It appears additional roadway and/or ramp improvements are needed to accommodate persons with disabilities. Field surveys should be performed to evaluate the accessible route to/from the Disabilities Parking stalls to/from Dimond Park. See photos #21 and #22.
3. Disabled Parking stall pavement markings, striping and signage should be evaluated to ensure compliance with existing requirements. At a minimum, pavement markings should be reapplied. See photos #21, #22 and #23.

21. Existing disabled parking stalls at west entrance of Dimond Park.



22. Maintenance access gate at west entrance to Dimond Park.



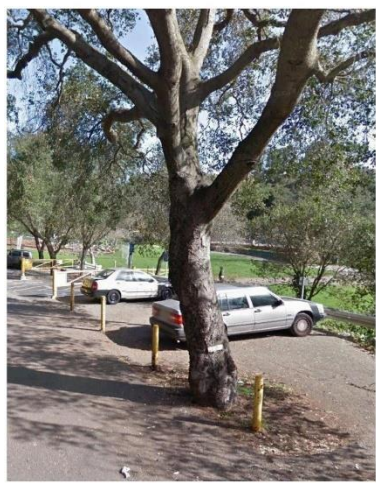
23. Existing 90-degree general parking at West entrance of Dimond Park.



24. Existing 90-degree parking at West entrance of Dimond Park.



25. Existing parking at west entrance of Dimond Park.







26. Existing parking at West entrance of Dimond Park.





**D. El Centro Avenue/Hanly Avenue (North)** – The North access point to/from the park is at the turn between El Centro Avenue and Hanly Avenue. See Exhibit C. Pedestrian and vehicle access are accommodated at this park entrance. The entrance has a steep gradient that does not easily accommodate desired disabled access. However, this entrance accommodates a special vehicle parking area to accommodate passenger loading and unloading zone; and two parallel Disable Parking stalls that are adjacent to the recreation center building. There is an off pavement dirt pathway that accommodates pedestrians accessing both the lower and upper levels of the recreation center. [Exhibit A] The following are the recommended accessibility improvements for the Northerly entrance:

1. Paint a pedestrian pathway along the existing access road. See photos #28 and #30.
2. Paint and evaluate the addition of signage to properly delineate the pedestrian loading and unloading zone immediately adjacent to the recreation center upper level entrance. See photos #21, #22 and #23.
3. Perform pavement repairs and/or roadway reconstruction to reestablish two standard parallel Disabled Parking stalls. See photo #29.

<p>27. North driveway entrance of Dimond Park.</p> 	<p>28. North driveway entrance of Dimond Park.</p> 
<p>29. Existing disabled parking adjacent to recreation center building.</p> 	<p>30. Existing disabled parking (distance right) adjacent to recreation center building.</p> 



31. Loading and unloading zone in front of recreation building.



32. Loading and unloading zone in front of recreation building.



33. Loading and unloading in front of recreation building.



34. Vehicle access road adjacent to recreation center.





## Accessibility within Dimond Park

The following are the recommended general accessibility improvements within the Dimond Park area [Exhibit B-C]:

1. Install an elevator within or adjacent to the Recreation Center. This will accommodate persons with disabilities to access both levels of the Recreation Center. See photo #35 for possible location of elevator.
2. Paint an accessibility pathway on the existing pavement between the two parallel Disabled Parking stalls and the entrance to the upper level of the Recreation Center. See photos #36 and #37.
3. The staircase connecting the upper parking lot to the recreation center building should be evaluated for additional improvements. In particular, the edge of each stair tread needs to be delineated with a contrasting color. Additional hand rails should be installed at the top and bottom of the staircase. See photo #38.
4. The existing lights within the park should be evaluated for proper illumination dusk to dawn, and these lights should be converted to LED bulbs. See photo #39.
5. The staircase adjacent to the recreation center needs contrasting treads and should be evaluated for a center handrail. See photos #43 and #44.
6. The staircase from the upper recreation center near the two existing disabled parking stalls down to the center of the park should be evaluated. Stair repairs, contrasting treads and pavement repairs are needed. See photos #45 and #46.
7. There are several locations throughout the interior sidewalk pathway network where concrete or asphalt repairs are warranted. Some repairs require or warrant concrete or asphalt removal / reconstruction, asphalt chip seal or grind and overlay. See photos ##40, #41 and #42. Path repairs should be classified as follows:
  - Rustic dirt pathway, no improvements necessary
  - Major concrete/asphalt repairs are necessary
  - Minor concrete/asphalt repairs are necessary
  - Like new hardscape, no improvements are necessary

