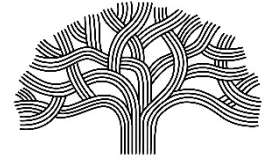


CITY OF OAKLAND



ADMINISTRATIVE INSTRUCTION

SUBJECT	Disability Access Policy	NUMBER	123
REFERENCE	Section 504 of the Rehabilitation Act of 1973, as amended; Title II of the Americans with Disabilities Act of 1990, as amended; U.S. Department of Justice ADA Title II Regulations, as amended; Fair Housing Amendments Act of 1988 A.I. 181 A.I. 4502 Resolution 61055 C.M.S.	EFFECTIVE	10/13/2017
SUPERSEDE	AI 123, dated August 21, 1992 AI 138, dated July 1, 1994		

I. PURPOSE

The purpose of this Administrative Instruction (AI) is to describe the City of Oakland's policies, practices and procedures for complying with Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990 (ADA), and related federal and state laws protecting individuals with disabilities from discrimination and guaranteeing equal access for individuals with disabilities in local government programs, activities, and services.

This updated AI reflects and supports the current City disability access compliance organization, related policies, practices, and procedures, and conforms to the regulatory requirements of and amendments to the federal and state laws since the original instruction dated August 21, 1992, as they affect City programs, activities, and services. This AI does not exceed or supersede state and federal regulations or jurisdiction over a given project or program, unless otherwise noted.

This updated AI also clarifies that the provisions of the ADA and other laws protecting individuals with disabilities from employment discrimination are not implemented under this AI. Employment-related complaints of discrimination on the basis of disability shall follow the policies and procedures described in City Administrative Instruction 71, Equal Employment Opportunity / Anti-Discrimination / Non-Harassment Policy and Complaint Procedure, and any subsequent policies specifically addressing equal employment opportunities with the City.

II. POLICY

In accordance with Section 504 of the Rehabilitation Act of 1973 (Section 504), Title II of the Americans with Disabilities Act of 1990 (ADA), and related state laws, it is the policy of the City of Oakland (City) 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 the City, or be subjected to discrimination directly or through contractual, licensing, or other arrangements, by the City and that the City shall adhere to U.S. Department of Justice regulations implementing Title II of the ADA.

- A. **Notice.** The City and all its Departments shall make available to applicants, participants, beneficiaries, and other interested persons information regarding the provisions of this AI and its applicability to the services, programs, or activities of the public entity, and make such information available to them in such manner as the City ADA Coordinator finds necessary to apprise such persons of the protections against discrimination assured them by law. Appendix A.
- B. **Grievance procedure.** The City and all its Departments shall publish and adhere to the City's ADA grievance procedure for providing prompt and equitable resolution of complaints alleging any action that would be prohibited by this AI. Appendix B.
- C. **Integrated settings.** City programs, activities and services shall be provided in integrated settings, unless separate or different measures are necessary to ensure equal opportunity. Integrated programs shall be given preference. When programs specifically designed for people with disabilities are offered, an individual with a disability cannot be required to participate in these programs or denied the opportunity to participate in regular programs.
- D. **Eligibility criteria.** No City programs, activities and services shall utilize eligibility criteria or standards which discriminate, or that would result in discrimination solely on the basis of disability.
- E. **Reasonable Modifications.** City Departments shall reasonably modify their policies, practices and procedures as necessary to allow qualified individuals with disabilities to participate in their programs, activities, and services.
- F. **Service animals.** Service animals, as defined by current applicable state and federal regulations shall be permitted to accompany their handlers or trainers into City buildings, facilities, meetings and events, and onto the premises of contractors providing City programs, activities and services. Appendix C.
- G. **Mobility devices.** The City shall permit individuals with mobility disabilities to use 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, and shall make reasonable modifications to policies, practices, and procedures to permit individuals with

mobility disabilities to use other power-driven mobility devices, whether or not such devices were designed primarily for use by individuals with mobility disabilities, unless the device cannot be operated in accordance with legitimate safety requirements.

