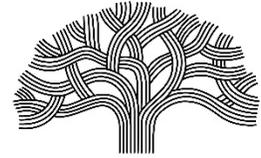


# CITY OF OAKLAND



## ADMINISTRATIVE INSTRUCTION

<b>SUBJECT</b>	<b>Disability Access Policy</b>	<b>NUMBER</b>	123
<b>REFERENCE</b>	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.	<b>EFFECTIVE</b>	10/13/2017
<b>SUPERSEDE</b>	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**

<b><u>Responsible Party</u></b>	<b><u>Action</u></b>
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, 3<sup>rd</sup> Floor  
Oakland, CA 94612  
510-238-5219 (V)  
510-238-2007 (TTY)  
510-238-3304 (Fax)  
[adaprograms@oaklandnet.com](mailto: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



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Sabrina B. Landreth  
City Administrator



## **Notice of Compliance with the Americans with Disabilities Act**

In accordance with the requirements of the Americans with Disabilities Act (ADA) of 1990 (as amended), 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**:

### **ADA Programs Division**

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

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

**Email: [adaprograms@oaklandnet.com](mailto:adaprograms@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.

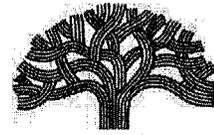
**Modification to Policies and Procedures:** The City of Oakland will make reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services and activities. For example, individuals with service animals behaving 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 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 laws 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.

# CITY OF OAKLAND



ADA Programs Division  
One Frank Ogawa Plaza, 11<sup>th</sup> Floor  
Oakland, CA 94612

PHONE (510) 238-5219  
(711 for relay service)  
FAX (510) 238-3304

City of Oakland  
**Grievance Procedure for Complaints Arising Under Title II of the  
Americans with Disabilities Act (ADA)**  
(Excluding Employment)

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 ("the City"). Complaints of disability discrimination involving other public entities or private businesses will not be accepted by the ADA Programs Division. **Please note: do not use this form to file a complaint alleging employment disability discrimination against City employees or job applicants. Instead, please contact the Equal Opportunity Programs Division at 510-238-6468 or by email at: [amccullough@oaklandnet.com](mailto:amccullough@oaklandnet.com).**

**Filing a grievance:** Please complete this form as fully as possible. The complaint should be submitted by the individual alleging discrimination on the basis of disability or an authorized representative as soon as possible but no later than 60 calendar days after the alleged discrimination. If you require this form in an alternative format, or need other assistance to submit your complaint, then contact the ADA Programs Division at 510.238.5219 or by e-mail at [adaprograms@oaklandnet.com](mailto:adaprograms@oaklandnet.com).

**City response to grievance:** Within 10 business days after receipt of the complaint, the ADA Coordinator, or a designee, will contact the complainant or representative to discuss the complaint and possible resolutions. Within 30 business days of receipt of the complaint, unless the period is extended by agreement with the complainant or representative, the ADA Coordinator, or designee, will respond in writing, in a format accessible to the complainant. The response will explain the position of the City and, what actions if any the City will take to resolve the complaint.

**Appeal:** If the response by the ADA Coordinator, or designee, does not satisfactorily resolve the issue, the complainant and/or a designee may appeal the decision within 10 business days after receipt of the response to the City Administrator. The City ADA Coordinator's findings on appeals from residential on-street disabled parking zone, curb ramp, or sidewalk repair denials are final and not appealable.

**City response to appeal:** Within 10 business days after receipt of the appeal, the City Administrator, or a designee, will interview the complainant to discuss the complaint and

possible resolutions. Within 20 business days after the interview, the complainant will receive a response either affirming or modifying the determination of the City ADA Coordinator.

All documented complaints received by the ADA Coordinator, appeals to the City Administrator, and responses from these offices will be retained by the City of Oakland for at least three years.

The City will not retaliate against you for filing a grievance. Any form of retaliation related to the filing of this complaint is prohibited and should be reported immediately to the ADA Coordinator.

Please be advised that some of the information you supply on this complaint form may be subject to public disclosure under the California Public Records Act. However, the City will make every reasonable effort to ensure that confidentiality is maintained throughout the complaint, investigation, and corrective action process, to the extent consistent with the law. Additionally, in the event that the City decides that your complaint requires further investigation, witnesses may be interviewed, and the accused party/parties will be given an opportunity to respond to your allegations.

Please submit your ADA grievance form to:

**ADA Coordinator  
ADA Programs Division  
One Frank Ogawa Plaza, 11<sup>th</sup> Floor  
Oakland, CA 94612  
Voice: 510-238-5219  
TTY: 510-238-2007  
Email: [adaprograms@oaklandnet.com](mailto:adaprograms@oaklandnet.com)**

**PLEASE NOTE:** If you have made a request for a curb ramp, sidewalk repair, or disabled parking zone and are not satisfied with the results, you may appeal the denial using this grievance process. **The ADA Coordinator's response to your appeal will be final.** If you have not yet made a request, you must do so first. To [Make a request for a Sidewalk Repair, Curb Ramp, or Disabled Parking Zone, you may click here for application materials.](#) You may also make a request by calling 510.615.5566 or sending an e-mail to [oaklandcallcenter@oaklandnet.com](mailto:oaklandcallcenter@oaklandnet.com).

City of Oakland

# Grievance Form

Complaint of Access Violation or Discrimination on Basis of Disability

*City employees and job applicants wishing to file a complaint of disability discrimination should contact the Equal Opportunity Programs Division at 510-238-3500 (voice); 510-238-4749 (fax). Do **not** use this form. The City's Personnel Policy governs employment-related complaints of disability discrimination.*

Please fill out the information below as fully as possible. Feel free to use the back of these pages or additional pages if necessary.

### **What is the nature of your complaint?**

- Sidewalk Repair Denial     Curb Ramp Denial     Disabled Parking Zone Denial  
 Other ADA issue: (Briefly describe) \_\_\_\_\_

### **Your information**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone numbers: Home: \_\_\_\_\_ Work: \_\_\_\_\_

Cell: \_\_\_\_\_ TTY: \_\_\_\_\_

Email: \_\_\_\_\_

Check all preferred methods of communication:

- Voice telephone     TTY     CRS     Email     U.S. Mail

Other: \_\_\_\_\_

What is your relationship to the complainant?  Self     Family member/guardian

Advocate     Other: \_\_\_\_\_

### **Are you filing this grievance on behalf of someone else?**

If so, please enter their information here:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone numbers: Home: \_\_\_\_\_ Work: \_\_\_\_\_

Cell: \_\_\_\_\_ TTY: \_\_\_\_\_

Email: \_\_\_\_\_

Check all preferred methods of communication:

- Voice telephone     TTY     CRS     Email     U.S. Mail

Other: \_\_\_\_\_

**Who Your Complaint Is Against**

City Employee and/or  City Department

Name: \_\_\_\_\_

Job title: \_\_\_\_\_

City Department: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone number: \_\_\_\_\_

**Complaint Information**

Date of incident: \_\_\_\_\_

Time of incident: \_\_\_\_\_

Location of incident: \_\_\_\_\_

**Description of complaint** (Please describe fully the nature of your complaint.)

**Witness Information** (If other people witnessed the incident, please list their names and contact information here.)

Name: \_\_\_\_\_  
Job title and department (if City employee): \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone number/email/other contact information: \_\_\_\_\_

Name: \_\_\_\_\_  
Job title and department (if City employee): \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone number/email/other contact information: \_\_\_\_\_

**Evidence and Documentation**

Please list and provide any physical evidence, written or recorded documents, or any other information that directly supports your specific claim. You may also attach photographs or other documents in support of your claims.

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_

**What actions would you want the City to take in response to your complaint?**

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

# CITY OF OAKLAND ADA PROGRAMS DIVISION

Subject: **Service and Assistance Animals Policy**  
Effective Date: August 1, 2017  
Supersedes: N/A  
Responsible Departments: ADA Programs Division

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## I. Policy

The City of Oakland policy welcoming persons with disabilities into all its public programs, activities, services, buildings and facilities is set forth in Administrative Instruction 123, the City ADA (Americans with Disabilities Act) or Disability Policy. This subsidiary policy provides additional guidance regarding the City's responsibilities towards individuals with disabilities who rely on service or other assistance animals for disability-related support while participating in City programs, activities, and services.

Except as modified in Section V., below, individuals with disabilities have the right to be accompanied by their service or other assistance animal, as defined in IV., below, when participating in City programs, activities, and services, and in all City buildings and facilities open to the public, owned or leased, including buildings and facilities managed by third parties containing City-sponsored programs.<sup>1</sup> Additionally, persons who are licensed or otherwise authorized to train service animals, as defined in California Civil Code section 54.1, are allowed access to City programs, activities, and services, and in all City buildings and facilities open to the public, owned or leased, including buildings and facilities managed by third parties containing City-sponsored programs.

Under no circumstances will individuals with disabilities or service animal trainers be assessed a surcharge, deposit, or other fee when taking the measures required by this policy.<sup>2</sup> Individuals with disabilities or service animal trainers can be held liable for any damage done to City buildings or facilities caused by the service or assistance animal, and the animal may be excluded if it cannot be controlled by the handler or is not housebroken. At all times the

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<sup>1</sup> 28 C.F.R. §35.136 (Department of Justice ADA regulations); 49 C.F.R. §27.7(e) and §37.5 (Department of Transportation Rehabilitation Act and ADA Regulations); 24 C.F.R. §100.204 (Housing and Urban Development Fair Housing Act regulations).

<sup>2</sup> 28 C.F.R. §35.136(h); Service Animals and Assistance Animals for People with Disabilities in Housing and HUD-Funded Programs. This includes not applying a pet deposit or other fee that might be imposed on a pet owner, as a service/assistance animal or service animal in training is not a pet. Service and assistance animals and service animals in training are not exempt from local vaccination, licensing, and registration requirements, but a service or assistance animal handler cannot be required to show that the animal is registered specifically as service or assistance animal, even if such local registration is available. Frequently Asked Questions about Service Animals and the ADA. Trainers of service dogs in training may be asked to produce tags showing local registration as a service dog. Cal. Civil Code §54.1(c).

handler is responsible for the care and supervision of the service animal, service animal in training, or assistance animal.<sup>3</sup>

Some City Departments, Bureaus or Divisions are required by existing practices in response to settlement agreements resolving litigation, administrative, or informal complaints, to have specific policies and procedures in place for accommodating individuals with disabilities and their service or assistance animals. These Departments shall ensure that their policies and procedures are reviewed for alignment with AI 123 and this subsidiary Policy, and updated as necessary.

All other Departments shall ensure that procedures are in place to successfully implement this Policy throughout its locations, programs, activities, and services, and that contractors, grantees, and staff are provided training and technical assistance as needed.

## II. Responsible Parties

- A. The City Administrator through the ADA Programs Division is responsible for citywide enforcement of this Policy throughout all City programs, activities, services, and in all of the City's leased or owned buildings and facilities open to the public. The ADA Programs Division is responsible for investigating complaints, providing technical assistance and training support to Departmental Access Coordinators and other staff, contractors, and grantees in implementing this Policy, and updating this Policy as may be needed.
- B. Departmental Access Coordinators are responsible for understanding the application of this Policy to their set of programs, activities, services, buildings, and facilities, including departmental contractors and grantees, and seeking technical assistance and training as needed for successful implementation.
- C. The Housing and Community Development Department is responsible for complying with its obligations under the Americans with Disabilities Act (ADA) and Fair Housing Amendments Act (FHAA), as described in this Policy, in the administration of its housing programs including but not limited to Rent Board proceedings, housing developments, and other housing assistance programs.
- D. The Human Services Department is responsible for complying with its obligations under the ADA, FHAA, and the Department of Transportation (DOT) ADA and Rehabilitation Act regulations, as set forth in this Policy, in the administration of its transit and paratransit programs, shelter programs, and all other programs serving the public.
- E. The Oakland Zoo is responsible for updating and publishing its policies and practices for accommodating individuals with disabilities who are accompanied by their service animals at the Zoo, and licensed or otherwise authorized trainers accompanied by their

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<sup>3</sup> 28 C.F.R. §35.136(h); Service Animals and Assistance Animals for People with Disabilities in Housing and HUD-Funded Programs.

service animals in training, in accordance with this general Policy, and making reasonable modifications to its programs, activities, and services as needed.

- F. Oakland Animal Services is responsible for updating and publishing its policies and practices for accommodating volunteers and patrons with disabilities who are accompanied by their service animals, and licensed or otherwise authorized trainers accompanied by their service animals in training, at OAS facilities or events in accordance with this general Policy, and making reasonable modifications to its programs, activities, and services as needed.

### III. Background

Administrative Instruction 123, the ADA Policy, sets forth the general requirements for all City programs, activities, and services for compliance with the ADA and related laws protecting the rights of individuals with disabilities to full and equal access to state and local government services. This subsidiary policy consolidates the City's obligations under both the ADA and the Fair Housing Amendments Act (FHAA), as modified by California law, with respect to the treatment of service or assistance animals accompanying persons with disabilities.<sup>4</sup> This Policy is intended to provide additional direction with regard to making accommodations for individuals with disabilities who must rely on service or assistance animals in order to be able to access City programs, activities, or services. This policy also describes the right of service animal trainers to access City programs, activities, and services under California law.

### IV. Definitions

- A. **Service Animal:** means 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. Other species of animals, whether trained or untrained, are not service animals. The work or tasks must be directly related to the individual's disability. Crime deterrence, emotional support, or companionship does not constitute work or tasks under this definition.<sup>5</sup>

With respect to transportation facilities, a service animal may be any animal individually trained to work or perform tasks for an individual with a disability.<sup>6</sup>

- B. **Service Animal in Training:** as defined by the California Civil Code, means any dog that is being individually trained to the requirements of an individual with a disability.<sup>7</sup>
- C. **Assistance Animal:** as defined by HUD, means any animal that works, provides assistance, or performs tasks for the benefit of a person with a disability, or provides emotional support that alleviates one or more identified symptoms or effects of a person's disability.<sup>8</sup> Assistance animals are not subject to training requirements, but may include animals that meet the service animal definition above.

<sup>4</sup> 28 C.F.R. §35.136; 49 C.F.R. §27.7(e) and §37.5; 24 C.F.R. §100.204.

<sup>5</sup> 28 C.F.R. §35.104.

<sup>6</sup> 49 C.F.R. §37.3.

<sup>7</sup> Cal. Civ. Code §§54.1(b)(6)(C)(iii); 54.1(c).

<sup>8</sup> 28 C.F.R. §35.136(h); Service Animals and Assistance Animals for People with Disabilities in Housing and

- D. Reasonable Accommodation:** in housing programs, means is a change, exception, or adjustment to a rule, policy, practice, or service that may be necessary for a person with a disability to have an equal opportunity to use and enjoy a dwelling, including public and common use spaces.<sup>9</sup> For purposes of this policy, as explained in Section V., below, all City housing programs, including residential facilities, shelters, and housing assistance programs are subject to making reasonable accommodations for persons with disabilities and their service or assistance animals.
- E. Reasonable Modification:** means a change, exception, or adjustment to policies, practices, or procedures that may be necessary for a person with a disability to participate in a City program, activity, or service.<sup>10</sup>
- C. Fundamental Alteration:** is a change that is so significant that it alters the essential nature of the goods, services, facilities, privileges, advantages, or accommodations offered.<sup>11</sup>
- D. 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 and services.<sup>12</sup>

## V. Procedures

### A. Access to City Programs, Activities, and Services

In general, service animals (dogs, and in some circumstances, miniature horses) and service animals in training (dogs only) are permitted to accompany individuals with disabilities or their licensed or otherwise authorized trainer into City leased and owned buildings and facilities, and when participating in City programs, activities, and services, including those administered by third parties.<sup>13</sup>

#### 1. Housing Programs

As per the FHAA, housing programs are required to reasonably accommodate tenants with disabilities who require a modification to existing policies, practices, or procedures in order to enjoy a dwelling based on a disability-related need. This includes modifying a no-pet policy in order to accommodate an assistance animal as defined in Section IV., above, in a City housing facility, shelter, or other type of residential facility. Other types of housing-related programs, such as Rent Board proceedings and other housing assistance programs are also subject to making

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#### HUD-Funded Programs.

<sup>9</sup> 24 C.F.R. §100.204.

<sup>10</sup> 28 C.F.R. §35.130(b)(7); 49 C.F.R. §27.7(e) and §37.5.

<sup>11</sup> 42 U.S.C. §12201(f).

<sup>12</sup> 28 C.F.R. §35.104.

<sup>13</sup> 28 C.F.R. §35.136; 28 C.F.R. §35.130(b).

reasonable accommodations for participants to be accompanied by their assistance animals while participating in these programs.<sup>14</sup>

## 2. Transportation Programs

Service animals, and service animals in training, as defined in Section IV. above, are permitted on City transportation vehicles and facilities, including vehicles and facilities managed by third parties.

## 3. Programs, Activities, and Services Involving Other Animals

In City programs involving other animals, such as the Oakland Zoo and Oakland Animal Services, supplemental policies and procedures shall be established to implement this policy to the fullest extent possible, without fundamentally altering the nature of the programs, activities, and services. Measures to be taken to ensure program integrity may include but is not limited to mapping locations where service animals or service animals in training are restricted to protect the welfare of other animals, and other reasonable modifications that will allow individuals with disabilities and licensed or otherwise authorized trainers to benefit from the program, activity, or service while accompanied by their service animal or service animal in training.<sup>15</sup>

### **B. Verifying a Service Animal, Service Animal in Training, or Assistance Animal**

If it is not readily apparent that an animal is a service animal, service animal in training, or assistance animal, staff may take the following measures in order to verify whether the animal meets the applicable definitions set forth in Section IV, above.

1. **General Programs.** In general program settings, the City is required to allow access to service animals that are dogs, or when circumstances permit, miniature horses, that are individually trained to perform work or a task for the benefit of a person with a disability. Staff may ask the following questions:<sup>16</sup>

- a. Is your dog (or miniature horse) required due to disability?
- b. What work or task has your dog (or miniature horse) been trained to perform?

If there is a concern about whether a particular facility can in fact accommodate a miniature horse, staff may additionally assess the type, size, weight, level of handler control, whether the horse is housebroken, and

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<sup>14</sup> Any established policies and procedures for accommodating service or assistance animals should re-examined in light of this general Policy and AI 123 for full alignment.

<sup>15</sup> *Ibid.*

<sup>16</sup> 28 C.F.R. §35.136(f).

whether there are legitimate safety requirements that would be impacted by the horse's presence at the facility.<sup>17</sup>

Staff are not permitted to ask about the nature of the individual's disability, or seek documentation such as certification, a license, or other proof that the dog or miniature horse is a service animal.<sup>18</sup>

As per California law, the City only permits service animals in training that are dogs to accompany their licensed or otherwise authorized trainers while participating in its programs, activities, and services. Staff may request that the trainer produce a tag to prove that the dog is a service animal in training.<sup>19</sup>

2. **Housing Programs.** In housing programs, as described in V.A., above, the City is required to reasonably accommodate individuals with disabilities who are accompanied by assistance animals, such as by waiving a no-pet policy or pet deposit requirement. In housing programs, assistance animals may be any species and do not have to be individually trained. Staff may ask the following questions and/or request supporting documentation to verify an animal is an assistance animal when the animal's role is not readily apparent:

a. Do you have a disability?

b. Is this animal an assistance animal that you require due to your disability?

Staff may not ask for access to medical records or providers, or require detailed or extensive information or documentation of the disability.<sup>20</sup>

3. **Transportation Programs.** In City transportation programs, service animals that are individually trained are permitted access to vehicles and facilities, and are not restricted to dogs. Staff may ask the same questions listed for General Programs in 1., above.

### C. Grounds for Exclusion

Every reasonable effort should be made to allow an individual accompanied by a service or assistance animal as defined in this policy to participate in City programs, activities, and services. Efforts shall include reasonably modifying policies, practices, and procedures to avoid conflicts between the presence of a service or assistance animal, and the overall purpose and benefits of the program.

Allergies, or fear of animals among other program participants will not generally be grounds for the exclusion of a service or assistance animal. Staff may make

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<sup>17</sup> 28 C.F.R. §35.136(i).

<sup>18</sup> 28 C.F.R. §35.136(f).

<sup>19</sup> Cal. Civ. Code §54.1(c).

<sup>20</sup> Service Animals and Assistance Animals for People with Disabilities in Housing and HUD-Funded Programs

program modifications to mitigate the impact on other program participants due to the presence of the animal.

1. **Lack of Control.** A service animal or service animal in training generally may be excluded from accessing City programs, activities, services, buildings, and facilities when the handler is unable to exercise control of the animal, or if the animal is not housebroken<sup>21</sup>. There is no requirement that the service animal be leashed as long as the animal is otherwise under the handler's control. The individual with a disability must be permitted to participate in the service, program, or activity without the service animal on the premises.<sup>22</sup>
2. **Fundamental Alteration.** A service or assistance animal, or service animal in training, may be excluded from a City program, activity, or service if its presence would fundamentally alter the nature of the program, activity, or service.<sup>23</sup> Such circumstances should be rare, and always individually assessed, but might include situations when the presence of the animal may affect the safety or welfare of other animals, such as an exhibit of predatory or endangered animals at the Oakland Zoo, or an adoption event hosted by Oakland Animal Services.
3. **Direct Threat.** As stated above, a service or assistance animal or service animal in training must be under the control of the handler at all times. Before excluding a service or assistance animal or service animal in training based on direct threat, staff must make an individualized assessment, based on reasonable judgment that relies on the best available objective evidence, of the nature, duration, and severity of the risk of injury, the probability that injury will in fact occur, and whether modifications or the provision of auxiliary aids or services may mitigate the perceived risk. Stereotypes about particular species or breeds cannot form the basis of a finding of direct threat.<sup>24</sup>

Any decision to exclude an alleged service animal, service animal in training, or assistance animal from a City program, activity, or service must be made in writing by the Department Head or designee, as set forth in AI 123, the City ADA Policy.

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<sup>21</sup> Animals that are housebroken can experience illness so accidents can occur; this possibility should be considered before excluding the animal from the premises. Similarly, a dog's limited barking should not serve as evidence alone of being out of control as the barking may be brought under control. Title II 2010 Guidance and Section By Section Analysis, page 87.

<sup>22</sup> 28 C.F.R. §35.136(c).

<sup>23</sup> 42 U.S.C. §12201(f). "At a zoo, service animals can be restricted from areas where the animals on display are the natural prey or natural predators of dogs, where the presence of a dog would be disruptive, causing the displayed animals to behave aggressively or become agitated. They cannot be restricted from other areas of the zoo." Frequently Asked Questions about Service Animals and the ADA.

<sup>24</sup> 28 C.F.R. §35.139.

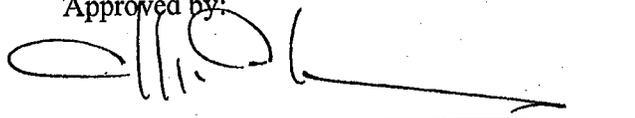
Please direct all questions regarding this policy and its administration to:

ADA Programs Division  
c/o City Administrator's Office  
1 Frank H. Ogawa Plaza, 3<sup>rd</sup> Floor  
Oakland, CA 94612  
(510) 238-5219 (Voice)  
(510) 238-2007 (TTY)

Prepared by:  
Sherri Rita  
ADA Programmatic Access Coordinator

Reviewed by:  
Christine Calabrese  
City ADA Coordinator

Approved by:

A handwritten signature in black ink, appearing to read 'Christine Calabrese', is written over a horizontal line. The signature is stylized and cursive.

City ADA Coordinator

# CITY OF OAKLAND ADA PROGRAMS DIVISION

Subject: ADA Effective Communications Policy  
Effective Date: September 1, 2017  
Supersedes: City Web Site Access Policy, July 1, 2009  
Responsible Departments: ADA Programs Division  
Chief Information Officer  
Citywide Communications Director

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## I. Policy

The City of Oakland shall ensure that it complies with all applicable provisions of Title II of the Americans with Disabilities Act of 1990 (ADA) protecting the civil rights of persons with disabilities in state and local government services, and that all of its programs, activities and services, when viewed in their entirety, are readily accessible to and usable by individuals with disabilities. Consistent with this policy, all City communications shall be as effective for individuals with disabilities so that they derive the same result, benefit, or level of achievement in City programs, activities, and services as provided to persons without disabilities. All communications, web and non-web based, shall be designed to be accessible to users with disabilities in conformance with the Web Content Accessibility Guidelines 2.0, Level AA or above (WCAG 2.0 AA+) and so that that all people, regardless of their physical, sensory, or cognitive differences, shall have access to the City's electronic and other communications and related services.

## II. Definitions

- A. Communications is to be defined broadly for purposes of this Policy to include but not be limited to the following:
1. Web content
  2. Non-web content and software
  3. Electronic and paper documents
  4. In-person and virtual meetings
  5. Phone and in-person communications
  6. Special events
  7. E-mail
  8. Video
  9. Audio
  10. Text
  11. Images
  12. Signage
- B. Effective Communications as provided by the Americans with Disabilities Act is defined as communications that allow individuals with disabilities to receive an equal opportunity to derive the same result, benefit, or level of achievement when

participating in City programs, activities, and services as provided to persons without disabilities, and includes the provision of information in alternative formats and Auxiliary Aids and Services.

C. Alternative Formats include but are not limited to the following:

1. Large Print
2. Braille
3. Recorded audio in lieu of print materials
4. Captioning of live or recorded video
5. Sign Language for meetings, in-person or phone communications
6. Video transcripts
7. Print in lieu of electronic versions of forms
8. Electronic in lieu of print versions of forms
9. Text to describe images
10. Images to describe text content

D. Auxiliary Aids and Services are 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 in person or via Video Remote Interpreting, assistive listening devices, captioning, qualified readers, and information in alternative formats. The ADA Programs Division administers a centralized Auxiliary Aids and Services Program that arranges for sign language interpreters, captioning, Braille, and text to audio transcription upon request by City Departments for programs, activities, and services offered to the general public.

E. Video Remote Interpreting (VRI) is a 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 pursuant to 28 C.F.R. 35.160(d). VRI services are available at select high in-person public contact locations Citywide and are administered via the ADA Programs Division's centralized Auxiliary Aids and Services Program. VRI is not a substitute for in-person sign language interpretation services and is used only for brief, routine, non-complex and emergency communications when an in-person interpreter cannot be timely secured.

F. California Relay Service is also known as the Telecommunications Relay Service (TRS) and is funded by the Federal Communications Commission. It is accessed by dialing "711." 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. 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.

The CA will generally begin the call with "Hello. This is the relay service..." The ADA and this Policy require that such calls are answered in the same manner as any other phone call.

- G. WCAG 2.0 AA+ refers to the Web Content Accessibility Guidelines (WCAG) 2.0 developed by the Worldwide Web Consortium's Web Access Initiative, and covers a wide range of recommendations for making Web content more accessible. Levels of conformance range from A to AAA, with AA being the generally accepted standard for municipalities for purposes of complying with Title II of the Americans with Disabilities Act. The higher the conformance level the higher the number of WCAG success criteria that is met. This Policy adopts conformance level AA or above for the City of Oakland.

### III. Responsible Parties

- A. The City Administrator ultimately enforces citywide compliance with this policy, and as consistent with Administrative Instruction 123.
- B. The Chief Public Information Officer (Citywide Communications Director) is responsible for establishing and implementing workflows for reviewing website design and content, electronic content management standards (web and non-web based), style guidance, tools, and templates to assist content authors comply with this Policy. Workflows will at a minimum be designed to ensure all Citywide electronic communications and applications are routinely reviewed for conformance to this policy before going live.

The Public Information Officer/Citywide Communications Director shall designate one or more Departmental Access Coordinators pursuant to Administrative Instruction 123 as responsible for conducting or coordinating this review. In addition to these routine reviews, the Public Information Officer/Citywide Communications Director, in coordination with the City ADA Coordinator and the Mayor's Commission on Persons with Disabilities, is required to conduct an annual audit of the City website and applications for conformance with this policy and report on progress towards full compliance, as described under VI. Procedures, below.

- C. The City Clerk is responsible for establishing and implementing workflows for providing documents, KTOP broadcast and archived video, legislative information, board and commission applications and web content, and other communications with the public in conformance with the policy, including the provision of captioning for televised Council and board and commission meetings.
- D. The City ADA Coordinator in the ADA Programs Division, under the direction of the City Administrator is responsible for developing and updating this policy, supporting staff training efforts, administering a centralized Auxiliary Aids and Services Program, and reviewing grievances by the public about failure to conform to this Policy.

- E. Departmental Access Coordinators (DACs) are responsible for providing technical assistance and facilitating staff training to ensure effective implementation of this Policy.
- F. The City Attorney, City Auditor, Oakland Public Library, and Oakland Animal Services independently manage their web site content. These departments and any other City agency or entity that chooses to independently manage their web content are responsible to ensure that they comply with all provisions of this policy.
- G. The Chief Information Officer is responsible for ensuring that software and applications that are developed or procured by the City for delivery of public services or use by members of the public comply with Section 508 of the Rehabilitation Act and the most current Information and Communication Technology (ICT) Standards and Guidelines. 36 C.F.R. §§1193, 1194.

### **III. Background**

This Policy arises from the ADA requirement that State and local governments provide individuals with disabilities equal access to their programs, services, or activities, (28 C.F.R. §35.149, 28 C.F.R. §35.150), and communicate with individuals with disability in a manner that is equally effective as communication with others. 28 C.F.R. § 35.160. This Policy explains how the City will fulfill this effective communication mandate in both digital and non-digital formats.

In 2009, the City adopted an ADA Web Access Policy, which exclusively addressed the design standards applicable to web-based communications for purposes of complying with the Americans with Disabilities Act of 1990. The 2009 policy is now amended and superseded to recognize the broad range of communications, electronic and non-electronic, web-based and non-web based, to which accessible design principles should apply. In addition to the City's web-based communications, the ADA's effective communication mandate requires that the City also ensure that its non-web based and non-digital communications are provided in alternative formats, that all communications are compatible with the range of assistive technologies used by individuals with disabilities, and that auxiliary aids and services are provided as needed to facilitate communications, enabling individuals with disabilities to enjoy full and equal access to the City's programs, activities, and services. To this end, the principles for making electronic content accessible to persons with disabilities can and should be applied to other types of communications whenever possible.

This Policy also memorializes the City's adoption of WCAG 2.0 AA+ as the City's standards for disability access compliance in its web and other electronic information communications technologies. This Policy increases the level of conformance from Level A (as was provided by the 2009 policy) to Level AA or above. This updated policy also recognizes the emergence of applications and other non-web information communication technologies, and as described in the paragraph above, the applicability of WCAG 2.0 principles to virtually all types of communications.

Raising the required level of conformance in the City's electronic communications is consistent with the Department of Justice's course towards adoption of final technical

regulations for web content subject to Title II of the ADA. In response to its 2010 Advance Notice of Proposed Rulemaking seeking comments on whether or not to adopt the WCAG 2.0 as the technical requirements for Title II website accessibility, and if so, at what conformance level, the DOJ acknowledged that majority of comments overwhelmingly supported adopting WCAG 2.0 Level AA conformance. In its 2016 Supplemental Advance Notice of Proposed Rulemaking, the DOJ indicated that it is now indeed considering proposing WCAG 2.0 Level AA as the technical standard for public entity Web sites.<sup>1</sup>

Furthermore, the Access Board, the federal agency charged with drafting regulations for the implementation of Section 508 of the Rehabilitation Act, governing federal agency information and communications technologies, published a proposed rule in 2015 adopting WCAG 2.0 Level AA as the technical standards for any electronic and information communications technologies developed, procured, maintained, or used by federal agencies. Both of these proposed rules, once finalized and adopted by the DOJ, will result in federal, state, and local government entities being required to conform to WCAG 2.0 AA standards in order to avoid violation of Section 508 and/or Title II of the ADA. Meanwhile, the DOJ's more recent settlement agreements in response to finding state and local government website accessibility violations explicitly reference WCAG 2.0 Level AA as the standard for settlement compliance.<sup>2</sup>

#### IV. Procedures

**A. Web Accessibility Standards.** Effective August 1, 2017, all new or modified City web site content, at a minimum, will conform to World Wide Web Consortium (W3C) / Web Accessibility Initiative (WAI) Web Content Accessibility Guidelines (WCAG) 2.0, Conformance Level AA or above.<sup>3</sup> Consistent with WCAG 2.0, the following are the general principles that are to govern the creation and maintenance of the City's web site content:

1. Information and user interface components must be presentable to users in ways they can perceive, including but not limited to the provision of text alternatives for non-text content; appropriate color contrast; user audio and text sizing controls; live captioning of streaming content; captioning, transcription, and sign language interpretation for pre-recorded content; and instructions that do not rely upon sensory characteristics such as shape, size, color, or sound.
2. User interface components and navigation must be operable, including but not limited to ensuring all functionality is available using a keyboard interface without requiring specific timing for individual keystrokes; providing sufficient time for users to read and use content; not designing content in a manner that is known to cause seizures; titling web pages and links to describe their purpose; and using section headings to describe content.
3. Information and the operation of user interface must be understandable, including but not limited to providing readable and understandable text content; identifying jargon, abbreviations, and pronunciation to describe text content that may

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<sup>1</sup> Supplemental Advance Notice of Proposed Rulemaking, Nondiscrimination on the Basis of Disability: Accessibility of Web Information and Services of State and Local Government Entities.

<sup>2</sup> *See, e.g., Project Civic Access Agreement with Cedar Rapids, Iowa* (2015).

<sup>3</sup> Web Content Accessibility Guidelines (WCAG) 2.0

otherwise be ambiguous or idiomatic; providing text content that does not exceed the lower secondary education level or providing a non-text alternative if the text content cannot be otherwise presented; and providing opportunities for users to review and correct input errors.

4. Content must be robust enough that it can be interpreted reliably by a wide variety of user agents (browsers, software, etc.), including assistive technologies, and future user agents and assistive technologies.

It is the responsibility of City departments that independently manage web site content (those that use a content management system or tools other from those selected for citywide use by the City Administrator), to implement WCAG 2.0 conformance level AA+ requirements consistent with this Policy in the design and function of all web pages within their control.

- B. Notification.** All City web pages shall include an access button directing users to accessibility instructions. The international symbol for accessibility shall be used as the access button with appropriate alternative text. The following instructions, at a minimum, must be available to users who click on the accessibility icon:

**Access Instructions for Users with Disabilities:**

Welcome to the City of Oakland website. At this time, the City is working towards full Web Accessibility Initiative (WAI) Web Content Accessibility Guidelines (WCAG) 2.0, Conformance Level AA or above on all its pages. If you have any suggestions for improving the accessibility features of our website, please contact the City ADA Coordinator at [adaprograms@oaklandnet.com](mailto:adaprograms@oaklandnet.com).

Additional accessibility instructions may also be provided and updated as needed to provide more specific instructions to users of different operating systems, browsers, and assistive technologies.

Use of this notification shall not relieve departments of the responsibility to ensure that newly created or modified web content complies with WCAG 2.0 AA+, and shall only be applicable to content that cannot be readily provided in conformance with all WCAG AA success criteria.

- C. Staff Training.** Web content contributors shall be provided with annual training in the application of WCAG 2.0 principles within the content management system. Trainings will be coordinated by the Citywide Communications Director, and shall aim to provide the knowledge and tools to contributors to ensure maximum compliance with WCAG 2.0 Level AA guidelines or above.
- D. Annual Accessibility Audit; Approvals for New or Modified Web Page Content.** The Citywide Communications Director will facilitate an annual user review of selected web pages for conformance with this Policy. Factors for selecting pages for this annual accessibility audit will include, but not be limited to, user analytics, recent complaints or feedback, substantial modifications to a page or pages in last year, and

time since last page audit. Testers shall include individuals from the disability community who will employ a full array of known assistive technologies and formats that are used by persons with disabilities to access online content, and the Mayor's Commission on Persons with Disabilities.

**E. Annual Report to Mayor's Commission on Persons with Disabilities.** The Citywide Communications Director or designee shall present an annual report regarding the status of the implementation of this Policy and specifically what progress was made towards full WCAG 2.0 AA+ compliance in the City's web content and use or development of other information and communications technologies.

**F. Updates to WCAG.** The City recognizes that the Web Content Accessibility Guidelines (WCAG) are subject to periodic modifications and updates. As modifications to WCAG or new recommendations from W3C WAI or the Department of Justice become available to the public regarding web site or other information communications technology accessibility, the City ADA Coordinator and the Citywide Communications Director shall review this policy and determine appropriate changes.

**G. Other Communications.** Whenever possible, the WCAG 2.0 shall be applied to non-web communications and technologies.<sup>4</sup> At a minimum, the ADA and this Policy requires that all communications with individuals with disabilities be as effective as with other members of the public. The following is a non-exhaustive list of examples of communications that may not be web-based but nevertheless require conformance with this Policy:

1. **Audio and Video (live and pre-recorded):** All original audio and video for the public shall be provided with captioning, unless the audio is provided as an alternative to visual elements.
2. **Forms:** shall be furnished in alternative formats to members of the public upon request; electronic versions posted online or available through an application must be usable by persons with disabilities in conformance with this Policy.
3. **Portable Document Format (PDF) Documents:** PDF documents for public use shall be created in conformance with this Policy; scanned documents that just create images of text will be in violation of this Policy. This policy encourages the use of HTML in lieu of or in addition to PDF format for online posting.
4. **E-mail:** E-mail communications shall be designed in conformance with this Policy.
5. **Software & Applications:** Software and applications that are acquired or developed by the City to be used by the public to access City programs, activities, and services must be usable by persons with disabilities in conformance with this Policy.
6. **Images:** Alternative text for images shall be provided unless the image is provided as a text alternative.