35. Staircase adjacent to recreation center to access play area and pool.



36. Vehicle access road connecting disabled parking to front entrance of rec center.



37. Vehicle access road connecting disabled parking to front entrance of rec center.



38. Staircase connecting upper parking lot to front of recreation center.



39. Light standard within Dimond Park.



40. Existing pathway pavement is in need of repair.



41. Existing pathway pavement is in need of repair.



42. Existing pathway pavement is in need of repair.





43. Existing staircase adjacent to rec center requires painted contrasting stair treads.



44. Existing staircase adjacent to rec center requires painted contrasting stair treads.



45. Staircase connecting the upper recreation center to the central area of park.



46. Staircase connecting upper parking lot to front of recreation center.



47. Existing drainage systems are in need of maintenance and repairs.



48. Existing drainage systems and walls are in need of maintenance and repairs.



**CITY OF OAKLAND**



# Human Services Department (HSD)



Exhibit E



# Overview

- How We Got Here (history)
- Who We Are Today (organization)
- Budget and Funding Sources
- HSD Division Overview
- Emerging Services

## MISSION

*The Human Services Department builds strong communities by enriching the quality of life for individuals and families in Oakland.*

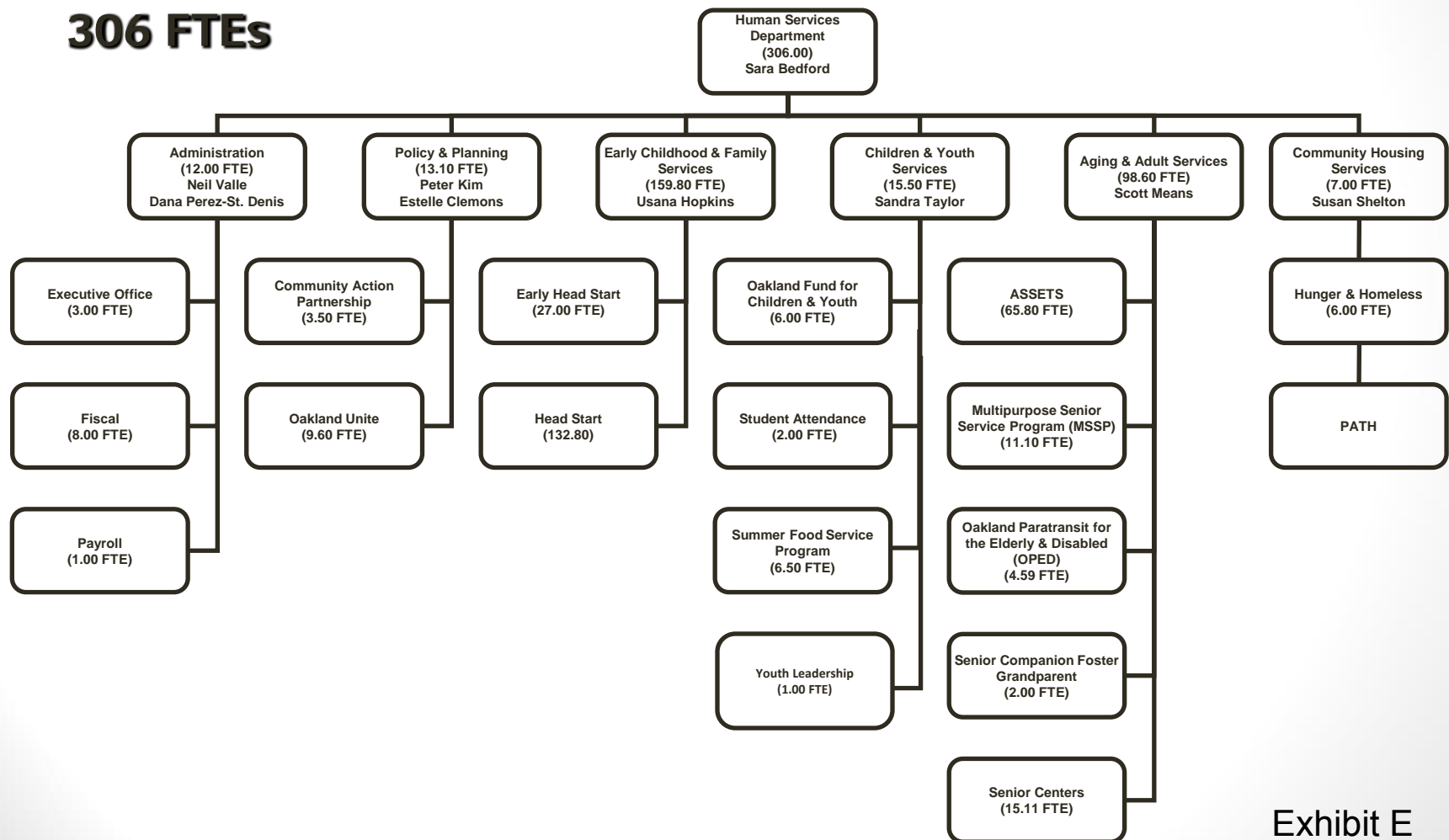


# How We Got Here (history)

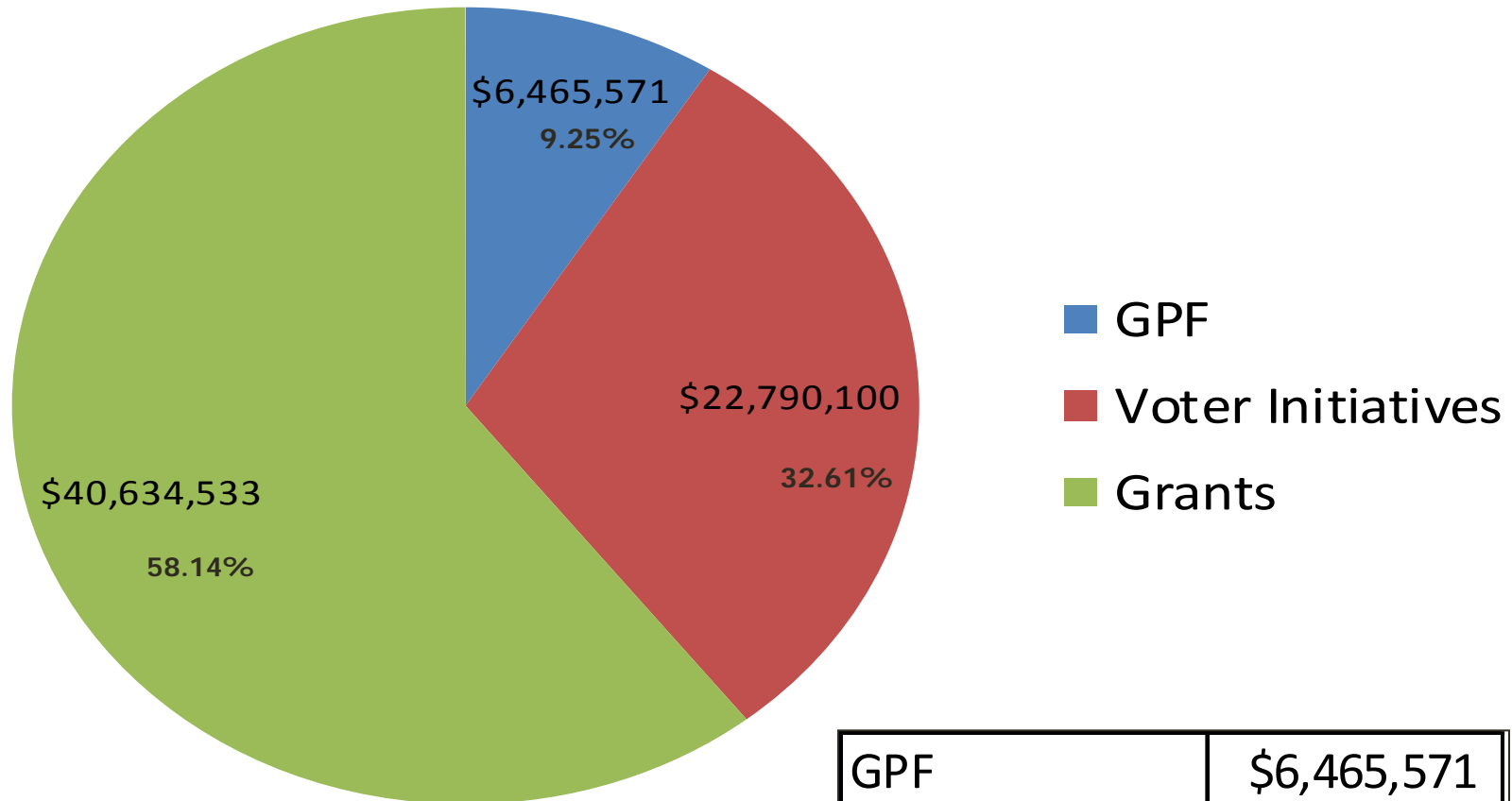
- Economic Opportunity Act of 1964
- Community Action Agency, 1971 – established in Oakland
- CAA & Head Start grant, 1971 – City Services
- Office of Health & Human Services, established 1985
- Department on Aging, established 1989
- Dept. of Aging, Health & Human Services, established 1996
- Department of Human Services established 2001
- Human Services Department established 2014

# Who We Are Today (Organization)

**306 FTEs**



# HSD FY 15-16 Adopted Budget



GPF	\$6,465,571
Voter Initiatives	\$22,790,100
Grants	\$40,634,533
Total	\$69,890,204