- H. **Existing facilities.** The City shall operate each service, program, or activity so that the service, program, or activity, when viewed in its entirety, is readily accessible to and usable by individuals with disabilities.
- I. **Maintenance of accessible features.** The City shall 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 by Title II of the ADA, such as: elevators; wheelchair lifts; curb ramps and accessible sinks, toilets, and showers.
- J. **Information and signage.** The City shall 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.
- K. **Surcharges.** City departments and contractors shall not impose any fees or surcharges on individuals with disabilities, their family members, or disability organizations to cover the costs of providing auxiliary aids and services or any other ADA compliance measures.
- L. **Retaliation.** The City shall not discriminate against any individual because such individual has opposed any act or practice that violates this AI or because such individual made a charge, testified, assisted, or participated in any manner in an investigation, proceeding or hearing related to this AI. The City shall not coerce, intimidate, threaten or interfere with anyone exercising or enjoying a right under this AI, or anyone assisting another in the exercise or enjoyment of a right under this AI.
- M. **Effective Communication.** The City shall take appropriate steps to ensure that communications with applicants, participants, members of the public, and companions with disabilities are as effective as communications with others, and as per the most current ADA and Effective Digital and Other Communications Policy.
- N. **Web Site Accessibility.** City web sites shall be accessible in conformance with the World Wide Web Consortium (W3C) / Web Accessibility Initiative (WAI) Web Content Accessibility Guidelines (WCAG) 2.0, Conformance Level AA. Appendix D.
- O. **City sponsored meetings and special events access.** It is the policy of the City that City sponsored meetings and special events be accessible to people with disabilities. Public notices of City sponsored meetings and special events shall include information concerning the accessibility of the meeting or event location, the availability of auxiliary aids and services upon request, and contact information to be used for requesting such aids and services. Appendix E

- P. **Portrayal of and writing about people with disabilities.** It is the policy of the City that people with disabilities shall not be portrayed in a manner which is offensive or demeaning in its written, audiovisual or electronic materials. Appendix F
- Q. **New construction and alterations.** It is the policy of the City that new construction and alterations to City of Oakland buildings and facilities, and private housing developments receiving City funds, shall be in conformance with the most recent ADA Standards for Accessible Design; Title 24 of the California Code of Regulations; and related state and federal accessibility regulations.
- R. **Historic preservation programs.** City historic preservation programs shall ensure that, to the maximum extent practicable, people with disabilities are afforded physical and programmatic access to buildings and facilities as provided by the ADA and related state and federal accessibility regulations.
- S. **Nondiscrimination by City contractors.** The City shall require contractors to comply with state and federal disability nondiscrimination laws, as outlined in this AI. Appendix G

III. EXCEPTIONS

1. **Fundamental alteration/undue burden.** As determined by the City Administrator or his/her designee on a case by case basis, this AI does not require the City to take any action that it can demonstrate would result in the fundamental alteration in the nature of a City program, activity or service, or would cause an undue financial or administrative burden for the City.
2. **Direct Threat.** The ADA does not require the City to permit an individual to participate in or benefit from the services, programs, or activities of that public entity when that individual poses a direct threat to the health or safety of others. See Definitions Section below.
3. **Safety.** City programs may impose legitimate safety requirements necessary for the safe operation of services, programs, or activities, but such requirements must be based on actual risk and not on speculation, stereotypes, or generalizations about individuals with disabilities.
4. **Personal devices and services.** This AI does not require the City to provide individuals with disabilities personal devices, such as wheelchairs; individually prescribed devices, such as prescription eyeglasses or hearing aids; readers for personal use or study; or services of a personal nature including assistance in eating, toileting, or dressing, unless such devices or services are provided to others.

IV. DEFINITIONS

Term

Definition

Americans with Disabilities Act (ADA)

For purposes this AI, refers specifically to Title II of the Americans with Disabilities Act of 1990 (42 U.S.C. 12131) and any subsequent amendments; prohibits discrimination on the basis of disability by public entities.

Auxiliary Aids and Services

Services, equipment, devices, and actions that are required in order to afford an individual with a disability an equal opportunity to participate in and enjoy the benefits of a service, program, or activity of the City. Includes, but is not limited to provision of qualified interpreters, assistive listening devices, captioning, qualified readers, and information in alternate formats.

City ADA Coordinator

Employee designated by City Administrator as mandated by Title II of the ADA to coordinate the City's efforts to comply with Title II requirements, including investigation of any complaint or actions that may constitute noncompliance with this AI or related laws and regulations.

Departmental Access Coordinator (DAC)

Employee designated by Department Head to coordinate Department-level compliance with AI 123 and State and Federal disability civil rights laws and regulations.