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<sup>4</sup> Guidance on Applying WCAG 2.0 to Non-Web Information and Communications Technologies (WCAG2ICT)

7. **Meetings and Special Events:** Auxiliary aids and services to allow full and equal participation by persons with disabilities shall be made available as needed as per this Policy and Administrative Instruction 123; meeting notices and event marketing materials shall provide information for members of the public to make disability-related inquiries and accommodations requests in advance.
  - a. Assistive listening systems: In assembly areas that can accommodate at least 50 people or contain an audio-amplification system, and that provide for fixed seating, the City shall maintain a permanently installed assistive listening system. For other assembly areas, a permanently installed assistive listening system, or an adequate number of electrical outlets or other supplementary wiring necessary to support a portable assistive listening system shall be provided.

The minimum number of receivers to be provided shall be equal to 4 percent of the total number of seats, but in no case less than two. The City shall install signage to notify individuals of the availability of a listening system.

8. **Telephone:** Communications by telephone shall be as effective for callers who are Deaf, hard of hearing, or who have speech impairments as with other callers. Telephone numbers on websites and other communications shall always be accompanied by the California Relay Service (711) number for use by persons who are Deaf, hard of hearing, or who have speech impairments.

Telephone emergency services, including 911 services, shall provide direct access to individuals who use TTY's and computer modems.

#### **H. Effective Communication with Persons who are Deaf or Hard of Hearing.**

1. **Sign Language Interpretation:** It is the Policy of the City of Oakland to arrange for in-person sign language interpretation services upon request for members of the public who are Deaf or hard of hearing and require such services to participate in City programs, activities, and services. The City shall not require an individual with a disability to bring another individual to interpret for him or her.
  - a. The City shall not rely on an adult accompanying an individual with a disability to interpret or facilitate communication except –
    - i. In an emergency involving an imminent threat to the safety or welfare of an individual or the public where there is no interpreter available; or
    - ii. Where the individual with a disability specifically requests that the accompanying adult interpret or facilitate communication, the accompanying adult agrees to provide such assistance, and reliance on that adult for such assistance is appropriate under the circumstances.
    - iii. The City shall not rely on a minor child to interpret or facilitate communication except in an emergency involving an imminent threat to the safety or welfare of an individual or the public where there is no interpreter available.

2. Video Remote Interpreting: Only in emergencies or for brief, non-complex transactions can staff use Video Remote Interpreting (VRI) services in order to effectively communicate with individuals who are Deaf or hard of hearing. When using VRI services the City shall insure that it provides –
- a. Real time, full motion video and audio over a dedicated high-speed, wide-bandwidth video connection or wireless connection that delivers high-quality video images that do not produce lags, choppy, blurry, or grainy images, or irregular pauses in communication;
  - b. A sharply delineated image that is large enough to display the interpreter's face, arms, hands, and fingers, and the participating individual's face, arms, hands, and fingers, regardless of his or her body position;
  - c. A clear, audible transmission of voices; and
  - d. Adequate training to City staff and other users of the technology so that they may quickly and efficiently set up and operate the VRI.

Please direct all questions regarding this policy and its administration to:

ADA Programs Division  
c/o City Administrator's Office  
1 Frank H. Ogawa Plaza, 3<sup>rd</sup> Floor  
Oakland, CA 94612  
(510) 238-5219 (Voice)  
(510) 238-2007 (TTY)

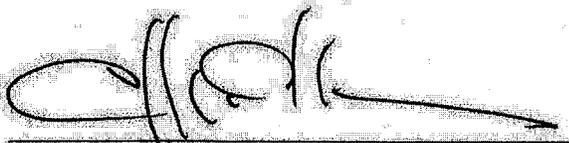
Prepared by:  
Sherri Rita, ADA Programmatic Access Coordinator  
ADA Programs Division

Reviewed by:

  
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Karen Boyd,  
Citywide Communications Director

Reviewed by:

  
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Andrew C. Peterson,  
Chief Information Officer

  
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CITY ADA COORDINATOR



CITY of Oakland  
ADMINISTRATIVE BULLETIN

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Subject:	Special Event Access For People with Disabilities	Effective Date: October 15, 2001 Revised: October 31, 2011 Revised: June 30, 2013 Revised: September 15, 2014
Reference:	A.I. 123, The Americans with Disabilities Act of 1990 (ADA)	Responsible Agency: Office of the City Administrator

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## I. PURPOSE

The purpose of this policy is to establish City of Oakland procedure, responsibility, and accountability regarding compliance of City special events and City facilities rental programs with the Americans with Disabilities Act of 1990 (ADA), as amended in 2008.

## II. POLICY

It is the policy of the City of Oakland to make its special events accessible to people with disabilities in accordance with ADA requirements, as published by the U.S. Department of Justice (DOJ) in its final regulations implementing the ADA for Title II (state and local government services) and Title III (public accommodations and commercial facilities) on September 15, 2010, in the Federal Register. These requirements, including the 2010 Standards for Accessible Design, can be found at [www.ada.gov](http://www.ada.gov)

Special events include, but are not limited to, indoor and outdoor concerts, plays, festivals, fairs, town hall meetings, luncheons, ceremonies, and other activities to which the public is invited, whether held on City property or at other City sites. A City associate who coordinates a City event shall be responsible for ensuring that the event complies with this policy.

A City associate who processes facility rentals shall be responsible for informing applicants of any special facility rules and procedures laid out under this policy. All written agreements allowing outside organizations to use City facilities for special events must include Contract Schedule C-2: Declaration of ADA Compliance for Facility Rentals. Contract Schedule C-2 shall be used in lieu of Contract Schedule C-1 when executing contracts for City special events, such as the annual Art & Soul Festival.

City sponsorship or other support for special events organized by others shall be provided under the condition that such events comply with ADA requirements. This policy shall be provided to any organization receiving City sponsorship or other support for special events.

## III. PROCEDURES

**Facility Access.** All City special events shall be accessible to persons who use wheelchair or have other mobility impairments as required by the ADA and codified by the U.S. Department of Justice.

- a. **Accessible Route.** A wheelchair accessible route(s) shall connect the wheelchair accessible entrance, seating spaces, restrooms, drinking fountains, pay telephones and other accessible amenities. Signs shall be provided directing persons to wheelchair accessible features if not all features of the facility are accessible, including entrances, wheelchair seating spaces, restrooms, drinking fountains, and pay telephones. A wheelchair accessible stage shall be provided for any event where individuals who use wheelchairs or other power driven mobility devices, or who are otherwise unable to climb stairs, will perform, speak, etc.
- b. **Clear Path of Travel.** The accessible route(s) must be kept clear of equipment and patrons. Event organizers must ensure that these routes are monitored during events to prevent obstructions. Appropriate signage shall be posted at each wheelchair access ramp to identify it a wheelchair ramp and to indicate that standing on the ramp is prohibited.
- c. **Parking.** If the facility provides off-street parking for the public, then disabled parking spaces shall be provided.
- d. **Entry.** The facility shall have at least one wheelchair accessible entrance. An uninterrupted path of travel shall be provided for wheelchair users from disabled parking spaces and (nearest) public transit stops to the accessible entrance(s).
- e. **Restrooms.** Wheelchair accessible restrooms shall be provided when permanent or temporary restroom facilities are provided to the public.
- f. **Drinking Fountains.** If drinking fountains are provided, then accessible drinking fountains shall be provided.
- g. **Pay Telephones.** If pay telephones are provided, then accessible pay telephones shall be provided.
- h. **Wheelchair Seating.** In facilities with fixed seating, seating space for wheelchair users shall be provided in accordance with applicable standards. At least one companion fixed seat shall be provided next to each required wheelchair space. Companion seats shall be located to provide shoulder alignment with adjacent wheelchair spaces.

In facilities with movable seating, wheelchair seating spaces shall be defined and reserved in a comparable way to facilities with fixed seating. At least one companion seat shall be provided next to each wheelchair space. Companion seats shall be located to provide shoulder alignment with adjacent wheelchair spaces.

- i. **Designated Aisle Seats.** In facilities with fixed seating, aisle seats shall offer folding or retractable armrests in accordance with ADA requirements. Designated aisle seats shall be those located closest to accessible routes. These seats shall be identified by a sign or marker designating their use for individuals with disabilities.
- j. **Signs.** All new signs installed to conform to this policy shall be provided in accessible formats and locations per the 2010 Standards for Accessible Design.
- k. **Other Accessible Amenities.** (Reserved)

**Communications Access.** City event organizers shall ensure their communications with people with disabilities are as effective as their communications with others. City event organizers shall provide auxiliary aids and services for individuals with vision, hearing and/or speech impediments as required by the ADA and codified by the U.S. Department of Justice.

- a. **American Sign Language (ASL) interpreters.** ASL interpreters shall be routinely provided for all City special events with an expected attendance of 500 or more. Sign language interpreters shall be provided upon advance request for all City events with an expected attendance of 499 or less. All special events advertising shall announce if interpreters are prearranged or if interpreters will be provided upon request (see item c. below). Seats shall be reserved for persons who speak ASL and their companions directly opposite the interpreter. At least 10 such seats shall be reserved for special events with an expected attendance of 500 or more.

The ADA Programs Division administers the Auxiliary Aids and Services Program (AASP), which covers the cost of ASL interpreting and certain other accommodations for qualified individuals with disabilities seeking to participate in special meetings and events offered by the City to the general public. The AASP does not cover the cost of accommodations for special meetings and events with an expected audience of 300 or more, unless the meeting or event is offered free of charge to the general public.

- b. **Assistive Listening System.** An assistive listening system shall be provided upon request for all City events. An assistive listening system is a device such as a loop or FM transmitter that gives effective access to the amplification system for people with hearing impairments. New or renovated assembly areas with fixed seating where audible communications are integral to the use of the space must have a permanently installed assistive listening system if it accommodates at least 50 persons, or if it has audio-amplification systems.
- c. **Event Announcements.** All flyers, posters and media announcements shall include: 1) a statement that the event is accessible to wheelchair users; 2) a statement indicating either that American Sign Language (ASL) interpreters

will be at the event or will be provided upon request and 3) a procedure for requesting additional disability related information and/or accommodations.

In addition, if event materials include a contact phone number, either an e-mail address or a TDD (Telecommunications Device for the Deaf) number shall be provided to ensure effective communication with people who are deaf or have hearing or speech impairments. The Telecommunications Relay Service, 7-1-1, may also be advertised. The relay service allows people who are deaf or have hearing or speech impairments to converse with other persons over the phone through an operator. These calls must be accepted and handled in the same manner as any other telephone call.

Minimally, the following accessibility language should be used on all event announcements: *(Location) is wheelchair accessible. ASL interpreters are provided. To request any other disability accommodations please contact (name) at (voice number), (TTY number or 7-1-1) or (email) at least five\* business days in advance. Please refrain from wearing scented products to this event. –OR– (Location) is wheelchair accessible. To request a sign language interpreter or any other disability accommodation, please contact (name) at (voice number), (TTY number or 7-1-1) or (email) at least three business days in advance. Please refrain from wearing scented products to this event.*

*\*Event producers may require a more extended advance notice period for an event that requires an interpreter to have completed advanced preparation for the event (e.g. read a theatrical script).*

- d. Alternative Format Materials. All printed material distributed by event staff shall be made available in alternative formats upon request. Alternative formats may include large print (at least 16-point font size), Braille, audio translation or computer file (CD, flash drive, transmitted electronically etc.). Funding for Braille and audio translation of print materials is available through the Auxiliary Aids and Services Program.
- e. Captioning. All films and videos shown at City special events shall have English subtitles.

**Assistance for People with Disabilities.** At events with an expected attendance of more than 500, a designated location, such as a table or booth shall be established where individuals can visit or call to receive “disability assistance” from staff who are trained to assist persons with disabilities. Such disability assistance locations and/or call centers shall be staffed by individuals who are trained to: 1) provide information about accessible seating areas and accessible routes of travel for wheelchair users and other individuals with disabilities; 2) in situations of severe crowding, offer to accompany wheelchair users and other individuals with disabilities to accessible seating areas; 3) provide printed information about event programs with ASL interpreting, including the title, time and location of such programs; 4) when appropriate, use short notes to communicate with persons who are deaf or have hearing impairments; 5) provide information about medical

assistance available at the event and, if no such assistance is available, the location of the nearest emergency medical facility. In addition, all trainees shall receive a copy of 'Disability Etiquette Guidelines,' available through the ADA Programs Division.

**Ticketing.** All required accessible seating for ticketed events, defined as Wheelchair Spaces and companion seats, Aisle Seats, and Courtesy Seats shall comply with ticketing requirements contained in the ADA. City and contractor ticketing policies, practices and procedures shall ensure that individuals with disabilities have an equal opportunity to purchase tickets. For each ticket for a wheelchair space purchased by a qualified individual, or a third-party purchasing such a ticket at his or her request, the City and its contractors shall make available for purchase three additional tickets for seats in the same row that are contiguous with the wheelchair space, provided that at the time of purchase there are three such seats available. When three contiguous seats are not available, the closest available seats shall be offered. When tickets are available for purchase on a paper form and/or website, the order form shall allow persons with disabilities to make open-ended accommodation requests.

See the U.S. DOJ's Ticket Sales publication for guidance on selling assigned seats for events such as concerts, plays, and sporting events:  
[http://www.ada.gov/ticketing\\_2010.htm](http://www.ada.gov/ticketing_2010.htm)

## **ADDITIONAL RULES AND PROCEDURES FOR FRANK H. OGAWA PLAZA**

### Path of Travel for Frank H. Ogawa Plaza

Frank Ogawa Plaza contains three wheelchair ramps, two in front of City Hall and one near the Broadway entrance to the Plaza. One of the ramps in front of City Hall may be used for stages or sound equipment, as long as the remaining ramps are kept clear of obstructions. Ramps shall be monitored and a 68" high sign shall be posted at each ramp run with a statement such as: "WHEELCHAIR ACCESS RAMP—KEEP CLEAR. NO STANDING. NO EQUIPMENT." Signs are available through the Building Management Office at 238-3219.

### Wheelchair Seating Areas for Frank H. Ogawa Plaza

When a crowd of 400 or less is expected, three wheelchair-seating areas shall be established with signs and barricades as follows:

- One wheelchair seating area to accommodate at least two wheelchair users and their companions is to be established at the top of the concrete seating, center stage.
- Two wheelchair-seating areas, each to accommodate at least two wheelchair users and their companions, are to be established at the lower seating area, one stage left and one stage right.

When a crowd of more than 400 is expected, three wheelchair-seating areas shall be established with signs and barricades as follows:

- One wheelchair seating area to accommodate at least three wheelchair users and their companions is to be established at the top of the concrete seating, center stage.

- Two wheelchair-seating areas, each to accommodate at least three wheelchair users and their companions, are to be established at the lower seating area, one stage left and one stage right.

#### **ADDITIONAL RULES AND PROCEDURES FOR WOODMINSTER AMPHITHEATER**

- a. **Permanent ADA Facilities.** ADA facilities are clustered in the rear of the Woodminster Amphitheater and include wheelchair accessible seating areas, companion seats, and restrooms. These ADA features are reached via the Upper (Main) Entrance. While frail seniors and persons with disabilities may choose to purchase tickets and occupy any seat in the house, event producers shall not advertise or offer front-of-house seating as accessible to persons who cannot climb stairs. This may include persons who use wheelchairs, or other power driven mobility devices, and other persons with mobility impairments. Certain individuals who use wheelchairs or other power driven mobility devices can, however, walk short distances and climb a few steps. These individuals shall not be prohibited from using the Lower Entrance and must be provided a place to safely stow their wheelchair, scooter, and/or other mobility aides (also see item "b" below).
- b. **Temporary ADA Facilities.** Event producers shall provide temporary ADA compliant restroom facilities that include at least one accessible toilet and at least one accessible hand-washing station for all events, except graduation ceremonies. These portable accessible restrooms shall be located adjacent to the Lower Entrance Area and afford users a safe, accessible path of travel from the Lower Entrance to the portable restroom ramp / door.
- c. **Courtesy Seats.** For all events, a minimum of 25 lower section seats and 70 upper section seats shall be held for individuals with disabilities that limit their ability to ambulate, climb stairs, and/or stand up, and up to two of their companions. Courtesy Seats holds are in addition to Aisle Seats holds required by the ADA. Courtesy Seats shall be dispersed to provide a full variety of seating and ticketing options. An example of an acceptable seating arrangement: Front V.I.P. Section 3, First and Second Row, Seats 10-14; and Rear Left Three Sections, Rows R & RR (all seats). R and RR seats will be open to the general public 15 minutes prior to the start of the performance. Frail seniors and other individuals with limited mobility shall not be required to purchase or sit in these seats and may choose to purchase or sit in any available seat.

For events with assigned seat ticketing, Courtesy Seats shall be released for purchase by the general audience after all other seats are sold or at the start of the performance. For general admission ticketing, where seats are unassigned, Courtesy Seats shall be released for general seating once all other seats are occupied. Event producers shall announce the availability of Courtesy Seats in all event advertising and as part of ticketing / seating instructions.

- d. Ticketing. When purchasing tickets the day of the event or through the box office, interested persons shall be advised prior to purchase that no interior access ramp is provided for the lower seating area and that they will be required to climb stairs to access all Courtesy Seats. This information will also be provided on the Woodminster website and on mail-in ticket order forms.

For events with general admission ticketing, admission procedures for the lower entrance shall be prominently posted adjacent to the Lower Entrance. These procedures shall also be posted at the Main Entrance, Box Office, the Woodminster website, and wherever tickets are sold. Ushers shall be provided at the Lower Entrance for all general admission events to ensure that individuals with disabilities entering there are afforded a clear path of travel AFTER being fully informed that no interior access ramp is provided, that ticket holders will be required to climb stairs to access any seat, that only portable restroom facilities are available, and that no accessible concession stand is located at the lower level.

- e. Parking. If Parking Lot 1 (lower lot) is full or otherwise closed to the general public, an attendant will provide access to the lot as a drop-off / pick-up area for persons with disabilities. For Sundays in the Redwoods and other large-scale general admission events, Parking Lot 4 will be set aside for state issued disabled persons parking license plate or (blue) placard holders. When Lot 4 is set aside for disabled persons, an attendant will be stationed there and signage directing qualified persons to Lot 4 will be posted on the Sanborn Drive approach.
- f. Courtesy Shuttle. Due to the rustic and hilly nature of parking areas and footpaths serving the Woodminster Amphitheater, the agency managing parking should consider providing transport from designated areas to the Upper (Main) Entrance for frail seniors and persons with disabilities. Any courtesy shuttle service must be equipped for wheelchair transport. All event advertising and ticketing information shall include key information about available transport services, such as shuttle stops and hours of operation.
- g. Access to Main Level Ticketing and Concessions. Until the main level ticket window and concession counters are lowered in order to provide access to patrons with disabilities, staff will facilitate access to these amenities as may be required at each event. Examples include, but are not limited to stepping from behind the counters in order to hand items directly to persons with disabilities, providing a clipboard to allow a person with a disability an alternate surface for writing, and performing transactions in front of the window instead of from behind the window.

- 
- h. Event Announcements. Minimally, the following accessibility language should be used on all event announcements:

*ADA Information. Woodminster Amphitheater is a rustic facility located deep within Oakland's Joaquin Miller Park. Parking lots are located a considerable distance from the main entrance. (If provided) A Courtesy Shuttle is available to wheelchair users, frail seniors, and other persons with limited mobility. (Insert hours of operation, shuttle stops, and other information.)*

*Wheelchair accessible seats, and courtesy seats for frail seniors and other persons with limited mobility, are available. (Insert instructions here for reserving wheelchair accessible or courtesy seats.) To request a sign language interpreter or any other disability accommodations please contact (name) at (voice number), (TTY number or 7-1-1) or (email) at least five business days in advance. Please refrain from wearing scented products to this event.*

Please address any questions regarding this policy to the ADA Programs Division Manager in the Department of Public Works at 510-238-5219 (voice), or 510-238-2007 (TTY), or [adaprograms@oaklandnet.com](mailto:adaprograms@oaklandnet.com).



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ARTURO M. SANCHEZ  
Interim Assistant City Administrator

AI 123

Appendix F

Writing About Persons with Disabilities

*Reserved*

# Combined Contract Schedules



Business Name \_\_\_\_\_ Phone (\_\_\_\_) \_\_\_\_\_ Email: \_\_\_\_\_  
 Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Federal ID # \_\_\_\_\_  
 City of Oakland Business License Number \_\_\_\_\_ Completed by: \_\_\_\_\_ Phone if different \_\_\_\_\_

**Schedule B-1 and C-1 – (Declaration of Compliance with the Arizona Resolution 82727 and Declaration of Compliance with the Americans with Disabilities Act)**

- I declare under penalty of perjury that my company is **NOT** headquartered in Arizona. OR
- I declare under penalty of perjury that my company **is** headquartered in Arizona and my proposal/bid should be considered because \_\_\_\_\_

- I declare under penalty of perjury that my company will comply with the City Of Oakland American with Disabilities Act obligations.

**Schedule D – (Ownership, Ethnicity and Gender) Please be advised that ethnicity and gender information will be used for reporting and tracking purposes ONLY.**

**Part I - Ownership & Ethnicity of Prime:** (Please check one and explain below)

- Self Employed, Name of Owner \_\_\_\_\_  Corporation, State of Incorporation \_\_\_\_\_
- Partnership, General or Limited \_\_\_\_\_ Names of Partners \_\_\_\_\_
- Joint Venture, Names of Participants \_\_\_\_\_

*Ownership Interests  
 All owners must be listed  
 in this information*

Ethnicity	African American	American Indian/Alaskan Native	Asian /Pacific Islander	Caucasian	Filipino	Hispanic	Other
Number of Owners							
% Of Total Ownership							
Women							
Joint Venture Ownership							

**Part II - Certifications DBE, MBE, SLEB, L/SLBE etc.:** Please list certification type, certification number and expiration date. Please attach a copy of the certification letter if available. \_\_\_\_\_

**Part III - Ethnicity and Gender of Employees:**

Employment Category	Total Employees	Oakland Residents	Male							Female								
			African American	Native American / Native Alaskan	Asian / Pacific Islander	Caucasian	Hispanic	Other	African American	Native American / Native Alaskan	Asian / Pacific Islander	Caucasian	Hispanic	Other				
Project Management																		
Professional																		
Technical																		
Clerical																		
Trades																		

**Schedule K – (Pending Dispute Disclosure)**

1. Are you or your firm involved in a pending dispute or claim Against the City of Oakland or its Agency? **(Please circle one)**    **Yes**    **No**
2. If “Yes”, please list existing and pending lawsuit(s) and claim(s) with the title, contract date, brief description of the issues, officials or staff persons involved in the matter and the City department/division administering the contract.    Contract Title and Number: \_\_\_\_\_  
 Date: \_\_\_\_\_ Official(s), Staff person(s) involved: \_\_\_\_\_ Administering Department/Division: \_\_\_\_\_  
 Issues: \_\_\_\_\_ (check) \_\_\_\_\_ *Additional Disputes listed on Attachment*

**Schedule M – (Independent Contractor Questionnaire) – PART A: TO BE COMPLETED BY PROPOSED CONTRACTOR**

Please answer questions “yes” or “no” whenever possible. When a more extensive explanation is required and there is no space on this form, please attach a separate sheet. The word contract refers to the agreement the City is contemplating entering into with you.  
**NOTE: CORPORATIONS MUST PROVIDE THE CORPORATE FEDERAL TAXPAYER NUMBER IN THE SPACE ABOVE AND ATTACH A CALIFORNIA SECRETARY OF STATE BUSINESS REGISTRATION RECORD (FROM WEBSITE) SHOWING “ACTIVE” STATUS. CORPORATIONS ARE NOT REQUIRED TO COMPLETE THE REMAINDER OF THIS FORM, BUT A CORPORATE REPRESENTATIVE MUST SIGN.**

	Yes	No
1. Have you performed services for the City in any year(s) prior to 20__ ? If yes, please indicate which years.		
2. Have you received any training, guidance, or direction from the City as to how the City expects the job (for which your services are contemplated) to be done. If yes, please describe what you are expecting (or have received) in the way of training or direction. _____		

	Yes	No
3. Will your services under the contract be performed on City property? If no, please describe where the services are to be performed.		
4. Do you expect to devote any full days (6 or more hours) or full weeks (30 or more hours) towards performing the services under the contract? If yes, please indicate approximately how many full days and/or full weeks you expect to devote during the life of the contract		
5. Are there any set or fixed hours or days of the week during which the City is expecting you to perform services under the contract? If yes, please indicate the days and hours during which you will be performing services.		
6. Please provide the date on which you expect to complete your services under the contract (dd/mm/yy).		
7. In order to perform services under the contract, do you intend to provide your own supplies or equipment? If yes, briefly describe the equipment/supplies.		
8. If your response to No. 7 is yes, has the City promised to or will you be expecting the City to reimburse you in any way for the cost of the supplies or equipment?		
9. Other than the above-referenced supplies and equipment, do you anticipate incurring any un-reimbursable out-of-pocket expenses in the performance of the contract with the City? If yes, please describe.		
10. Do you have federal and state employer identification numbers? If so, please provide these numbers.		
11. Within the past two years have you performed the same type services (as called for in the contract) for any client or customer other than the City? If yes, please identify the client or customer and briefly describe the services performed.		
12. Do you currently have clients or customers other than the City for whom you are or will perform services during the duration of the contract? If yes, please identify client or customer by name and briefly describe the nature of services performed.		
13. In the past two years have you notified any insurance company in conjunction with obtaining a business-related insurance policy that you are self-employed? If yes, please indicate the insurance company and the nature of the business-related policy.		
14. Do you have your own employees to help you perform the services called for by your contract? (Do not refer to independent contractors you may use to assist you.)		
15. Within the past two years have you been the employee of any employer (received a W-2)? If yes, state the employer(s), the date(s) of employment, and the nature of the services performed.		
16. Do you have an office or business address other than your own home address, a City of Oakland office or your employer's business address? If yes, please state the address.		
17. With regard to the following, please indicate whether you have:		
a. an existing business letterhead? (please attach)		
b. an existing business phone number other than your home number? (please indicate # along with area code)		
c. filed for a fictitious business name? If yes, please attach a certified copy of the County issued certificate and an affidavit of publication.		
d. done public advertising for your business? If yes, please attach the ad copy or briefly describe your advertising efforts.		
18. If you have answered parts or all of No. 17 with "Yes," are the services represented in your answers the same type of services you will be performing for the City?		
19. Do you have a license from any governmental agency to perform the services under the contract? If yes, please state the type of license and name of the licensing agency.		



**Section B. Compliance**

- (1) Does your company provide or offer access to any benefits to employees with spouses or to spouses of employees? (Please circle one) **Yes** **No**  
 (2) Does your company provide or offer access to any benefits to employees with domestic partners? (Please circle one) **Yes** **No**

**Section C. Benefits PLEASE CHECK EACH BENEFIT THAT APPLIES**

Benefits	Offered to Employees only	Offered to Employees and their spouses	Offered to Employees and their Domestic Partners	Not Offered at all	Documentation attached
Health					
Dental					
Vision					
Retirement (Pension, 401K, etc)					
Bereavement					
Family Leave					
Parental Leave					
Employee Assistance Program					
Relocation & Travel					
Company Discount, Facilities & Events					
Credit Union					
Child Care					
Other					

(1) *CFAR is a City Financial Recipient.* (2) *Domestic Partner is defined as a same sex couples or opposite sex couples registered as such with a state or local government domestic partnership registry*

**Schedule P – (Nuclear Free Zone - Ordinance 11474 C.M.S.)**

- I declare under penalty of perjury that I have read Ordinance 11478 C.M.S. titled “An Ordinance Declaring the City of Oakland a Nuclear Free Zone and Regulating Nuclear Weapons Work and City Contracts with and Investment in Nuclear Weapons Makers”, as provided on the City’s website, see “footnote” below I certify that my firm conforms with the conditions as defined in Ordinance 11478 C.M.S.
- I declare that my company is **NOT** in compliance with Ordinance 11478 C.M.S., but my proposal/bid should be considered because

**Schedule U – (Compliance Commitment Agreement)**

- I have read the City of Oakland’s Local/Small Local Business Enterprise Program (L/SLBE) and declare that **I will achieve the 50% L/SLBE participation requirement as described in the L/SLBE program including 50% of the total trucking dollars to certified Oakland Local Truckers.** If I fail to satisfy the proposed 50% L/SLBE participation requirement, I may be assessed a

penalty equal to 1 and 1/2 times the shortfall. The 25% Small Local Business Enterprise (SLBE) subcontracting requirement is waived for Oakland certified local businesses competing for professional services contracts as the prime consultant. *The L/SLBE Program is not applicable on Caltrans Federal Highway Administration (FHWA) funded DBE projects.*

As prime contractor for this project, I agree to use the City of Oakland's Labor Compliance Program tracker (LCP Tracker) to input ALL certified payroll reports including all tiers of subcontractors for this project. I acknowledge that invoice payments will not be released until and unless all certified payrolls are current. I agree to submit with the final payment request a completed "Exit Report and Affidavit form" located on the City's website (see the link below).

**Schedule V – (Affidavit of Non-Disciplinary or Investigatory Action)**

I certify that the following entities: Equal Employment Opportunity Commission (EEOC), Department of Fair Employment & Housing (DFEH) or the Office of Federal Contract Compliance Programs (OFCCP) has not taken disciplinary or investigatory action against the Firm. If such action has been taken, attached hereto is a detailed explanation of the reason for such action, the party instituting such action and the status or outcome of such action. **Initial:** \_\_\_\_\_

**Oakland's Minimum Wage Law – (Resolution 85423 C.M.S. - Oakland Municipal Code Section 5.92, et seq.)** I certify that I have read Oakland's minimum wage law and I am in full compliance with all its provisions. **Initial:** \_\_\_\_\_

**Affirmative Action** - I certify that I/we shall not discriminate against any employee or applicant for employment because of race, color, creed, sex, sexual orientation, national origin, age, disability, Acquired Immune Deficiency Syndrome (AIDS) AIDS related complex, or any other arbitrary basis and shall insure compliance with all provisions of Executive Order No. 11246 (as amended by Executive Order No. 11375). I certify that I/we shall not discriminate against any employee or applicant for employment because they are disabled veteran of the Vietnam era and shall insure compliance with all provisions of 41CFR60-250.4 where applicable. **Initial:** \_\_\_\_\_

By signing and submitting this combined schedules form the prospective primary participant's authorized representative hereby obligates the proposer(s) to the stated conditions referenced in this document. I declare under penalty of perjury that the foregoing is true and correct.

Name of Individual: \_\_\_\_\_ Title: \_\_\_\_\_

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

**PLEASE NOTE:** Detailed descriptions of all policies represented in this combined form may be found at Contracts and Compliance website "Policies and Legislation" address <http://www2.oaklandnet.com/Government/o/CityAdministration/d/CP/s/policies/index.htm> For an electronic copy of this combined form and copies of standalone contract Schedules R, E, O, Q, Exit Affidavit and Schedule G please go to this web address <http://www2.oaklandnet.com/Government/o/CityAdministration/d/CP/s/FormsSchedules/index.htm>

DECLARATION OF ADA COMPLIANCE FOR FACILITY USE AND OTHER SPECIAL EVENTS AGREEMENTS

The Americans with Disabilities Act (ADA) requires that state and local government and private entities make public programs, activities and services accessible to people with disabilities. The City of Oakland (City) requires that all public events, programs, and services provided at City-owned buildings and facilities be conducted in compliance with the ADA. The City further requires that all outside agencies verify ADA compliance by signing this Declaration of ADA Compliance for professional services, facility use, and other agreements that concern the delivery of special events to the public.

\_\_\_\_\_ certifies that it will comply with the ADA and the City's ADA Special Events Policy by:

- A. Adopting policies, practices and procedures that ensure non-discrimination and equal access for people with disabilities to public events, programs, activities and services provided at City facilities;
- B. Providing public events, programs, activities and services at fully accessible facilities as defined by U.S. Department of Justice ADA regulations;
- C. Making reasonable modifications in public events, programs, activities and services when necessary to ensure equal access to individuals with disabilities, unless fundamental alteration in the nature of the program would result;
- D. Adhering to any special disability access policies, practices and procedures set out by the City ADA Special Events Policy for use of City facilities and the delivery of special events to the public;
- E. Ensuring effective communications with persons with disabilities through provision of auxiliary aids and services, such as American Sign Language interpreting services; and
- F. When providing transportation to the public, by providing equivalent accessible transportation to people with disabilities.

-----  
*The undersigned authorized representative hereby obligates the applicant to the above stated conditions. I understand that failure to comply with these conditions may constitute a breach of the subject agreement with the City.*

\_\_\_\_\_  
Agency Name

\_\_\_\_\_  
Signature of Authorized Representative

\_\_\_\_\_  
Address

\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Date

\_\_\_\_\_  
Type or Print Title

# Arranging Sign Language Interpreting Services

City staff may use this form to arrange interpreting services for City customers and employees who are Deaf, hard of hearing or deaf-blind who require sign language interpreting or transliterating, deaf-blind interpreting and/or oral transliteration, and wish to attend City meetings or events or to participate in other City programs and services. These services are not intended to cover specialized programs, activities or services designed to target and serve a population of the community. City departments and agencies that host or create dedicated programs are expected to ensure that their program budgets include the costs of interpretation services.

SIGN LANGUAGE INTERPRETING REQUEST FORM

## Step 1: REQUEST FUNDING

(Dept. Use Only)

\*Request date \_\_\_\_\_

Date of service \_\_\_\_\_

From \_\_\_\_ AM / PM To \_\_\_\_ AM / PM

Name of event or meeting: \_\_\_\_\_ City Sponsored?  Y  N

Location: \_\_\_\_\_

Describe the meeting / event below or attach meeting agenda / event flyer:

\_\_\_\_\_

Customer(s) for whom interpreting will be provided: \_\_\_\_\_

Site Contact \_\_\_\_\_ Agency/Dept \_\_\_\_\_ Tel. \_\_\_\_\_ Fax \_\_\_\_\_

*\* OPW/ADA must approve funding prior to provision of services. Funding requests for sign language interpreters must be received by OPW/ADA at least 5 business days prior to date of scheduled meetings or 3 business days prior to date of other meetings /events.*

**EMAIL OR FAX TO:** ADA Programs, ATTN: Sherri Rita, srita@oaklandnet.com  
Fax: 238-3304 / Tel: 238-6919

**Step 2: APPROVAL (For OPW/ADA use only)** \_\_\_\_\_  
Signature \_\_\_\_\_ date \_\_\_\_\_

Funding APPROVED for an amount not to exceed \$ \_\_\_\_\_

Funding DENIED. Notes: \_\_\_\_\_

**Step 3: ARRANGE SERVICES**—Department representative should make arrangements at least 3 business days prior to date of service.

Bay Area Communications Access (BACA)

415-356-0405

bacareq@bacainterp.com

**Step 4: SUBMIT INVOICE** for payment. (Service provider may invoice OPW/ADA Programs directly: OPW/ ADA Programs, One Frank Ogawa Plaza, 11th Floor, Oakland, CA 94612.)

# Arranging Audio Transcription or Text to Audio Services

City staff may use this form to arrange for written transcription of audio recordings or conversion of written materials to audio for City customers with disabilities.

AUDIO TRANSLATION REQUEST FORM

**Step 1: REQUEST FUNDING** (Staff Use Only) \*Request date \_\_\_\_\_

Document(s) Description: \_\_\_\_\_ # of pages \_\_\_\_ # copies \_\_\_\_

Audio File(s) Description: \_\_\_\_\_

Was this audio translation requested by a city customer:  Y  N

If not, please describe reason for request:  
\_\_\_\_\_

City Contact \_\_\_\_\_ Agency/Dept \_\_\_\_\_ Tel. \_\_\_\_\_ Fax \_\_\_\_\_

*\* OPW/ADA must approve funding prior to initiation of services. Please permit at least 5 business days from OPW/ADA's date of approval for job completion.*

**SEND TO:**

ADA Programs, Attn: Sherri Rita  
One Frank Ogawa Plaza, 3rd Floor  
Oakland, California 94612  
Tel: 238-6919 Fax: 238-3304  
srita@oaklandnet.com

**Step 2: APPROVAL (For OPW/ADA use only)** \_\_\_\_\_  
signature \_\_\_\_\_ date \_\_\_\_\_

Funding APPROVED.

Funding DENIED. Reason \_\_\_\_\_

**Step 3: ARRANGE SERVICES**—Contact the resource listed below.

Joy Koletsky	LightHouse for the Blind & Visually Impaired
TEL: 510-428-1114	TEL: 415-694-7349
E-MAIL: joykjacobs@gmail.com	E-MAIL: ais@lighthouse-sf.org

**Step 4: SUBMIT INVOICE** to OPW/ADA Programs for processing. (Service provider can invoice OPW/ADA Programs directly).

# Arranging Braille Translation Services

City staff may use this form when arranging Braille translation of printed materials for City customers who are blind and wish to attend City meetings or events or to participate in other City programs and services.