Exhibit E

# HSD Funding Sources

- **Department of Health and Human Services**
- **Housing and Urban Development**
- **Department of Justice, OJJDP**
- **US Department of Agriculture**
- **CA Community Services Department**
- **CA State Board of Corrections**
- **CA Department of Corrections and Rehabilitation/  
CalTrans**
- **CA Department of Education**
- **Alameda County Social Services**
- **Alameda County Probation**
- **Private Foundations such as SCAN and private donations**

# Children and Youth Services Division



- Oakland Fund for Children and Youth (OFCY)
- Summer Food Service Program
- Youth Leadership and Development
- Student Attendance Partnership Initiative
- Planning and Oversight Committee (POC)

## Spectrum of Youth

27,279 children and youth served through 128 grant programs

Projected 2,734 children with disabilities will participate, mostly in Student Enrichment and Year Round programs



# Early Childhood and Family Services Division



- Head Start Program
- Early Head Start Program
- Head Start Advisory Panel
- Head Start Policy Council

## From Birth Until Five

1,619 children and families are served in Head Start in 22 Centers

103 children have disability related IEPs





# Aging and Adult Services Division

- Multi-Purpose Senior Services Program (MSSP)
- Paratransit for the Elderly and Disabled (OPED)
- Senior Companions/Foster Grandparents Program
- ASSETS Program
- Senior Centers
- Commission on Aging

## Did You Know?

382,000 hours of in-home assistance is provided annually through MSSP

8,000 seniors are served at Oakland's Senior Centers



Exhibit E



# Multi-Purpose Senior Services Program (MSSP)

**MSSP is a comprehensive care management program designed to enable frail seniors to remain safe and independent in their own homes. MSSP is funded by the California Department of Aging.**

## Keeping Families Together

Oakland's MSSP is the longest running site in the state

MSSP helps 350 seniors remain in their homes and out nursing facilities annually



Exhibit E

# Oakland Paratransit for the Elderly and Disabled (OPED)

Funded by Measure B and Measure BB through the Alameda County Transportation Commission eligible program participants who cannot access public transportation receive curb-to-curb and door-to-door subsidized taxicab or wheelchair van service to non-emergency medical appointments, shopping trips and other local destinations.

## On the Go

Senior center groups and independent senior living residences in Oakland or Piedmont are eligible for the group trip program for a \$35 administrative fee

More than 1,300 frail, low-income seniors and persons with disabilities receive 29,000 transports provided annually



Exhibit E

# Senior Companions/Foster Grandparents Program

Senior Companions (SCP) provide peer assistance for older adults with physical, emotional or mental health limitations

Foster Grandparents (FGP) Volunteers provide one-on-one attention to at-risk and struggling children improving their self-esteem and resilience.

## Value Longevity

SCP has been sponsored by Oakland since 1977

Taxi Up & Go (TUGO) is a linked Program with OPED that Provides free taxi script



Exhibit E

# Assets – Senior Employment Opportunities Program

Participants receive paid work experience as Senior Aides at training sites in non-profit or government agencies. ASSETS provides supervision and instruction to increase participant skills to remain in the workforce. Participants also receive individual career counseling, classroom training in job retention skills, and the services of local One-Stop career resource centers.

## Opening Doors

The average Assets enrollee has 2.5 barriers to employment

One in five Assets participants have at least one disability as a most in need qualifier



Exhibit E

# Senior Centers

Four Senior Centers located throughout Oakland provide many options for active Seniors. With the resources available at our Senior Centers, Oakland residents can maintain their independence and remain in the community.

## Food and Conversation

All four Senior Centers house congregate lunch programs

In addition to four Senior centers operated by the City we fund CBOs who reach underserved monolingual communities





# Mayor's Commission on Aging

The Mayor's Commission on Aging represents and addresses the issues faced by Oakland Seniors. It is an appointed group of volunteers who work in partnership with the HSD to develop and evaluate programs which address the special needs of Seniors.

## Community Evolvement

The Commission meets on the first Wednesday of the month in City Hall

The Commission on Aging is televised on KTOP and a video of past meetings may be watched on the HSD website



# Emerging Services

**Targeted Case Management (TCM) will provide community-based access and coordination of care in a socially active environment.**

**TCM services has the potential to serve any adult Medi-Cal beneficiary who fits into the following categories:**

**Medically Fragile Individuals**

**Individuals at Risk of Institutionalization**

**Individuals at Jeopardy of Negative Health or Psycho-Social Outcomes**

## Feeding Aging Oaklanders

The City of Oakland grants funds to the SOS Meals on Wheels Home Delivery food program for frail homebound seniors

To find out more about Oakland's effort to address senior nutrition needs check out KTOP's public service video, More than a Meal:

<https://vimeo.com/171604744>



*Helping our City grow strong!*

**CITY OF  
OAKLAND**  
**HUMAN  
SERVICES  
DEPARTMENT**

**150 Frank H. Ogawa Plaza, Suite 4340**

**Oakland, CA 94612**

**(510) 238-3121**

**[oaklandhumanservices.org](http://oaklandhumanservices.org)**



**To: Mayor's Commission on Persons with Disabilities**  
**Attn: Thomas Gregory, Chair**  
**From: Erin Burton, Inclusive Recreation Coordinator/Disability Access Coordinator, Oakland Parks & Recreation (OPR)**  
**Date: September 19, 2016**  
**Re: OPR Inclusive Recreation Update, FY 2015-2016**

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## **Introduction**

Oakland Parks and Recreation offers quality of life programming in areas of enrichment, cultural arts, prevention and intervention, sports and physical activities, health and wellness, youth violence abatement, and leisure activities for adults, youth, and children. Programs and Camps at recreation centers, pools, and parks are part of the efforts to promote health, stem obesity, and encourage civic participation, personal development, and empowerment. We offer a wide range of recreation, leisure, cultural, educational and environmental programs and activities in East, West and Central Oakland. OPR features opportunities at numerous types of facilities, such as:

- 2,500 acres of open space, including 100 park
- 25 recreation, community and interpretive centers
- 7 community gardening locations
- 59 outdoor tennis courts
- 3 spacious golf courses
- 53 athletic fields
- 5 swimming pools

The City of Oakland Parks and Recreation (OPR) is fully committed to compliance with the provisions of the Americans with Disabilities Act. OPR's departmental access coordinator works closely with the City's ADA division to ensure that all Oakland residents can benefit from OPR programs. Responsibilities include intakes and assessments for youth with disabilities desiring to enroll in mainstream programming; assisting OPR

centers with providing program modifications and reasonable accommodations as needed; providing ongoing staff training related to ADA laws and inclusive programming principles; responding to customer concerns and complaints as needed; and supervising specialized programming for participants with disabilities.

## **Overview of Current Inclusive Recreational Opportunities**

- **Inclusive Swim Times – East Oakland Swim Center**
  - **Monday - Friday** 10:00am-1:00pm  
Individuals with disabilities and their friends and families are welcome to the pool during non-peak hours.
  - **Inclusion Family Swim Time**  
**Saturday** 11:30pm-12:30pm  
Participants and family of this program are welcomed into our facility at 11:30pm and can stay for the duration of public swimming from 1:00pm-6:00pm.
- **Inclusive Social Recreation – Dimond Recreation Center, ages 5-11**
  - Requirements: Intake and Assessment, meet and greet with parent and student, current IEP or behavior plan in school, supplemental support funding from Regional Center of the East Bay at a 4:1 ratio.
- **Teen Inclusive Recreation Program – Mosswood Recreation Center, ages 12-17**
  - Requirements: Intake and Assessment OR Intake and Referral from Dimond Inclusive Social Recreation, meet and greet with parent and student, current IEP or behavior plan in school, supplemental support funding from Regional Center of the East Bay at a 4:1 ratio.
- **Young Adult Recreation Program – FM Smith Recreation Center, ages 18-21**
  - Requirements: Enrollment in OUSD Young Adult Program, ability to engage in activities at a 4:1 student to staff ratio level,

Intake and Assessment OR Completion of and referral from  
Teen Inclusive Recreation Program

- **Special Olympics Golf and Softball Teams – Oakland OAKS – end of June through end of August**
  - Have a developmental disability
  - Register through Special Olympics Northern California, including authorization from physician
  - Regular attendance at practices located at Lake Chabot Golf Course and Mosswood Park Softball field
  - Regional Tournaments occur in San Jose (golf) and Walnut Creek (softball)

### **Fiscal Year 2015-2016 Highlights**

In Fiscal Year 2015-2016, OPR created the following new programming specifically for individuals with disabilities:

- **Inclusive Swim Time** – Inclusive Recreation Coordinator met with Aquatics Program Director to discuss potential opportunities to meet the needs of youth and families with disabilities. There was a reduction in swim hours for this population offered through East Bay Regional Parks District; OPR saw this problem as an opportunity to offer more activities and reach an underserved population. Aquatics Program Director reviewed OPR pool program and activity schedule and identified days, times, and locations that had availability for additional programming. Weekday and weekend swim times catering to individuals with special needs and disabilities are now offered at East Oakland Swim Center. Aquatics Program Director will continue to seek out additional times and locations that OPR can provide to individuals with special needs for a quality swimming experience.
- **Young Adult Recreation Program at FM Smith Recreation Center** – This program was deemed necessary due to the lack of programs for transitional aged youth (18-21 years) with disabilities. Youth had graduated from high school and aged

out of the Teen Inclusion Program, yet were still attending the OUSD Young Adult Program and needed activities after the school day ended. An OPR facility was offered to house this program, as well as staff that had previous experience working with youth with disabilities in the school and recreation environment. The Inclusive Recreation Coordinator met with representatives from Regional Center of the East Bay, designed a program that would be a progression from the Teen Program, and is now awaiting a vendor number from RCEB to receive supplemental funding support for the individuals served. This program has been advertised at the program location, FM Smith Recreation Center, and through the OUSD Young Adult Program. We also receive direct referrals from RCEB.