Direct Threat	A significant risk to the health or safety of others that cannot be eliminated through modification of policies, practices or procedures, or by the provision of auxiliary aids and services, as determined by an individualized assessment based on reasonable judgment that relies upon current medical knowledge or the best available objective evidence.
Disability	A physical or mental impairment that limits one or more major life activities; a record of such an impairment; or being regarded as having such an impairment.
Discrimination	Denial of benefits or exclusion from City services, programs, or activities on the basis of disability. Includes but is not limited to discrimination against individuals with disabilities through third parties, provision of different, separate, or less effective aids, benefits, or services to individuals with disabilities; using criteria or methods of administration that have the effect of discriminating against individuals with disabilities; selecting locations for programs, activities, or services that have the effect of excluding or segregating individuals with disabilities; and failure to make reasonable modifications in policies, practices, or procedures when necessary to avoid discrimination on the basis of disability.
Effective/Effective Communication	Individuals with disabilities receive an equal opportunity to derive the same result, benefit, or level of achievement from City programs, activities, and services as provided to persons without disabilities. Includes the provision of auxiliary aids and services to afford qualified individuals with disabilities and their companions an equal

opportunity to participate in and enjoy the benefits of a service, program, or activity of the City.

Fundamental Alteration

A modification to policies, practices, or procedures that is so significant that it alters the essential nature of the goods, services, facilities, privileges, advantages or accommodations offered by the City program, as determined in writing by the City Administrator or designee.

Grievance Procedure

The City's procedure for providing prompt and equitable resolution of complaints alleging any action that is prohibited by this Instruction.

Integrated Setting

Settings that enable individuals with disabilities to interact with non-disabled persons to the fullest extent possible.

Maintenance of Accessible Features

Features of facilities and equipment used in City programs, activities, and services that are required to be readily accessible to and usable by individuals with disabilities are to be maintained in operable working condition.

Mobility Devices

Include manual and power wheelchairs, walkers, crutches, braces, and other power-driven devices not designed exclusively for use by individuals with disabilities, but used by individuals with mobility disabilities for purposes of locomotion. Other power driven devices (such as golf cars or electronic personal assistance mobility devices such as the Segway® PT) will be permitted as a reasonable modification if they can be safely operated by an individual with a mobility impairment under the City's adopted, legitimate safety requirements.

Qualified Individual with a Disability	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 the City.
Reasonable Modification	Changes to policies, practices, and procedures that are required in order to avoid discrimination on the basis of disability that do not impose an undue burden on the City, or fundamentally alter the nature of the service, program, or activity.
Retaliation	Prohibited, discriminatory action against an individual with a disability or group of individuals with disabilities because that individual or group made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing, or exercised the rights described in this AI.
Service Animal (DOJ)	Any dog or miniature horse that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability, and that is housebroken and under the control of the handler.
Surcharges	A prohibited, additional charge placed on an individual with a disability or group of individuals with disabilities to cover the cost of measures taken to comply with this AI, such as the provision of auxiliary aids and services.

Undue Burden

A modification to policies, practices, or procedures that would involve significant difficulty or expense, as determined in writing by the City Administrator or designee.

Video Remote Interpreting (VRI)

Service that uses video conference technology over dedicated lines or wireless technology offering high-speed, wide-bandwidth video connection that delivers high-quality video images in compliance with 28 C.F.R. §35.160(d).

V. PROCEDURES

<u>Responsible Party</u>	<u>Action</u>
City Administrator	1. The City Administrator shall designate at least one employee to coordinate the City’s efforts to comply with and carry out its responsibilities under this AI, including any investigation of any complaint communicated to the City alleging its noncompliance with this part or alleging any actions that would be prohibited by this part, excluding employment matters. The City Administrator shall make available to all interested individuals the name, office address, and telephone number of the employee or employees designated pursuant to this paragraph.
	2. Makes final decision when City is considering whether a proposed action would result in a fundamental alteration or undue burden, and when City is determining whether an individual with a disability should be excluded from participation in a program, service, or activity because of direct threat.
	3. The City Administrator, through the City ADA Coordinator, will from time to time evaluate the City’s policies, practices, and procedures and the effects thereof, and monitor it is programs, activities and services, for conformance to ADA Title II regulations and related state and federal standards. The City Administrator, through the City ADA Coordinator, shall work with Departments to