BRAILLE TRANSLATION REQUEST FORM

**Step 1: REQUEST FUNDING** \*Request date \_\_\_\_\_  
(Staff Use Only)

Item 1 : \_\_\_\_\_ # of pages \_\_\_\_\_ # Braille copies requested \_\_\_\_\_  
Item 2 : \_\_\_\_\_ # of pages \_\_\_\_\_ # Braille copies requested \_\_\_\_\_

Was this Braille translation requested by a city customer:  Y  N

If not, please describe reason for request:  
\_\_\_\_\_

City Contact \_\_\_\_\_ Agency/Dept \_\_\_\_\_ Tel. \_\_\_\_\_ Fax \_\_\_\_\_

*\* OPW/ADA must approve funding prior to provision of services.*

**SEND TO:**  
ADA Programs, Attn: Sherri Rita  
One Frank Ogawa Plaza, 3rd Floor  
Oakland, California 94612  
Tel: 238-6919 Fax: 238-3304  
srita@oaklandnet.com

**Step 2: APPROVAL (For OPW/ADA use only)** \_\_\_\_\_  
signature \_\_\_\_\_ date \_\_\_\_\_

Funding APPROVED.  
 Funding DENIED. Reason \_\_\_\_\_

**Step 3: ARRANGE SERVICES**—Contact an agency listed below or other certified agency.

Andlyn Braille Press 2909 Forest Avenue Berkeley, CA 94705-1310 Contact: Lynne Laird TEL: 510-845-5858 E-MAIL: andlyn@sbcglobal.net	LightHouse for the Blind & Visually Impaired TEL: 415-694-7349 E-MAIL: ais@lighthouse-sf.org	Lions Center for the Blind 1722 Broadway Oakland, CA 94612 TEL: 510-450-1580 FAX: 510-654-3603
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**Step 4: SUBMIT INVOICE** to OPW/ADA Programs for processing. (Service provider can invoice OPW/ADA Programs directly).

## Arranging Real Time Captioning (RTC) Services

City staff may use this form to arrange real-time captioning services for City customers with hearing impairments who wish to attend City meetings or events or to participate in other City programs and services.

REAL TIME CAPTIONING REQUEST FORM

### Step 1: REQUEST FUNDING

(Staff Use Only)

\*Request date \_\_\_\_\_

Date of service \_\_\_\_\_

From \_\_\_\_ AM / PM To \_\_\_\_ AM / PM

Name of event or meeting: \_\_\_\_\_ City Sponsored?  Y  N

Location: \_\_\_\_\_

Describe the meeting / event below or attach meeting agenda / event flyer:

Customer(s) for whom captioning will be provided: \_\_\_\_\_

City Contact \_\_\_\_\_ Agency/Dept \_\_\_\_\_ Tel. \_\_\_\_\_ Fax \_\_\_\_\_

*\* OPW/ADA must approve funding prior to provision of services. Funding requests for real-time captioning should be received by OPW/ADA at least 5 business days prior to date of regularly scheduled meetings or 3 business days prior to date of other meetings /events.*

**SEND TO:** ADA Programs, Attn: Sherri Rita  
One Frank Ogawa Plaza, 3<sup>rd</sup> Floor  
Oakland, California 94612  
Tel: 238-6919 Fax: 238-3304  
srita@oaklandnet.com

### Step 2: APPROVAL (For OPW/ADA use only)

signature \_\_\_\_\_ date \_\_\_\_\_

Funding APPROVED for an amount not to exceed \$ \_\_\_\_\_

Funding DENIED. Reason \_\_\_\_\_

### Step 3: ARRANGE SERVICES—Contact agency listed below or other certified RTC agency.

Captioning Agency Professionals

Contact: Jane E. James

TEL: 510-530-3989 / FAX: 510-530-4130

E-MAIL: captioning@earthlink.net

QuickCaption

TEL: 951-779-0787

E-MAIL: info@quickcaption.com

**Step 4: SUBMIT INVOICE** to OPW/ADA Programs for processing. *(Service provider can invoice OPW/ADA Programs directly).*

**Chapter 17.131 REASONABLE ACCOMMODATIONS POLICY AND PROCEDURES**

**Sections:**

- 17.131.010 Title, purpose, and applicability.
- 17.131.020 Definitions.
- 17.131.030 Notice of Availability; Application Requirements.
- 17.131.040 Review procedures.
- 17.131.050 Criteria for Category "A" Requests.
- 17.131.060 Findings for Category "B" Requests.
- 17.131.070 Finality of Decision and Appeal of Determination.

**17.131.010 Title, purpose and applicability.**

- A. **Title and Intent.** The provisions of this Chapter shall be known as the Reasonable Accommodations Policy and Procedure Regulations. The intent of the Reasonable Accommodations Policy and Procedure regulations is to provide flexibility in the application of the Planning Code for individuals with a disability, when flexibility is necessary to eliminate barriers to housing opportunities. This Chapter will facilitate compliance with federal and state fair housing laws, and promote housing opportunities for residents of Oakland.
- B. **Purpose.** The purpose of this Chapter is to establish a procedure for persons with disabilities seeking fair access to housing to make requests for reasonable accommodation in the application of Oakland's zoning laws, rules, policies, practices and procedures pursuant to Section 3604(f)(3)(b) of Title 42 of the United States Code (the "Fair Housing Act") and Section 12955 et seq. of the California Government Code (the "California Fair Employment and Housing Act"), which prohibit local government from refusing to make reasonable accommodations in policies and practices when these accommodations are necessary to afford persons with disabilities equal opportunity to use and enjoy a dwelling.
- C. **Applicability.** A request for reasonable accommodation may include a modification or exception to the rules, standards and practices for the siting, development and use of housing or housing-related facilities that would eliminate regulatory barriers and provide a person with a disability equal opportunity to housing of their choice.

**17.131.020 Definitions.**

**"Acts"** means the "Fair Housing Act" (Section 3601 et seq. of Title 42 of the United States Code) and the "California Fair Employment and Housing Act" (Section 12955 et seq. of the California Government Code).

**"Person with a Disability"** is any person who has a physical or mental impairment that limits one or more major life activities; anyone who is regarded as having such impairment; or anyone who has a record of such impairment. Federal and State fair housing laws do not

protect an individual's current unlawful use of controlled substances or other drugs, unless that individual has a separate disability.

**"Request for Reasonable Accommodations"** means a request to modify land use, zoning and building regulations, policies, practices, or procedures in order to give people with disabilities an equal opportunity to use and enjoy a dwelling.

**17.131.030 Notice of Availability; Application Requirements.**

A. Notice of the City of Oakland's Reasonable Accommodations Policy and Procedure shall be displayed at public information counters in the planning and building offices of the City.

B. Any person (or his or her representative) who requires reasonable accommodation because of a disability shall make such a request to the City on a form provided by the Planning Director, or his or her designee. The application shall be accompanied by such information as may be required to enable review of the requested accommodation. City staff are available to assist with the completion of a reasonable accommodations request (see related Reasonable Accommodations Form for more information).

C. Any information submitted as part of a reasonable accommodations request shall be kept confidential and shall be retained in a manner so as to respect the privacy rights of the applicant and shall not be made available for public inspection.

D. Review with other land use or design review applications. If the project for which the request is being made also requires one or more unrelated discretionary approvals (including, but not limited to, design review, conditional use permit, variance or subdivision), then to the extent feasible, the applicant shall file the request for reasonable accommodation together with any unrelated application for discretionary approval.

**17.131.040 Review procedures.**

A. Authority. The Planning Director, or his or her designee, shall have the authority to consider and act on requests for reasonable accommodation and shall make reasonable accommodations in rules, policies, practices, or services when those accommodations may be necessary to afford persons with disabilities equal opportunities to use and enjoy the dwelling.

1. For requests for reasonable accommodation the Planning Director, or his or her designee, shall issue a written determination within a timely manner but no later than thirty (30) days of the date of receipt of a complete application form and may: (1) grant the accommodation request; (2) grant the accommodation request subject to specified nondiscriminatory conditions of approval; or (3) deny the request. All written determinations shall give notice of the right to appeal, if any, as specified in Section 17.131.070. The notice of determination shall be sent to the applicant by first class mail or in a format requested by the applicant.

2. For requests for reasonable accommodations involving any applications for discretionary approval, the application for reasonable accommodation shall be processed and considered separately from any discretionary elements of the same proposal. The Planning Director, or his or her designee, shall act on the request for reasonable accommodation within a timely manner but no later than thirty (30) days of the date of a complete application form; however, if the request for a reasonable accommodation cannot be effectuated until a final decision is rendered on the related discretionary approvals, a "provisional approval" can be granted within the 30 day time frame allowing the reasonable accommodation request to be implemented, or modified as needed to obtain the same goal, at the time of the final discretionary approval, and shall become final at the same time. The applications for discretionary approval shall be separately considered and shall be subject to the procedures for consideration specified in the applicable Planning Code Chapter, depending on the type of application. The appropriate decision-making body shall act on all discretionary permits, but not the reasonable accommodation request.

**B. Types of Requests**

**1. "Category A" Requests**

Requests for accommodation from development regulations not specified as a "Category B" request (see item 2 below), including but not limited to, setbacks, building height limits and parking regulations in the Planning Code, or for any additions to Residential Facilities which meet the definition of a "Small Project," as defined in Section 17.136.030(B), shall be considered "Category A" requests.

**2. "Category B" Requests**

Requests for accommodation from residential density regulations in the Planning Code; distance separation requirements in the Planning Code; land use activities not permitted by the Planning Code; any additions to Residential Facilities which meet the definition of "Regular design review" as defined in Section 17.136.040(A); and any other accommodations request, under the discretion of the Planning Director, shall be considered "Category B" requests.

**C. Procedure**

1. The applicant shall submit a completed reasonable accommodation application form to the Planning Director, or his or her designee, or request assistance from City staff to complete the application.

2. Whenever reasonable accommodation is requested for a proposal also requiring one or more discretionary land use permits, including but not limited to a design review, conditional use permit, planned unit development permit, or variance, to the extent feasible the application for reasonable accommodation shall be submitted with the application for said permit(s). The reasonable accommodation request shall be processed and considered separately from any land use permits requested for the same proposal as specified in 17.131.040(2).

## OAKLAND

3. In reviewing a request for a reasonable accommodation, the Planning Director, or his or her designee, shall consider information in the completed reasonable accommodation application form, factors described in Section 17.131.050 and/or 17.131.060, and any additional information consistent with this Chapter. The Planning Director, or his or her designee, may consult with staff of the City's Americans with Disabilities Act (ADA) Programs Division during the review period.

4. While a request for reasonable accommodation is pending, all laws and regulations otherwise applicable to the property that is the subject of the request shall remain in full force and effect.

### **17.131.050 Criteria for "Category A" Requests**

A proposal will qualify for "Category A" Request if it meets each of the provisions set forth below.

- A. The proposal is limited to one or more of the types of work listed as "Category A" request in 17.131.040(B)(1);
- B. That the accommodation is necessary to afford people with disabilities an equal opportunity to use and enjoy the dwelling.

### **17.131.060 Findings for "Category B" Requests.**

In making a determination to grant a requested accommodation, the Planning Director, or his or her designee, shall make all of the following findings for "Category B" requests:

1. That the housing, which is the subject of the request for reasonable accommodation, will be used by people with disabilities protected under fair housing laws.
2. That the accommodation is necessary to afford people with disabilities an equal opportunity to use and enjoy the dwelling;
3. That the requested accommodation will not require a fundamental alteration to zoning laws, rules, policies, practices and procedures; and
4. That the requested accommodation will not impose an undue financial or administrative burden on the City.

None of the findings of this Section are intended to supersede any other findings which might also be required for a discretionary permit that is reviewed concurrently with the request for accommodation (see Section 17.131.030(D)).

**17.131.070 Finality of Decision and Appeal of Determination.**

A. "Category A" and "Category B" Requests.

1. For requests for reasonable accommodations not involving one or more unrelated land use permits, a decision by the Planning Director, or his or her designee, shall become final ten (10) calendar days after the date of initial decision, unless appealed to the City Administrator by the applicant. In the event that the last date of appeal falls on a weekend, holiday or when City offices are closed, the next date such offices are open for business shall be the last date of appeal. Appeals considered by the City Administrator, in consultation with the City's ADA Programs Division, shall be final immediately and are not appealable.

2. For requests for reasonable accommodations involving one or more land use permits, the Planning Director, or his or her designee, shall act on the request for reasonable accommodations, subject to the appeal process described in 17.131.070(A)(1) . The appeal periods in 17.131.070(A)(1) shall run from the date of the denial of the permit or the modification or denial of the provisional permit, whichever is later. The appropriate decision making body shall act on all discretionary permits including appeal processes for the discretionary permits.



MASS CARE AND  
SHELTER PLAN  
FUNCTIONAL NEEDS  
ANNEX

Public Version 1.6  
September 30, 2013

**This Mass Care and Shelter Plan Functional Needs Annex is Part of the City of Oakland's National Incident Management System (NIMS) / Standardized Emergency Management System (SEMS) Emergency Plan. This Annex Provides a Framework to Prepare for and Provide Temporary Mass Care and Shelter to People with Disabilities During Times of Emergency.**

**City of Oakland, California  
Mass Care and Shelter Plan  
Functional Needs Annex**

Version 1.5 issued: June 15, 2010

The Oakland City Council adopted Version 1.5 of the Functional Needs Annex (FNA) as a component to the City's Mass Care and Shelter Plan Annex G. It lists the tasks necessary to establish shelter sites, support shelter site operations, and deliver mass care and shelter services and information that are accessible to persons with disabilities and older adults. Version 1.5 details the capabilities in place, as well as implementation tasks planned or in progress as of June 2010. It serves as the main exhibit under the settlement of California Foundation for Independent Living Centers, et al. v. City of Oakland, et al.

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Version 1.6 issued: September 30, 2013

This version of the Functional Needs Annex is the final issuance of the document from the City's CFILC v. Oakland Implementation Team led by the ADA Programs Division. With this the City formally closes the Implementation Phase of CFILC v Oakland and transfers primary responsibility for the FNA to the City's Emergency Management Services Division (EMSD). EMSD coordinates activities of all City agencies relating to planning, preparation and implementation of the City's Emergency Plan.

This update provides revisions to the FNA based on changes in organizational structure, responsibilities, and tasks that were completed during the Implementation Phase. Specific attachments that are added or updated in this document include: Head of Department lines of Succession; Role of the Emergency Operations Center Functional Needs Coordinator; Primary and Secondary Emergency Shelter Site Accessibility Evaluations; Implementation Time Table v. 12; and the Functional Needs Training Module and Curriculum Guide. Other miscellaneous updates in the body of the document are indicated with *italics*.

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## **ACKNOWLEDGEMENTS**

**Version 1.6**

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### **ADA Advisory Group**

*The Mayor's Commission on Persons with Disabilities (MCPD) acts as the City's designated advisory body for ADA compliance. July 2013 Roster:*

Commissioner Stephen Beard (Chair)  
Commissioner Scott Blanks  
Commissioner Amy Burns  
Commissioner Michelle Hernandez  
Commissioner Marlene Hurd  
Commissioner Denise Jacobson (Vice Chair)  
Commissioner Lateef McLeod  
Commissioner Lorraine Rosenblatt  
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Commissioner Fatimah Simmons  
Commissioner Phyllis Stevenson  
Commissioner Miquette Thompson  
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**Functional Needs Module Expert Review Panel (June 28, 2012 Attendees)**

Scott Blanks, Director of Rehabilitation Services, Lions Center for the Blind  
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Stacy Williams, Corporate Development Manager, American Red Cross  
Jenny Wong, Emergency Preparedness Manager, Oakland Unified School District

**ADOPTION OF PLAN**

The Oakland City Council passed a resolution adopting Version 1.5 of the Annex on June 15, 2010 (C.M.S. #82836 )

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## EXECUTIVE SUMMARY

In August 2007, Disability Rights Advocates brought a lawsuit against the City of Oakland (“the City”) and various agencies within the City on behalf of people with disabilities. The complaint alleged that the City’s emergency planning failed to take into account the unique needs of the disability community. The complaint claimed that potential shelter facilities were physically inaccessible and mass care and shelter policies, procedures, and plans for people with disabilities were inadequate or non-existent.

The City immediately launched a comprehensive review of its emergency preparedness programs, activities and services. The resulting Mass Care and Shelter Plan Functional Needs Annex incorporates emerging requirements and practices in the field of emergency preparedness for people with disabilities. Oakland is among the first municipalities nationally to adopt a functional needs model of emergency preparedness for people with disabilities.

The City’s Mass Care and Shelter Plan and all other emergency preparedness programs, activities and services have adopted the functional needs C-MIST framework for serving persons with disabilities and older adults. The C-MIST framework considers five areas of essential functional needs: Communication, Medical, Independence Maintenance, Supervision and Transportation. This framework is intended to efficiently and effectively address the needs of all individuals.

This Functional Needs Annex (“the Annex”) is intended to serve Oakland residents during a small-scale, localized emergency or until the American Red Cross (ARC) is able to take responsibility during more significant events. The City recognizes that this Annex and all identified resources will not adequately serve the needs of the City during a large-scale incident. Regional and State emergency plans and resources will go into effect during a large-scale or regional emergency.

This Annex designates a time table for all essential tasks. C-MIST policies, practices and procedures are currently being implemented and the City anticipates implementation of the Annex *was* substantially completed in December 2010. The City has incorporated each aspect of C-MIST into emergency preparedness planning as follows:

### Communication

- The City *installed/upgraded* equipment as necessary to provide on-demand, live audio narration of broadcast emergency text messages through the City’s public access channel KTOP-TV10.
- The City will continue to provide disaster readiness materials in alternative formats upon request, including Braille, large print, audio tape, or electronic copy.
- The City will ensure that all modified or newly created emergency preparedness content on the City’s web site conforms to Web Content Accessibility Guidelines

(WCAG) 2.0 Conformance Level A. To the maximum extent practicable, Web broadcasts shall include text-based information or equivalent translation.

- Specific information during times of emergency, including locations of open shelters, will be accessible via voice telephone and TTY through Eden Information and Referral Services 2-1-1 program.
- In addition to the audible warning system, the existing emergency notification system used by the City has the ability to interface with electronic mail, facsimile machines, text message service and short message service (SMS), text pager, landline, registered TTY, and cellular and wireless devices.
- The City has *upgraded* its *primary* emergency notification system capable of providing automatic detection of TTY machines and the option for all recipients to repeat emergency messages.

### **Medical**

- The City has identified an accessible site location at which the County of Alameda can open a medical shelter for individuals who require acute medical attention and cannot be served in a general shelter.
- Upon request, the City will work with identified vendors to bring refrigerators or other cooling options on site to general shelters for storage of medications or dietary needs. Receipt of refrigerators and cooling devices is not guaranteed.
- Upon request, the City will work with identified vendors to bring back-up power generators on site to general shelters for individual use with lifesaving medical equipment, such as ventilators, power wheelchairs, power scooters, etc. Receipt of back-up power generators is not guaranteed.
- Privacy areas shall be provided at general shelters upon request for individuals with functional needs who require a quiet or private area for completing activities of daily living.

### **Independence maintenance**

- Physical access evaluations have been conducted at various Oakland Unified School District (OUSD) and City of Oakland Parks and Recreation (OPR) sites. *Twenty-five* (25) sites have been identified as readily accessible and will be evaluated by the City and ARC staff immediately following an incident for safety and programmatic access.
- The City will work with OUSD and other entities, such as community colleges, hotels, and large sporting complexes, to further identify accessible emergency shelter locations.
- City shelter policies shall permit personal care givers of persons with functional needs to enter and exit the shelter site, regardless of whether they are a registered shelter resident, during extended hours. The City will not be responsible for providing or coordinating personal care givers to shelter residents to complete activities of daily living.
- The City shall work with all designated agencies to locate permanent housing for shelter residents. Individuals with functional needs shall be provided priority access to accessible and affordable housing.

## **Supervision**

- When the Emergency Operations Center (EOC) is activated and City-operated shelter locations are opened, a Functional Needs Coordinator (FNC) shall be designated in the EOC. The E-FNC shall have in-depth knowledge of diverse functional needs populations, including people with vision and hearing loss, physical disabilities, mental health disabilities, developmental and other cognitive disabilities, substance abuse issues, and older adults. The E-FNC shall be responsible for coordinating requests and distribution of resources to all City-operated shelter locations for persons with functional needs, coordinating transportation needs, and designating an S-FNC at each shelter.
- Each City shelter shall have a designated Shelter Functional Needs Coordinator (S-FNC), responsible for assisting persons with functional needs with identifying and requesting durable medical equipment (DME), consumable medical supplies (CMS), and reasonable accommodations. In the absence of a designated individual, the shelter manager shall be the S-FNC.
- City shelter management shall permit entrance by government and community-based organizations assisting persons with disabilities during emergencies, including the State Functional Assessment Service Team (FAST).

## **Transportation**

- The City has established a bi-annual Paratransit Roundtable event with local paratransit companies and transit organizations to discuss the creation of contracts to use vehicles and drivers during times of disaster.
- The Paratransit Roundtable has worked with Communication at Ease, a local communications organization owned and operated by persons with disabilities, to create an image to readily identify accessible emergency evacuation vehicles.
- A Geographic Information Systems (GIS) has been created to assist City first responders with identifying the location of persons with functional needs who may require accessible transportation services. The GIS has been populated with individuals who have voluntarily registered for the City's 9-1-1 Registry Program and residential care facilities for the elderly and nursing homes. The City continues to work with local organizations for people with disabilities and older adults to encourage participation of their clientele with the 9-1-1 Registry Program.

## FUNTIONAL NEEDS ANNEX

### I. INTRODUCTION

#### A. Americans with Disabilities Act

The Americans with Disabilities Act (ADA) is the world's first comprehensive civil rights law for people with disabilities and was enacted on July 26, 1990. The ADA is a companion civil rights legislation to the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973. The ADA prohibits discrimination on the basis of disability in employment, state and local government, public accommodations, commercial facilities, transportation, and telecommunications. It also applies to the United States Congress.

To be protected by the ADA, one must have a disability or have a relationship or association with an individual with a disability. An individual with a disability is defined by the ADA as a person who has a physical or mental impairment that substantially limits one of more major life activities, a person who has a history or record of such impairment, or a person who is perceived by others as having such impairment. The ADA does not specifically name all of the impairments that are covered.

The ADA is divided into five parts, covering the following areas:

##### **Title I: Employment**

Title I requires employers with 15 or more employees to provide qualified individuals with disabilities an equal opportunity to benefit from the full range of employment-related opportunities available to others. For example, it prohibits discrimination in recruitment, hiring, promotions, training, paid social activities, and other privileges of employment. It restricts questions that can be asked about an applicant's disability before a job offer is made, and it requires that employers make reasonable accommodation to the known physical or mental limitations of otherwise qualified individuals with disabilities, unless it results in undue hardship.

##### **Title II: State and Local Government (Public Services)**

Title II covers all activities of state and local governments. Title II requires that State and local governments give people with disabilities an equal opportunity to benefit from all of their programs, services, and activities, such as public meetings, employment, recreation programs, aging, health and human services programs, libraries, museums, and special events.

State and local governments are required to follow specific architectural standards in the new construction and alteration of their buildings and facilities. They also must relocate programs or otherwise provide access in inaccessible older

buildings, and communicate effectively with people who have hearing, vision, or speech disabilities. Public entities are not required to take actions that would result in undue financial and administrative burdens. They are required to make reasonable modifications to policies, practices, and procedures where necessary to avoid discrimination, unless they can demonstrate that doing so would fundamentally alter the nature of the service, program, or activity being provided. A transition plan is intended to outline the methods by which physical or structural changes will be made to effect the non-discrimination policies described in Title II.

Title II mandates that a public entity such as the City Of Oakland operate in such a way that its services, programs and activities, when viewed in their entirety, are readily accessible to and usable by individuals with disabilities. Title II dictates that a public entity must evaluate its services, programs, policies and practices to determine whether they are in compliance with the nondiscrimination requirements of the ADA. The regulations detailing compliance requirements were issued in July 1991. A self-evaluation is required and intended to examine activities and services, to identify and correct any that are not consistent with the ADA. The entity must then proceed to make the necessary changes resulting from the self-evaluation.

The City presents this Functional Needs Annex in response to its ADA Title II Self-Evaluation of Emergency Preparedness Programs.

### **Title III: Public Accommodations**

Title III requires places of public accommodation to be accessible to and usable by persons with disabilities. The term “public accommodation” as used in the definition is often misinterpreted as applying to public agencies, but the intent of the term is to refer to any privately funded and operated facility serving the public.

### **Title IV: Telecommunications**

Title IV covers regulations regarding private telephone companies and requires common carriers offering telephone services to the public to increase the availability of interstate and intrastate telecommunications relay services to individuals with hearing and speech disabilities.

### **Title V: Miscellaneous Provisions**

Title V contains several miscellaneous regulations, including construction standards and practices, provisions for attorney’s fees, and technical assistance provisions. It also prohibits retaliation against any individual who exercises his or her rights under the ADA and those individuals who provided assistance to individuals exercising their rights.

The ADA Amendments Act of 2008 (ADAAA), which became effective on January 1, 2009, made some significant changes in the text of the ADA. The full text of the ADA as amended is available on the ADA Website at: [www.ada.gov/pubs/ada.htm](http://www.ada.gov/pubs/ada.htm).

## **B. City of Oakland**

The Bay Area is known as the birthplace of the disability rights movement. Beginning in the early 1970's, the civil rights and women's movements of the previous decade encouraged the growth of the disability rights movement in California, including the independent living movement. In keeping with this legacy, the City of Oakland (City) is a leader among Bay Area governments in ADA implementation.

The City's long-standing relationship with the disability community and commitment to disability civil rights implementation has helped make Oakland a model city for residents and visitors with disabilities. The City's ADA activities include capital improvements (buildings and facilities upgrades, curb ramps, and other right-of-way programs), auxiliary aids and services programs, equal employment opportunity programs, inclusive recreation services, extended library services, supplemental paratransit services, residential access improvement grants and more. The Mayor's Commission on Persons with Disabilities (MCPD) was established by City ordinance in 1980 to represent and address the issues of people with disabilities. The MCPD is extremely active, participating in nearly every aspect of City government and advocating for full inclusion of people with disabilities in the community. Since 1990, the commission has served as the City's designated advisory body for ADA compliance.

According to the U.S. Census Bureau, the City of Oakland had a total population of 399,484 in calendar year 2000. There were 84,452 people in Oakland, CA listed as having a disability (more than 21% of the general population). Nearly 10.5% of the population was aged 65 or over.

Nationwide, 49.7 million Americans, or 20% of the population, identified as having a disability in the 2000 Census report. Of the 49.7 million, 56% identified as having hearing loss; 16% identified as having low vision; 14% identified as having a cognitive disability; 9% identified as having a physical disability; and 5% chose the "other" category.

These populations rely upon complex and divided services in maintaining their independence to which there is no centralized referral management. In addition, the City is home to numerous nursing homes, residential care facilities, and continuing care retirement homes. During emergency response and recovery, residents will rely primarily upon the City and its partners to provide assistance and services including warning and notifications, evacuation and transportation, sheltering, and locating housing and services when it is safe to return to the community after an incident.

It is the City's intent to provide programs and services to all residents, regardless of their individual abilities.

### **C. Functional Needs Annex**

This Mass Care and Shelter Plan Functional Needs Annex ("the Annex") is a component to the City's Mass Care and Shelter Plan Annex G, which describes the roles and responsibilities of City agencies during a major emergency or disaster incident. It covers the provision of mass care, establishing potential shelter locations, and lists the tasks necessary to support shelter site operations and ensure that services and information are accessible to persons with disabilities and older adults. Elements of this Annex detail the capabilities in place, as well as those tasks currently in progress.

The City's Mass Care and Shelter Plan ("the Plan") has adopted a functional needs framework for serving persons with disabilities and older adults. The functional needs approach shall limit to the extent practicable the creation of special or separate disaster management programs for individuals with disabilities. The intent of this framework is to efficiently address the needs of individuals with disabilities and older adults in a manner that: (1) builds appropriate levels of capacity for disaster preparation, emergency response processes, procedures and systems; (2) adopts guidelines and protocols for appropriate resource management; (3) strengthens service delivery and training; (4) reduces health and safety complications, unnecessary institutionalization, and inappropriate use of scarce, expensive and intensive emergency medical services; (5) allows disaster services to incorporate the value that everyone should be provided the chance to survive; and (6) improves the overall response successes.

### **D. Compliance Coordinators**

The City shall ensure that the Plan and this Annex complies with all applicable provisions of the ADA protecting the civil rights of persons with disabilities, and shall ensure that its emergency programs, activities and services, when viewed in their entirety, are readily accessible to and usable by individuals with disabilities. The requirement of nondiscrimination on the basis of disability shall apply to all City departments and City contractors.

The Oakland Fire Department *Emergency Management Services Division* currently administers the City's emergency preparedness programs and disaster mass care and shelter planning. The City ADA Coordinator and Mayor's Commission on Persons with Disabilities (MCPD) provide oversight and guidance for City ADA compliance activities, including emergency preparedness programs.

The official responsible for implementation of the City's Disaster Mass Care and Shelter Plan is the *Director, Emergency Management Services Division*. The Fire Chief selects the *Director, Emergency Management Services Division*.

*Director, Emergency Management Services Division*

[REDACTED]  
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The official responsible for overall compliance with ADA Title II requirements is the City ADA Coordinator, located in the *Public Works Agency*. The City Administrator selects the City ADA Coordinator.

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## **II. PURPOSE**

### **A. Associated Planning Elements**

This Functional Needs Annex (“the Annex”) establishes a process for activating and operating disaster temporary mass care and shelter delivery systems that are inclusive of persons with functional needs, in compliance with Standardized Emergency Management System (SEMS) and National Incident Management System (NIMS). This Annex will provide the authority and general provisions to address the needs of residents with disabilities.

The sections of this Annex describe the responsibilities and actions required for the effective operation of mass care and shelter response actions. It provides an overview of the operational concepts and responsibilities for providing coordinated resources to supply safe, sanitary, and secure care and shelter of people with functional needs. This Annex focuses on ensuring integration of mass care and shelter response and recovery functions for persons with disabilities and older adults into the City’s overall care and shelter response and recovery plan.

This Annex was developed by the Oakland Fire Department’s Emergency Management Services Division and the City Administrator’s Americans with Disabilities Act (ADA) Programs Division, with input and recommendations from a California-based disability policy consultant, Oakland Police Department, Oakland Fire Department, the Office of Parks and Recreation, Department of Human Services, the Oakland Emergency Public Information team, other key City departments, agencies, and organizations, the Mayor’s Commission on Persons with Disabilities, and community members who participated through public comment.

### **B. Scope**

This Annex will be used in conjunction with the City’s Disaster Mass Care and Shelter Plan Annex G when cause exists for Oakland residents to seek temporary shelter. This Annex is applicable for: small incidents that require shelter; Local Emergency declarations; State of Emergency proclamations; and federal disaster declarations. However, this Annex will work best to serve Oakland residents during a small-scale, localized emergency. The City recognizes that this Annex and all identified resources will not adequately serve the needs of the City during a large-scale incident. Regional and State emergency plans and resources will go into effect during a large-scale disaster.

For the purposes of this Annex, the terms “disability” and “functional need” are used interchangeably and refer to persons who meet the ADA definition of disability. Persons with disabilities and persons with functional needs are persons who have: (1) a physical or mental impairment that substantially limits one or more of the major life activities of such individual; (2) a record of such an impairment; or (3) being regarded as having such impairment. This Annex is inclusive of individuals with temporary and permanent

limitations and those who may function independently without the presence of an emergency situation but who may need assistance during an incident.

This Annex does not replace the Alameda County Operational Area (OA) plan for supporting the needs of persons with disabilities in other jurisdictions throughout the county. This Annex does not replace the need for separate licensed and non-licensed facilities to prepare plans of care for clients and residents with functional needs. This Annex does not replace or supersede internal policies and procedures of organizations that are responsible for mass care and shelter, but rather it is to be used in conjunction with their operational guidance and plans.

### III. ANNEX ORGANIZATION

This Annex contains ten chapters, including Introduction, Purpose, Annex Organization, Situation and Assumption, Goals and Objectives, Concept of Operations for Supporting Individuals with Functional Needs, Operational Phases of Support for Individuals with Functional Needs, Response Organization/Structure, Administration and Support, and Time Table and Updates. Many chapters contain sections to provide in-depth discussions of certain elements. Chapters and sections contained herein are alphanumerically labeled.

Concept of Operations for Supporting Individuals with Functional Needs is organized into nine primary functions: Guiding Principles; Responsibilities; City of Oakland ADA Policy; Community Preparedness; Communication Access; Evacuation and Transportation; Shelter Identification and Activation; Shelter Support; and Short Term Recovery.

- **Guiding Principles:** Adopting a functional needs framework for ensuring that people with disabilities have equal access to emergency planning, response and recovery programs, activities, and services
- **Responsibilities:** Distributing responsibility among City of Oakland departments, other government agencies and community partners for emergency planning, response and recovery
- **City of Oakland ADA Policy:** Ensuring substantial compliance with Title II of the Americans with Disabilities Act of 1990, and adhering to all City access compliance policies, practices and procedures
- **Community Preparedness:** Ensuring that community emergency preparedness programs, activities and services provided by the City include information for and about people with functional needs in an integrated and non-discriminatory manner
- **Shelter Support:** Providing assistance to individuals, families, and their communities as required to ensure that immediate functional needs beyond the scope of the traditional local “mass care” services are addressed; and establishing Emergency Operations Center (EOC) and Shelter Site Functional Needs Coordinators (FNCs) with specific responsibilities, such as procurement and distribution of emergency durable medical equipment (DME) and consumable medical supplies (CMS)
- **Communication Access:** Ensuring that emergency alerts, warnings, and shelter site communications are delivered in multiple and alternate formats as needed to ensure effective communications

- **Shelter Identification and Activation:** Operating shelters in facilities that substantially comply with the ADA Accessibility Guidelines (ADAAG)
- **Evacuation and Transportation:** Providing evacuation and transportation assistance to people with functional needs during times of evacuation that are equivalent services to those provided to the general population
- **Short Term Recovery:** Implementing assistance programs to help disaster victims with functional needs obtain support and services, including Federal and State benefits and accessible temporary or transitional housing

A complete Glossary of Terms used within this document and Authority and References sections are presented directly following Chapter X.

The Annex incorporates a number of Attachments, which are referenced throughout and are located at the end of the document.

#### **IV. SITUATION AND ASSUMPTION**

The following contains the basic assumptions on the part of the City in regard to an emergency incident and response:

1. Early warning and notification of threats may or may not be practicable given the nature of the threat.
2. Some threats may require immediate sheltering operations without advance warning.
3. The general population, including persons with functional needs, will heed the directions of warnings and notifications, and recognize the authority of government to request evacuation or shelter in place.
4. Shelter in place action may be safer for the general population than movement to a public shelter.
5. Individuals will evacuate away from hazards when directed toward sheltering.
6. Evacuation to sheltering is available by land, water, and/or air.
7. Immediate evacuation will be to nearby shelters or evacuation centers. Serious regional events may require long-distance evacuation or relocation outside of the City until recovery is achieved.
8. Less than 10% of the evacuated population will seek public sheltering.
9. Approximately 25% of shelter residents may be defined as a person with a functional need.
10. Many of the arriving individuals with functional needs may require minimal to acute assistance to maintain their independence within a public shelter.
11. Individuals with functional needs who require assistance may arrive at the shelter with or without support, medical records, medications, or required mobility aids or medical equipment. Some of these essential needs will be time sensitive, such as the need for medications to be administered.
12. Support systems are in place for metropolitan evacuations, either from within Alameda County or from other metropolitan areas, which will require care and shelter of persons with functional needs.
13. Mass care and shelter is available for persons with functional needs at the City and County levels or at another receiving county.

14. Requests will be made for resource mutual aid between the City and neighboring cities, the County, the State, the federal government and the private sector for unmet shelter needs for persons with functional needs, including durable medical equipment (DME), consumable medical supplies (CMS), pharmaceuticals and support staffing.
15. The City will coordinate recovery operations, to the maximum extent feasible, that will help restore evacuees with functional needs back to living conditions they had, or as similar to as possible, prior to the event as soon as possible.

## V. GOALS AND OBJECTIVES

### A. Goals

The goal of the City's Disaster Mass Care and Shelter Plan, as well as this Annex, is to provide safe, sanitary, secure care and shelter for all residents, including persons with functional needs, that reduces the health and safety impact on residents who must seek public shelter in an emergency or disaster situation.