- **Facility Upgrades – Lake Merritt Boathouse – fully accessible dock and walkways** Programs at the Lake Merritt Boathouse include sailing lessons; educational science based programs for schools; boating camps featuring visits to local lakeside plants and wildlife, bird sanctuary, and botanical gardens; water safety lessons; Holiday Caroling on the Lake; and boat rentals including pontoon boats, paddleboats, and sailboats.
- **Therapeutic Recreation Internship Program – OPR and CSU Sacramento.** Available to qualified students working towards a degree in Therapeutic Recreation and certification as a CTRS (Certified Therapeutic Recreation Specialist). Interns are supervised by Inclusive Recreation Coordinator and Certified Therapeutic Recreation Specialist for the duration of the internship. One intern per semester is accepted. Learning experiences occur throughout the city depending on locations that are currently serving individuals with disabilities. Locations may include: Young Adult Program at FM Smith Recreation Center, Teen Inclusion Program at Mosswood Recreation Center, Social Recreation Program at Dimond Recreation Center, Studio One Arts Center, Lake Chabot Golf Course, East Oakland Sports Center, and Woodminster Amphitheatre.

Therapeutic Recreation interns learn about the ADA laws and how they affect OPR programming and events, observe and perform intake assessments for residents with disabilities seeking access to OPR programming, plan interventions and activities for inclusive youth programming, and other tasks as determined by Academic Supervisor and Internship Supervisor related to professional goals and certification standards.

### **Other Program Highlights**

Under the Americans with Disabilities Act, the City of Oakland is obligated to ensure all of its programming is accessible to qualified individuals with disabilities. Although specialized programming for individuals with disabilities is offered, OPR encourages and supports participation of individuals with disabilities in all of its programming. Our youth recreation programs provide opportunities for children with disabilities to participate in mainstream programming with assistance from trained staff, program modifications, and the provision of auxiliary aids and services. Examples of successful recreational experiences enjoyed by individuals with disabilities in OPR's regular programming include the following:

- A student with autism participated in week-long camping trip at Feather River, organized by OPR's Studio One Arts Center
- OUSD Young Adults now have an afterschool program they can attend with their peers to learn life skills, go on community outings, and further their integration into the Oakland community.
- Many elementary aged youth with disabilities have graduated to our Teen Program at Mosswood, engaging in fun activities, taking community field trips, and learning life skills.

### **Fiscal Year 2016-2017 Activities and Priorities Staff Training, Policy, and Departmental Access Coordinator Development**

OPR remains committed to ongoing staff training regarding the fundamentals of successful inclusion practices. This includes supporting

part time and full time staff in conducting intakes, supporting participants' involvement in desired activities in the least restrictive environment, engaging in follow-up with parents and caregivers regarding participants' progress, and evaluating the success of program and inclusion process. To this end, the OPR Inclusion Coordinator, with the sponsorship of the ADA Programs Division, will be attending the National Recreation and Parks Association's annual conference on October 5th through 8th in St. Louis, Missouri, which will feature multiple sessions specific to creating inclusive recreation opportunities. The OPR Inclusion Coordinator is also working with the ADA Programs Division to update OPR's policies, procedures, and training regarding diabetes care management for program participants.

### **OPR Facility Improvements**

OPR's many facilities vary in their levels of accessibility. As such, OPR will relocate its programs, services, and activities, and make other reasonable modifications, as needed, in order to not exclude persons with disabilities from participation in its programs, activities, and services. Despite this commitment to programmatic access, OPR recognizes that over 25 years after the passage of the Americans with Disabilities Act, accelerated facility upgrades should be made a priority by the City in the next budget cycle.