	remediate identified areas of non-compliance in a timely manner.
City ADA Coordinator	1. Reports to and receives direction from the City Administrator or designee.
	2. Coordinates the City's efforts to comply with and carry out its responsibilities under this AI, Title II of the ADA and related disability rights laws, including investigation of any complaint communicated to the City alleging its noncompliance with these laws or alleging any actions that would be prohibited by these laws.
	3. Develops and publishes grievance procedures to provide for prompt and equitable resolution of ADA complaints.
	4. Works with Department Heads and City Administrator when considering whether a proposed action would result in a fundamental alteration or undue burden, and in determining whether an individual with a disability should be excluded from participation in a City program, service, or activity because of direct threat.
	5. Informs staff and members of the public of the provisions of this Instruction and related City policies, laws, and regulations, and their rights and responsibilities.
	6. Provides technical assistance and coordinates training to Departmental Access Coordinators, department staff, and contractors to assist with compliance with this AI and related City policies, laws and regulations includes.
	7. Oversees the activities of Departmental ADA Coordinators (DACs).
	8. In coordination with the Public Works Director, Department of Transportation Director, and the Planning and Building Director or their designees, adopts or develops, updates, and enforces accessibility standards for City infrastructure improvement programs and ensures that new construction and alteration projects conform to the most stringent applicable federal, state and local requirements.

	9. In coordination with the Public Works Director, Department of Transportation Director, and the Planning and Building Director or their designees, develops and oversees physical access programs, activities and services.
	10. In coordination with the Public Works Director, Department of Transportation Director, and the Planning and Building Director or their designees, reviews all City infrastructure improvement programs and projects for compliance with applicable federal accessibility regulations.
	11. Administers a centralized citywide Auxiliary Aids and Services Program which arranges for on-call, on-site and Video Remote sign language interpreting services, and for materials in alternative formats including Braille and audio. Appendix H.
	12. Maintains a Citywide TTY line and conducts periodic tests of TTY equipment and service.
	13. Loans portable Assistive Listening Systems to City departments upon request.
	14. Coordinates input and review of City ADA compliance programs by individuals with disabilities. Plans access compliance programs in consultation with individuals and organizations knowledgeable about implementation of disability civil rights laws and regulations and the needs of individuals with disabilities
	15. Serves as City's staff liaison to the Mayor's Commission on Persons with Disabilities.
Mayor's Commission on Persons with Disabilities	1. Advises, reviews and comments on programs, services and activities of the City of Oakland, funding opportunities and of matters affecting persons with disabilities in the community, and otherwise promotes total integration of persons with disabilities into the community in accordance with Ordinance No. 13334 C.M.S.
	2. Acts as the City's designated advisory body for implementation of this Instruction.
Department Heads	1. Ensures that all programs, activities and services of the Department comply with this Instruction and related policies, practices and procedures issued by

	the City ADA Coordinator and referenced herein.
	2. Designate at least one Departmental ADA Coordinator (DAC) with thorough knowledge of Departmental programs, activities, and services and who shall have ongoing responsibilities to assist the Department Head to interpret and implement this Instruction, support Departmental staff in complying with the requirements of this Instruction, and to liaise with the City ADA Coordinator.
	3. Ensures that staff selects the most integrated setting for programs, services, and activities, including special events, so that qualified individuals with disabilities can interact with non-disabled persons to the fullest extent possible.
	4. Ensures that programs, activities, and services, when viewed in their entirety, are readily accessible to and usable by individuals with disabilities.
	5. Ensures staff provide services to qualified individuals with disabilities that are as effective as those provided to non-disabled persons.
	6. Facilitates the implementation of reasonable modifications in policies, practices, and procedures to allow for the full and equal participation of qualified individuals with disabilities in Departmental programs, activities, and services.
	7. Relocates or redesigns programs, activities, and services, as needed in order to avoid physical access barriers that would result in segregation or exclusion of individuals with disabilities, and as needed to facilitate the participation of individuals with disabilities in preferred programming.
	8. Ensures staff makes information available in alternative formats such as large print, Braille, audio, and screen-reader compatible electronic formats, upon request. Includes the California Relay Service phone number (711) in addition the Department voice phone number in all information to the public.
	9. Provides notice of availability of auxiliary aids and services and other disability-related accommodations in Departmental programs, activities, and services (including contact