### B. Objectives

The objectives of this Annex include:

1. The City coordinates with community stakeholders to identify and contact persons with functional needs and provide these individuals with accessible warning and evacuation information, including directions to accessible general shelters and medical shelters.
2. The Emergency Operations Center (EOC) Functional Needs Coordinator (E-FNC) coordinates with Shelter Functional Needs Coordinators (S-FNC) and shelter site managers to ensure that arriving evacuees with functional needs are properly evaluated, accommodated, and to the maximum extent possible, included in general public sheltering.
3. City shelter managers coordinate with other county, state and federal personnel deployed to support shelter services for individuals with functional needs.
4. The Oakland *Emergency Management Services Division* (EMSD) works with State Functional Assessment Service Teams (FASTs), Non-Governmental Organizations (NGOs) and Community-Based Organizations (CBOs) to ensure that persons with functional needs who are entered into City shelters receive appropriate support services.
5. The City collaborates with other shelter operators to request resources for individuals with functional needs that are likely to be exhausted, or are exhausted, through the SEMS/NIMS mutual aid process. This includes possible requests for State FAST support.
6. The City assists in the recovery process for individuals with functional needs through collaboration and coordination with NGOs, CBOs, and other agencies that support people with disabilities.
7. The EMSD coordinates with the American Red Cross (ARC) to receive emergency assistance in the form of shelter management, emergency supplies,

durable medical equipment (DME), consumable medical supplies (CMS), and other disaster services as required.

8. The EMSD collaborates with community organizations to infuse disability and functional need specific content into a variety of trainings. The City provides opportunities for City staff, and when appropriate, community partners and the general public to participate in trainings and exercises to test policies, practices and procedures established by this Annex.

## VI. CONCEPT OF OPERATIONS FOR SUPPORTING INDIVIDUALS WITH FUNCTIONAL NEEDS

### A. Guiding Principles

This Annex has adopted a proactive functional needs framework for planning and providing mass care and shelter for people with disabilities. An essential element of building appropriate levels of capacity, specific planning and response successes is to move beyond the focus on *special needs*.

The *special needs* population is often viewed as a homogenous group. In addition to individuals with disabilities and older adults the term *special needs* can refer to a broad group of people, including minority groups, non-English speakers, children, single parents, people without vehicles, pregnant women, prisoners, people who are homeless, etc. Lumping groups together and using an ambiguous label translates into vague planning which often results in response failures.

A functional needs approach provides for a more accurate and flexible planning and response framework based on essential and overlapping functional needs of the disability population. The functional needs approach addresses a broad set of needs based on five universal areas of fundamental health and well-being: Communication; Medical; Independence maintenance; Supervision; and Transportation (C-MIST). Functional needs planning and service delivery focuses on:

1. **Communication** – Providing access to information in multiple, redundant formats and providing auxiliary aids and services as necessary to ensure effective communications with individuals with disabilities.
2. **Medical** – Providing basic medical care and assistance within public shelters for individuals who require on-going treatment but may lack adequate support for activities such as tube feeding, suction administration, and wound care. Referring individuals with severe and acute medical needs to a medical care shelter or a medical care area co-located in the public shelter.
3. **Independence maintenance** – Replacing Durable Medical Equipment (DME) and Consumable Medical Supplies (CMS) necessary for daily living. Permitting service animals and personal attendants or caregivers to enter the shelter when needed. Providing basic care and support that allows individuals with functional needs to maintain independent living within the public shelter system.
4. **Supervision** – Ensuring persons with cognitive disabilities are appropriately cared for and receive individualized service coordination and case management within a public shelter environment.
5. **Transportation** – Organizing community transit resources with concern for the need and appropriate use of adaptive vehicles.

The intent of this framework is to address the needs of more people, more efficiently and effectively, in a manner that: (a) builds appropriate levels of capacity for disaster preparation, emergency response processes, procedures and systems; (b) adopts guidelines and protocols for appropriate resource management; (c) strengthens service delivery and training; (d) reduces health and safety complications, unnecessary institutionalization, and inappropriate use of scarce, expensive and intensive emergency medical services; (e) allows disaster services to incorporate the value that everyone should be provided the chance to survive; and (f) improves the overall response successes.

*See Attachment B: Functional Needs Framework for further details of the use of C-MIST.*

## **B. Responsibilities**

The section details the responsibilities of various City of Oakland agencies and other entities responsible for incident preparedness, shelter response, and recovery periods. Specific responsibilities are further defined throughout the remainder of this Annex.

### **1. Preparedness**

The Oakland *Emergency Management Services Division* (EMSD) is responsible to coordinate and oversee all City emergency preparedness activities including but not limited to training, exercises/drills, and policy development.

The City's ADA Programs Division is responsible to draft and update this Annex, to coordinate implementation activities delineated in the Annex, and to provide expertise on federal, state and local disabilities laws and regulations.

The Oakland Office of Parks and Recreation (OPR), Oakland Unified School District (OUSD), EMSD, and ADA Programs are to identify and evaluate potential shelter sites, and coordinate structural improvements, as necessary to ensure a maximum level of physical accessibility is afforded at the City's primary and secondary shelter site lists.

The City's public access television channel KTOP-10 is responsible to implement effective communication methods that provide stock emergency bulletin information in text and audio format.

The Emergency Public Information Officer (PIO) team is responsible to coordinate outreach and registration services for emergency warning notification systems, including City Watch and Gov Delivery.

The Oakland Department of Human Services (DHS) is the primary agency that coordinates outreach and facilitates applications for the City's 9-1-1 Registry Program.

The Oakland Fire Department (OFD) shall regularly update and maintain the City's 9-1-1 Registry Program database, and share new and modified information with staff responsible for maintaining the City's Geographic Information System (GIS) emergency planning and response layers.

The City's Purchasing Department shall identify vendors and sources for emergency equipment and supplies, durable medical equipment (DME), and consumable medical supplies (CMS).

## **2. Response**

The Emergency PIO team is responsible to ensure that all mass communications during an incident are made accessible and include audio *and* text-based formats whenever possible.

Oakland Police Department, OFD, EMSD and/or OPR coordinate the opening and operating of local shelters during an emergency with the ARC, DHS and OUSD. The City of Oakland is responsible for coordinating the opening of a Local Assistance Center Disaster Application Center with Oakland EMSD and Public Works Agency (PWA), and the State of California Emergency Management Agency (CalEMA) taking the lead.

The DHS supports the mass care and shelter effort in concert with OPR, the American Red Cross (ARC), the Oakland Unified School District (OUSD) and EMSD, utilizing SEMS/NIMS protocols. The American Red Cross, Oakland Police Department (OPD), OFD, EMSD, DHS, OPR and OUSD assess the availability of City shelters and emergency supplies.

## **3. Recovery**

Recovery efforts are coordinated through EMSD, OFD, OPD, OPR, OUSD and the American Red Cross, and other county, state, and federal agencies as necessary.

In addition, State Functional Assessment Service Team (FAST) members coordinate with the City's DHS, OPR, and Community Economic Development Agency (CEDA) Housing and Community Development (HCD), and other responsible City departments and agencies to coordinate transition from a shelter setting into the community.

### **C. City of Oakland ADA Policy**

The City of Oakland prohibits discrimination and/or the exclusion of individuals from its municipal facilities, programs, activities and services based on the individual person's disability. The City affirms its commitment to providing meaningful opportunities and access to municipal facilities, programs, activities and services in an effort to comply with all applicable federal and state access laws including: the Architectural Barriers Act of 1968; Section 504 of the Rehabilitation Act of 1973, as amended; the Fair Housing

Amendments Act of 1988; the Americans With Disabilities Act of 1990, as amended; and the California Unruh Civil Rights Act and other provisions of State civil and government codes. As a result, the City shall strive to put into place policies and procedures for its municipal facilities, programs, services and activities that promote the inclusion and integration of individuals with disabilities. The City shall make every effort to ensure that its services, programs and activities, when viewed in their entirety, are readily accessible to and usable by individuals with disabilities. The City recognizes its obligation to provide modifications to policies, practices, and procedures and, where necessary, to provide auxiliary aids and services to qualified individuals with disabilities.

For more information on City ADA policies and programs, or to report a complaint of disability discrimination, please contact:

*Public Works Agency*  
ADA Programs Division  
One Frank H. Ogawa Plaza, 3<sup>rd</sup> Floor  
Oakland, CA 94612  
510-238-5219 (Voice)  
510-238-2007 (TTY)  
510-238-3304 (FAX)  
adaprograms@oaklandnet.com

## **1. Public Input**

The City provided opportunities for interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the development of the Annex by submitting comments and making specific recommendations. An open comment period was held to review and provide feedback on the draft Annex (version 1.3) from February 3 – 23, 2010. Public comment period was noticed on the City's web site, Disability Rights Advocates (DRA) web site, and the Yahoo! Groups Berkeley-disabled listserv.

The Mayor's Commission on Persons with Disabilities (MCPD) is a 15-member volunteer commission established in 1980 to represent and address issues faced by people with disabilities. The MCPD formed the Emergency Preparedness Access Advisory Committee (EPAAC) in April 2009 to review the draft Annex and provide comments and suggestions. The EPAAC has been made a permanent committee to review City emergency preparedness programming and policies; provide education and outreach to the local disability community about personal preparedness; and oversee implementation of this Annex.

EPAAC meets on the second Wednesday of each month between 11:00 A.M. and 1:00 P.M. in City Hall 11<sup>th</sup> Floor Conference Room. These meetings are open to the public and notified accordingly through the City Clerk's Office. A public comment period is reserved on each meeting's agenda. Guests who wish to provide comment during a meeting are asked to register at the beginning of each meeting with a staff member.

Individuals interested in receiving EPAAC meeting agendas and minutes should contact the ADA Programs Division (see above).

Public comments were consolidated by staff and reviewed by the EPAAC. Accepted changes will be incorporated into the Annex. The City's response to public comments was discussed at the April 2010 EPAAC meeting. The City's response to public comments, along with comments will be made available upon request by the ADA Programs Division.

## **2. Grievance Procedures**

The City has a formal grievance procedure providing for prompt and equitable resolution of complaints alleging any action that would be prohibited by Title II of the Americans with Disabilities Act.

Complaints of alleged disability discrimination concerning City of Oakland emergency preparedness, response and recovery programs, activities and services should be directed to the ADA Programs Division (see above).

## **3. Accommodations**

### **a. Service Animals**

It is the policy of the City that service animals owned by individuals with disabilities be permitted to accompany their owners into all City buildings, facilities and events, and onto the premises of contractors providing City programs, activities and services. This includes all City operated emergency shelter sites.

#### **i. Definition**

A service animal is any animal individually trained to perform tasks for people with disabilities. If an animal meets this definition, then it is considered a service animal under the ADA. Service animal users are not required to carry a service animal license or permit and shelter staff may not request to see such documents. If it is not readily apparent, then shelter staff may ask the service animal user what tasks the service animal is trained to perform. Service animals are not pets.

A therapy animal is an animal certified for animal assisted therapy (AAT) and used by a handler to provide comfort or companionship or for other "therapeutic" purposes. An animal meeting this definition is not a service animal and will not qualify as a reasonable accommodation at City operated emergency shelter facilities.

#### **ii. Behavior**

The service animal's owner shall at all times remain responsible for ensuring the appropriate behavior of the animal. Appropriate behavior includes but is not limited to:

1. All service animals must be well-behaved. Animals may not jump on persons or other animals, bark excessively, growl, wander about, or engage in other unruly behavior.
2. Service animals must be under the control of the user at all times.
3. Service animals must be clean, groomed, and free of ticks or other pests.
4. Service animals are to relieve themselves in designated locations only.

In the event that a service animal's presence or behavior becomes problematic, staff should promptly inform its owner about the problem. If the owner cannot immediately control the animal, staff may require the animal's owner to remove it from the premises until such time as the animal's problem behavior is resolved. In such an instance, staff should make clear to the animal's owner that he or she is welcome to remain in the building during the time that the animal will be required to remain outside.

### **iii. Care and Feeding**

*Reserved: This section reserved for information regarding how the City will support service animals at emergency shelters (i.e. care and feeding), and shall be included as staff researches responsibilities and develops the necessary resources.*

#### **b. Dietary Needs**

*Reserved: This section reserved for information regarding food service for individuals with dietary needs at emergency shelters, and shall be included as staff researches responsibilities and develops the necessary resources.*

#### **c. Environmental Illness/Multiple Chemical Sensitivity**

*Reserved: This section reserved for information regarding accommodations at emergency shelters for individuals with environmental illness/multiple chemical sensitivity, and shall be included as staff researches responsibilities and develops the necessary resources.*

### **D. Community Preparedness**

Since its inception in 1990, the *Communities of Oakland Respond to Emergencies (CORE)* program has provided free, community-based training to more than 18,000 residents. The mission of CORE is to promote the spirit of neighbor-helping-neighbor and to provide the highest quality emergency and disaster prevention, preparedness and response training. The City is committed to ensuring training is provided to and about individuals with functional needs at all levels of CORE courses.

The Emergency Preparedness Access Advisory Committee of the MCPD has defined their Calendar Year 2010 goals in to include:

- Inform and develop training curriculum for the CORE program, to include emergency preparedness tips for people with functional needs, community disability sensitivity trainings, and encourage others to think of people with functional needs as potential managers or leaders during community emergencies; and
- Conduct outreach and provide educational opportunities to the disability community regarding emergency preparedness for persons with disabilities.

ADA Programs will coordinate the development of new curriculum for the CORE program pursuant to this Annex. ADA Programs will work with the EMSD, EPAAC, ARC, and local disability organizations.

Individuals interested in attending the CORE program should contact:

CORE Coordinator  
*Emergency Management Services Division*

Oakland, CA 94612  
510-238-6351 . Voice  
510-238-3254 . TTY  
core@oaklandnet.com  
[www.oaklandcore.org](http://www.oaklandcore.org)

## **E. Shelter Support**

This Annex and other emergency preparedness and response mechanisms used by the City rely upon collaborations with community partners. The City commits to meet and collaborate with community partners to ensure that persons with functional needs are considered during emergency planning and response phases. This Annex aims to provide a high level of service to all shelter residents.

### **1. Functional Needs Coordinators**

The City has established two levels of coordination and oversight of shelter services provided to individuals with functional needs, called Functional Needs Coordinators (FNCs).

The FNCs play a primary role in implementing this Annex during an emergency incident. The Emergency Operations Center Functional Needs Coordinator (E-FNC) shall provide technical assistance and support to functional needs-related situations at all shelter sites. The E-FNC is located at the Emergency Operations Center (EOC).

A Shelter Site Functional Needs Coordinator (S-FNC) is located on-site at each open shelter. In addition to standard shelter responsibilities, all shelter managers assume the role of S-FNC as part of their primary responsibility. The S-FNC shall be involved with all shelter activities, such as shelter layout and set up, registration and assessment, daily needs, and activities related to shelter closure. The S-FNC shall be made directly available to shelter residents. The S-FNC shall conduct individualized assessment to determine appropriate accommodations.

The City shall create and maintain a Toolkit for FNC use. Toolkits shall contain resources for providing emergency shelter services to persons with functional needs, such as communication boards or flip charts, FNC identification, emergency evacuation pictogram, list of City vendors that provide durable medical equipment and/or consumable medical supplies, grievance documents, etc. Toolkits shall be located at the ADA Programs Division office in City Hall and at the EOC.

**a. Emergency Operations Center**

Initial EOC staffing patterns include a designated EOC Functional Needs Coordinator (E-FNC). The E-FNC shall have in-depth knowledge of diverse functional needs, including people with vision and hearing loss, physical disability, mental health disability, developmental and other cognitive disability, substance abuse and older adults.

The E-FNC shall be designated as follows:

<b><i>PRIMARY E-FNC:</i></b>	<b><i>PWA / ADA Programs ADA Specialist</i></b>
<b><i>First Alternate:</i></b>	<b><i>PWA / ADA Programs City ADA Coordinator</i></b>
<b><i>Second Alternate:</i></b>	<b><i>Department of Human Services / OPED Senior Services Supervisor</i></b>
<b><i>Third Alternate:</i></b>	<b><i>Department of Human Services / MSSP Senior Services Supervisor</i></b>
<b><i>Fourth Alternate:</i></b>	<b><i>Department of Human Services / AHHS Senior Services Administrator</i></b>
<b><i>Fifth Alternate:</i></b>	<b><i>Office of Parks and Recreation Designated EOC Liaison</i></b>

Specific staff positions for the E-FNC shall be reviewed periodically to ensure the essential experience and requirements are maintained through staff changes. E-FNCs are

permitted to designate assistants during activation, as necessary, to ensure responsibilities are met.

The E-FNC provides technical assistance and resources to City staff and community partners working at shelter sites to assist with policy and procedure accommodations, paratransit transportation coordination, requests for durable medical equipment (DME) and consumable medical supplies (CMS), etc. This position, in conjunction with other EOC staff, shall participate in identifying which shelters to open using the City's primary and secondary emergency shelter lists.

*See Attachment C Role of the Emergency Operations Center Functional Needs Coordinator for responsibility details.*

#### **b. Shelter Sites**

In addition to standard shelter responsibilities, all shelter managers assume the role of a Shelter Functional Needs Coordinator (S-FNC) as part of their primary responsibility. Whenever necessary, the E-FNC shall attempt to identify an additional S-FNC to assist shelter managers with their duties. The S-FNC shall be assigned to delegate and request from the appropriate responsible partners and entities authorizations as follows:

- Identification of essential functional needs within the shelter setting via use of the Initial Intake and Assessment Tool (IIAT) developed by the ARC in partnership with the State Department of Health and Human Services (*see Attachment E*)
- Entry oversight of NGO workers to identify and meet essential needs of at-risk populations
- Designation of accessible shelter supplies, including accessible cots, durable medical equipment (DME), consumable medical supplies (CMS), power generators, and refrigeration for essential medications
- Providing access to electric power and/or generators for such items as life-sustaining medical devices, motorized wheelchairs or scooters, ventilator, air purifiers, refrigeration, etc.
- Ensuring accessibility of portable toilets, hand washing and bathing/shower units
- Providing as effective communication to individuals with disabilities as is afforded to the general shelter population

- Arranging transport and transfer to medical shelters when individuals with medical needs are identified; and provide for functional needs as necessary when medical shelters or transportation are not immediately available

In addition to the above responsibilities, the S-FNC shall assist with shelter layout and set-up, registration and assessment, communication access, and health and safety issues, as well as provide accommodations to policies, practices, and procedures. (*See Attachment D for Functional Needs Care and Shelter Checklist responsibilities.*)

## **2. Non-Governmental Organization (NGO) Roles**

The City works with Non-Governmental Organizations (NGOs) to augment response and recovery capacity.

The City is committed to working with local organizations that serve individuals and families with disabilities and to ensure that anticipated challenges during an incident are addressed in the planning and preparedness stages. This includes organizations that serve: older adults; the Deaf community; individuals with blindness and visual impairments; Deaf-blind needs; persons with cognitive disabilities; persons with developmental disabilities; individuals with mental health disorders; physical and mobility disability needs; and other types of disability. Collaborations may include incorporating new curriculum into emergency preparedness training efforts and/or establishing vital services and support networks for use during an incident. ADA Programs Division staff shall be responsible for identifying organizations that serve individuals with disabilities. The City's Department of Human Services (DHS) staff shall be responsible for identifying organizations that serve older adults.

### **a. American Red Cross**

The American Red Cross (ARC) provides emergency assistance, disaster relief, and preparedness education services throughout the United States, and remains the primary provider of mass care and shelter services for the City. ARC has access to a variety of resources, including local, state, and national stockpiles of relief equipment, and has trained volunteers able to provide shelter management support services. The City relies upon ARC for providing most emergency shelter supplies, durable medical equipment (DME) and consumable medical supplies (CMS), such as shelter cots, meals, portable restrooms, showers, portable generators, refrigerators, wheelchairs, walkers, white canes, shower chairs, commode chairs, gauze pads, ostomy supplies, facial masks, etc. Most ARC services will be available within 72 hours following an emergency. The City recognizes this time period may be greater during a catastrophic event.

ARC provides shelter management training to the City's employees, and the City intends to coordinate training on this Annex with the annual shelter management trainings through ARC.

**b. Eden Information and Referral, Inc.**

The City works with Eden Information and Referral, Inc. (Eden I & R), the primary centralized source for referral and information within Alameda County, which can be reached whenever callers dial 2-1-1. Eden I & R will provide disaster victims with information, relief and recovery resources, including information regarding open mass care shelters within the city and critical social services. Eden I & R services are available to callers using Tele Typewriters (TTYs). Eden I & R is a member of Alameda County Collaborating Agencies Responding to Disaster (CARD).

**c. Collaborating Agencies Responding to Disaster of Alameda County**

Collaborating Agencies Responding to Disaster (CARD) is a local non-profit organization that provides emergency preparedness training and technical assistance. Their programs are specially designed for non-profit organizations (NGOs), faith-based organizations (FBOs), and other service providers that serve various populations, including older adults, people with disabilities, youth and children, homeless individuals, limited-English proficient residents, low-income families and many others. CARD assists local government agencies to partner more successfully.

Emergency preparedness methods and emergency plans of local Long Term Care facilities (LTC) are currently unknown, although all LTC facilities are required to have a disaster plan. The City recognizes this large and diverse population may need access to general population shelters during a disaster. The LTC staff will have in-depth medical knowledge of the needs of their residents, needs that many residents may not be able to express. The LTC staff may not immediately be available to provide functional needs assistance to facility residents at a general population shelter. The City shall engage with CARD and the State of California to recommend their assistance to local LTC facilities with emergency preparedness and plan updates.

**d. State Functional Assessment Service Team**

A State Functional Assessment Service Team (FAST) consists of trained government employees and Community-Based Organization (CBO) personnel ready to respond and deploy to disaster areas to work in shelters. FAST will work side by side with shelter personnel, the S-FNC, and other emergency response workers to assist in identifying and meeting essential functional needs so people with disabilities and older adults can maintain their health, safety and independence during disasters. FAST members work with shelter management and both the E-FNC and S-FNC to ensure quick and accurate requests for DME, CMS and essential medications.

The State maintains a list of trained FAST members who can support the functional needs population during care and shelter, and deploys responders to shelters as they are opened. The FAST will remain in the shelters until it is determined that they are no longer needed. The FAST may transfer to other shelters and may return to shelters as needed or requested. The FAST assists with care and coordination of services for individuals with

functional needs in shelters prior to recovery and helps facilitate the return of conditions similar to those prior to the event.

The FAST members will possess the knowledge, skills and ability to work in their area of disability expertise, as well as a minimum of two years' experience working with and assessing the needs of these populations. FAST will consist of members with experience in the following areas: aging (services/supports, including dietary needs); chronic health conditions; developmental and other cognitive disabilities (i.e. Traumatic Brain Injury, intellectual); hearing loss; mental health disabilities; mobility disabilities; substance abuse; and vision loss.

The purpose of the FAST program is to provide staff to conduct functional assessments of people with functional needs as they arrive at shelters. This assessment will evaluate the needs of the individual and determine whether they can be supported within the general population shelter.

The role of FAST is to conduct assessments of individuals and facilitate the process of getting essential resources needed by the PWD/E. These may include durable medical equipment (DME), consumable medical supplies (CMS), prescribed medications or a person to assist with essential activities of daily living.

The City works with Alameda County to negotiate mutual aid agreements for services FAST may be able to provide. Some of these services include:

- Identifying and tracking the needs of persons with disabilities, including mapping of shelters for follow-up or on-going assistance
- Identifying individuals in need who may not otherwise express their need
- Providing assistance to shelter staff in meeting functional needs and accommodation requests
- Assistance with providing essential medications, durable medical equipment (DME) and consumable medical supplies (CMS)
- Providing resources and service coordination to transition individuals from a shelter setting into the community during deactivation and to prevent inappropriate institutionalization
- Assist individuals with functional needs to connect with long-term health and mental health services as needed
- Assist individuals with functional needs to re-establish or access public benefits and services

FAST members and shelter management will not provide personal care attendant services to any shelter resident, but may assist in coordinating personal care attendant services.

FAST may be able to coordinate voluntary agency assistance and organize donations for necessary goods and services. This non-conventional shelter management assists and supports this Annex and the City's Disaster Mass Care and Shelter Plan.

## **F. Communication Access**

The City shall work with organizations that serve individuals with disabilities and older adults to conduct education and outreach, and to register personal electronic devices with City emergency warning systems. ADA Programs staff shall be responsible for identification and coordination of disability community partners. The Oakland Department of Human Services (DHS) staff shall be responsible for identification and coordination of community partners that serve older adults.

EMSD will continue to provide emergency preparedness documents, information and all other public materials in alternative formats, including Braille, large print, computer disk, and audio disk, when necessary to ensure that its communications with individuals with disabilities are as effective as its communications with others.

### **1. Alerts and Warnings**

The City's Emergency Public Information Officer (E-PIO) team is responsible for ensuring that emergency messages provided to the public, where appropriate, contain a disability access statement:

The City of Oakland makes every effort to ensure that its emergency programs and facilities are accessible to people with disabilities. Functional Needs Coordinators are deployed to City-operated shelters to assist people with disabilities. In consideration of persons who experience chemical sensitivities, please refrain from wearing or bringing scented products to the shelter.

EMSD maintains and operates a citywide audible warning system for emergency use. This system is composed of multiple sirens located throughout the City that serve as an audible alarm immediately prior to, during, and/or after an incident. The audible sirens are tested on the first Wednesday of each month at 12:00 Noon.

The City intends to provide alerts, warnings, and updates immediately following an emergency incident to the following emergency broadcast radio stations: KCBS 740 AM; KGO 810 AM; KNBR 680 AM; and Radio Oakland 530 AM.

In conjunction with audible sirens, the City also maintains: (1) two emergency notification systems, City Watch and GovDelivery, with capabilities to provide audible and text-based emergency messages on-demand; (2) a contract with community-based organization Eden Information and Referral, Inc. for City use of the 2-1-1 program during an emergency; (3) KTOP TV-10, the City's government access cable television station; (4) a recently remodeled City web site with the ability to provide emergency information on-demand; and (5) emergency first responders to warn community members via door-to-door and/or neighborhood communications.

The City's E-PIO team is responsible for conducting education and outreach to the community for the purposes of registering non-landline telephones and other electronic devices with these emergency notification systems. This includes building partnerships with organizations that serve individuals with disabilities and older adults. Through these efforts with our community partners, the City intends to reach as many residents as possible to register their personal cellular devices, TTY numbers, and/or e-mail addresses with the various emergency notification systems.

#### **a. City Watch**

City Watch is the City's current emergency notification system to warn residents of an emergency situation. City Watch is composed of a localized, Oakland-based landline notification service. This system has the ability to interface with electronic mail, facsimile machines, text message service and short message service (SMS), text pager, landline, registered Text Telephones (TTY) for the Deaf and hard of hearing, and cellular and wireless devices. It can provide advanced warnings to pre-identified geographic or neighborhood clusters. The City *will continue* to explore and remedy potential gaps in service through use of available modern technologies.

The City's Department of Information Technology (DIT) plans to enter into new agreements for emergency notification systems as funding is secured. New or updated agreements for an emergency notification system will aim to minimally provide for:

- Automatic detection of TTYs to send text messages
- The ability to interface with electronic mail, facsimile machines, text message service, short message service (SMS), text pager, and TTY
- Increased rate of call
- Options to repeat the message
- Land line, cellular and other wireless device calling
- Advanced warning for clusters of vulnerable populations

DIT and Oakland Fire Dispatch will regularly test the emergency notification system to ensure optimum operability.

In addition, the City's EMSD will investigate the feasibility of cooperation with adjacent municipalities to jointly invest in a robust product with all necessary features to reach the unique population of each entity.

**b. GovDelivery**

A comprehensive e-mail and digital subscription management system, GovDelivery is a web-based application that monitors web sites for content updates and automatically generates e-mail or wireless alerts when changes are detected on designated web pages. GovDelivery allows public entities to send targeted emergency alerts to registered citizens based on geographic locations. Individuals must pre-register an e-mail address or electronic device with text messaging or SMS capability.

The City employs the GovDelivery application on its web site for the purpose of providing emergency alerts and warning updates. The application is currently available on the main web page and on ADA Programs web pages. The City plans to make GovDelivery registration available on the EMSD web site after full implementation of City agency web pages has occurred.

DIT is responsible for ensuring GovDelivery appears on designated web pages.

**c. 2-1-1**

The 2-1-1 system consists of a free, confidential, 3-digit telephone number and call-in service that provides access to housing information and critical health and human services. This telephone number operates 24 hours a day, 7 days a week with multi-lingual capabilities, and is usually reserved for non-emergency information.

The City has an agreement with Eden Information and Referral, Inc., the company that operates 2-1-1 in the Bay Area, to provide emergency assistance during an incident. Eden I & R will provide disaster victims with information, and relief and recovery resources, including information regarding open mass care shelters within the city and critical social services.

Eden I & R services are available to callers using Text Telephones (TTYs).

**d. KTOP TV-10**

The City's government access cable television station, KTOP TV-10, uses an electronic bulletin board called Information Access to post information to the public. The City's E-PIO team will coordinate the development of stock slides related to emergency preparedness. Stock bulletins contain general emergency information and are not tailored to a specific incident since they are created prior to its occurrence. ADA Programs

Division staff will coordinate an audible narration to accompany all text content of stock emergency information on KTOP's Information Access electronic bulletin board.

Currently, KTOP has the ability to create incident-specific text-based bulletins on demand. Immediate audio translation of custom bulletins is currently available.

KTOP shall ensure that live televised emergency announcements made by the City on its cable channel TV-10 include qualified sign language interpreters and/or real-time captions, if such translation services are available following an incident.

**e. City Web Site**

The City's Department of Information Technology (DIT) shall ensure that emergency information and trainings provided via the City's web site are developed and maintained in a format accessible to persons with disabilities as outlined by the City Web Access Policy. The City's Web Access Policy requires conformity to World Wide Web Consortium (W3C) Web Content Accessibility Guidelines (WCAG) 2.0 Conformance Level A.

The City is currently exploring the feasibility of web-based broadcasts. These broadcasts may have the ability to display sign language interpretation on-screen. When such translation services are unavailable, essential information contained in the broadcast shall be provided in text format to the maximum extent practicable. The E-PIO team shall be responsible for ensuring inset sign language interpretation or text information is provided with any emergency web-based broadcasts, when such translation services are available.

**f. First Responders**

First responders are provided with a variety of methods of communication, both audible and visual. First responders, including Police and Fire personnel, shall have accessible door-to-door communications, such as loudspeakers and pictograms.

ADA Programs, OPD and OFD staff will research and select communication devices for first responder use in door-to-door emergency announcements. These devices will include pictograms that convey ideas, thoughts, and events and can be used to communicate with individuals with various functional needs, including people with speech disabilities, individuals who do not speak English, and others who may be unable to receive or convey audible communications during an emergency.

Staff shall work with the Mayor's Commission on Persons with Disabilities (MCPD) Emergency Preparedness Access Advisory Committee (EPAAC) to ensure selected images are representative of the functional needs population and do not encourage negative stereotypes.

**2. Shelter Site Services**

The City does not plan to bring in portable communication devices of any kind to shelter sites, including telephones, computers, etc. The City has no contract in place for renting portable communications equipment.

On-site shelter communications shall primarily be delivered through audible announcements and a community bulletin board. The City intends to provide sign language interpretation services to shelter residents to the extent that these contract services are available following an incident.

**a. On-Call Sign Language Interpreters**

The City explored obtaining an on-call sign language contract through a local vendor for local and regional disasters but was unsuccessful in making such an agreement. Vendors anticipate interruption of the local sign language interpreter service delivery system and they will not commit to coordinating such services during emergencies.

An on-call qualified sign language interpreter contract exists for all police emergency and non-emergency business. This contract is maintained and updated through Oakland Police Department (OPD) Communications Division. OPD has separate responsibilities under the Americans with Disabilities Act in regard to day-to-day communications. This on-call interpreter contract has been established to provide effective communication for persons with disabilities when they encounter OPD during routine police activity, such as traffic violations, court appointments, investigations, etc. The City acknowledges that it is unlikely this contract will be successful in delivering interpretation services during a disaster situation due to interruption of the local interpreter service delivery system.

**b. Video Remote Interpreting**

Video Remote Interpreting (VRI) services provide sign language interpreting to a location where Deaf and hearing individuals are together in one location and the interpreter is located off-site.

Unfortunately, VRI is not a viable shelter-based communications service at this time. Various pieces of equipment are required to use VRI services, including a computer, video camera, video conferencing software, and Internet connection, all of which may not be universally compatible with all service providers. Equipment would need to be purchased in advance and stored on-site at potential shelters due to the required hard-wiring for service. VRI service providers report significant potential information technology barriers such as the inability to connect through a network's firewall and a lack of sufficient bandwidth to transfer video images quickly enough to be understandable. The City shall periodically review the feasibility of VRI as a shelter-based communications service.

**c. Bulletin Boards**

Shelter site managers shall establish and maintain a bulletin board to post all announcements. Bulletin boards shall be located in a central area available to all residents and shall be placed with consideration of wheelchair users in regard to physical accessibility and eye-level. All written bulletins provided on the bulletin board shall be provided in large print, Times New Roman equivalent text point size 16, or greater.

All audible announcements must be provided in text format and posted to the bulletin board in a timely manner. Information provided on the bulletin board should be audibly announced a minimum of two times per day, and shelter staff shall read posted information to individuals with functional needs upon request.

**d. California Relay Service (7-1-1)**

Communications between shelter staff and individuals with speech disabilities shall be coordinated through the use of Speech-to-Speech (STS) interpreters when the need occurs. STS interpreters can be reached by dialing 7-1-1 from a standard operating telephone. Interpreters are trained to understand a variety of speech disabilities and interpret the client's speech.

**G. Shelter Identification and Activation**

The City and Oakland Unified School District (OUSD) have an agreement completed in June 2009 that covers the use of OUSD school sites as temporary shelter sites during major emergencies. The City has further identified multiple Office of Parks and Recreation (OPR) sites as secondary shelter sites for use during an emergency situation. All of these sites have been analyzed for physical access compliance using the Emergency Shelter Site Accessibility Evaluation matrix, based on the ADA Checklist for Emergency Shelters published by the U.S. Department of Justice, Civil Rights Division Disability Rights Section, as well as guidelines for sheltering people with disabilities set forth by the American Red Cross.

The physical access evaluations are limited to primary areas that may be used for emergency sheltering activities (gymnasiums, cafeterias, and multipurpose rooms), restrooms, showers, drinking fountains, and exterior/interior paths of travel supporting those areas. Evaluations also note the type of kitchen facility and the availability of off-street parking, passenger loading zones, large outdoor staging areas and more at each facility.

The City's ADA Programs Division will track completion of minor repairs, renovations and modernizations to all primary and secondary emergency shelter sites, and coordinate City efforts to update the shelter list. An updated Emergency Shelter Site Accessibility Evaluation will be completed after repairs, renovations and modernizations in addition to regularly scheduled updates as outlined in Chapter X – Time Table and Updates.

The City's *Emergency Management Services Division* (EMSD) and the American Red Cross (ARC) are responsible for identifying additional facilities, such as portable restrooms, showers or tents, and equipment, including portable generators and refrigerators that must be brought on site during an emergency to make shelter sites fully functional and accessible. This determination will be based upon a variety of factors, including the total number of shelter residents at the facility.

The EMSD and ARC will work with the appropriate agencies to complete a formal evaluation of each primary and secondary shelter site for compliance with programmatic requirements for shelter accessibility after an incident and prior to opening each shelter. This evaluation minimally ensures the facility provides adequate space and essential utility services to maintain the health and safety of shelter residents with functional needs. It will be determined at this time what equipment and services will be brought on site (i.e. emergency generators, refrigeration units, accessible portable restrooms and wash stations). All necessary supplies will be identified and obtained at the time of need through ARC or City vendors.

It is necessary to differentiate between shelter sites suitable for regional disasters and shelter sites suitable for localized incidents. The City's current shelter lists do not include major sites suitable for regional disaster evacuations, such as sports arenas, college campuses, and major hotels. The City plans to pursue MOUs with major facility owners and operators. All tolled, however, the major facilities in Oakland cannot accommodate 10% of Oakland's population, which is the estimated number of evacuees who will seek public shelter, according to the Association of Bay Area Governments. Evacuees will be sheltered in "tent cities" and/or transported out of the area. This could not be accomplished independently by the City and will be the subject of cooperative agreements between the City, ARC, the County of Alameda, and others. The City has participated in development of the San Francisco Bay Area Regional Emergency Coordination Plan that addresses sheltering after regional disasters.

The City will take into account the principles laid out in this Annex and will aim to incorporate those principles into any future negotiated agreements with major facility operators as well as with the ARC, the County of Alameda, and others involved in preparing for larger-scale disasters.

Furthermore, it is assumed that a number of Oakland NGOs and FBOs, such as community centers and places of worship, will open their doors during emergencies, local and regional. Oakland EMSD maintains a list of such facilities but no formal accessibility survey has been conducted. It is assumed that most of these facilities will rate below City standards for readily accessible facilities.

Information about which shelters are open and can best accommodate people with functional needs will be provided to the public at the time of an incident via 2-1-1, KTOP, the Emergency Broadcast System, and the City's Emergency Public Information Officer (E-PIO) team.

## **1. Primary Emergency Shelter Sites**

Oakland Unified School District and the City have identified multiple OUSD properties to be used as primary shelters (*see Attachment H*). All of these sites have been analyzed for physical access compliance using the Emergency Shelter Site Accessibility Evaluation matrix. Each location was ranked based on a physical access rating ranging between one (1) and four (4), where one represents poor ADA features and four represents excellent ADA features. These sites were then placed into one of three categories: (a) readily accessible facilities; (b) under modernization; or (c) for future consideration. As of April 1, 2009 there are eleven (11) distinct OUSD sites that are readily accessible facilities. These sites provide a cumulative total of 100,153 square feet of shelter space.