# **OAKLAND PUBLIC LIBRARY DAC STAFF REPORT TO MCPD**

September 19, 2016

Jamie Turbak, Associate Director

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## **I. General Description of Oakland Public Library**

Oakland Public Library (OPL) is the second-oldest public library in California. Founded in 1878, OPL's mission is "Your Oakland Public Library empowers all people to explore, connect and grow." All our facilities are ADA accessible and consist of a Main Library, 13 neighborhood branch libraries, an adult literacy program, plus the following specialized sites:

- The César E. Chávez Branch (formerly the Latin American Branch), established in 1966, was one of the first libraries in the U.S. devoted to serving a Spanish-speaking community.
- The Asian Branch was established in 1976 to serve the Asian community in Oakland with multilingual staff and collections. The branch currently has an extensive collection that includes materials in Chinese, Japanese, Korean, Vietnamese, Khmer, Lao, Tagalog, and Thai.
- The African American Museum and Library at Oakland (AAMLO), operating within OPL since 1982, is a unique resource on the history of African Americans. AAMLO houses more than 160 collections of records from prominent families, churches, social and political organizations, along with primary sources on African American enslavement, military service, W.E.B. Dubois, Benjamin Banneker, Mary Church Terrell, Paul Robeson, and others.
- The Tool Lending Library, originally created to help residents rebuild and repair after the Oakland Hills Firestorm of 1991, has grown and now offers over 5,600 tools available for loan – including those for



home improvement, lawn maintenance, and bike repair – as well as popular “fix-it” clinics and instructional books and videos.

- The 81st Avenue Library in East Oakland opened in 2011 as the first joint school/public library in Oakland through a partnership with the Oakland Unified School District and two public elementary schools that share the site. Thanks to its sustainable design, it is also one of the city’s first newly constructed municipal buildings to be LEED Gold certified.

OPL’s extensive library resources and programs are enhanced by our creative outreach and partnerships. We participate in the Bay Area’s dynamic tech scene by holding workshops in partnership with Oakland Wiki, hosting and participating in hack-a-thons, and supporting local open data projects. OPL frequently partners with local media groups – award-winning nonprofit Youth Radio, the *Oakland Tribune’s* Community Voices program, Mills College public radio classes, and local public radio stations – who help us promote our programs while providing their reporters with an opportunity to capture compelling community stories.

If there is a street fair, foot race, parade, or off-beat event in Oakland, there is a good chance you will find OPL staff or volunteers there. We also host our share of interesting and fun community events, including National Night Out parties, Park(ing) Day, and our Youth Leadership Council’s annual Culture Fest. These are not just ways to promote OPL, they are opportunities for us to listen to – and enjoy – our community.

## **II. Fiscal Year Highlights**

- One of our most popular services for patrons with disabilities at the Oakland Public Library is our “Extended Services” program. This program allows library patrons who identify themselves as individuals with a disability to check out library materials for a longer period of time, to use library public access computers for

extended time, to receive reference information mailed to their home, and to place twice as many holds for pick up either by the patron or by a designated proxy.

- Many patrons utilize library services online since it may be difficult to visit a physical location. OPL offers 24/7 access to e-books, museum passes, streaming movies, music and magazines. These services are all available through the Oakland Public Library website at [www.oaklandlibrary.org](http://www.oaklandlibrary.org). Four of our newest online services are:
  - Mobile printing at the Main Library. The mobile printing service allows public to upload their printing jobs from a web browser or from a PrinterOn App anywhere and to retrieve their printing jobs at Main Library. This is useful for patrons who may not have home access to a printer.
  - OPL now subscribes to Pronunciator, an online Language Program that offers instruction in over 80 languages and ESL instruction for native speakers of 50 non-English languages.
  - Hoopla provides free access to thousands of movies, television shows, music, comics, and eBooks available for patrons to stream on their mobile devices, tablets, or PCs; content can also be temporarily downloaded for off-line viewing.
  - Dedicated eBook support is offered at four OPL locations in the form of tutors and classes. This service provides one-on-one eBook Help during a half hour appointment at:
    - Eastmont - Mondays 5-6:30pm
    - Rockridge - Tuesdays 6-7:30pm
    - Main - Wednesdays 5-6:30pm
    - Piedmont - Saturdays 10am-noon

- OPL now circulates wifi hotspots at our Melrose and West Oakland Branch Libraries. These 45 hotspots provide Internet access at home or on the road and check out for 3 weeks.
- In August 2015, OPL staff participated in a survey to help Councilmembers learn more about the residency/housing related issues of City employees, as well as the number of City employees who are currently or have previously lived with disabilities.
- In Spring 2016, OPL Administration initiated a new strategic plan for library services. With staff participation, the following three-year goals were established:
  - Develop, retain and attract quality staff
  - Reach more people where they are
  - Improve our physical spaces
  - Increase operational efficiencies
  - Increase funding
- The Oakland Public Library hosted a series of Mixed Media Collage craft programs for patrons with hearing and vision challenges. With the assistance of artist, Leslie Cologne, and several ASL interpreters, patrons created works of art from recycled materials. The art was then displayed at the Main Library during July 2016 and an exciting art reception was held on Sunday, July 17<sup>th</sup> for the artists, their families and others to appreciate their work.  
(see photos on page 4).