	information for making such arrangements) on all program materials, including but not limited to websites, brochures, flyers, applications, forms, posters, postcards, newsletters, meeting and special event notices, and other media.
	10. Determines where and how best to provide Notice of Non-Discrimination on the Basis of Disability, the City's ADA Grievance Procedure, and contact information for the DAC and the City ADA Coordinator. These locations shall include at a minimum the Department website. Appendix A
	11. Complies with this AI and related city policies in selecting locations for special events, and in advertising and administering special events, to allow full participation of individuals with disabilities, with or without accommodations, including making temporary physical modifications at sites or implementing procedural adjustments as needed to accommodate and welcome individuals with disabilities. Appendix E.
	12. Ensures that the Department adheres to the most current ADA and Effective Digital and Other Communications Policy.
	13. Imposes no additional surcharges on qualified individuals with disabilities when taking measures to comply with this Instruction.
	14. Promptly notifies maintenance services when accessible features such as elevators and automatic door openers are not functioning and work with maintenance services to conduct periodic testing in order to anticipate repair needs and avoid long periods of nonoperation.
	15. Supports the DAC(s) and staff in carrying out their duties under this Instruction and in receiving ongoing training on disability civil rights requirements that apply to City programs, activities, and services.
	16. Works with City ADA Coordinator in investigating and resolving complaints of discrimination on the basis of disability; assessing whether a requested program modification imposes an undue burden or constitutes a fundamental alteration; and in all other actions necessary to comply with this Instruction

	and related City policies, laws, and regulations.
	17. Before declining to take action that might result in a fundamental alteration in the nature of the Departmental service, program, or activity, or that might impose an undue financial or administrative burden on the City, seeks a written finding confirming that the proposed action would constitute a fundamental alteration or undue burden from the City Administrator, and if so confirmed, take any other action that would not result in such an alteration or burden, but that would nevertheless ensure, to the maximum extent possible, individuals with disabilities receive the benefits or services provided by the Department.
	18. Reasonably modifies volunteer programs and eligibility requirements, as needed, in order to allow participation of volunteers with disabilities, and provides information on volunteer program materials regarding how to request disability-related accommodations or auxiliary aids or services.
	19. Informs contractors and volunteers regarding the requirements of this AI and related city policies, laws and regulations through training and technical assistance.
	20. Provides Departmental contractors information about this AI and its application to third-party services provided on behalf of the City, and ensures that the City ADA Grievance Procedure is made available at all third-party service sites.
	21. Monitors Departmental contractors and other third parties delivering Departmental programs, activities, and services to assist with compliance with this Instruction, and related state and federal laws and regulations.
Departmental Access Coordinators (DACs)	1. Coordinates Departmental ADA compliance activities in collaboration with the City ADA Coordinator.
	2. Serves as the contact point at the departmental level (or specific programs as designated) for information dissemination, program modification, provision of auxiliary aids and services, and complaint investigation.

	3. Informs City ADA Coordinator of complaints of discrimination on the basis of disability within three business days of receipt.
	4. Confers with the City ADA Coordinator before denying any request for a disability-related program modification, and when circumstances allow, before excluding an individual with a disability based on direct threat.
	5. Reviews all departmental materials disseminated to the public to ensure that such materials portray individuals with disabilities in a nondiscriminatory manner.
	6. Provide technical assistance to contractors and other third parties delivering Departmental programs, activities, and services to assist with compliance with this Instruction and related City policies, laws, and regulations.
	7. Works with Department Head and staff to determine where and how best to publish the Notice of Non-Discrimination on the Basis of Disability, the City's ADA Grievance Procedure, and contact information for the DAC and the City ADA Coordinator. Appendix A.
	8. Attends quarterly DAC meetings and trainings as scheduled to facilitate coordination with the City ADA Coordinator and increase disability civil rights compliance subject matter expertise.
	9. Provides an annual report, and additional reports as may be requested, to the MCPD regarding departmental compliance with this Instruction and related city policies, laws and regulations that promote the participation of individuals with disabilities in city programs, activities, and services.
City Attorney	1. Advises the City Administrator and City ADA Coordinator in carrying out their responsibilities under this AI, including conducting formal investigations of claims made as part of potential or filed litigation, or administrative complaints alleging noncompliance with the ADA or related laws and regulations.
	2. Serves as the lead agency for resolving all formal disability civil rights litigation claims and