Minimum square footage requirements are usually determined on a per-person basis. The American Red Cross (ARC) uses 40-60 square feet sleeping space per person as a standard shelter space guideline. Forty square feet is adequate for the general population, while sixty square feet allows for enough space for support areas such as dining rooms, recreation area, health services, registration and material storage. Sixty square feet per person also allows for cot spacing to accommodate wheelchairs, walkers and other mobility aid devices.

Using ARC guidelines, readily accessible primary shelter sites can accommodate between 1,669 and 2,503 people.

It is anticipated three (3) OUSD sites will be modernized and added to the primary shelter list. This will add an additional 26,942 square feet of shelter space.

## **2. Secondary Emergency Shelter Sites**

The City has identified multiple Office of Parks and Recreation (OPR) facilities as secondary shelters (*see Attachment I*). All of these sites have been analyzed for physical access compliance using the Emergency Shelter Site Accessibility Evaluation matrix. Each location was ranked based on a physical access rating ranging between one (1) and four (4), where one represents poor ADA features and four represents excellent ADA features. These sites were also placed into one of three categories: (a) readily accessible facilities; (b) major renovations required; or (c) planned construction. As of June 2, 2008 there are ten (10) OPR sites, where three (3) of the sites are located on the same physical property, that are readily accessible facilities. These sites provide a cumulative total of 32,710 square feet of shelter space.

Using ARC guidelines, readily accessible secondary shelter sites can accommodate between 545 and 817 people.

There exists one (1) site that requires major renovation and sizes in total of 3,724 square feet. One (1) additional OPR site has a 23,000 square foot facility that includes a large multi-purpose room.

### **3. Medical Emergency Shelter Sites**

Alameda County Health Care Services Agency – Public Health and the Emergency Medical Services (EMS) coordinates the immediate medical response in a disaster, including emergency medical dispatch and emergency and non-emergency ambulance services. A medical shelter is planned for:



Medical shelters are for people who require intensive medical care. These individuals are medically fragile, in need of care beyond basic first aid, and necessary support systems are not provided for in the general population shelter. Individuals who require intensive medical care are considered in need of pre-hospital or in-hospital treatments.

Shelter staff, CBO and NGO partners will not provide personal care attendant services. Individuals who are unable to maintain their health or daily living activities due to a lack of adequate personal care attendant service within a mass shelter setting may be transferred to the medical shelter.

The City acknowledges the need for family-centered medical care. The City shall make every effort to permit family members and care givers who are not receiving direct medical shelter services to remain at the medical shelter with family or their clients.

This site is evaluated by the County for physical and programmatic access compliance. Co-locating medical shelters in mass shelters when necessary shall occur. Oakland EMSD shall work with Alameda County to update its listing of emergency medical facility sites at least once every five years.

### **H. Evacuation and Transportation**

The City's EMSD, in conjunction with first responders and transportation providers, shall ensure that functional needs are incorporated into exercises targeted at transportation and evacuation teams. The EMSD shall ensure that all other exercises and trainings that cover transportation and evacuation, including CORE, include information on transportation and evacuation procedures for persons with functional needs.

#### **1. Paratransit Roundtable**

The City aims to provide supplemental evacuation transportation in addition to public transit programs during an emergency. The Paratransit Roundtable was established to encourage voluntary participation of local public and private paratransit organizations to provide coordinated transit services for people with disabilities during a disaster. The Paratransit Roundtable meets bi-annually and includes City staff, local private paratransit

service providers, and representatives of the Metropolitan Transportation Commission (MTC).

The EMSD, through the Paratransit Roundtable, explored the possibility of drafting agreements with local paratransit service providers. Formal agreements with transit organizations would outline request, prioritization and scheduling procedures; provide stipulations for ensuring adequate space is made available for essential durable medical equipment (DME); and that essential prerequisites for federal, state and local reimbursement of emergency-related paratransit costs are met.

Initial dialogue has indicated that a voluntary program is more practical than a formal agreement process given the unique circumstances of disaster and relatively small fleet of paratransit vehicles and staff per agency.

In addition to facilitating on-going collaborations between private and public paratransit organizations, the Paratransit Roundtable actively pursues expansion and updating of the City's emergency Geographic Information System (GIS) emergency response layer. The Paratransit Roundtable successfully managed the development of a unique emergency evacuation pictogram (see below).

## **2. Emergency Evacuation Pictogram**

The City shall pursue production of an emergency evacuation pictogram, which will be placed on the outside of vehicles used by the City during an emergency. This will assist community members and first responders to readily distinguish authorized contracted evacuation vehicles. The City worked with Communication@Ease, a local company owned and operated by individuals with disabilities, to develop this unique emergency evacuation vehicle identification system.

The image to be used as the City's emergency evacuation pictogram is white foreground on blue background depicting a driver and rider in a bus with blue letters "EVAC" on the side of the vehicle. An arrow points toward the bus door with three individuals with functional needs (an individual with a service dog, an older adult cane user, and a wheelchair user) in the foreground. The words "EVACUATION VEHICLE" appear above the image. The words "CALL 211 EVAC INFO" appear below the image.

Focus groups including individuals with disabilities and older adults were conducted within the Oakland community in May 2009 to receive feedback on various evacuation pictogram designs. The MCPD Emergency Preparedness Access Advisory Committee (EPAAC) approved the selected emergency evacuation pictogram in July 2009. The image was then approved by the Paratransit Roundtable in October 2009.

*See Attachment (M) Emergency Evacuation Vehicle Pictogram.*

### **3. Geographic Information System (GIS)**

The City is currently using Geographic Information System (GIS) mapping to locate persons with functional needs. Oakland has currently identified long term care facilities, Residential Care Facilities for the Elderly (RCFE), and individual 9-1-1 Registry participants in its GIS emergency preparedness mapping system (layer). This GIS information was last updated in 2008. The City's EMSD will continue to improve this GIS layer with the addition of Oakland Housing Authority Section 8 and public housing locations for the sole use of persons with disabilities and older adults.

Efforts will commence to distinguish community areas where a high level of paratransit need exists through partnerships with Oakland Paratransit for the Elderly and Disabled (OPED), East Bay Paratransit, and private paratransit service providers. This GIS information may not be readily available to the City due to privacy concerns related to the Health Insurance Portability and Accountability Act (HIPAA) of 1996.

The City operates a voluntary 9-1-1 Registry program for people with functional needs. This program provides useful information to first responders about a person's health or needs during an emergency situation. The 9-1-1 Registry is not intended for use during a mass emergency and is only for personal emergencies when that particular individual, or someone on their behalf, calls 9-1-1 for assistance. Only contact information of 9-1-1 Registry participants will be included in the GIS for potential mass emergency use.

The Oakland Department of Human Services (DHS) is responsible to create and update 9-1-1 Registry program documents, and to conduct community outreach to potential program participants. [To participate in the 9-1-1 Registry program, persons may contact: Oakland Fire Department *Emergency Management Services Division*, 510-238-3938 (Voice) or 510-839-6451 (TTY), or visit EMSD on the web at [www.oaklandnet.com](http://www.oaklandnet.com).]

The EMSD is responsible for creating and maintaining procedures related to access to vital GIS services during EOC activation.

#### **I. Short Term Recovery**

After an emergency shelter has opened, the City's goal is to transition shelter residents to interim or short term housing as soon as possible. The City acknowledges that the deactivation process followed for closing a shelter must take into account the continuity of services needed for people with functional needs, and that disaster situations create disruptions in vital community services.

The City's Community and Economic Development Agency (CEDA) Housing and Community Development (HCD) and community partners shall assist in this transition process and work with homeless services providers and housing agencies to act as case managers for individuals seeking temporary or long term housing options. HCD shall work with Community Based Organizations (CBOs) to provide referrals for individuals with functional needs to services and programs that re-establish vital community services.

State FAST members coordinate with the City's Department of Human Services (DHS), Office of Parks and Recreation (OPR), and CEDA/HCD and other responsible City departments and agencies to coordinate transition from a shelter setting into the community. FAST members are trained and knowledgeable in regard to a variety of types of disability. They are able to assist in prevention of inappropriate institutionalization, and secure long-term health and mental health services.

The City does not provide permanent housing for temporary shelter residents. Staff may assist in locating long-term temporary housing for those shelter residents with unique challenges in the housing market. City staff shall, to the best of their ability, identify temporary housing with accessible features. Shelter residents who have requested housing with accessible features shall be given priority to accessible housing.

The City will assist with transition of resources and services provided during response and recovery to an entity that is designated to lead long term recovery in each disaster (such as the American Red Cross or the Federal Emergency Management Agency).

*(See Attachment G for Functional Needs Coordinator Deactivation Checklist.)*

## **VII. OPERATIONAL PHASES OF SUPPORT FOR INDIVIDUALS WITH FUNCTIONAL NEEDS**

### **A. Readiness Phases**

Three phases of readiness conditions apply to City emergency operations prior to activation: Preparedness; Increased Readiness; and Alert and Warning. Although these phases are described below progressively, conditions may require escalating and de-escalating, or skipping from one phase directly to another without passing through each phase. Commencement of these phases will be made by the City's EMSD Manager in consultation with individual Section Chiefs, Managers, and other City departments in response to conditions within the City, or in order to respond in support of local agencies, non-profit services providers, other EOCs, or other agencies as needed either prior to or after the activation period.

#### **1. Preparedness**

This phase reflects the normal status of planning, training, and exercising. It is widely accepted that there is potential for various system failures that could result in infrastructure disruptions at a local and statewide level as a result of any major emergency. Due to the level of concern over these potential disruptions and public reaction to real events associated with any major crisis, the City's EMSD provides for or supports the followings actions:

- a. Review and enhance Standard Operating Procedures (SOPs), phone rosters, and interagency procedures, as required
- b. Request that City departments evaluate and test all of the above to ensure they operate as designed
- c. Request that Department of Information Technology (DIT) and City departments inventory and test communications, equipment, and consumable supplies
- d. Assist with the repair, enhancement, and purchasing of equipment, as necessary
- e. Develop initial EOC staffing patterns
- f. Re-evaluate emergency notifications procedures and checklists
- g. Assist, plan, and carry out exercises to test the plans, as necessary

## **2. Increased Readiness**

This phase will be initiated when the EMSD Director, in consultation with the Operational Area and State, determine that, based upon intelligence, a greater likelihood of threat may exist. Examples of these threats may include:

- Analysis of lessons documented from statewide exercises and drills
- Potential civil disturbance
- “Runs” on banks, markets, or gas stations
- Events in other cities which may have significant media or economic impacts on the City

During the Increased Readiness phase, the following steps are required:

- Poll agencies to ascertain potential impacts and/or potential resource requests
- Confirm 24-hour phone numbers and points of contact for agencies that staff the EOC
- Re-evaluate initial staffing patterns and determine staff needs and availability
- Develop a staff recall roster for off-hour recall
- Ensure all EMSD staff review SOPs and request that City departments review SOPs
- Determine standby time frames for staff, if necessary
- Test, repair and purchase equipment, as necessary
- Complete all activities pending from the previous phase
- Identify potential needs from analysis of situation reports
- Develop ad hoc contingency plans for perceived needs
- Share relevant alerts, warnings, and intelligence reports with local governments and the Operational Area and in accordance with the City’s Emergency Public Information policies and strategy

## **3. Alert and Warning**

The EMSD Director, in consultation with the Operational Area and State, will determine, based upon information from such sources as the California Emergency Management Agency (CalEMA) or other credible sources, if there have been occurrences in other parts of the State due to major emergencies that pose a significant impact on the City.

Possible triggering events might include:

- Major power outages, for any reason
- Nuclear power plant accidents, for any reason
- Terrorist acts or acts of unknown origin or suspicious cases that appear to be terrorism, of any location
- Major local gatherings or events that have or may lead to civil disturbance
- Major hazardous materials releases

During Alert and Warning phase, the following steps are required:

- Bring key staff to standby
- Cancel travel and vacations if necessary to ensure proper staffing levels are available
- Evaluate potential staffing patterns
- Advise the City key executive staff if back-up staff may be needed
- Establish communication with the Operational Area, CalEMA Regional Office and other State of Federal agencies, as needed
- Communicate with local neighboring governments regarding status
- Complete all activities pending from previous phase
- Implement City Emergency Public Information media protocols and strategies

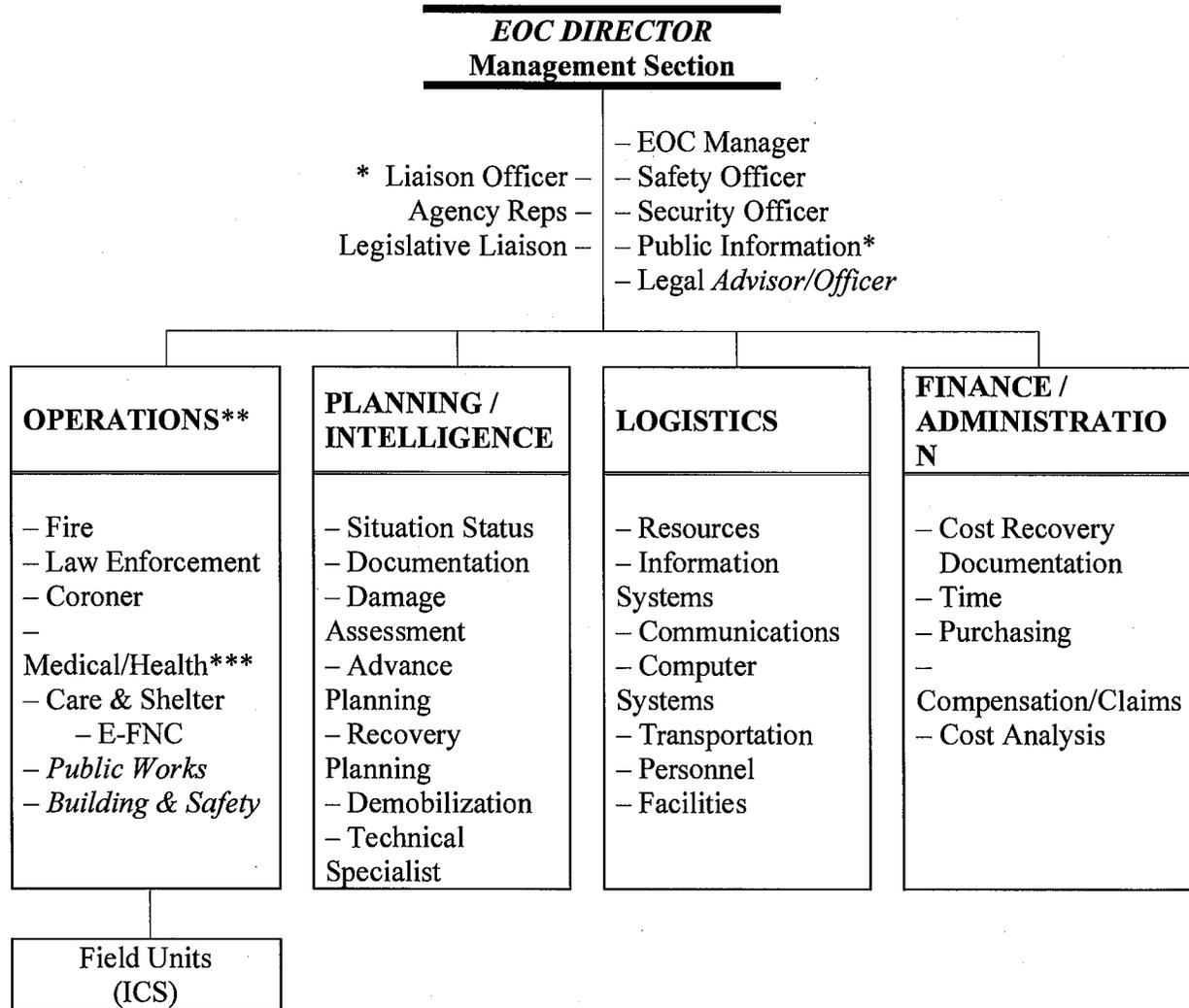
## **B. Response to Recovery**

Due to the possibility of widespread activity as a result of citywide declared emergencies, the potential is great to have simultaneous response activities underway while recovery activities are going on in other areas. To ensure a smooth transition, the early communication with the Operational Area, CalEMA Regional Office and the State Disaster Assistance Branch by the EOC Planning and Intelligence Section is required.

Initially, the City Administrator's Office (CAO) representatives and the EOC Management Section will act as part of advance planning to ensure early identification of recovery issues and information needs. If conditions warrant, CAO staff will form a separate Recovery Planning Branch within the Planning and Intelligence Section and the Legal Section to act as the focal point of recovery action planning and the development of transition plans.

The Mayor and City Council representatives will provide key policy and liaison roles with regional, state and federal counterparts. Meetings to address recovery issues can be convened at the EOC where up-to-date information will be available to representatives.

**VIII. RESPONSE ORGANIZATION / STRUCTURE**



- \* May be organized as a section or branch.
- \*\* If all elements are activated, a deputy will be appointed to provide a manageable span of control.
- \*\*\* Normally coordinated by County, but a local coordinator may be designated, if needed.

## **IX. ADMINISTRATION AND SUPPORT**

### **A. Agreements and Understandings**

#### **1. Oakland Unified School District (OUSD)**

In California, school districts are mandated to open school sites for sheltering during emergencies. The City and the Oakland Unified School District (OUSD) have established Memorandum of Understanding (MOU) for use of OUSD school sites as mass care shelter sites during an emergency incident. The City's Director of Emergency Services is responsible for maintaining and updating this MOU every five years or as otherwise designated in the agreement.

#### **2. American Red Cross (ARC)**

The City recognizes the importance of forming agreements with the American Red Cross (ARC) that detail sheltering responsibilities and facility transition periods. However, cities do not typically establish an MOU with the ARC. There is a natural automatic system for ARC assistance to cities, counties, and states. This assistance includes equipment dispersion, such as emergency generators and accessible cots. Normally, MOUs are formed between ARC and school districts.

The City intends to establish a Shelter – Functional Needs Coordinator (S-FNC) within the first 72 hour period of an incident and intends to transfer this position to ARC responsibility to the extent ARC will make available those resources, services and functions after shelter transition. The City will emphasize the importance of continuing the functional needs care framework within the shelter system during transfer from City to ARC authority. The City's Director of Emergency Services will make every effort to secure verbal commitments, and written commitments when possible, from ARC officials to maintain an S-FNC for each open shelter. The City will also recommend that ARC make use of the Functional Needs Care and Shelter Checklist (Attachment D). The City will work with ARC to identify and obtain DME, CMS, and other medical supplies as necessary.

#### **3. County of Alameda**

The City has a current mutual aid agreement with the County of Alameda and has participated in the development of the San Francisco Bay Area Regional Emergency Coordination Plan (RECP) Care and Shelter Subsidiary Plan.

#### **4. Other Agreements**

Partnerships with Collaborating Agencies Responding to Disaster of Alameda County (CARD) and Eden Information and Referral, Inc. exist through formal agreements. The

City's EMSD and the City's Office of the City Attorney (OCA) are responsible for maintaining and updating these agreements.

The City shall pursue formal agreements with other NGOs and make every effort to communicate to NGOs their responsibilities in meeting federal reimbursement requirements by providing the federal procedural requirements for reimbursement as an appendix to any MOU. The City cannot guarantee federal reimbursement and will not coordinate federal reimbursement for its partners.

## **5. Purchasing Procedures**

During an emergency incident, the City's Purchasing Supervisor has authority to take control over all current and former contracts and agreements between the City and vendors. This authority permits the Purchasing Supervisor to use all available funding sources to obtain necessary items from vendors.

Current and former contracts and agreements are in place to purchase DME, CMS, portable sanitation facilities, generators, refrigerators or cooling units, tents, essential medications, and supplies and equipment for acute medical care. These contracts are not specific about which types of equipment they do and do not cover, providing the City with the flexibility it needs to request items as they are needed. The City does not have stock piles of emergency equipment, but instead relies on its ability to draw from any open or former contract with a vendor during a disaster situation to rent or purchase equipment that is available at that time. The City acknowledges that these contracts are with vendors common to other organizations and entities that may request the same resources, and specific equipment availability cannot be guaranteed. The City anticipates that there may be complications to receiving necessary equipment. Should issues arise where vendors cannot obtain equipment in a timely manner, the City shall request the aid of ARC to supply these items.

The City is committed to identifying additional organizations that specifically supply essential DME and CMS to individuals with functional needs. ADA Programs staff shall coordinate new vendor applications with these organizations.

## **B. Training and Exercises Critiques**

Since 2003, EMSD has worked in collaboration with Collaborating Agencies Responding to Disasters (CARD) to provide an annual workshop and newsletter on the topic of emergency preparedness training for persons with disabilities. EMSD shall infuse disability and functional need specific content into a variety of trainings, including Citizens of Oakland Respond to Emergencies (CORE) curriculum, such that the subject matter is not held separate from general emergency preparedness training. EMSD training coordinators will actively recruit and accommodate persons with functional needs to participate in preparedness drills involving role-play and tabletop exercises. Additionally,

the City will conduct and integrate disability-specific incident scenarios into general incident exercises.

ADA Programs staff are responsible for coordinating a four-hour training module to familiarize Emergency Public Information Officers (E-PIO), Emergency Operations Center Functional Needs Coordinators (E-FNC), Shelter Functional Needs Coordinators (S-FNC), and City staff who have emergency shelter responsibilities with the following Attachment guidelines and checklists: (1) Role of the Emergency Operations Center Functional Needs Coordinator; (2) Functional Needs Care and Shelter Checklist; and (3) Functional Needs Framework. This training will include an exercise scenario to test the Annex by addressing the goals and objectives as outlined in Chapter V.

### **1. First Responders**

EMSD shall build partnerships among first responders, emergency planners and organizations of, by, and representing diverse functional needs populations to incorporate accurate functional needs training information and development of usable services and response. Training exercises, tabletops, and drills will involve the use of people with disabilities and activity limitations.

#### **a. Emergency Public Information Officers**

Training on this Annex has been provided to Emergency Public Information Officers (E-PIO) team members in March 2010. Curriculum focused on various methods to ensure effective communication with individuals with functional needs. Specific disability accommodations were thoroughly addressed for a variety of types of disability, including: people who are Deaf or have hearing impairments; people who are blind or have vision impairments; people with speech disabilities; people with mobility disabilities; people who have environmental illness/multiple chemical sensitivity; people with cognitive, intellectual, or developmental disabilities; and people with learning disabilities.

#### **b. Oakland Police Department**

Oakland Police Department (OPD) Training Bulletin Index Numbers VIII will incorporate disability specific language updates, door-to-door notification and communication access training, and procedures to utilize NGOs to assist in public warnings, alerts and announcements. The OPD Communications Division is responsible for coordinating these updates.

#### **c. Evacuation Transportation**

The City's EMSD, in conjunction with first responders, transportation providers, and the Paratransit Roundtable, shall create new emergency drills and exercises targeted at transportation and evacuation teams. All other appropriate preparedness exercises shall include transportation and evacuation procedures. In addition, functional needs services

in relation to transportation and evacuation shall be incorporated into all general population transportation and evacuation preparedness trainings and exercises.

## **2. Shelter Staff**

Full-time and permanent part-time employees in the Oakland Department of Human Services (DHS) and also those who work at or supervise the Office of Parks and Recreation (OPR) facilities or other City-owned potential shelter sites are required to attend annual shelter management training provided by the City in partnership with the American Red Cross. Beginning Calendar Year 2011, the functional needs framework and parts of this Annex will be incorporated into the annual shelter management training.

Curriculum includes shelter management overview by the American Red Cross, the functional needs framework, an overview of the responsibilities of the E-FNC, and detailed information on using the shelter layout and set up checklist.

ADA Programs staff maintains a list of individuals who have completed training on the Annex, and shall provide an update on training opportunities and attendees with required compliance reports to Disability Rights Advocates.

## **3. Functional Needs Coordinators**

Emergency Operations Center Functional Needs Coordinators (E-FNC) are required to complete annual web-based disaster management training courses in the SEMS and NIMS protocols, emergency planning and response training opportunities offered through the City and other agencies, and participate in training exercises or real incidents on a regular basis.

Additionally, FNCs shall be required to meet once annually to review their responsibilities and participate in tabletop exercises. These exercises shall focus on providing emergency services to individuals with diverse functional needs. Content shall minimally include information on providing services to individuals with mobility, visual, hearing, and/or cognitive disabilities, individuals with mental health disabilities, and the older adult population.

## X. TIME TABLE AND UPDATES

An Implementation Time Table (see Attachment J) has been established with all City departments and agencies holding specific responsibilities outlined in this Annex. Heads of departments and their staff were invited to discuss portions of the Annex and specific steps necessary to accomplish implementation goals. The dates developed for this time table represent estimations and are subject to change based upon future developments, such as staffing limitations or shifts in priority. City department heads shall notify the City ADA Coordinator of all changes, including project completion or date shifts. The ADA Programs Division shall update the time table once every three months until all items are complete.

The ADA Programs Division shall be responsible for coordinating updates to this Annex as necessary. The City's *Director, Emergency Management Services Division* shall notify the City ADA Coordinator of all new and revised processes, policies, and procedures that should be integrated in this Annex.

This Annex and the elements contained within shall be reviewed and updated by the ADA Programs Division at least once every five years. This review process shall include participation of populations with functional needs and shall actively recruit qualified people with a variety of disabilities, such as those serving on the Mayor's Commission on Persons with Disabilities (MCPD), and subject matter experts.

## GLOSSARY OF TERMS

### Acronyms

- ADA** – Americans with Disabilities Act of 1990
- ADAAG** – Americans with Disabilities Act Architectural Guidelines
- AHHS** – Aging, Health and Human Services
- ARC** – American Red Cross
- BiPAP** – Bilevel Positive Airway Pressure
- CalEMA** – State of California Emergency Management Agency
- CAO** – City Administrator’s Office
- CARD** – Collaborating Agencies Responding to Disasters of Alameda County
- CBO** – Community Based Organization
- CEDA** – Community and Economic Development Agency
- CMS** – Consumable Medical Supplies
- CORE** – Citizens of Oakland Respond to Emergencies
- CPAP** – Continuous Positive Airway Pressure
- DHS** – Department of Human Services
- DIT** – Department of Information Technology
- DME** – Durable Medical Equipment
- Eden I&R** – Eden Information and Referral, Inc.
- E-FNC** – Emergency Operations Center Functional Needs Coordinator
- EMSD** – *Emergency Management Services Division*
- EMS** – Emergency Medical Services
- EPAAC** – Emergency Preparedness Access Advisory Committee

**EOC** – Emergency Operations Center

**FAST** – Functional Assessment Service Team

**FBO** – Faith Based Organization

**FEMA** – Federal Emergency Management Agency

**FNC** – Functional Needs Coordinator

**GIS** – Geographic Information System

**HCD** – Housing and Community Development

**ICS** – Incident Command System

**IIAT** –Initial Intake and Assessment Tool

**LTC** – Long Term Care

**MCPD** – Mayor’s Commission on Persons with Disabilities

**MOU** – Memorandum of Understanding

**MSSP** – Multipurpose Senior Services Program

**MTC** – Metropolitan Transportation Commission

**NGO** – Non-Governmental Organization

**NIMS** – National Incident Management System

**OA** – Operating Area

**OPD** – Oakland Police Department

**OPED** – Oakland Paratransit for the Elderly and Disabled

**OPR** – Office of Parks and Recreation

**OUSD** – Oakland Unified School District

**PIO** – Public Information Officer

**PWA** – Public Works Agency

**RCFE** – Residential Care Facility for the Elderly

**SEMS** – Standardized Emergency Management System

**S-FNC** – Shelter Functional Needs Coordinator

**SOP** – Standard Operating Procedures

**STS** – Speech-to-Speech

**The Plan** – City of Oakland Mass Care and Shelter Plan

**The City** – City of Oakland

**TTY** – Tele Typewriter

**VRI** – Video Remote Interpreting

**W3C** – World Wide Web Consortium

**WCAG** – Web Content Accessibility Guidelines

## **Definitions**

**2-1-1** – A free, confidential, 3-digit telephone number and service that provides access to housing information and critical health and human services. This telephone number operates 24 hours a day, 7 days a week with multi-lingual capabilities, and is usually reserved for non-emergency information. The City has an agreement with Eden Information and Referral, Inc., the company that operates 2-1-1 in the Bay Area, to provide emergency assistance during an incident.

**7-1-1** – A free, confidential, 3-digit telephone number and service that provides relay access to the Deaf, people who are hard of hearing or have speech disabilities, and the hearing to have telephone calls relayed voice-to-text, text-to-voice, and voice-to-voice.

**9-1-1 Registry** – A computer record of individual health information voluntarily provided to the City by persons with disabilities and older adults. The 9-1-1 Registry files can provide useful information to medical professionals about a person's health or needs during an emergency situation. Participation in the 9-1-1 Registry and all information provided to the City is voluntary.

**Accessible** – Encompassing the legally required features and/or qualities that ensure entrance, participation and usability of places, programs, services and activities by individuals with disabilities.

**Accessible cots** – A raised sleeping area designed for ease of transfer from a wheelchair or other mobility device. These types of cots are wider, higher, and can hold a greater weight capacity than standard cots. Accessible cots measure approximately 32”W x 84”L x 18”H and can minimally accommodate 450 pounds of weight.

**Accommodation** – Any modification or adjustment to policies, practices, procedures or the environment that enables an individual to perform essential functions or participate in the program or event.

**Americans with Disabilities Act of 1990 (ADA)** – Signed into law July 26, 1990, a civil rights legislation intended to make American society more accessible to people with disabilities. It contains five titles: Employment, Public Service, Public Accommodations, Telecommunications, and Miscellaneous, which include prohibitions on threats, coercion, retaliation, etc. against people with disabilities and those who assist them in exercising their rights.

**BiLevel Positive Airway Pressure (BiPAP)** – A method of respiratory ventilation, used in the treatment of sleep apnea or in individuals with respiratory failure as an alternative to endotracheal intubation, which blows air at two levels of prescribed pressure: inspiratory positive airway pressure and a lower expiratory positive airway pressure for easier exhalation.

**Citizens of Oakland Responding to Emergencies (CORE)** – Equivalent to Community Emergency Response Team Program (CERT), known throughout other jurisdictions, CORE educates people about disaster preparedness for hazards that may affect the local Oakland area and provides training in basic disaster response skills, such as fire safety, light search and rescue, team organization, and disaster medical operations.

**Communication access** – Providing content in methods that are understandable and usable by people with reduced or no ability to speak, see or hear, and/or experience limitations in learning or understanding.

**Community Based Organization (CBO)** – All organizations, institutions or congregations of people which have local area presences, maturity and structural arrangements. These are owned and managed by members.

**Consumable Medical Supplies (CMS)** – Disposable supplies used by the recipient or care giver which are essential to adequately care for recipient’s needs. Such supplies enable recipient either to perform activities of daily living, or stabilize and monitor a health condition. Examples include catheters, ostomy supplies, gloves, bandages and padding. CMS often cannot withstand more than one use.

**Continuous Positive Airway Pressure (CPAP)** – A method of respiratory ventilation, used in the treatment of sleep apnea or in individuals with respiratory failure as an alternative to endotracheal intubation, which blows air at a prescribed pressure.

**Durable Medical Equipment (DME)** – Equipment that corrects or ameliorates a medical condition or functional disability. Examples include wheelchairs, scooters, canes, white canes, walkers, shower chairs, commode chairs, raised toilet seats, oxygen equipment, nebulizer tubing and machines, and speech generating devices. DME can withstand repeated use by recipient.

**Emergency notification system** – A system that sends alerts and warnings regarding incidents that affect lives and property. The system can perform mass contacts through a myriad of personal communicating devices, land line telephones and the Internet. These alerts and warnings can be audible and visual.

**Functional Assessment Service Team (FAST)** – Trained NGO and government workers ready to respond to and deploy to disaster areas to work in shelter, temporary housing and other disaster recovery centers. Team members have in-depth knowledge of the populations they serve, cultures and support service systems including housing, resources, benefit programs and disaster aid programs.

**Functional needs population** – Formerly *Special Needs Population*. For the purposes of this Functional Needs Annex, any individual with (1) a physical or mental impairment that substantially limits one or more of the major life activities of such individual; (2) a record of such an impairment; or (3) being regarded as having such impairment. This is inclusive of individuals with temporary and permanent limitations and those who may function independently without the presence of an emergency situation but who may need assistance during an incident.

**GovDelivery** – A full-automated, on-demand public communication system that utilizes a Software as a Service (SaaS) platform to provide government-to-citizen communication solutions in the form of e-mail, text messaging, RSS/web feed and social media.

**Long Term Care (LTC)** – A diverse group of licensed care facilities, congregate facilities, residential facilities, nursing homes, assisted living, group homes, intermediate care facilities, senior citizen housing, and RCFE's.

**Non-Governmental Organization (NGO)** – Any non-profit, voluntary citizens' group which is organized on a local, national or international level.

**Personal care attendant / personal care assistant** – Any person who provides assistance to an individual with functional needs to complete activities of daily living, such as toileting, bathing/showering, dressing, eating, etc. This person can be a family member, volunteer, or hired assistant. Many people with disabilities and older adults

utilize In-Home Supportive Services (IHSS) to provide financial assistance to maintain personal care attendants. IHSS refers to personal care attendants as “chore providers.”

**Pictogram** – A picture representing a word or idea; also referred to as a pictograph.

**Qualified interpreter** – An interpreter who is able to interpret effectively, accurately and impartially both receptively and expressively, using any necessary specialized vocabulary.

**Readily accessible** – A facility or program that is immediately accessible to an individual with a disability and contains no barriers to entrance or participation.

**Service animal** – Any *dog* individually trained to perform tasks for people with disabilities. Service animals are not pets. Requirements of service animal licensing or permits are prohibited under the Americans with Disabilities Act.

**Sign Language** – A language that uses a system of manual, facial and other body movements as the means of communication, especially among Deaf people.

**Speech-to-Speech (STS)** – A service offered through the Telecommunications Relay Services through the United States, Virgin Islands, Puerto Rico, Australia, New Zealand and Sweden that provides communication assistants (CA’s) for people with speech disabilities who may experience difficulty being understood by the public on the telephone. STS services can be reached by dialing 711 from any standard telephone.

**Tele Typewriter (TTY)** – An input device that allows alphanumeric characters to be typed in and sent over a standard telephone line to another TTY machine one character at a time as they are typed. TTYs provide a means of communication over the telephone line for the Deaf, people who are hard of hearing or who have speech disabilities.

**Video Remote Interpreting (VRI)** – Video conferencing equipment and web-based technology that provides on-demand access to sign language interpreting services without an interpreter onsite. The Deaf individual and hearing individual are in the same location.

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## **ATTACHMENTS**

- A. Head of Department Lines of Succession**
- B. Functional Needs Framework**
- C. Role of the Emergency Operations Center Functional Needs Coordinator**
- D. Functional Needs Care and Shelter Checklist**
- E. Initial Intake and Assessment Tool**
- F. Accessible and Medical Cots**
- G. Functional Needs Coordinator Deactivation Checklist**
- H. Primary Emergency Shelter Site Accessibility Evaluation**
- I. Secondary Emergency Shelter Site Accessibility Evaluation**
- J. Implementation Time Table v. 12**
- K. Functional Needs Training Module**
- L. Functional Needs Training Curriculum Guide**
- M. Emergency Evacuation Vehicle Pictogram**
- N. Functional Needs Resources**

## ATTACHMENT – A

### HEAD OF DEPARTMENT LINES OF SUCCESSION

AGENCY/DEPARTMENT	TITLE/POSITION
City Administrator	<ol style="list-style-type: none"><li>1. City Administrator</li><li>2. Assistant City Administrator</li><li>3. Agency Director</li><li>4. <i>Director, EMSD</i></li></ol>
Fire	<ol style="list-style-type: none"><li>1. Fire Chief</li><li>2. Deputy Fire Chief</li><li>3. Battalion Chief</li></ol>
Police	<ol style="list-style-type: none"><li>1. Chief of Police</li><li>2. Deputy Police Chief</li><li>3. Captain of Police</li><li>4. Watch Commander</li></ol>
Building & Safety	<ol style="list-style-type: none"><li>1. Director of Public Works</li><li>2. Deputy Director of Public Works</li><li>3. Administrative Services Manager II</li></ol>
City Clerk	<ol style="list-style-type: none"><li>1. City Clerk</li><li>2. Deputy City Clerk</li><li>3. Legislative Recorder</li></ol>
Community & Economic Development	<ol style="list-style-type: none"><li>1. Agency Director</li><li>2. Director of Economic Development</li><li>3. Deputy Director of Economic Development</li><li>4. Administrative Services Manager</li></ol>
Library Services	<ol style="list-style-type: none"><li>1. Agency Director</li><li>2. Director of Library</li><li>3. Administrative Services Manager II</li><li>4. Supervising Librarian</li></ol>
Parks & Recreation	<ol style="list-style-type: none"><li>1. Agency Director</li><li>2. Director of Parks &amp; Recreation</li><li>3. Assistant Director of Parks &amp; Recreation</li><li>4. Administrative Services Manager</li></ol>
Personnel Resource Management	<ol style="list-style-type: none"><li>1. Agency Director</li><li>2. Director of Personnel</li><li>3. Division Manager</li><li>4. Administrative Services Manager</li></ol>

**ATTACHMENT – B**

**FUNCTIONAL NEEDS FRAMEWORK**

*This document was last updated on: April 15, 2010*

*This document was adapted from “A Function Based Framework for Emergency Management and Planning” by J. Kailes and A. Enders.*

The following needs are met through collaborations with community partners, including those identified within the Annex. Services are not solely provided by the City or City staff. Services are not guaranteed.