### **III. Look Ahead to Next Fiscal Year**

- With assistance from the City of Oakland's ADA Programs Division, the Main Library plans to launch Video Remote Interpreting [VRI] services for patrons who are Deaf and Hard of Hearing. This service will provide online video access to a sign language interpreter at the Main Library Reference Desk. After an initial testing period, we hope to expand this capability to other branch libraries such as Rockridge, 81<sup>st</sup> Ave, Eastmont and Dimond Branches.
- In 2017, OPL will create a new mobile library to encourage social gathering. Modeled on a food truck or UPS/Fedex delivery vehicle, the mobile library will open out to the street, with portable elements that can be deployed to create a unique and inviting social space.

## FY 2015-2016 Mixed Media Collage workshop Series



## 2016 Main Library exhibit featuring artists with disabilities.



The Oakland Workforce Development Board  
Report to the Mayor's Commission on Persons with Disabilities  
September 19, 2016  
Lazandra Dial, Program Analyst III

The Oakland Workforce Development Board (OWDB) is funded by the Workforce Innovation Opportunity Act (WIOA) through the Department of Labor. These funds are appropriated to the State and allocated to local areas to deliver training and employment service to adult, youth and employers. The OWDB funds a Comprehensive America's Job Center, 2-Sector Based Job Centers, 6-Youth Service Providers and a Business Engagement Service provider:

- Oakland Private Industry Council
- Peralta Community Colleges-Merritt College
- Unity Council (Adult and Youth Services)
- Youth Employment Partnership
- Youth Radio
- Bay Area Community Resources
- Civicorps
- Lao Family Development Corporation
- KRA Corporation

The WIOA law supersedes the Workforce Investment Act (WIA) of 1998 and amends the Adult Education and Family Literacy Act, the Wagner-Peyser Act and the Rehabilitation Act of 1973. WIOA strengthens opportunities for serving individuals with disabilities to ensure they receive the best service possible.

Through WIOA, programs are authorized which help individuals with disabilities acquire the skills they need to be successful in the workplace, including vocational rehabilitation training and services. The main activity to support individuals with disabilities in WIOA is integrated employment opportunities. Integrated employment opportunities expect the same performance in a work setting of those that have disabilities with others that are not considered individuals with disabilities. Young people with disabilities will gain many more opportunities to improve their career prospects and gain employment transition services. Independent living programs will be transferred from the Department of Education to the Department of Health and Human Services for better support in achieving the program goal of independent living and integration into mainstream America.

Under WIOA, Workforce Boards are encouraged to establish and maintain standing committees one of which is for services to persons with disabilities. The OWDB is a newly seated Board that meets four times a year per its Bylaws. The OWDB has not developed its committee structures; however, services to persons with disabilities are a high priority. It is our goal to ensure that representatives from organizations that serve people with disabilities are on a committee. Currently, the State Department of Vocational Rehabilitation occupies a seat on the OWDB.

The OWDB monitors its service providers' programs annually for compliance with WIOA. Program compliance includes civil rights, equal opportunity, disability awareness and language access. Programs must respond to the following questions:

1. Does the program operator have policies and procedures to ensure that it does not discriminate on the basis of race, color, national origin, religion, age, sex, disability, marital status, political affiliation or belief?
2. Does the program operator have policies and procedures for grievances and complaints?
3. Are these policies and procedures, including the "Equal Opportunity is the Law" notice, and posted in conspicuous places?
4. Are these policies/procedures printed in other languages, and available in other formats for the visually impaired?
5. Has the program operator developed a Language Access Plan?
6. Are these policies/procedures available in other formats for the visually impaired?
7. Has program operator staff received training on the needs of special populations, including policies, accommodation resources and how to use them?
8. Who is responsible for handling requests for special accommodations?
9. What organizations does the Program Operator work with within their community to provide services or resources to people with disabilities?

Service providers must also certify that they have been reviewed by the State Department of Rehabilitation for ADA compliance. Additionally, the Employment Development Department (EDD) conducts a biennial review of service providers for physical and program accessibility to ensure universal accessibility for all customers with disabilities. Where deficiencies are found, further review and exploration with other experts or architects may be required to fully understand and respond.

The OWDB seeks opportunities to enhance service delivery to persons with disabilities. We recently submitted a grant application to the Department of Labor for funding through the California Disability Employment Initiative. However, we were not selected for funding in this round. The OWDB is committed to continuous quality improvement of programming for persons with disabilities and will continue to seek opportunities to enhance services.







**END OF SEPTEMBER 19, 2016  
MCPD AGENDA PACKET**