	administrative complaints for damages or injunctive relief.
City Clerk/KTOP	1. Provides auxiliary aids and services for all City Council meetings, in coordination with the City ADA Coordinator as needed; manages the City's real-time closed captioning contract for live and rebroadcast of City Council and other televised public meetings on the City's public television station, KTOP; and makes City Council documents available in alternative accessible formats.
	2. Ensures that the City Council Chamber and Hearing Rooms One and Two are equipped with a permanently installed and maintained Assistive Listening System. Arranges for periodic testing and maintenance of these systems. Coordinates with KTOP to ensure that Assistive Listening Devices are available upon demand by individuals with disabilities.
	3. Informs staff and members of boards and commissions of the requirements of this Instruction and related city policies.
	4. Ensures compliance with the technical requirements for recording and broadcasting with closed captioning.
	5. Periodically tests Assistive Listening Systems and to ensure that Assistive Listening Devices are available upon demand by individuals with disabilities.
	6. Provides microphones and sound systems for KTOP recorded events, such as City Council and Council Committee meetings, and for other public meetings in City Hall upon request.
Communications	1. Develops, enforces, and provides training and technical assistance on citywide web content and electronic document accessibility standards that comply with the most current Effective Digital and Other Communications for Persons with Disabilities Policy. Appendix D.
Contracts & Compliance	1. Ensures that all City contracts include Schedule C-1, Declaration of ADA Compliance, and Schedule C-2, Declaration of ADA Compliance for Facility Use and Special Events Agreements, as

	appropriate, and coordinates the provision of technical assistance materials to City staff and City contractors regarding this Instruction and related laws and regulations.
Fire Department	1. Ensures that emergency plans and exercises, including but not limited to the City Mass Care and Shelter Plan, integrate the provision of services and actions that address the access and functional needs of members of the public throughout all emergency notification, response, and recovery activities, including but not limited to rescue, communications, sheltering, and transportation. Appendix J.
	2. Ensures that emergency alerts are receivable in text and voice formats, and that broadcast television announcements or press conferences during an emergency are accompanied by captioning, American Sign Language interpretation, and audio description of critical visual elements.
Housing & Community Development Department (HCD)	1. Ensures that private developers who receive City assistance, including pass through funds, demonstrate compliance of construction projects with applicable federal and state accessibility regulations
	2. Ensures that capital improvement projects managed by HCD are built in accordance with federal and state accessibility regulations.
	3. Ensure the equitable and proactive marketing of housing programs and available housing opportunities to individuals with disabilities, especially with respect to programs that provide housing modifications and other services primarily for the benefit of residents with disabilities and seniors, and housing specifically designed to accommodate residents with disabilities.
Library	1. As required to ensure equal access to Library programs, activities and services, supports system wide availability of information, materials, and programming in multiple formats; develops and implements extended services programs; and installs and maintains software and other assistive technologies for use in the libraries to enable patrons with different types of disabilities to use

	computer stations, read print materials, and participate in general and specialized library programming.
Parks & Recreation	1. In addition to welcoming individuals with disabilities in regular programming, provides specialized developmental and recreational programs as required to support full inclusion of individuals with disabilities in the gamut of Parks and Recreation programs, activities, and services.
	2. Ensures all marketing materials (including but not limited to online and hardcopy media) includes information about inclusion programs.
	3. Ensures that third parties participating in the Facilities Rental Program for events open to the public comply with the requirements of Schedule C2, Declaration of ADA Compliance for Facility Use and Other Special Events Agreements.
Planning & Building	1. Reviews all City capital improvement projects that require building permit(s) for conformance with applicable accessibility regulations contained within the California Building Code.
	2. Administers the Reasonable Accommodations Ordinance (Appendix I), by modifying or waiving City planning and zoning regulations, practices, or procedures, as required in order to avoid discrimination on the basis of disability.
Police	1. Provides training and technical assistance regarding police interactions with individuals with disabilities, including but not limited to individuals in mental health crisis, individuals with disabilities being taken into custody with their mobility devices or service animals, and effective communication with individuals who are Deaf, hard of hearing, or have other disability-related communications differences, such as individuals on the Autism spectrum.
	2. Establishes Text-to-9-1-1 capability.
	3. Ensures that Police 9-1-1 and non-emergency telephone systems answer TTY calls in a timely and effective manner. Periodically tests 9-1-1 and non-emergency systems response to TTY calls.
	4. Maintains on-call American Sign Language interpreter services contract for use during