<b>COMMUNICATION NEEDS</b>	
<b>Who is affected</b>	<b>How we meet their needs</b>
<p>Large populations who may not be able to:</p> <ul style="list-style-type: none"> <li>▪ Hear verbal announcements</li> <li>▪ See directional signage to assistance services</li> <li>▪ Understand how to get food, water and other assistance because of limitations in:                             <ul style="list-style-type: none"> <li>○ Hearing</li> <li>○ Seeing</li> </ul> </li> <li>▪ Understand written or verbal announcements</li> </ul> <p>These populations will be diverse and may have:</p> <ul style="list-style-type: none"> <li>▪ Reduced or no ability to speak, see or hear</li> <li>▪ Limitations in learning and understanding</li> <li>▪ Limited or no ability to speak, read or understand English</li> </ul>	<ul style="list-style-type: none"> <li>▪ Create a bulletin board to post text content of all oral announcements in a public area</li> <li>▪ Make oral announcements of new information and all bulletin board content throughout the day</li> <li>▪ Read bulletin board content and other written information to residents upon request</li> <li>▪ Provide sign language interpreters and high-tech communication boards when available</li> <li>▪ Use written notes when necessary</li> <li>▪ Use low-tech communication boards (image-based flip charts) to communicate with individuals with speech or cognitive disabilities</li> <li>▪ Use both language and pictograms on signage when available</li> </ul>

### MEDICAL NEEDS

Who is affected	How we meet their needs
<p>Those who do not have or have lost adequate support from family or friends may need assistance with:</p> <ul style="list-style-type: none"> <li>▪ Managing unstable, chronic, terminal or contagious conditions that require observation and ongoing medical treatment</li> <li>▪ Managing medications, intravenous IV therapy, tube feeding and monitoring of vital signs</li> <li>▪ Dialysis, oxygen, and suction administration</li> <li>▪ Managing acute wounds</li> <li>▪ Operating power-dependent equipment to sustain life</li> </ul>	<ul style="list-style-type: none"> <li>▪ Provide medical staff, including doctors, nurses, nurses aids, EMTs and other personnel trained to determine their level of medical assistance</li> <li>▪ Permit personal care assistants to enter and exit the shelter during extended hours</li> <li>▪ Replace essential consumable medical supplies (CMS) such as catheter tubing, Ostomy supplies, gauze pads, etc.</li> </ul>

### INDEPENDENCE MAINTENANCE

Who is affected	How we meet their needs
<p>At-risk individuals who, when identified early and needs are addressed, avoid costly deterioration of health and mobility. Addressing needs can prevent health problems and avoid institutionalization.</p>	<ul style="list-style-type: none"> <li>▪ Replace essential medications, lost or damaged durable medical equipment (DME) such as wheelchairs, scooters, walkers, etc.</li> <li>▪ Replace essential consumable medical supplies (CMS) such as catheter tubing, Ostomy supplies, gauze pads, etc.</li> <li>▪ Provide assistance with orientation to shelter facilities for those with visual or cognitive limitations</li> </ul>

### SUPERVISION NEEDS

Who is affected	How we meet their needs
<p>People who:</p> <ul style="list-style-type: none"> <li>▪ Do not have or have lost adequate support from family or friends</li> <li>▪ Have conditions such as dementia, Alzheimer's, psychiatric conditions such schizophrenia, intense anxiety, etc.</li> <li>▪ Decompensate because of transfer trauma and stressors that exceed their ability to cope and function in a new environment</li> </ul>	<ul style="list-style-type: none"> <li>▪ Provide specially trained NGO and CBO volunteers, State FAST members, public security officers and law enforcement, private security, and emergency shelter personnel</li> <li>▪ Permit personal care assistants to enter and exit the shelter during extended hours</li> </ul>

## TRANSPORTATION NEEDS

Who is affected	How we meet their needs
<p>People who:</p> <ul style="list-style-type: none"><li>▪ Cannot drive due to disability</li> <li>▪ Require accessible transportation (i.e. wheelchair users)</li></ul>	<ul style="list-style-type: none"><li>▪ Provide several types of evacuation and transportation assistance:<ul style="list-style-type: none"><li>○ Public transportation (transit buses, light rail, school buses)</li><li>○ Paratransit service by county, city or by voluntary consortium of private paratransit providers</li><li>○ Private transportation (cars or vans driven by volunteers, or CBO or NGO personnel)</li><li>○ Emergency transportation (law enforcement or medical ambulance)</li></ul></li></ul>

## ATTACHMENT – C

### ROLE OF THE EMERGENCY OPERATIONS CENTER FUNCTIONAL NEEDS COORDINATOR

*This document was last updated on: March 8, 2010*

<b>PRIMARY E-FNC:</b>	<b><i>PWA / ADA Programs ADA Specialist</i></b>
<b>First Alternate:</b>	<b>PWA / ADA Programs City ADA Coordinator</b>
<b>Second Alternate:</b>	<b>Department of Human Services / OPED Senior Services Supervisor</b>
<b>Third Alternate:</b>	<b>Department of Human Services / MSSP Senior Services Supervisor</b>
<b>Fourth Alternate:</b>	<b>Department of Human Services / AHHS Senior Services Administrator</b>
<b>Fifth Alternate:</b>	<b><i>Office of Parks and Recreation Designated EOC Liaison</i></b>

Specific staff positions for Functional Needs Coordinator shall be reviewed periodically to ensure the essential experience and requirements are maintained through staff changes.

#### **QUALIFICATIONS OF THE EOC – Functional Needs Coordinator (FNC)**

- In-depth knowledge of diverse functional needs populations, including people with vision and hearing loss, physical disabilities, mental health disabilities, developmental and other cognitive disabilities, substance abuse and older adults.
- Knowledge of support service systems, which include housing, benefit programs, disaster aid programs, and a variety of other resources.
- Knowledge of cross-disability access issues.
- Authority and knowledge to access stockpiles and delivery systems for shelters and assistance centers for items such as accessible cots, essential medications, DME and CMS.
- Completion of training courses provided by the City in regard to the role and responsibility of the E – FNC
- Completion of the following training courses or comparable courses if no longer available:
  - Within six months of appointment as a designated primary or alternate, and at least once annually thereafter:

- IS-800.b - National Response Framework: An Introduction
- Within one year of appointment as a designated primary or alternate, and at least once every three years thereafter:
  - SEMS/ICS/NIMS Combined Course 100 and 200 basic ICS
- At least once every six months:
  - Participation in at least one training exercise provided through the City's Office on Emergency Services, State of California, or other government entity, or a real incident

## **RESPONSIBILITIES**

### **Activation Phase:**

- Check-in at security
- Check-in with Logistics
- Check-in with Liaison Officer; receive situation and expectations briefing on:
  - Current situation
  - Known information about impacts on people with functional needs
  - Immediate task for the E – FNC
  - Mission tasking transmission to the E – FNC
  - Initial information required by the EOC from the E – FNC
  - Work space for E – FNC
- Check-in with Planning/Intelligence regarding known information or plans that impact persons with functional needs
- Check-in with Operations regarding known information or plans that impact persons with functional needs
- Analyze the situation and determine the level of required staff
- Unpack any kit materials you may have brought with you and set-up assigned work station
- Provide information to be included in the Response Information Management System (RIMS)
- Co-ordinate link-up with EOC Liaison Officer
- Obtain EOC organization chart, floor plan and telephone listing
- Review the locations and general duties of all sections, branches and units that have been activated
- Open and maintain an activity log

- Co-ordinate with EOC Operations and Logistics to facilitate the processing of mission tasking that impacts people with functional needs; Advise as necessary
- Provide input to the EOC Situation Report to include any information known about impacts on people with functional needs through the Planning/Intelligence Section
- Participate in Action Planning Meetings to advise on known and potential needs impacting people with functional needs
- Provide assistance to Advance planning to advise on known and potential needs impacting people with functional needs, as needed
- Provide a summary report of activities, capabilities and significant issues impacting people with functional needs at the end of each shift

Operational Phase:

- Co-ordinate with the appropriate EOC Sections, branches, and units to advise them of your presence and assigned work location
- Co-ordinate with the Care and Shelter Branch to identify potential mass care and shelter sites using the Primary Emergency Shelter Site Accessibility Evaluation (*see Attachment H*) and the Secondary Emergency Shelter Site Accessibility Evaluation (*see Attachment I*)
- Ensure shelter management teams are organized; appoint a Shelter Functional Needs Coordinator (S-FNC) at each site, as necessary, in conjunction with shelter management
- Ensure that facilities are ready for occupancy (*see Attachment D*)
- Provide and maintain shelter and feeding areas that are free from contamination and meet all health, safety and ADA standards
- Co-ordinate with the Transportation Unit of the Logistics Section regarding transit needs of shelter residents with functional needs
- Upon relocation to work directly with a functional branch, advise the Liaison Officer of your location
- Facilitate requests for support or information on known and potential needs impacting people with functional needs; advise appropriate agencies and CBOs
- Maintain periodic updates on the general status of resources and activities associated with assisting people with functional needs
- Advise on known and potential needs impacting people with functional needs, as appropriate, to the Planning/Intelligence Section and EMSD Director
- Represent access and functional needs issues related to people with functional needs at planning meetings, as appropriate
- Provide update briefings about known activities impacting people with functional needs and priorities at planning meetings

- Maintain logs and files associated with the E – FNC responsibilities

Deactivation Phase:

- When deactivation is approved, contact agencies and/or persons who have assisted to advise them of:
  - When deactivation will occur
  - Whom they should contact, including a telephone number, for the completion of on-going actions or new requirements
- Ensure completion of the following activities:
  - Conclude final reports
  - Close-out activity log
  - Transfer on-going missions and/or actions to appropriate full-time staff or appropriate Disaster Field Office (DFO) staff member
- Ensure copies of all documentation generated during the operation are submitted to the Planning/Intelligence Section
- Participate in all After-Action Reviews and be prepared to discuss:
  - General overview of the operation
  - General overview of the EOC operation
  - Procedures and concepts that worked well
  - Procedures and concepts that need to be improved
- Provide your telephone number where you can be reached to the EOC Liaison Officer

## ATTACHMENT – D

### FUNCTIONAL NEEDS CARE AND SHELTER CHECKLIST

*This document was last updated on: April 15, 2010*

#### **INTRODUCTION**

This document is intended for use by individuals, including City employees, disaster service workers, shelter management and other shelter workers, who have responsibility for providing care and shelter during an incident. The shelter manager shall ensure responsibilities contained herein are met.

#### **SHELTER SITE LAYOUT AND SET-UP**

##### Accessible Route:

- An accessible route is at least 36 inches wide and may briefly narrow to 32 inches wide where the route passes through doors or next to furniture and building elements. High thresholds, abrupt level changes, steps, or steep running or cross slopes cannot be part of an accessible route. Arrange shelter so that people using mobility aids can move freely to and within the building.
- Ramp slopes cannot be steeper than 1:12. (This means that for every 1 foot in height, the ramp must be at least 12 feet long or more.) Ramps with a vertical rise of more than 6 inches must have handrails on both sides. Ramps must also have edge protection (raised edges along the sides of the ramp) to stop wheelchairs from falling off the sides, and level landings at the top and bottom of each segment and where a ramp changes direction.
- Provide an accessible drop-off area, also known as a passenger loading zone, on an accessible route leading to an accessible shelter entrance.
- Allocate additional off-street accessible parking spaces when needed by re-striping parking spaces, using tape to create wider spaces, and by posting temporary accessible parking signs. Designate on street accessible parking, where parallel parking spaces exist AND a curb ramp or driveway is made available to exit and enter the sidewalk.
- If the accessible entrance is not part of the main entrance(s), post directional signage clearly showing the path of travel from the main entrance to the accessible entrance(s).
- Ensure outside smoking areas are at least 25 feet distance from any shelter entrances, exits, windows, telephones, rest rooms or air intake vents as required by Oakland Municipal Code Chapter 8.30 "Smoking".

- Ensure registration area is located on an accessible route.
- Ensure the canteen and feeding areas are on an accessible route and provide wheelchair accessible seating areas.
- If telephone trailers or communication equipment is made available to residents, locate such equipment on an accessible route and ensure that a Tele-Typewriter (TTY) is made available for persons who use text based telephone communications.
- Place a table with paper cups adjacent to inaccessible water fountains.

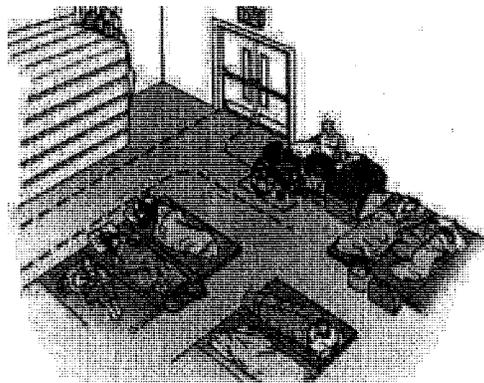
Bathing and Sanitary Facilities:

- Provide portable accessible toilets if built-in toilets are inaccessible.
- Provide accessible portable toilets whenever portable toilets are brought on-site:
  - When portable toilets are provided, at least one unit must have accessible features located on an accessible route connecting it with the shelter.
  - Where multiple user portable toilet units are clustered at a single location, at least 5 percent of the toilet units at each cluster must be accessible.
  - Where single user portable toilet units are clustered at a single location, at least five percent but no less than one toilet unit must be accessible.
  - The entrance to an accessible portable toilet must have either no step or a ramp that extends from the hinge side of the door to at least 18 inches beyond the latch side of the door.
  - Accessible portable toilets should have similar features to a standard accessible toilet stall; including an accessible door; side and rear grab bars, clear space next to the toilet, and maneuvering space.
  - Disconnect or remove air fresheners from all portable toilets and all shelter facility restrooms.
- Provide portable accessible hand washing stations if built-in hand washing facilities are inaccessible.
- Provide portable accessible hand washing stations whenever portable hand washing stations are brought on-site.
- Provide portable accessible bathing/shower facilities if built-in bathing/shower facilities are inaccessible.
- Provide portable bathing/shower facilities whenever portable bathing/shower facilities are brought on-site:

- Where multiple user portable bathing/shower units are clustered at a single location, at least 5 percent of the bathing/shower units at each cluster must be accessible.
- Where single user portable bathing/shower units are clustered at a single location, at least five percent but no less than one bathing/shower unit must be accessible.
- Provide adjustments, modifications or changes to shelter policies, procedures and practices when necessary to accommodate physical access for people with disabilities.
- Offer orientation and way-finding assistance to people who are blind or have low vision.

Sleeping areas:

- Ensure accessible sleeping area(s) are provided on an accessible route connecting it to other activity areas in the shelter, such as rest rooms and bathing/shower areas, and to exits and entrances.
- Provide accessible cots; a raised sleeping area designed for ease of transfer from a wheelchair or other mobility device. These types of cots are wider, higher, and can hold a greater weight capacity than standard cots. Accessible cots measure approximately 32"W x 84"L x 18"H and can minimally accommodate 450 pounds of weight. When possible, arrange accessible cots against a wall to stabilize the cot and for a shelter resident to use the wall as a backrest when sitting on the cot.



- Provide adequate space near each cot in the sleeping area for people who use mobility aids; adequate space is a clear floor area of at least 36 inches wide along the side of the cot.
- Whenever possible, provide separate sleeping areas for families with children, older adults, and other unique situations.
- Consult with residents with functional needs in regard to the placement of their cots.



### Private Areas:

- When possible, set up private areas for:
  - Personal hygiene care, such as catheter care and bowel or bladder care.
  - People with asthma, chemical sensitivities, allergies, weakened immune systems (for example, people with AIDS, diabetes or those undergoing chemotherapy).
  - Residents who require close supervision or monitoring by family members or an attendant; this includes people with significant cognitive limitations, autism, confusion, dementia and Alzheimer's Disease.
  - Residents who, for safety or health reasons, cannot be near service animals or emotional support animals.
- If private rooms are not available, create a private area using tenting, fabric, plastic sheets, or other materials.

### PERSONAL CARE ATTENDANTS AND SERVICE ANIMALS

- Ensure that people with disabilities using service animals are permitted into and around all parts of the shelter. Remember: Service animals are not pets!
- Accommodate service animals that accompany shelter residents; create and offer sleeping space closer to exits for these residents so that can easily take their animals outside as needed.
- Offer to locate residents with mobility limitations, along with their friends, family units and personal care assistants, near unobstructed areas and accessible routes where they can easily move to rest rooms, dining areas and exits.
- Permit entrance and exit by personal care attendants 24 hours per day even if they are not registered residents at the shelter.

### REGISTRATION AND ASSESSMENT

- Whenever possible, provide a private area within registration area.
- Upon request by people with functional needs, provide shelter staff to assist in completion of forms.
- Use the Initial Intake and Assessment Tool (IIAT) to identify individuals with unmet functional needs (*see Attachment E*).

- When shelter residents are located in hotels due to the increased need for accessibility, track and address feeding, essential medication, DME, CMS, and personal care assistant needs of these residents.

## **COMMUNICATION ACCESS**

### **Signage:**

- If the accessible entrance is not part of the main entrance(s), post directional signage clearly showing the path of travel to the accessible entrance(s).
- Post signs where the accessible route is different from the route used by most evacuees; signs will be necessary at key decision-making points to direct individuals with disabilities to the various activity areas.
- Post signs to indicate the location of :
  - Accessible rest rooms
  - Accessible telephones
  - Outside smoking areas
- Create and maintain an announcement board for shelter residents to receive written information; this is necessary to ensure effective communication with shelter residents who are Deaf and people who are hard of hearing.
- Post understandable signage, using signs and symbols in addition to language, to assist people with seeing, hearing, understanding, cognition or intellectual disabilities and limited language proficiency.
- Important information, such as telephone numbers, location and hours of operation of assistance centers and other resources, should be collected for residents and posted on an announcement board.
- Update announcement board at least once daily to ensure accurate and adequate information is made available.

### **Multiple Methods:**

- Use many different formats to communicate the same message.
  - Make audio announcements available visually by posting contents of verbal announcements on an announcement board in a specified area.
  - Periodically audibly announce visually posted announcements.
- Turn captions on for all televisions used by the public.

Interpreters:

- Provide qualified sign language interpreters upon request to all Deaf residents or those who are hard of hearing; it may be most effective to establish a designated time when qualified sign language interpreters will be available for non-emergency communications.
- Use Speech-to-Speech (STS) interpreters to communicate with shelter residents who have speech disabilities; STS interpreters can be reached by dialing 7-1-1 from a standard operating telephone.
- Upon request, read printed information to people who are unable to read in this format.

**HEALTH AND SAFETY**

Line Management:

- Use line management to help residents unable to stand in long lines; create a shorter line or allow these people the opportunity to go first.

Medications:

- Pick-up or arrange delivery of essential medications for those unable to travel.
- Provide resources, such as a refrigerator, for keeping medications cold.

Durable Medical Equipment (DME) and Consumable Medical Supplies (CMS):

- Request essential DME and CMS from vendors as identified during the intake process or upon request of shelter residents. Items may include, but are not limited to:
  - Wheelchairs (junior, adult and large sizes)
  - Walking canes
  - White canes
  - Walkers
  - Shower chairs
  - Commode chairs
  - Raised toilet seats
  - Magnifiers

- Gauze pads
- Disposable respiratory tubing
- Ostomy supplies
- Continuous Positive Airway Pressure (CPAP) system
- Bilevel Positive Airway Pressure (BiPap) system
- Sleep Apnea face mask
- Facial mask for individuals with Environmental Illness/Multiple Chemical Sensitivity, asthma, or other respiratory disabilities

Inspections:

- Conduct inspections of all public areas at least three times per day to ensure walkways and other features are clear of obstacles, including cords, boxes, trash, etc.
- Tape extension cords down to avoid tripping hazards.
- Advise the media to refrain from stringing cables across walkways without appropriate tape down or cable covers.

Power:

- Provide access to electricity for individuals who require power to maintain or operate life-sustaining medical devices, motorized wheelchairs, and for storing medications, such as insulin, that require refrigeration.
- Give priority access to shelters with electricity to individuals who require power to maintain or operate life-sustaining medical devices, motorized wheelchairs, and for preservation of certain medications, such as insulin, that require refrigeration.
- Coordinate with shelter management to ensure back-up power generators are brought on-site when standard electric power is lost; provide priority access to generator power to individuals who require power to maintain or operate life-sustaining medical devices, motorized wheelchairs, and for preservation of certain medications, such as insulin, that require refrigeration.

# American Red Cross

## Disaster Services Program Guidance

Instructions for Use of the  
American Red Cross–Health and Human Services  
Initial Intake and Assessment Tool  
June 20, 2008

### Purpose

The main purpose of the *Initial Intake and Assessment Tool* is to enable Red Cross staff to decide if simple accommodations can be provided that will enable individuals to stay in general population shelters. The secondary purpose is to ensure proper and safe placement of those clients with medical or functional needs beyond the scope and expertise of care offered in Red Cross shelters. The Red Cross, and its partner, the U.S. Department of Health and Human Services (HHS), are determined to maximize the use of this tool in order to minimize stress and emphasize the safety and well-being of those we serve during times of disaster.

### Top Section of the Tool

Shelter workers meet with clients and legibly record pertinent information in the top of the tool and questions 1 through 9. The remaining questions are only to be filled out by Disaster Health Services (HS) and Disaster Mental Health (DMH) workers. Only *one form* is used for *each family*<sup>#</sup>. Questions in the early part of the tool are designed to identify language barriers, separated families and other important information to be passed onto the shelter manager. The top section of the tool asks for basic demographic information in addition to:

- DRO stands for Disaster Relief Operation (enter name and number of DRO)
- List *all* of the names of the family members in the shelter
- The shelter worker initials that he/she has notified the shelter manager when a child under the age of 18 is unaccompanied in the shelter

### Questions 1 - 9

The shelter worker asks the head of the family the first nine “yes/no” questions, except for questions 4 and 9 which are questions to the interviewer. You should not ask the client questions 4 and 9. All 9 questions pertain to all family members listed on the form. Where there is a “yes” answer, the worker notes *ONLY* the name of the relevant family member, discontinues the interview and refers the client to HS or DMH. **(Do not write confidential information anywhere in the first 9 questions!)** Only HS and/or DMH, *in conjunction* with the shelter manager, will make decisions regarding shelter accommodation.

If there is a need for a language interpreter or if the client needs assistance in understanding or answering the questions, end the interview and contact the shelter manager. Questions 3, 4 and 9 refer to emergency situations and/or urgent referrals to HS or DMH.

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<sup>#</sup> Although the intake tool is designed for the entire family, there could be a need to use more than one form if the family has several individuals with different needs.

**Question 3:** In cases of illness or emergency do not continue the interview. A call to 911 must be made in any life-threatening emergency (such as chest pain, heavy bleeding or multiple injuries. HS will take over at this point). If the client has an illness, medical condition, or if you are unsure or confused as to the client's answer to question 3, refer to HS or DMH immediately. Escort the client to HS or DMH when necessary and hand the HS/DMH worker the tool. (*Do not give the tool to the client*)

**Observation 4:** This is NOT a question to the client. Document your observation as the interviewer. If the client appears to be a threat to self or others, call 911. If you answer "yes" to observation 4 or are unsure, refer immediately to DMH or HS.

**Question 9:** This is NOT a question to the client. Refer the client to HS or DMH if you think the client would benefit from a more detailed health or mental health assessment or if the client is unsure or confused about any of his/her answers.

### **STOP the Interview**

Place your initials on the tool and indicate whether you've referred the client to HS or DMH. Do not answer any questions beyond this point (they are for HS and DMH workers only). If you answered "no" to all questions, attach the intake tool to the shelter registration form. If you answered "yes" to any questions or were unsure, refer the client to HS or DMH.

### **Where to Put the Initial Intake and Assessment Tool**

If you answered "no" to all of the first 9 questions and were sure the client did not need a referral to HS or DMH, then attach the tool to the shelter registration form. If you answered "yes" or were unsure as to any question and referred the client to HS or DMH, the HS or DMH worker will attach the tool to the Client Health Record (F2077). (*Do not give the tool to the client*).

### **FOR HS and DMH ONLY**

Pre-existing conditions, both physical and psychological, are frequently exacerbated during times of extreme stress. HS and DMH workers should be aware of the potential for a client to decompensate or decline in health. Previously healthy individuals may have new medical/mental health needs due to the disaster.

- Once a client has been referred to HS/DMH, **all information is confidential** and will only be seen by licensed health care providers. Initiate a ***Client Health Record (F2077)*** for the client and attach the tool.
- In situations where a client has both physical and psychological concerns, he/she should be seen by both a DMH and an HS worker.

### **Questions?**

If you have any questions or concerns about using this form contact your supervisor and/or a Disaster Health Services or Disaster Mental Health worker.

INITIAL INTAKE AND ASSESSMENT TOOL - AMERICAN RED CROSS U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES

Date/Time: \_\_\_\_\_ Shelter Name/City/State: \_\_\_\_\_ DRO Name/#: \_\_\_\_\_

Family Last Name: \_\_\_\_\_

Primary language spoken in home: \_\_\_\_\_ Does the family need language assistance/interpreter?: \_\_\_\_\_

Names/ages/genders of all family members present: \_\_\_\_\_

If alone and under 18, location of next of kin/parent/guardian: \_\_\_\_\_ If unknown, notify shelter manager & interviewer initial here: \_\_\_\_\_

Home Address: \_\_\_\_\_

Client Contact Number: \_\_\_\_\_ Interviewer Name (print name): \_\_\_\_\_

INITIAL INTAKE	Circle	Actions to be taken	Include ONLY name of affected family member
1. Do you need assistance hearing me?	YES / NO	If Yes, consult with Disaster Health Services (HS).	
2. Will you need assistance with understanding or answering these questions?	YES / NO	If Yes, notify shelter manager and refer to HS.	
3. Do you have a medical or health concern or need right now?	YES / NO	If Yes, stop interview and refer to HS immediately. <b>If life threatening, call 911.</b>	
4. Observation for the interviewer: Does the client appear to be overwhelmed, disoriented, agitated, or a threat to self or others?	YES/ NO	<b>If life threatening, call 911.</b> If yes, or unsure, refer immediately to HS or Disaster Mental Health (DMH).	
5. Do you need medicine, equipment or electricity to operate medical equipment or other items for daily living?	YES / NO	If Yes, refer to HS.	
6. Do you normally need a caregiver, personal assistant, or service animal?	YES / NO	If Yes, ask next question. If No, skip next question.	
7. Is your caregiver, personal assistant, or service animal inaccessible?	YES / NO	If Yes, circle which one and refer to HS.	
8. Do you have any severe environmental, food, or medication allergies?	YES / NO	If Yes, refer to HS.	
9. Question to Interviewer: Would this person benefit from a more detailed health or mental health assessment?	YES / NO	If Yes, refer to HS or DMH.	*If client is uncertain or unsure of answer to any question, refer to HS or DMH for more in-depth evaluation.

**STOP STOP** REFER to: HS Yes  No  DMH Yes  No  Interviewer Initial \_\_\_\_\_

DISASTER HEALTH SERVICES/DISASTER MENTAL HEALTH ASSESSMENT FOLLOW-UP

ASSISTANCE AND SUPPORT INFORMATION	Circle	Action/Information	Comments
Have you been hospitalized or under the care of a physician in the past month?	YES / NO	If Yes, list reason.	
Do you have a condition that requires any special medical equipment/supplies? (Epi-pen, diabetes supplies, respirator, oxygen, dialysis, ostomy supplies, etc.)	YES / NO	If Yes, list potential sources if available.	
Are you presently receiving any benefits (Medicare/Medicaid) or do you have other health insurance coverage?	YES / NO	If Yes, list type and benefit number(s) if available.	

MEDICATIONS	Circle	Actions to be taken	Comments
Do you take any medication(s) regularly?	YES / NO	If No, skip to the questions regarding hearing.	
When did you last take your medication?		Date/Time.	
When are you due for your next dose?		Date/Time.	
Do you have the medications with you?	YES / NO	If No, identify medications and process for replacement.	

**INITIAL INTAKE AND ASSESSMENT TOOL - AMERICAN RED CROSS U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES**

<b>HEARING</b>			
	Circle	Actions to be taken	Comments
Do you use a hearing aid and do you have it with you?	YES / NO	If Yes to either, ask the next two questions. If No, skip next two questions.	
Is the hearing aid working?	YES / NO	If No, identify potential resources for replacement.	
Do you need a battery?	YES / NO	If Yes, identify potential resources for replacement.	
Do you need a sign language interpreter?	YES / NO	If Yes, identify potential resources in conjunction with shelter manager.	
How do you best communicate with others?		Sign language? Lip read? Use a TTY? Other (explain).	
<b>VISION/SIGHT</b>			
	Circle	Actions to be taken	Comments
Do you wear prescription glasses and do you have them with you?	YES / NO	If Yes to either, ask next question. If No, skip the next question.	
Do you have difficulty seeing, even with glasses?	YES / NO	If No, skip the remaining Vision/Sight questions and go to Activities of Daily Living section.	
Do you use a white cane?	YES / NO	If Yes, ask next question. If No, skip the next question.	
Do you have your white cane with you?	YES / NO	If No, identify potential resources for replacement.	
Do you need assistance getting around, even with your white cane?	YES / NO	If Yes, collaborate with HS and shelter manager.	
<b>ACTIVITIES OF DAILY LIVING</b>			
	Circle	Ask all questions in category.	Comments
Do you need help getting dressed, bathing, eating, toileting?	YES / NO	If Yes, specify and explain.	
Do you have a family member, friend or caregiver with you to help with these activities?	YES / NO	If No, consult shelter manager to determine if general population shelter is appropriate.	
Do you need help moving around or getting in and out of bed?	YES / NO	If Yes, explain.	
Do you rely on a mobility device such as a cane, walker, wheelchair or transfer board?	YES / NO	If No, skip the next question. If Yes, list.	
Do you have the mobility device/equipment with you?	YES / NO	If No, identify potential resources for replacement.	
<b>NUTRITION</b>			
	Circle	Actions to be taken	Comments
Do you wear dentures and do you have them with you?	YES / NO	If needed, identify potential resources for replacement.	
Are you on any special diet?	YES / NO	If Yes, list special diet and notify feeding staff.	
Do you have any allergies to food?	YES / NO	If Yes, list allergies and notify feeding staff.	
<b>IMPORTANT! HS/DMH INTERVIEWER EVALUATION</b>			
<b>Question to Interviewer:</b> Has the person been able to express his/her needs and make choices?	YES / NO	If No or uncertain, consult with HS, DMH and shelter manager.	
<b>Question to Interviewer:</b> Can this shelter provide the assistance and support needed?	YES / NO	If No, collaborate with HS and shelter manager on alternative sheltering options.	
<b>NAME OF PERSON COLLECTING INFORMATION:</b>	HS/ DMH Signature:		Date:

This following information is only relevant for interviews conducted at HHS medical facilities: Federal agencies conducting or sponsoring collections of information by use of these tools, so long as these tools are used in the provision of treatment or clinical examination, are exempt from the Paperwork Reduction Act under 5 C.F.R. 1320.3(h)(5).

The authority for collecting this information is 42 USC 300hh-11(b) (4). Your disclosure of this information is voluntary. The principal purpose of this collection is to appropriately treat, or provide assistance to, you. The primary routine uses of the information provided include disclosure to agency contractors who are performing a service related to this collection, to medical facilities, non-agency healthcare workers, and to other federal agencies to facilitate treatment and assistance, and to the Justice Department in the event of litigation. Providing the information requested will assist us in properly triaging you or providing assistance to you.

**ATTACHMENT – F**  
**ACCESSIBLE AND MEDICAL COTS**

*This document was last updated on: April 14, 2009*

The following chart shows the differences among accessible and medical cots. This document defines accessible cots as: 17-19 inches high (not including the mattress), a weight capacity of 300+ lbs, and flexible head and foot positions. The height dimensions provided are from the floor to the top of the frame and excludes cushion.

<b>COTS – ACCESSIBLE</b>									
	Model	Dimensions (H x W x L)		Lbs	Weight Capacity	Position		Mattress	Price
		Open	Folded			Head	Foot		
1	<b>Westcott 400</b> <a href="http://www.emergencyresources.com/westcot400.html">www.emergencyresources.com/westcot400.html</a>	18"x35"x81"	8"x32"x42"	32	400	Multi	2	2"	\$310
2	<b>Cot, Special Needs Standard</b> <a href="http://store.cert-kits.com/L2015.html">http://store.cert-kits.com/L2015.html</a>	18.5"x25"x71"	8"x28"x36"	27	350	3	1	1"	\$79 (1-49) \$62 (500+)
3	<b>Cot, Oversized Special Needs</b> <a href="http://store.cert-kits.com/L2030-SRG.html">http://store.cert-kits.com/L2030-SRG.html</a>	19"x31"x80"	8"x41"x31"	28	450	5	2	2"	\$200
4	<b>Cot, Enhanced Special Needs</b> <a href="http://store.cert-kits.com/L2030.html">http://store.cert-kits.com/L2030.html</a>	17.5"x27"x75"	8"x27"x37"	27	350	4	2	2"	\$139 (1-49) \$97 (500+)
5	<b>Black Pine Sports Big Johnson Deluxe Cot</b> <a href="http://www.gearforcamping.com/Black-Pine-Sports-Big-Johnson-Deluxe-Cot-Chair-p/30082.htm">www.gearforcamping.com/Black-Pine-Sports-Big-Johnson-Deluxe-Cot-Chair-p/30082.htm</a>	16-20"x31"x80"	6.5"x34"x29"	26.4	300	Multi	Multi	Mesh	\$118.80



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6	<b>Kamp Rite Emergency Treatment Cot</b> www.camping-gear-outlet.com/camping-gear-81360.html	18"x32"x84"	6"x32"x30"	30	450	2	2	Mesh	\$179.99
7	<b>MED SLED Surge Deluxe 3</b> www.medsled.com/pdf/products/pdf_3.pdf	18"x32"x78"	7"x32"x40"	15-25	300	1	1	2"	\$149.95 (1-100) \$139.95 (101-199) \$135.95 (1000+)
8	<b>MED SLED Surge Deluxe 4</b> www.medsled.com/pdf/products/pdf_3.pdf	18"x32"x78"	7"x32"x40"	15-25	300	4	1	2"	\$189.95 (1-100) \$179.95 (101-199) \$169.95 (1000+)

**COTS - MEDICAL**

	Model	Dimensions (H x W x L)		Lbs	Weight Capacity	Position		Mattress	Price
		Open	Folded			Head	Foot		
1	<b>XH-31V Special Needs Bed</b> http://firstresponetwork.com/it-ems/products/stretchers~cots/cots/special-needs-bed-xh-31v-detail.htm	22"x34"x82"	7"x34"x41"	31	400	5	5	2"	\$252.90
2	<b>MED SLED APC</b> www.medsled.com/pdf/products/pdf_3.pdf	28"x32"x78"	8"x34"x41"	35	400	4	1	2"	\$569.95 (1-100) \$495.95 (101-199) \$449.95 (1000+)



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## ATTACHMENT – G

### FUNCTIONAL NEEDS COORDINATOR DEACTIVATION CHECKLIST

*This document was last updated on: April 8, 2010*

#### INTRODUCTION

This Attachment – G is intended for individuals, including Shelter Functional Needs Coordinators and shelter management, who have responsibility for deactivation and demobilization after an incident. The shelter manager at each shelter site shall be responsible for delegation and completion of tasks contained herein.

#### RESPONSIBILITIES

##### Deactivation:

- When deactivation is approved, contact agencies and/or persons who have assisted to advise them of:
  - When deactivation will occur
  - Whom they should contact, including a telephone number, for the completion of on-going actions or new services
- Co-ordinate individualized review and case management with transition team, including CEDA/HCD and/or FAST members, to ensure continuity of services for individuals with functional needs
- Assist transition team with identifying community organizations and services necessary for individuals with functional needs, such as:
  - Public transportation
  - Community support services and social services
  - Interim housing services
- Consult with and utilize services and resources of:
  - Alameda County Department of Social Services
  - Social Security Administration
  - In-Home Supportive Services
  - Regional Center of the East Bay
  - Center for Independent Living, Berkeley and Oakland
  - Community Resources for Independent Living, Hayward

- Deaf Counseling, Advocacy & Referral Agency (DCARA)
- Disability Rights California
- Family Resource Network (FRN)
- Lions Center for the Blind
- United Way
- California Children's Services
- Multipurpose Senior Services Program (MSSP)
- Family Services
- Disseminate announcements and descriptions of services in alternate formats, including:
  - Braille
  - Large print (at least 16 point font size, Times New Roman equivalent)
  - Electronic format
  - Audio format
- Ensure completion of the following activities:
  - Conclude final reports
  - Close-out activity log
  - Transfer on-going missions and/or actions to appropriate full-time staff
- Ensure copies of all documentation generated during the operation are submitted to the Planning/Intelligence Section
- Clean up shelter work area
- Participate in all After-Action Reviews and be prepared to discuss:
  - General overview of the operation
  - Procedures and concepts that worked well
  - Procedures and concepts that need to be improved
- Provide your telephone number where you can be reached to the EOC Liaison Officer







Attachment J  
 City of Oakland  
 August 22, 2013  
 Semiannual Monitoring Report Four Implementation Time Table v. 12

DATE COMPLETED	DUE DATE	ACTION ITEM	RESPONSIBLE DEPARTMENT
	30-Sep-13	Issue Functional Needs Annex v. 1.6 to EMSD	ADA
	31-Jan-14	Semi-Annual Monitoring Report due to DRA for the period ending December 31, 2013	ADA
	1-Aug-14	Semi-Annual Monitoring Report due to DRA for the period ending June 30, 2014	ADA
	31-Jan-15	Semi-Annual Monitoring Report due to DRA for the period ending December 31, 2014	ADA

City of Oakland

August 22, 2013

EXHIBIT A

Semiannual Monitoring Report Four Implementation Time Table v. 12

Items Completed During the Implementation Phase

DATE COMPLETED	DUE DATE	ACTION ITEM	RESPONSIBLE DEPARTMENT
16-Mar-09		Host Paratransit Roundtable to discuss evacuation transportation for people with functional needs	OES; ADA
1-Apr-09		Issue updated Primary Shelter List	ADA
1-Apr-09		Research new emergency notification systems for capacity, features, and financial feasibility	OES; DIT
13-Apr-09		Create draft version of Shelter Checklist training module PowerPoint presentation	Kailes; ADA; OES
1-May-09		Create draft version of Functional Needs Annex and attachments	ADA; OES; Kailes
1-May-09		Investigate the nature of agreements and POs to receive supplies, including DME and CMS, during an emergency	Purchasing
6-May-09		Initial EPAAC Meeting #1 - Case overview; City activities to date	ADA
11-May-09		OES Annual Report delivered to MCPD	OES
14-May-09	13-May-09	Primary and Alternate FNCs Complete FAST Training	OES; ADA
28-May-09	28-May-09	Host Paratransit Roundtable to discuss evacuation transportation for people with functional needs	OES; ADA
3-Jun-09	3-Jun-09	EPAAC Meeting #2 - Emergency preparedness training; FN Annex review	ADA
22-Jun-09	22-Jun-09	Finalize Draft Functional Needs Annex v. 1.2	OES; ADA
1-Jul-09	1-Jul-09	EPAAC Meeting #3 - FN Annex review; Communications	ADA
16-Jul-09	1-Sep-09	Obtain appropriate signatures to finalize shelter site MOU with OUSD	OES
31-Jul-09	31-Jul-09	Finalize City Web Access Policy	ADA; DIT
3-Aug-09		Complete minor repairs to Category 1 of Primary Shelter Sites (unconfirmed)	OUSD
5-Aug-09	5-Aug-09	CFILC v. City of Oakland Settlement Conference	OES; ADA
CANCELED	28-Aug-09	Paratransit Roundtable meeting - finalize vehicle ID pictogram; clusters of people with disabilities	OES; ADA
1-Sep-09	1-Sep-09	Explore feasibility of video remote interpreting (VRI) and on-call sign language contracts	ADA
2-Sep-09	2-Sep-09	EPAAC Meeting #4 - FN Annex review	ADA
30-Sep-09	2-Nov-09	Coordinate training for Emergency PIO team in use of current emergency notification system	DIT; PIO
RESCHEDULED	5-Nov-09	EPIO Training on FN Annex and emergency notification system	ADA
5-Oct-09	1-Oct-09	Provide quote for audible equipment in master control that will permit on-demand audible recordings/live studio broadcast	KTOP
7-Oct-09	7-Oct-09	EPAAC Meeting #5 - FN Annex review (policy and administration; CMIST)	ADA

30-Oct-09	30-Oct-09	Paratransit Roundtable meeting - developing agreements; "Together We Ride"; HIPAA Regulations	OES; ADA
4-Nov-09	4-Nov-09	EPAAC Meeting #6 - FN Annex Review (shelters)	ADA
NOT REQUIRED	4-Dec-09	Issue RFQ for Shelter Checklist and Functional Needs Coordinator (FNC) training modules	ADA
NOT REQUIRED	4-Jan-10	Enter into contract for Shelter Checklist and FNC training modules	ADA
17-Nov-09	29-Jan-10	Explore feasibility of remote broadcasting	KTOP
17-Nov-09	29-Jan-10	Explore feasibility of live webcasts in conjunction with launch of new City web site	KTOP
3-Dec-09	3-Dec-09	Review FN Annex responsibilities with department heads in preparation for staff trainings (OPR, DHS, DIT, PIO, Purchasing, PWA, GIS, and CEDA)	ADA
16-Dec-09	16-Dec-09	Draft letter to disability organizations to receive cluster data for GIS discussed at EMADPC Transit Group meeting	ADA; OES
CANCELED	13-Jan-10	EPAAC Meeting #7 - FN Annex Review (EOC); staff implementation update; ARC personal preparedness presentation	ADA
19-Jan-10	30-Mar-10	City Council approves DRA Settlement (FN Annex version 1.3 as Exhibit A)	OES; ADA
3-Feb-10	3-Feb-10	Draft FN Annex v. 1.3 available for public comment (City web site, Yahoo Berkeley-disabled listserv, DRA)	ADA
3-Feb-10	3-Feb-10	EPAAC Meeting #8 - FN Annex Review (EOC); staff implementation update; ARC personal preparedness presentation	ADA
1-Mar-10	28-Feb-10	Cross reference list of national organizations providing DME and CMS with current list of City vendors	ADA
3-Mar-10	3-Mar-10	EPAAC Meeting #9 - Final review of FN Annex consolidated comments	ADA
4-Mar-10	4-Mar-10	EPIO Training: "Ensuring Communications Access for People with Disabilities During Emergencies"	ADA; DIT; OPR
8-Mar-10	12-Feb-10	Update stock card bulletins on emergency information	KTOP; PIO; ADA; OES
23-Mar-10	23-Mar-10	Submit City Council Rules Request to Adopt Annex	ADA
23-Apr-10	1-Apr-10	If UASI grant funding is secured, then enter into agreement for upgraded emergency notification system (applied for funding late 2009 to upgrade EAS to ensure automatic detection of TTY machines)	DIT; OES
23-Apr-10	1-Apr-10	Finalize FN Annex to send to OES	ADA
20-Apr-10	2-Apr-10	Survey North Oakland Senior Center as potential shelter site location	ADA
14-Apr-10	14-Apr-10	EPAAC Meeting #10 - City Response to FNA Public Comments	ADA
20-Apr-10	20-Apr-10	Shelter Management Training on Functional Needs Annex #1	ADA; OPR; ARC
29-Apr-10	29-Apr-10	Shelter Management Training on Functional Needs Annex #2	ADA; OPR; ARC

5-May-10	5-May-10	EPAAC Meeting #11 - Evacuation Chairs; draft City Council report	ADA
25-May-10	25-May-10	City Council report due	ADA; OES
3-Jun-10	30-Jun-10	Coordinate new E-FNC list to add to City Watch	ADA; OES; DIT
8-Jun-10	8-Jun-10	City Council adopts FN Annex	ADA; OES
9-Jun-10	9-Jun-10	EPAAC Meeting #12 - Evacuation Chairs; Building and Fire Code Proposed Amendments	ADA
15-Jun-10	15-Jun-10	Roundtable Discussion on Preparing to Meet the Functional Needs of Persons with Disabilities During Emergencies: CARD, Eden I&R, County of Alameda, and ARC	OES; ADA
30-Jun-10	30-Nov-10	Receive bids regarding KTOP remote broadcasting	KTOP
12-Jul-10	12-Jul-10	FNC Training: FEMA ICS 300/400 - Day 1 of 4	ADA
13-Jul-10	13-Jul-10	FNC Training: FEMA ICS 300/400 - Day 2 of 4	ADA
14-Jul-10	14-Jul-10	FNC Training: FEMA ICS 300/400 - Day 3 of 4	ADA
14-Jul-10	14-Jul-10	EPAAC Meeting #13 - C.O.R.E. curriculum review; NPM in September	ADA
15-Jul-10	15-Jul-10	FNC Training: FEMA ICS 300/400 - Day 4 of 4	ADA
31-Jul-10	30-Sep-10	Explore the possibility of purchasing and locating certain DME at OUSD, City shelter site locations, and at the City's Edgewater Drive facility	ADA
6-Aug-10	30-Jun-10	Share emergency stock bulletins with City and County of San Francisco	ADA
6-Oct-10	13-Oct-10	Draft Implementation Report presented to EPAAC	ADA
13-Oct-10	31-Jul-10	Coordinate pre-recorded audible narration to accompany stock cards on emergency activities	KTOP; PIO
20-Oct-10	15-Sep-10	Finalize letter to disability organizations to receive cluster data for GIS	DHS; ADA; OES
29-Oct-10		Review Primary and Secondary Shelter Site Lists	ADA; OUSD, OPR
30-Nov-10	30-Nov-10	<b>Submit CFILC v. Oakland Implementation Report One to DRA</b>	ADA
8-Nov-10	3-Jan-11	Commence \$100k City Shelter Site ADA Capital Improvement Project (includes minor repairs / renovations previously identified in 06.02.09 Secondary Shelter List)	ADA; PWA; OPR
17-Feb-11	17-Feb-11	<b>End of Implementation Period Two</b>	ADA
24-Mar-11	24-Mar-11	Submit CFILC v. Oakland Implementation Report Two to DRA	ADA
31-May-11	30-Apr-11	Paratransit Roundtable meeting - re-establish commitments; review draft contracts	DHS; ADA; OES
12-Jun-11	31-Mar-11	Provide training for Functional Needs Coordinators	ADA
15-Jun-11	15-Jun-11	GIS mapping update - shelter facilities; OHA senior and disabled housing; senior centers and disabled day programs; etc	GIS
17-Jun-11	17-Jun-11	<b>End of Implementation Period Three</b>	ADA
8-Aug-11	8-Aug-11	Submit CFILC v. Oakland Implementation Report Three to DRA	ADA
31-Aug-11	31-Aug-11	Host Paratransit Roundtable Meeting	OES
1-Dec-11	30-Sep-11	Provide a FNA module as an addition to the general training of shelter managers and/or have ADA staff attend these trainings	ADA; OES
31-May-12	31-Dec-11	Complete Lincoln Square Recreation Center ADA Capital Improvement Project	ADA; PWA

31-Jan-12	31-Jan-12	Semi-Annual Monitoring Report due to DRA for the period ending December 17, 2011	ADA
24-Aug-12	1-Aug-12	Semi-Annual Monitoring Report due to DRA for the period ending June 17, 2012	ADA
6-Feb-13	31-Jan-13	Semi-Annual Monitoring Report due to DRA for the period ending December 31, 2012	ADA
30-Jul-13	31-Mar-13	Issue Updated Primary Shelter Site List	ADA; OUSD
30-Jul-13	31-Mar-13	Issue Updated Secondary Shelter Site List	ADA; OPR
30-Jun-13	30-Jun-13	<b>End of Implementation Period Four</b>	ADA
15-Aug-13	15-Aug-13	Completed Final Functional Needs Training Module	ADA
22-Aug-13	22-Aug-13	Submit CFILC v. Oakland Implementation Report Four to DRA	ADA

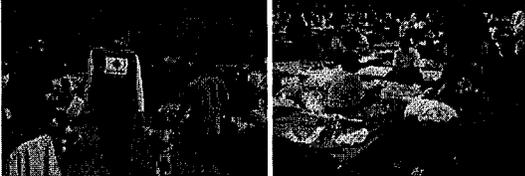
## **Attachment K Functional Needs Training Module**

This is a "handout" version of the PowerPoint document.  
The complete training module with "Notes Pages" is available on the ADA Programs Division webpage on [oaklandnet.com](http://oaklandnet.com) or by calling 510-238-6919 (voice).

## Functional Needs Focused Care & Shelter

**Serving People with Disabilities and Older Adults in the  
Mass Care and Shelter Environment**

City of Oakland  
Mass Care and Shelter Annex Functional Needs Component



## Functional Needs: Oakland Definition

The intent of the City's Disaster Mass Care and Shelter Plan is to provide safe, sanitary, secure care and shelter for all residents, including persons with functional needs.

According to the Cal EMA, Access and Functional Needs Populations are defined as those whose members may have additional needs before, during and after an incident in functional areas, including but not limited to: communication, medical care, independence maintenance, supervision, and transportation.

This training addresses the Functional Needs of people with disabilities and frail older adults only.

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## Goal

The goal of this training module is to increase the knowledge of City staff serving as emergency shelter managers and/or Shelter Functional Needs Coordinators (S-FNC) so they can facilitate and ensure mass care and shelter services for people with disabilities and older adults in the general shelter environment.

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## Training scope

This curriculum is designed to address the situation of a large scale, catastrophic emergency requiring mass care. However, certain parts of this training will be applicable to smaller, localized incidents as well.

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## Objectives

**Part I: Introduction/Background**

- Americans with Disabilities Act (ADA)
- C-MIST Framework – Who it serves

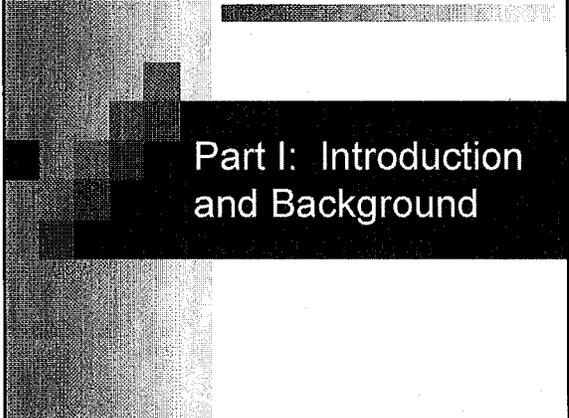
**Part II: Roles and Responsibilities**

- Disaster Service Workers
- EOC Functional Needs Coordinator (E-FNC)
- Shelter Site Functional Needs Coordinator (S-FNC)

**Part III: In Action**

- Intake and Assessment
- C-MIST Framework – How it is implemented
- Physical access to shelters
- Programmatic access in shelters

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## Part I: Introduction and Background

## ADA Overview

- Signed into law in 1990, the Americans with Disabilities Act is the nation's first comprehensive civil rights law for people with disabilities.
- Covers Employment; Public Sector; Private Sector; Telecommunications; Miscellaneous Provisions
- The provisions of Title II of the ADA are enforced through the Department of Justice.
- The City continually works to be in compliance with its obligations under the ADA.

## ADA Overview

### Title II – State and Local Governments

Subject to the provisions of this Title, no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a state or local entity, or be subjected to discrimination by any such entity.

## ADA Basic Principles

- Equal opportunity
- Integration
- No discriminatory eligibility criteria
- Modification of policies and practices
- Program accessibility
- Effective communication
- No surcharges
- Inclusion in planning
- Individualized assessment and interactive process



## ADA Definition of Disability

An individual with a disability is one who has a physical or mental impairment that **substantially limits one or more major life activities**; who has a record of such an impairment; or is regarded as having such an impairment.

## Oakland Demographics

- More than 12% of Oakland residents identify as having a disability
- Nearly 23% of Oakland is comprised of older adults
- 39% of older adults identify as a person with a disability

Source: American Community Survey (ACS), 2010

## Major Life Activities

- |   |  |
|---|--|
| <input type="checkbox"/> Caring for oneself | <input type="checkbox"/> Breathing     |
| <input type="checkbox"/> Manual tasks       | <input type="checkbox"/> Seeing        |
| <input type="checkbox"/> Walking            | <input type="checkbox"/> Hearing       |
| <input type="checkbox"/> Standing           | <input type="checkbox"/> Speaking      |
| <input type="checkbox"/> Lifting            | <input type="checkbox"/> Communicating |
| <input type="checkbox"/> Bending            | <input type="checkbox"/> Thinking      |
| <input type="checkbox"/> Eating             | <input type="checkbox"/> Concentrating |
| <input type="checkbox"/> Sleeping           | <input type="checkbox"/> Reading       |
| <input type="checkbox"/> Working            | <input type="checkbox"/> Learning      |

## Reasonable Accommodations

According to the Americans with Disabilities Act, a public entity must reasonably modify its policies, practices and/or procedures as to not discriminate against qualified individuals with disabilities.

## Reasonable Accommodations

Examples:

- Permit personal care givers to enter/exit emergency shelters during extended hours
- Provide way finding services for people who are blind or low-vision
- Disconnect or remove air fresheners from all portable toilets and all shelter facility restrooms
- Allow service animals in all areas of the shelter where residents are allowed access

## Disability Etiquette

You don't have to feel awkward when dealing with a person who has a disability. Here are some basic tips for you to follow. And, if you are ever unsure about what to do or say with a person who has a disability, just ask.

- Use People First Language – refer to the person first, their disability last. For example say "person with a disability", not "disabled person". Say "a person who has AIDS", not "an AIDS victim". Avoid archaic terms such as: "crippled," "afflicted with," "a victim of," "deaf and dumb," and "wheelchair bound."

## More Disability Etiquette

- Do say "hello," and make eye contact with a person with a disability as you would with anyone else. When talking to an individual who is using a wheelchair try to put yourself at the eye level of the person. Always speak directly to the person, not to his assistant, companion or sign language interpreter.
- If you offer assistance, wait until the offer is accepted. Ask for instructions before helping. Never touch or push a person's wheelchair without permission.
- Writing brief notes back and forth and using gestures is acceptable when communicating with a deaf or hard-of-hearing person.

## Even More Disability Etiquette

- If you don't understand something said by a person who has a speech impairment do not pretend that you do. Politely ask the individual to repeat what was said or to use another word. Repeat back what was said for clarification.
- When talking to someone who is blind or visually impaired state clearly who you are, and speak in a natural tone of voice. Indicate when you are leaving the room or ending a conversation.
- Never touch or distract a guide dog without first asking the owner.
- And above all, treat the person with dignity, courtesy and respect.

## Functional Needs Model

The Functional Needs Model provides a more accurate and flexible planning and response framework than a traditional "special needs" approach. It is based on the essential and overlapping functional needs of the vulnerable populations and addresses five universal areas of fundamental health and well-being. The functional needs model emphasizes an individualized, collaborative approach to needs assessment.

## C-MIST for Disability Populations

- Communication
- Medical
- Independence Maintenance
- Supervision
- Transportation

## Communication

Large populations who may not be able to:

- Hear verbal announcements
- See directional signage
- Communicate verbally
- Cognitively understand written or verbal announcements
- Understand how to get food, water and other necessary assistance due to vision and/or hearing limitations

## Medical

Those who do not have or have lost support from caregivers and need assistance to:

- Manage stable, chronic or terminal conditions that require minimal observation and treatment
- Administer medications
- Manage intravenous IV therapy and tube feeding
- Manage dialysis, oxygen and suction administration
- Tend to minor wounds and first-aid
- Operate power-dependent equipment

## Independence Maintenance

Individuals with functional needs who may require support completing activities of daily living (ADLs). Individuals such as:

- At-risk individuals who might experience costly deterioration of health and mobility if their functional needs are not identified and addressed immediately
- Individuals with whom addressing functional needs early can prevent health problems and avoid institutionalization

## Supervision

Individuals who require support from others to look after their health and/or behavior, such as:

- People who have conditions such as dementia, Alzheimer's, psychiatric illness, etc.
- People who may be adversely affected because of transfer trauma and stressors that exceed their ability to cope and function in a new environment

## Transportation

People who cannot drive due to a disability or who require accessible transit services.



## Part II: Roles and Responsibilities

Part II: Roles and Responsibilities

### Roles and Responsibilities

- Disaster Service Workers Responsibilities
- Emergency Operations Center Functional Needs Coordinators (E-FNC)
- Shelter Site Functional Needs Coordinators (S-FNC)



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Part II: Roles and Responsibilities

### Disaster Service Workers Responsibilities

- California Government Code Section 3100-3109 states that all public employees are obligated to serve as Disaster Service Workers (DSW).
- Public employees (civil service) are all persons employed by any county, city, State agency or public/special district in the State of California.
- DSWs provide services and aid during a declared emergency, disaster or catastrophic event.

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Part II: Roles and Responsibilities

### Disaster Service Workers Responsibilities

What does this mean for you as a City of Oakland employee?

- You are required to perform duties as a DSW when the Mayor or his/her designee declares a citywide emergency.
- At any time during a declared emergency, you are required to report to work and you may be assigned to disaster service work.
- Assignments may require your DSW service to be at locations, times, and conditions other than your normal work assignments.

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Part II: Roles and Responsibilities

### E-FNC Responsibilities

- Stationed at Emergency Operations Center
- Represent access and functional needs issues at EOC management meetings
- Advise on known and potential needs impacting people with functional needs
- Assist to identify accessible shelters to open
- Appoint S-FNC in each open shelter
- Facilitate shelter requests for functional need resources, support and information
- Coordinate transportation needs
- Coordinate deactivation phase

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Part II: Roles and Responsibilities

### S-FNC Responsibilities

- Oversee and support NGO and other CBO individuals who work within the shelter environment
- Ensure the adequate number and placement of accessible portable toilets, hand washing stations and portable bathing/shower units brought on site
- Oversee and track assignment of shelter trailer supplies, including accessible cots, durable medical equipment (such as wheelchairs) and consumable medical supplies
- Establish and maintain a public bulletin board; and audibly announce posted bulletins daily
- Provide large print materials, sign language services when available, and other auxiliary aids upon request

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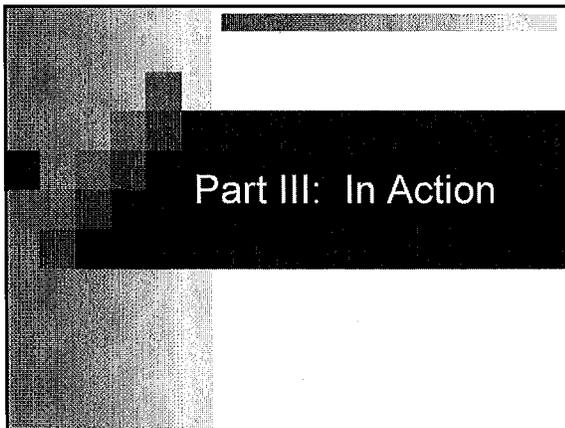
### S-FNC Responsibilities Health Information Privacy

The federal Health Insurance Portability and Accountability Act of 1996 (HIPAA) Privacy Rule protects individually identifiable health information. The information protected is referred to as protected health information or PHI.

Always defer to trained medical personnel if on site. However, if trained medical personnel are unavailable, and there is a valid signed authorization from the individual, the HIPAA Privacy Rule does not apply and the S-FNC may handle necessary confidential medical disclosures.

### S-FNC Responsibilities Continued

- Identify essential functional needs of shelter residents at intake (all residents must complete the Initial Intake and Assessment Tool worksheet)
- Ensure individuals who use items such as life-sustaining medical devices, motorized wheelchairs or scooters, refrigeration, etc. receive priority access to electric power and/or generators
- Coordinate transport and transfer to medical shelters when necessary.



## Part III: In Action

### Functional Needs In Action

In the event of a large-scale regional disaster, the City of Oakland will be competing for much needed resources and assistance. This training tool will address what the City can reasonably do to support individuals with disabilities until the American Red Cross and other governmental agencies arrive.

### Assumptions

- A large-scale regional disaster has occurred leaving the American Red Cross, as well as State and Federal organizations, unable to respond.
- Although requests will be made for resource mutual aid, the City of Oakland may be operating strictly with its own resources until other aid arrives.
- Depending on the circumstances, it is possible the City may receive assistance from a state Functional Assessment Service Team (FAST).
- Approximately 25% of shelter residents may be defined as a person with disabilities.

### Assumptions

- Individuals with disabilities who require assistance may arrive at the shelter with or without support, medical records, medications, or required mobility aids or medical equipment.
- Most individuals with disabilities will be best served in the local shelter; not sent to a medical facility further away from their home, family, and/or network of support and service providers.
- In an event of this magnitude, transportation systems and access to medical facilities will be limited. Priorities will be for those most needing the services. To avoid overwhelming these services, we will strive to support individuals with disabilities in the local shelter.

## Intake and Assessment

The intent of the City is to support individuals with disabilities so as to remain in the local shelter closest to their home, family and/or network of support and service providers. However, if appropriate resources do not arrive, shelter coordinators will need to recognize when an individual's functional needs exceed what is available at their site. If the individual is not able to safely remain in the local shelter environment, the shelter coordinator will arrange transfer to a more appropriate facility.

The shelter coordinator, on a case-by-case basis and in coordination with the individual and/or her advocate, will need to make individualized assessments in determining if that person's functional needs are such that they require transport to a more appropriate facility.



## Intake and Assessment Accommodations

- Work collaboratively with NGOs (CARD & FAST)
- Provide staff to assist in completion of forms
- Provide a private area for intake questions
- Ensure the intake area is located on an accessible route
- Provide seating or priority access lanes for individuals who may not be able to stand or wait in long lines



## Initial Intake and Assessment Tool

From the American Red Cross

- Although the City will be opening our own shelters, we will utilize the American Red Cross *Initial Intake and Assessment Tool*.
- Adhering to the ARC intake process will facilitate the transition of shelter coordination to the ARC staff when they arrive on site.
- The tool has two purposes:
  - For staff to determine if reasonable accommodations can be provided to enable individuals to remain in general shelters, and
  - To ensure proper and safe arrangements are made for those individuals with medical or functional needs beyond the scope and expertise of available shelter workers



## Initial Intake and Assessment Tool

*Representatives from the American Red Cross will now discuss the Initial Intake and Assessment Tool.*



## C-MIST: How is it Implemented?

- Communication
- Medical
- Independence Maintenance
- Supervision
- Transportation



## Communication Needs

- Post text content of audio announcements on a bulletin boards in a specified public areas
- Provide written materials in large print format
- Broadcast audio announcements of written messages
- Provide way-finding services
- Communicate with residents by using their personal communication device, if they have one.
- Use both language and pictograms on signage when available



### Medical Needs

- Coordinate with State FAST members and Shelter Functional Needs Coordinator (S-FNC) to determine level of medical assistance needed for shelter residents.
- Permit medical staff, including doctors, nurses, nurses aids, EMTs and other medically trained personnel, access to the shelter at all times.
- Provide privacy areas for completing activities of daily living
- To the maximum extent practicable, replace essential medications, lost or damaged DME (wheelchairs, scooters, walkers, etc.), and CMS (catheters, ostomy supplies, etc.). Likely, this will be possible once other assistance has arrived.

### Medical Needs

**NOTE:**

- Due to limited capabilities at shelters prior to other agencies/services arriving, shelter coordinators will need to recognize if an individual cannot safely remain in the general shelter environment. If so, coordination will be needed to transport the individual to a medical facility.
- Be sure to include individuals with disabilities, and/or their advocate, in all discussions throughout the accommodation process. Consideration must be given to their preferences.

### Independence Maintenance Needs

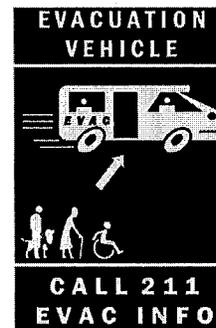
- Provide assistance with orientation to shelter facilities for those with visual limitations
- Permit personal care assistants to enter and exit the shelter during extended hours
- Permit service animals in shelters
- Give priority access for permanent housing

### Supervision Needs

- Allow NGO and CBO volunteers, public security officers and law enforcement, private security, and emergency shelter personnel access to the shelter environment while assisting individuals with reasonable accommodations and case management
- Permit supervisorial support staff to enter and exit the shelter at all times

### Transportation Needs

- Provide several types of evacuation and transportation assistance, including public transportation, private transportation (cars or vans driven by volunteers, or CBO or NGO personnel), and emergency transportation (law enforcement or medical ambulance)
- Coordinate transportation to shelter sites, between shelter sites when relocation is essential, and to long-term housing



Part III: In Action

## Physical Access

The following information applies to shelters opened for an emergency of any magnitude, from a small-scale localized event to a large-scale catastrophic event.

- Accessible Routes
- Entrances and Exits
- Temporary Access Measures
- Hygiene Facilities
- Sleeping Areas
- Private Areas
- Maintaining Access

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Part III: In Action

## Physical Access

- The City has established a list of primary (OUSD) and secondary (OPR) shelter sites. All of these sites have been analyzed for physical access compliance according to the ADA Checklist for Emergency Shelters.
- The City OES will evaluate shelter sites for adequate space and essential utility services prior to opening each shelter to ensure the health and safety of shelter residents with disabilities.

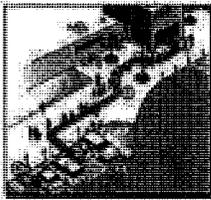
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Part III: In Action

## Accessible Route

- Passenger loading zones
- Accessible Parking
- Accessible route (36" wide, 1:12 slope)




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Part III: In Action

## Entrances and Exits

- If the accessible entrance is not part of the main entrance, post directional signage clearly showing accessible entrance/path
- Ensure outside smoking areas are a significant distance from shelter entrance, windows, exits, telephones, rest rooms or air intake vents

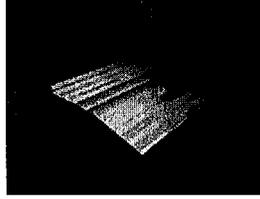
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Part III: In Action

## Temporary Access Measures




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Part III: In Action

## Hygiene Facilities

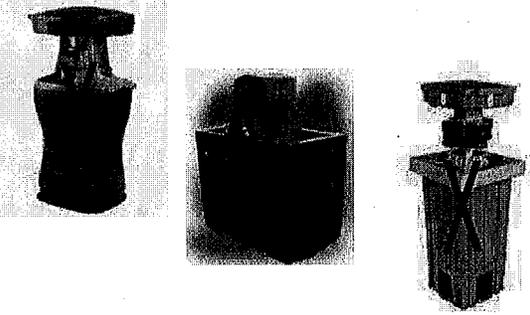
- Accessible hand washing stations
- Accessible toilets – 5%, but at least one
- Shower facilities – 5%, but at least one



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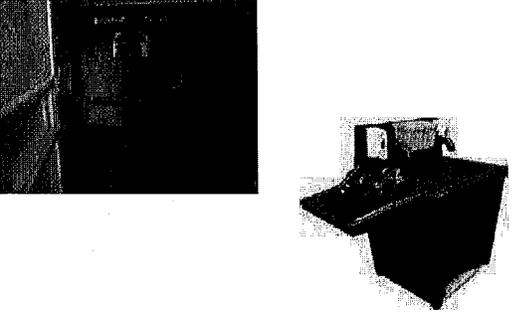
Part III: In Action



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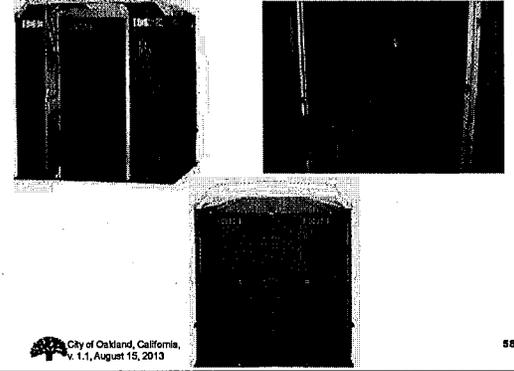
Part III: In Action



 City of Oakland, California, v. 1.1, August 15, 2013

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Part III: In Action



 City of Oakland, California, v. 1.1, August 15, 2013

58

Part III: In Action

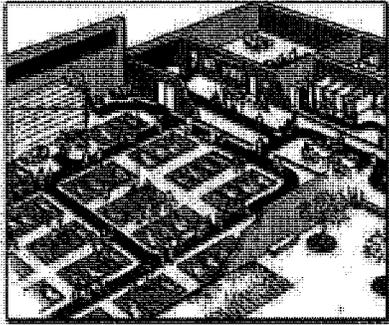
## Sleeping Areas

- Sleeping area must be on an accessible route connecting to rest rooms, bathing areas, food and exits
- Provide separate sleeping areas for families with children, elderly, and other unique situations – always consult with the individuals first

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Part III: In Action



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Part III: In Action

## Sleeping Areas Continued

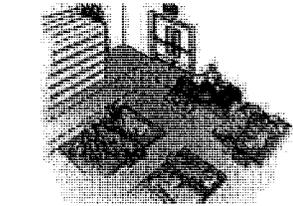
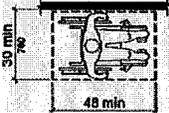
- Accessible cots (32"W x 84"L x 18"H), 450 lbs
- Space along each side of the cot (36") and one side against wall for support



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Part III: In Action


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Part III: In Action

## Private Areas

When possible, set up accessible private areas for:

- Residents needing assistance with personal hygiene
- People with asthma, chemical sensitivities, weakened immune systems, etc.
- Residents requiring close supervision due to significant cognitive disabilities, dementia, Alzheimer's Disease, etc.
- Disaster assistance and social services counseling
- Child care, child play areas

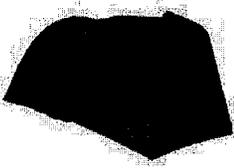
63

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Part III: In Action

## Private Areas Continued

Create private areas using tenting, fabric, plastic sheets and other materials

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Part III: In Action

## Maintaining Access

- Conduct inspections of all public shelter areas at least three times per day
- Clear required wheelchair access routes
- Tape down extension cords to avoid tripping hazards
- Advise the media to refrain from stringing cables across walkways without appropriate materials to tape them down



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Part III: In Action

## Programmatic Access

- Initial Intake and Assessment
- Registration and Assessment
- Disability Etiquette
- Eating Areas
- Private Areas
- Service Animals
- Communications
- Signage

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## Food Service and Eating Areas

- Ensure the food service and eating areas are on an accessible route
- Provide wheelchair accessible seating areas with appropriate knee clearance
- Place paper cups on a table adjacent to water fountains
- Provide straws

## Service Animals

- Service animals are permitted in shelters at all times with their owners.
- Service animals are defined as dogs that are individually trained to do work or perform tasks for people with disabilities. Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA.



## Service Animals Continued

- Common tasks performed by service animals:
  - Guiding people who are blind
  - Alerting people who are Deaf
  - Pulling a wheelchair
  - Alerting and protecting a person who is having a seizure
  - Reminding a person with mental illness to take prescribed medications
  - Performing other duties

## Service Animals Continued

- When it is not obvious what service an animal provides, staff may ask only two questions:
  1. Is the dog a service animal required because of a disability?
  2. What work or task has the dog been trained to perform?
- It is illegal to ask the individual personal questions about their medical condition when inquiring about their service animal.
- People with disabilities using a service animal are not required to have any special identification or documentation for the dog.

## Effective Communications

State and local governments are required to take steps to ensure that their communications with people with disabilities are as effective as communications with others.



## Effective Communication Continued

- Use multiple methods to communicate the same message. Be duplicative in where and how information is distributed.
  - Orally delivered messages
  - Text-based messages
- Turn captions on for all televisions in shelter.



Part III: In Action

## Required Bulletin Boards

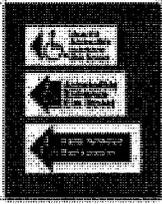
- Create and maintain announcement board
- Update information at least once daily
- Post contents of verbal announcements in writing on an announcement board
- Audibly announce written messages posted on announcement board throughout the day
- Post important contact information (names and telephone numbers, location and hours of operation of assistance centers and resources)

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Part III: In Action

## Required Signage

Post signs where accessible route is different from the one used by most evacuees, especially at key decision making points to direct toward activities




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Part III: In Action

## Required Signage Continued

Post signs to all accessible rest rooms, telephones, outside smoking areas and other important areas of the shelter site, including where to locate shelter services such as nurses, mental health, food and water, etc.







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Part III: In Action

## Assumptions and Limitations

Assumption:  
Although requests will be made for resource mutual aid, depending on the magnitude of the event, the City of Oakland may be operating strictly with its own resources until other aid arrives.

Limitation:  
Therefore, items discussed in the following slides may not be available at shelter sites until other agencies arrive with additional resources. These items may include: generators, refrigerators, DME, CMS, prescription medications, etc. These items are **not** guaranteed to be immediately available at every shelter. The S-FNC, on a case-by-case basis and in coordination with the individual and/or her advocate, will need to make individual assessments in determining if their needs are such that they require transport to a more appropriate facility.

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Part III: In Action

## Power Generators

- Ensure back-up power generators are brought on-site as soon as they are available
- Provide priority access to electricity for individuals who require power to:
  - Maintain or operate life-sustaining medical devices
  - Re-charge motorized wheelchairs or powered scooters
  - Store medications, such as insulin, that require refrigeration

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Part III: In Action

## Durable Medical Equipment (DME) and Consumable Medical Supplies (CMS)

In coordination with other aiding agencies, request Durable Medical Equipment (DME) and Consumable Medical Supplies (CMS) from vendors as needs are identified.