	emergency and non-emergency business.
Public Works	1. Ensures that buildings and facilities under its authority under its authority are made and maintained in compliance with applicable federal and state accessibility standards and guidelines.
	2. Conducts routine and emergency maintenance and repair of accessible features of all City buildings and facilities under its authority; conducts periodic testing of accessible features such as elevators and automatic door openers in order to anticipate repair needs and avoid prolonged periods of nonoperation.
	3. In concert with the City ADA Coordinator, adopts or develops, updates, and enforces accessibility standards for City infrastructure improvement programs and ensures that new construction and alteration projects conform to the most stringent applicable federal, state and local requirements.
	4. In concert with the City ADA Coordinator, develops and oversees physical access compliance programs, activities and services, such as tot lot resurfacing programs.
	5. Submits all plans for new construction or alteration of City buildings and facilities, including public right-of-way improvements, to the City ADA Coordinator for review and approval.
	6. Flags Call Center requests from individuals with disabilities, or those relating to accessibility features such as physical access barriers in City buildings or facilities, for priority referral and response by the applicable Public Works program.
	7. Establishes procedures for providing notice to the public regarding construction projects, their location, materials/chemicals being used, and dates.
	8. Establishes procedures for providing notice to the public regarding City-administered pesticide/herbicide application locations, substances to be used, and dates.
	9. Maintains and distributes product specification lists for building, finishing, and furniture products that should be used to the maximum extent feasible in City and City-funded projects, for purposes of minimizing exposure of persons with chemical

	sensitivity or environmental illness to harmful substances.
	10. Provides for safe accessible temporary paths of travel in compliance with applicable state and federal standards for construction work zones and construction sites, and monitors contractors to ensure compliance with these standards.
	11. Ensures that all improvements to City tot lots include installation or refurbishment of existing rubber or other monolithic play surfacing (no loose fill surfacing.)
Transportation	1. Ensures that right of way assets under its authority are made and maintained in compliance with applicable federal and state accessibility standards and guidelines.
	2. Reviews all projects that require public right of way (PRoW) permit(s) for conformance with applicable Accessibility Regulations contained within the California Building Code.
	3. In concert with the City ADA Coordinator, adopts or develops, updates, and enforces accessibility standards for City infrastructure improvement programs and ensures that new construction and alteration projects conform to the most stringent applicable federal, state and local requirements.
	4. In concert with the City ADA Coordinator, develops and oversees physical access programs, activities and services, including the Curb Ramp Transition Plan, ADA Sidewalk Repair, and On-Street Accessible Parking programs. Appendix K, L and M.
	5. Submits all plans for new construction or alteration of City buildings and facilities, including public right-of-way improvements, to the City ADA Coordinator for review and approval.
	5. Provides for safe accessible temporary paths of travel in compliance with applicable state and federal standards for construction work zones and construction sites, and monitors contractors to ensure compliance with these standards.

VI. ADDITIONAL INFORMATION

For more information about compliance with the ADA and related disability civil rights laws in City programs, activities, and services, or to report a complaint of disability discrimination, please contact:

City ADA Coordinator
One Frank H. Ogawa Plaza, 3rd Floor
Oakland, CA 94612
510-238-5219 (V)
510-238-2007 (TTY)
510-238-3304 (Fax)
adaprograms@oaklandnet.com

VII. APPENDICES

The following City of Oakland policies, plans, and forms are incorporated into this Instruction by reference. The most recent of these documents can be found online at the ADA Programs Division Website or obtained from the City ADA Coordinator.

- Appendix A: Notice of Non-Discrimination on the Basis of Disability
- Appendix B: ADA Grievance Procedure and Form
- Appendix C: Service and Other Assistance Animal Policy
- Appendix D: ADA and Effective Communications Policy
- Appendix E: ADA and Special Events Policy
- Appendix F: *Writing About Disabilities: Best Practices (Reserved)*
- Appendix G: Contract Schedules C-1 and C-2
- Appendix H: Auxiliary Aids and Services Policy and Request Forms
- Appendix I: Reasonable Accommodations Ordinance, Policy, and Application
- Appendix J: Mass Care and Shelter Plan Functional Needs Annex
- Appendix K: ADA Curb Ramp Transition Plan
- Appendix L: ADA Sidewalk Repair Policy
- Appendix M: On-Street Accessible Parking Policy



Sabrina B. Landreth
City Administrator