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Part III: In Action

## DME and CMS Continued

Examples:

- Wheelchairs
- Walkers
- Walking canes
- White canes
- Commode chairs
- Raised toilet seats
- Shower chairs
- Magnifiers

- Disposable respiratory tubing
- Bilevel Positive Airway Pressure System (Bi-PAP)
- Continuous Positive Airway (CPAP) System
- Gauze pads
- Medical gloves
- Ostomy supplies
- Cleaning wet wipes
- Sleep apnea facial masks



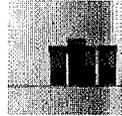

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Part III: In Action

## Prescription Drugs

- Coordinate pick-up or delivery of essential medications from local pharmacies if shelter resident is unable to travel
- Provide priority use of refrigerators or other cooling devices, once they arrive, for essential medications that require refrigeration, such as insulin




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Part III: In Action

## Auxiliary Aides and Services

The following auxiliary aides and services may be requested:

- Sign Language Interpretation
- Text equivalent information
  - Written word
  - Video captioning
- Sound amplification or assistive listening devices



These items should be provided as soon as they become available.

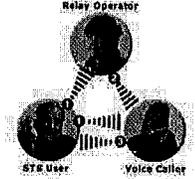
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Part III: In Action

## Auxiliary Aides and Services Continued

- Alternative Augmentative Communication (AAC) devices and picture boards
- California Relay Service (7-1-1)

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## Conclusion

Part I:

ADA

- Learned about the Americans with Disabilities Act of 1990 – specifically Title II – and how it applies to City Government to ensure physical and programmatic access to emergency shelters
- Reviewed examples of reasonable modifications
- Discussed disability etiquette

C-MIST

- Learned about the five essential areas of functional needs for individuals with disabilities (Communication, Medical, Independence, Supervision, and Transportation), and who may be effected by each

City of Oakland, California, v. 1.1, August 15, 2013

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## Conclusion Continued

Part II:

- Reviewed City workers' role of DSW in the event of an emergency
- Described the responsibilities of the E-FNC
- Described the responsibilities of the S-FNC

Part III:

- Reviewed the C-MIST framework in the context of reasonable accommodations
- Reviewed physical access requirements for shelter environments
- Reviewed programmatic access requirements for shelter services

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## Scenario 1

An ambulatory man with no apparent physical disability arrives at the shelter with a dog on a leash. The man insists that he is disabled and the dog is a service animal that needs to assist him at all times. He appears disoriented and cannot explain what tasks the dog performs for him.



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## Scenario 2

As part of shelter services, the shelter is providing daytime child care services for parents so they can work, as long as they are registered at the shelter and their children are under the age of 12. A 14-year-old shelter resident with a developmental disability requires assistance for toileting and eating. The child is of typical size but her mental functioning level is in the range of a 5-6 year old. If her parents are registered at the shelter, then is this child eligible for the child care program?



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## Scenario 3

A person registers at the shelter and has notified staff that they are unable to transfer to and from the cots provided in the sleeping areas. He requests a raised bed. In addition, he has brought along medical equipment which requires a significant amount of floor space.



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## Scenario 4

An adult blind woman arrives at the shelter. She is extremely upset because she has been separated from her guide dog. She explains that she is unable to negotiate an unfamiliar area with just a cane.



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## Scenario 5

An elderly person has arrived at the shelter after an emergency evacuation from a residential building. Their communication is limited to a few disconnected words. Staff notices that the person is very unsteady and at best can only move a few feet at a time with a walker. It appears that the person was separated from their medical or personal care attendant (PCA) during the evacuation but she cannot provide contact information for any relative or PCA.



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## Scenario 6

Tom, a registered shelter resident with a disability, requires personal attendant care and has identified a handful of attendants who are available to come to the shelter in shifts to assist him. All of the attendants are registered at other shelters (with their families) but spend multiple hours at a time at the shelter caring for Tom. Each night, one of the attendants stays at the shelter during sleep hours in case Tom needs assistance. Citing security concerns, shelter staff repeatedly attempt to restrict entrance and exit of these non-registered attendants after visiting hours.



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## Scenario 7

A Deaf person named Estelle is unable to complete the registration form. No one at the shelter is familiar with American Sign Language (ASL) and it will be at least 24 hours before an ASL interpreter will arrive at the shelter. Other than not being able to adequately communicate in writing, Estelle is self regulating.



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## Scenario 8

The shelter is full; people are waiting outside and it is getting dark. A family of five, including a grandmother who uses a wheelchair, is waiting for placement. A shuttle service arrives to move people to another shelter. The shuttle is not wheelchair accessible and there is no way the shelter can accommodate more than one additional resident.



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## Scenario 9

There is a substantially ADA compliant restroom at the shelter with the required amount of room in the ADA stall. However, there is a person in a reclining wheelchair that cannot sit up and is unable to access the toilet because the partition of the adjacent stall blocks her path of travel.



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MASS CARE AND SHELTER ANNEX FUNCTIONAL NEEDS COMPONENT  
FUNCTIONAL NEEDS FOCUSED CARE AND SHELTER  
TRAINING CURRICULUM GUIDE

Purpose

This Overview is to provide presenters with a matrix of Functional Needs Annex (FNA) training modules in a variety of formats that may be used based on the target audience and/or time limitations. The modules may also be used as refresher courses with an emphasis triggered by changes in City programs, facilities, or other functional alterations.

Modules

**Complete:** This is a comprehensive training that includes all sections of the presentation. The complete module should be used when training City staff targeted as subject matter experts or who manage a facility that may become a shelter site in the event of a disaster. City staff trained in the Complete module will have a broad knowledge of the FNA and Americans with Disabilities Act Title II concepts and how these principles apply to mass care and shelter.

**Functional:** City staff who receive the Functional training include all Disaster Service Workers who are not a facility manager at a targeted shelter site and will have a broad or non-specialized interaction with public around mass care and sheltering. City staff who complete the Functional training will be able to support the Functional Needs Coordinator at designated shelter sites.

**Shelter Access:** Training in this area may focus on *either* the Physical Access or Programmatic Access section, or may cover both areas. This module is to Provide City staff with specialized or limited non-management level interactions with mass care and shelter sites. Examples would be staff members who would act in a support role in the City's effort to provide physical and/or programmatic access in the form of removing barriers or providing specific customer services (e.g. Volunteer Coordinator).

*This training curriculum and guide was prepared by the City of Oakland ADA Programs Division.*

## FNA Training Module Matrix

Slide #s	Sections <i>includes title pages</i>	Complete 2.5 hours	Functional 1 hour	Shelter Access 30-45 minutes
1-5	Functional Needs Training Module	All	Slides 1-4	Slides 1-4
6	Part I: Introduction/Background	All	All	All
7-18	Americans with Disabilities Act (ADA)	All	Slides 9, 14	Slides 9, 14
19-24	C-MIST Framework – Who it Serves	All	None	None
25-26	Part II: Roles and Responsibilities	All	None	None
27-28	Disaster Service Worker	All	All	None
29	EOC Functional Needs Coordinator (E-FNC)	All	None	None
30-32	Shelter Site Functional Needs Coordinator (S-FNC)	All	All	None
33-36	Part III: In Action	All	None	None
37-40	Intake and Assessment*	All	None	None
41-48	C-MIST Framework – How is it Implemented	All	All	None
49-65	Physical access to Shelters	All	All	All
66-82	Programmatic access to shelters	All	All	All
83-84	Conclusion	All	None	None
85-93	Scenarios	All	As time allows	As Applicable <sup>^</sup>
-	Q & A	As Needed	As Needed	As Needed

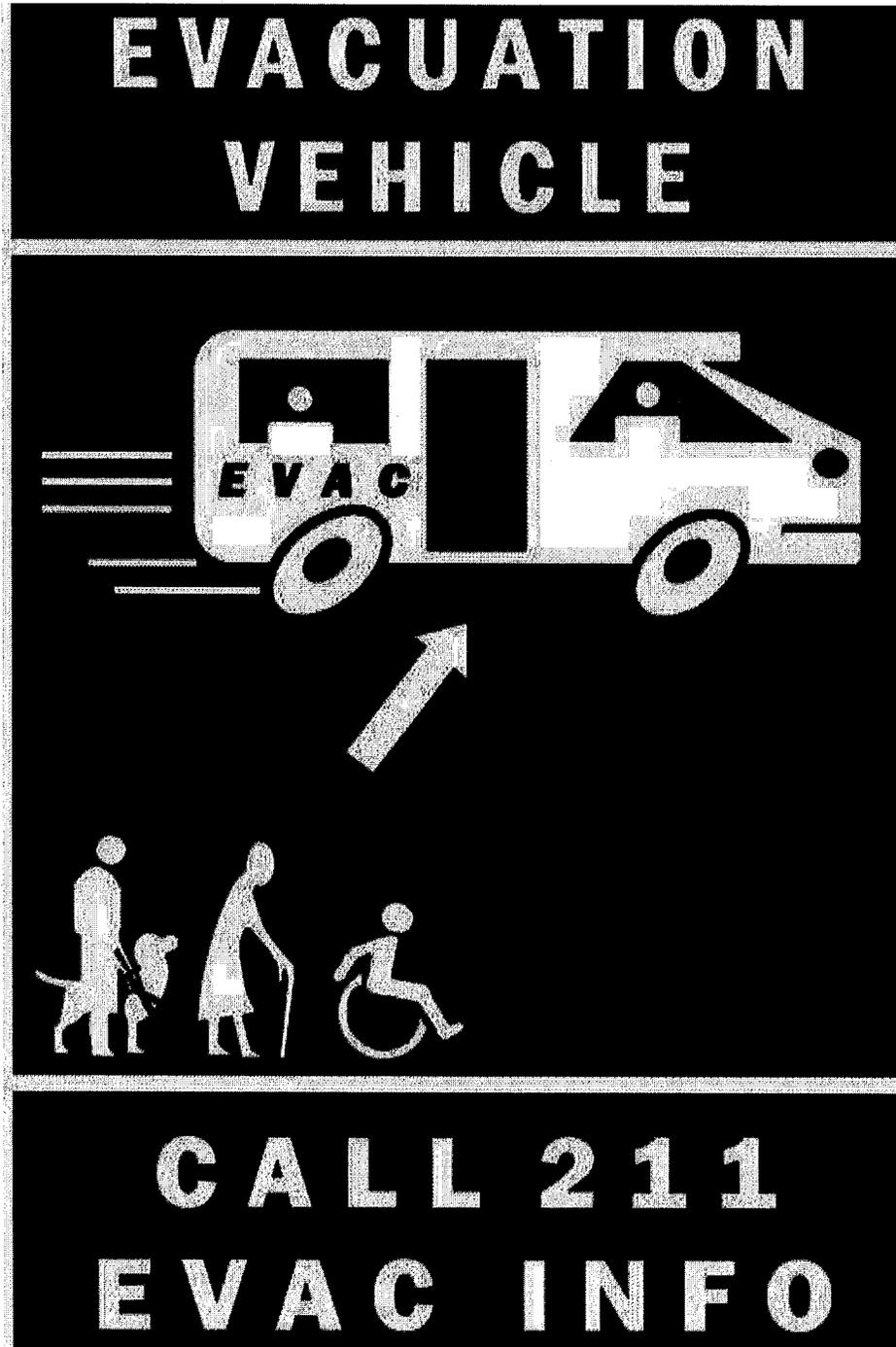
\* Requires American Red Cross presentation, see slide 40

<sup>^</sup> For Physical Access use slides 3, 4, 5, 6, 8, 9; For Programmatic access use slides 1, 2, 5, 7

ATTACHMENT – M

EMERGENCY EVACUATION VEHICLE PICTOGRAM

*This document was last updated on: March 17, 2010*



## ATTACHMENT – N

### FUNCTIONAL NEEDS RESOURCES

*This document was last updated on: April 28, 2010*

This document provides resources for shelter staff to community organizations and services that provide assistance to the functional needs community. The community organization resource list is directly followed by a listing of some of the city vendors that provide durable medical equipment (DME) and/or consumable medical supplies (CMS).

#### **COMMUNITY ORGANIZATIONS**

**Alameda County Social Services  
Agency Department of Adult and  
Aging Services**  
<http://alamedasocialservices.org>  
Voice: 510-577-1800  
FAX: 510-577-1807

**Alameda County Transportation  
Improvement Authority (ACTIA)**  
<http://actia2002.com>  
1333 Broadway, Suite 300  
Oakland, CA 94612  
Voice: 510-893-3347  
FAX: 510-893-6489

**California Department of  
Rehabilitation (DOR)**  
[www.dor.ca.gov](http://www.dor.ca.gov)  
1515 Clay Street, Suite 119  
Oakland, CA 94612  
Voice: 510-622-2764  
FAX: 510-622-2797  
TTY: 510-622-2794

**Center for Accessible Technology**  
<http://cforat.org>  
2547 8<sup>th</sup> Street, Suite 12A  
Berkeley, CA 94710  
Voice: 510-841-3224  
FAX: 510-841-7956  
TTY: 510-841-5621

**Center for Independent Living (CIL)**  
<http://cilberkeley.org>  
2539 Telegraph Avenue  
Berkeley, CA 94704  
Voice: 510-841-4776  
FAX: 510-841-6168  
TTY: 510-848-3101

610-16<sup>th</sup> Street, #419  
Oakland, CA 94612  
Voice: 510-763-9999  
FAX: 510-763-4910  
TTY: 510-444-1837

**Cerebral Palsy Center for the Bay  
Area**  
<http://cpcoak.org>  
4500 Lincoln Avenue  
Oakland, CA 94602  
Voice: 510-531-3323  
FAX: 510-531-2990

**Community Resources for  
Independent Living (CRIL)**  
<http://cril-online.org>  
439 A Street  
Hayward, CA 94541  
Voice: 510-881-5743  
FAX: 510-881-1593  
TTY: 510-881-0218

**Deaf Counseling, Advocacy & Referral Agency (DCARA)**

<http://dcara.org>  
14895 East 14<sup>th</sup> Street, Suite 200  
San Leandro, CA 94578  
Voice/TTY: 510-483-0753

**Deaf Disability Project of Berkeley Place, Inc.**

1931 Center Street  
Berkeley, CA 94704  
Voice: 510-848-5865  
TTY: 510-664-2000  
FAX: 510-664-2000

**Disability Rights California**

[www.disabilityrightsca.org](http://www.disabilityrightsca.org)  
1330 Broadway, Suite 500  
Oakland, CA 94612  
Voice: 510-267-1200  
TTY: 800-649-0754

**East Bay Center for the Blind**

<http://eastbaycenterfortheblind.org>  
2928 Adeline Street  
Berkeley, CA 94703  
Voice: 510-843-6935  
FAX: 510-843-6006

**East Bay Housing Organizations**

<http://ebho.org>  
538 9<sup>th</sup> Street, Suite 200  
Oakland, CA 94607  
Voice: 510-663-3830  
FAX: 510-663-3833

**East Bay Paratransit**

1720 Broadway, 3<sup>rd</sup> Floor  
Oakland, CA 94612  
Voice: 510-287-5040  
FAX: 510-628-0719  
TTY: 510-287-5065

**Family Resource Network (FRN)**

<http://frnoakland.org>  
5232 Claremont Avenue  
Oakland, CA 94618  
Voice: 510-547-7322  
FAX: 510-658-8354  
TTY: 510-658-2307

**In-Home Supportive Services (IHSS)**

[http://alamedasocialservices.org/public/services/elders\\_and\\_disabled\\_adults/in\\_home\\_support/index.cfm](http://alamedasocialservices.org/public/services/elders_and_disabled_adults/in_home_support/index.cfm)  
6955 Foothill Blvd, Third Floor  
Oakland, CA 94605  
Voice: 510-577-1900  
FAX: 510-577-5615

**LightHouse for the Blind and Visually Impaired**

<http://lighthouse-sf.org>  
214 Van Ness Avenue  
San Francisco, CA 94102  
Voice: 415-431-1481  
FAX: 415-863-7568  
TTY: 415-431-4572

**Lions Center for the Blind**

<http://lbcenter.org>  
3834 Opal Street  
Oakland, CA 94609  
Voice: 510-450-1580  
FAX: 510-654-3606

**Oakland Housing Authority (OHA)**

<http://oakha.org>  
1805 Harrison Street  
Oakland, CA 94612  
Voice: 510-874-1500  
FAX: 510-587-2168  
TTY: 510-832-0633

**Pacific ADA Center (Pacific DBTAC)**

<http://adapacific.org>  
555 12<sup>th</sup> Street, Suite 1030  
Oakland, CA 94607  
Voice: 510-285-5600  
FAX: 510-285-5614  
TTY: 510-285-5600

**Social Security Administration (SSA)**

<http://ssa.gov>  
238 11<sup>th</sup> Street  
Oakland, CA 94607  
Voice: 800-772-1213  
TTY: 800-325-0778

**Regional Center of the East Bay**

<http://rceb.org>  
7677 Oakport Street, Suite 300  
Oakland, CA 94621  
Voice: 510-383-1200  
FAX: 510-633-5022  
TTY: 510-383-1354

**Wheelchairs of Berkeley**

[www.wobwob.com](http://www.wobwob.com)  
2911 Shattuck Avenue  
Berkeley, CA 94705  
Voice: 510-549-8727  
FAX: 510-540-1210

**CITY VENDORS**

**COMPANY (City of Oakland Supplier No.)**

**Access Speech and Language (22793)**  
379 Hayes St, San Francisco CA 94102

**AccessAbility (43811)**  
320 Clement St, San Francisco CA  
94118

**AccessAbility Inc. (43903)**  
175 Mason Circle, Concord CA 94520  
Voice: 925-680-7100

**Accessible Home Lift Company  
(83459)**  
2324 Eagle Ave, Alameda CA 94501  
Voice: 510-521-9526

**Armstrong Medical Industries Inc.  
(66829)**  
575 Knightsbridge Pkwy, Lincolnshire  
IL 60069  
Voice: 800-323-4220  
[www.armstrongmedical.com](http://www.armstrongmedical.com)

**Bischoff's Medical Supplies (75044)**  
1635 Divisadero St. #105, San Francisco  
CA 94115  
Voice: 415-921-0440  
[www.bischoffsmedicalsupplies.com](http://www.bischoffsmedicalsupplies.com)

**C&D Medical and Orthopedic  
Supplies (24832)**  
419 30<sup>th</sup> St #100, Oakland CA 94609  
Voice: 510-465-2084

**California Home Medical Equipment  
– CHME (98583)**  
<http://chme.org>  
289 Foster City Blvd Ste A, Foster City  
CA 94404  
Voice: 650-357-8550

**California Medical Equipment  
(87587)**  
5871 Stradella Rd, Yorba Linda CA  
92886  
Voice: 714-779-5455

**Center for Accessible Technology (53581)**  
2547 8th St #12 A, Berkeley CA 94710  
Voice: 510-841-3224  
www.cforat.org

**Coleman Medical (50936)**  
8166 14<sup>th</sup> Ave, Sacramento CA 95826  
Voice: 916-737-6090

**Freedom Medical Inc. (60955)**  
208 Carter Dr, Ste 20, West Chester PA 19382

**Garmed Medical Disposables – Gar Med (49864)**  
6910 Lindley Ave, Reseda CA 91335  
Voice: 818-757-1478

**Jasper Medical Supplies (51260)**  
190 Stratford Pl. PO Box 546,  
Lakewood NJ  
Voice: 732-367-3912

**Johnston Medical Supply Inc. (54347)**  
2801 Shattuck Ave, Berkeley CA 94705  
Voice: 510-843-2488  
www.johnstonmedicalsupply.com

**Medical Electronic Devices (34301)**  
4814 East Second St, Benicia CA 94510  
www.medi.cc

**Oakland Medical Supply, LLC (87881)**  
823 Harrison St, Oakland CA 94607

**Pride Home Care Medical (48125)**  
3264 Adeline St, Berkeley CA 94703  
Voice: 510-652-2644

**Residential Medical Services (37641)**  
420 40<sup>th</sup> St, Ste 1, Oakland CA 94609

**Special Medical Aid (96961)**  
PO Box 833, Penngrove CA 94951  
Voice: 415-722-8876

**Sunrise Medical Supplies (94585)**  
257 12th St, Oakland CA 94607  
Voice: 510-893-1168  
www.sunrisemedical6149.com

**Thrifty Medical Supply (40515)**  
2139 Doolittle Dr, San Leandro CA 94577  
Voice: 510-639-4444  
www.thriftymedicalsupply.com

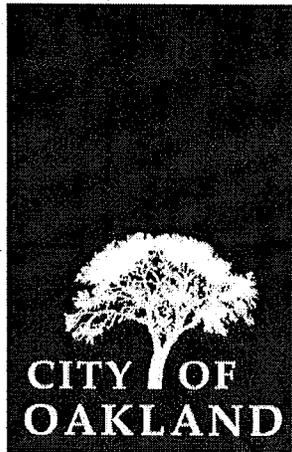
**Walgreens (54139)**  
1330 Broadway, Oakland CA 94612

**WalMart (60777)**  
1919 Davis St, San Leandro CA 94577

**Wheelchairs of Berkeley (62721)**  
2811 Shattuck Ave, Berkeley CA 94705  
Voice: 866-744-0691  
www.wobwob.com

**Wheelchairs of San Mateo (86777)**  
808 Burlway Rd Ste 7, Burlingame CA 94010  
Voice: 650-342-4864  
www.wheelchairs-sm.com

**CITY OF OAKLAND, CALIFORNIA  
ADA CURB RAMP TRANSITION PLAN**



**ADA PROGRAMS DIVISION**

Office of the City Administrator  
One Frank Ogawa Plaza  
Oakland, CA 94612  
510-238-5219 (V)  
510-238-2007 (TTY)  
[adaprograms@oaklandnet.com](mailto:adaprograms@oaklandnet.com)

April 1, 2009

*This document will be made available in alternative formats upon request*

*Please contact:*

*City ADA Coordinator*

*510-238-5219 (Voice)*

*510-238-2007 (TTY)*

*[adaprograms@oaklandnet.com](mailto:adaprograms@oaklandnet.com)*

City of Oakland  
ADA Curb Ramp Transition Plan  
April 2009

## **ACKNOWLEDGEMENTS**

### **City of Oakland Administration**

Mayor Ronald V. Dellums  
City Attorney John Russo  
City Auditor Courtney Ruby  
Council President Jane Brunner (District 1)  
District 2 Council Person Pat Kernighan  
District 3 Council Person Nancy Nadel  
District 4 Council Person Jean Quan  
District 5 Council Person Ignacio De La Fuente  
District 6 Council Person Desley Brooks  
District 7 Council Person Larry Reid  
Council Member at Large Rebecca Kaplan  
Interim City Administrator Dan Lindheim  
City Clerk LaTonda Simmons

### **ADA Curb Ramp Transition Plan Team**

Christine Calabrese, City ADA Coordinator, City Administrator's Office  
Michael J. Neary, Community and Economic Development Agency Deputy Director  
Gus Amirzehni, Principal Civil Engineer, CEDA Engineering and Design  
Wladimir Wlassowsky, Principal Civil Engineer, CEDA Engineering and Design  
Marcel Uzegbu, Supervising Civil Engineer, CEDA Engineering and Design  
Jason Patton, Bicycle and Pedestrian Program Manager, CEDA Transportation Services  
Kendra Scalia, ADA Program Analyst II, City Administrator's Office  
Patrick Phelan, Senior Drafting Technician (GIS), CEDA Engineering and Design

### **ADA Advisory Group**

*The Mayor's Commission on Persons with Disabilities (MCPD) acts as the City's designated advisory body for ADA compliance. April 2009 Roster:*

Commissioner Petrina Alexander	Commissioner Tamar Raine
Commissioner Eugenie Marie Barton	Commissioner Lorraine Rosenblatt
Commissioner Lynne Cutler	Commissioner Safi wa Nairobi
Commissioner Lori Ann Dotson	
Commissioner Chris Finn (Chair)	
Commissioner Lateef McLeod	
Commissioner Laura Martell	
Commissioner Michal C. Moore	
Commissioner Merlin Nw	
Commissioner Bill Pelter	

## **CREDITS**

The City of Oakland acknowledges the City of Sacramento, California, for its pioneering efforts in developing a comprehensive transition plan for curb ramps. Sacramento's curb ramp plan provided a strong basis for Oakland to work from when developing this plan and certain of Sacramento's curb ramp policies are adopted herein.

## **ADOPTION OF PLAN**

On May 5, 2009, the City of Oakland City Council passed a resolution adopting the City of Oakland Americans with Disabilities Act (ADA) Curb Ramp Transition Plan dated April 1, 2009. City Council Resolution Number 81954.

**CITY OF OAKLAND**  
**ADA Curb Ramp Transition Plan**



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**APPENDICIES**

1. ADA - Final Rules, Title II, July 26, 1991 (incorporated by reference)
2. City Curb Ramp Database (incorporated by reference)

**ATTACHMENTS (Available Upon Request)**

1. Contact List (of interested parties consulted during the public comment period)
2. ADA Curb Ramp Grievance Procedure
3. On-Call Curb Ramp Policy
4. City of Oakland Curb Ramp Prioritization Map

## 1.1 INTRODUCTION TO THE ADA

The Americans with Disabilities Act (ADA), the world's first comprehensive civil rights law for people with disabilities, was enacted on July 26, 1990. The ADA is a companion civil rights legislation to the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973. The ADA prohibits discrimination on the basis of disability in employment, state and local government, public accommodations, commercial facilities, transportation, and telecommunications. It also applies to the United States Congress.

To be protected by the ADA, one must have a disability or have a relationship or association with an individual with a disability. An individual with a disability is defined by the ADA as a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such impairment, or a person who is perceived by others as having such impairment. The ADA does not specifically name all of the impairments that are covered.

The ADA is divided into five parts, covering the following areas:

### Title I: EMPLOYMENT

Title I requires employers with 15 or more employees to provide qualified individuals with disabilities an equal opportunity to benefit from the full range of employment-related opportunities available to others. For example, it prohibits discrimination in recruitment, hiring, promotions, training, pay, social activities, and other privileges of employment. It restricts questions that can be asked about an applicant's disability before a job offer is made, and it requires that employers make reasonable accommodation to the known physical or mental limitations of otherwise qualified individuals with disabilities, unless it results in undue hardship.

### Title II: STATE AND LOCAL GOVERNMENT (PUBLIC SERVICES)

Title II covers all activities of state and local governments regardless of the government entity's size or receipt of Federal funding. Title II requires that State and local governments give people with disabilities an equal opportunity to benefit from all of their programs, services, and activities, such as public meetings, employment, recreation programs, aging, health and human services programs, libraries, museums, and special events.

State and local governments are required to follow specific architectural standards in the new construction and alteration of their buildings and facilities. They also must relocate programs or otherwise provide access in inaccessible older buildings, and communicate effectively with people who have hearing, vision, or speech disabilities. Public entities are not required to take actions that would result in undue financial and administrative burdens. They are required to make reasonable modifications to policies, practices, and procedures where necessary to avoid discrimination, unless they can demonstrate that

## **1.1 INTRODUCTION TO THE ADA**

doing so would fundamentally alter the nature of the service, program, or activity being provided. A transition plan is intended to outline the methods by which physical or structural changes will be made to effect the non-discrimination policies described in Title II. It is under this title that the Curb Ramp Transition Plan is prepared.

### **Title III: PUBLIC ACCOMMODATIONS**

Title III requires places of public accommodation to be accessible to and usable by persons with disabilities. The term "public accommodation" as used in the definition is often misinterpreted as applying to public agencies, but the intent of the term is to refer to any privately funded and operated facility serving the public.

### **Title IV: TELECOMMUNICATIONS**

This Title covers regulations regarding private telephone companies and requires common carriers offering telephone services to the public, to increase the availability of interstate and intrastate telecommunications relay services to individuals with hearing and speech impairments.

### **Title V: MISCELLANEOUS PROVISIONS**

This title contains several miscellaneous regulations, including construction standards and practices, provisions for attorney's fees, and technical assistance provisions.

## **1.2 CITY RESPONSIBILITIES UNDER TITLE II OF THE ADA**

Title II mandates that a public entity such as the City of Oakland 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. Title II of the ADA is similar to Section 504 of the Rehabilitation Act of 1973, but differs in that Section 504 applies only to government agencies that receive federal financial assistance.

Title II dictates that a public entity must evaluate its services, programs, policies, and practices to determine whether they are in compliance with the nondiscrimination requirements of the ADA. The regulations detailing compliance requirements were issued in July 1991. A self-evaluation is required and intended to examine activities and services, to identify and correct any that are not consistent with the ADA. The entity must then proceed to make the necessary changes resulting from the self-evaluation. The ADA also requires that a transition plan be prepared, to describe any structural or physical changes required to make programs accessible.

As described in Title 28 of the Code of Federal Regulations, Section 35.150(a) (also referred to as the ADA Rules), a public entity is not necessarily required to make each of its existing facilities accessible to and usable by individuals with disabilities. Nor does it require a public entity to take any action that would threaten or destroy the historical significance of an historic property. If the public entity can demonstrate that a modification would fundamentally alter the nature of its service, program, or activity, or cause undue financial and administrative burdens, it is not required to make that particular modification.

### **1.3 THE ADA TRANSITION PLAN REQUIREMENT**

In the event that structural changes to facilities will be undertaken to achieve program accessibility, a public entity that employs 50 or more persons must develop, within six months of January 26, 1992, a transition plan setting forth the steps necessary to complete such changes. That plan is to identify physical obstacles in the public entity's facilities that limit the accessibility of its programs or activities to individuals with disabilities; describe in detail the methods that will be used to make the facilities accessible; specify the schedule for taking the steps necessary to achieve compliance; and indicate the official responsible for implementation of the plan. In January 1996, the City prepared its transition plan with respect to buildings and facilities.

In addition to those requirements set forth above, in the event a public entity has responsibility or authority over streets, roads, or walkways, the transition plan is to include a schedule for providing curb ramps or other sloped areas where pedestrian walks cross curbs, giving priority to walkways serving entities covered by the ADA, including State and local government offices and facilities, transportation, places of public accommodation, and employers, followed by walkways serving other areas [28 C.F.R. § 35.150(d)(2)].

The City's ADA Curb Ramp Transition Plan addresses these latter requirements for curb ramps, or other sloped areas, limited to public sidewalks within the City's control. The Plan complements the City's ADA Transition Plan for Buildings and Facilities (1996) and supersedes Section 3.9 therein pertaining to priorities for curb ramp installation at existing street corners. The Plan incorporates by reference the City Curb Ramp Database.

The ADA does not designate a specific code or standard for curb ramps to be provided or modified pursuant to 35.150 (d)(2). Title II gives government agencies a choice between the Uniform Federal Access Standards (UFAS) and the American with Disabilities Act Accessibility Guidelines (ADAAG) as a standard for renovations. For the purpose of the Curb Ramp Transition Plan, each curb ramp or curb ramp site is evaluated based on the requirements of ADAAG.

## 1.4 ADA COMPLIANCE COORDINATORS

The Community and Economic Development Agency (CEDA), Design and Construction Services Division (DCSD), currently administers City curb ramp improvement programs. The City ADA Coordinator and Mayor's Commission on Persons with Disabilities (MCPD) provide oversight and guidance for City ADA compliance activities, including curb ramp improvement programs.

The official responsible for implementation of the City's ADA Transition Plan with respect to curb ramps, is the Right of Way Access Coordinator, located in DCSD. The CEDA Deputy Director shall designate the Right of Way Access Coordinator. The current designee is:

Mr. Marcel Uzegbu  
Supervising Civil Engineer  
Engineering, Design and Right-of-Way Management  
250 Frank H. Ogawa Plaza, 4<sup>th</sup> Floor  
Oakland, CA 94612  
510-238-6257  
muzegbu@oaklandnet.com

The official responsible for citywide compliance with ADA Title II requirements is the City ADA Coordinator, located in the City Administrator's Office. The City ADA Coordinator staffs the MCPD and is responsible to draft the City's ADA Transition Plans. The City Administrator designates the City ADA Coordinator. The current designee is:

Ms. Christine Calabrese  
City ADA Coordinator  
City Administrator / ADA Programs  
One Frank H. Ogawa Plaza, 3<sup>rd</sup> Floor  
Oakland, CA 94612  
510-238-4754  
ccalabrese@oaklandnet.com

## **1.5 PUBLIC COMMENT AND GRIEVANCE PROCEDURES**

The City has provided opportunities for interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the development of the ADA Curb Ramp Transition Plan by submitting comments and making specific recommendations.

On October 13, 2008, the Mayor's Commission on Persons with Disabilities (MCPD) approved a draft of the Plan by a motion of the full commission. A draft copy of the Plan was available for public inspection from December 1, 2008 through January 5, 2009. A list of interested parties consulted during the public comment period is contained in Attachment 1. The City will maintain on file a list of persons consulted with respect to the Plan, the surveys, and a description of modifications made, for a minimum period of 3 years beyond the formal adoption of this document.

The City has adopted and published grievance procedures providing for prompt and equitable resolution of complaints alleging any action that would be prohibited by Title II. The City's ADA Curb Ramp Grievance Procedure and related forms are contained in Attachment 2.

Complaints of alleged noncompliance and grievances concerning curb ramps should be directed to the Right of Way Access Coordinator in the Community and Economic Development Agency (see Section 1.4).

## **1.6 MONITORING AND TRACKING**

The Right of Way Access Coordinator shall:

- Coordinate inspection of 8-10% of curb ramp installations to ensure that curb ramps are constructed or reconstructed properly and within acceptable tolerances;
- Prepare a quarterly curb ramp activities report for the Mayor's Commission on Persons with Disabilities (MCPD) in conjunction with the City ADA Coordinator, who staffs the MCPD. Quarterly reports shall be published in January, April, July and October of each year, for a minimum period of 3 years beyond the formal adoption of this document;
- Prepare an annual curb ramp program report for a neutral monitor selected by the City for a minimum period of 3 years beyond the formal adoption of this document; and
- Ensure that all curb ramps installed by the City or by others (under permit) are logged in the City Curb Ramp Database.

## **2.0 OTHER CITY TRANSITION PLAN PARTS**

This transition plan relates solely to curb ramps. (ADA Rules, Section 35.150 (d)(2).)

### **2.1. Buildings and Facilities Transition Plan**

The City previously prepared and implemented a transition plan with respect to City buildings and facilities in 1996. (ADA Rules, Section 35.150 (d)(3).) The transition plan for buildings and facilities lists curb ramp needs at off-street facilities. A copy of the ADA Transition Plan for Buildings and Facilities may be obtained from the City ADA Coordinator (see Section 1.4).

### **2.2. Sidewalk Transition Plan**

In 2002, the United States Court of Appeals for the Ninth Circuit, whose jurisdiction includes California, held for the first time that sidewalks constitute a service, program or activity of a city and sidewalks are therefore subject to the ADA title II program accessibility regulations. *Barden v. Sacramento*, 292 F.3d 1073 (9<sup>th</sup> Cir.2002). Before this ruling it was unclear if local government transition plans should address barrier removal from sidewalks, other than missing or unsafe curb ramps.

The City is drafting a ADA transition plan that catalogs, prioritizes, and schedules improvements necessary to remove sidewalk access barriers. The Citywide Sidewalk Condition and ADA Survey (2006) inventoried access barriers including sidewalk damage, tree-related barriers (low wells, hanging limbs), obstructions, excessive travel direction and cross slopes, and sudden drop-offs. A land use was attributed to each survey segment (city block). This Geographic Information System (GIS) based inventory provides a detailed picture of non-compliance and allows for targeted use of funds earmarked for sidewalk improvements.

The City has had in place for many years a sidewalk repair program, which utilizes specific criteria for determining whether or not a sidewalk requires repair, including the condition of the sidewalk. City inspectors are available to inspect sidewalks to determine if repairs are necessary, either upon request by a property owner or any concerned citizen. Persons with disabilities may contact the City's Right of Way Access Coordinator with any questions or to schedule a sidewalk inspection (see Section 1.4).

## **3.0 CURB RAMP PLAN**

### **3.1. Introduction**

The ADA requires that a public entity include in its transition plan a schedule for the installation of curb ramps or other sloped areas at locations where pedestrian walks (sidewalks) cross curbs. The purpose of this section is to summarize curb ramp needs in the City of Oakland and to outline the recommended procedures for the prioritization, implementation and scheduling of remedial work to provide ADA complying curb ramps for public sidewalks (only those within the City's control).

### **3.2. Curb Ramp Inventory**

The statistics contained in this transition plan were compiled from a Geographic Information System (GIS) database specially developed for the City of Oakland. The City Curb Ramp Database was developed in October 2002 upon completion of a citywide inventory of over 17,500 possible locations (street corners). The database was updated in August 2008 to capture curb ramps constructed or permitted by the City since October 2002.

The complete curb ramp database is quite large and could not feasibly be included in the text of the Transition Plan. The database is available for public inspection at the office of the Community and Economic Development Agency (CEDA), Engineering, Design and Right of Way Division—3 business day advance notice is requested. Please contact the Right of Way Access Coordinator (see Section 1.4).

### **3.3. Curb Ramp Standards**

Curb ramps shall be installed at all locations, including mid-block crosswalks, where they are missing and necessary for access to sidewalks. Although the ADA does not specifically mandate replacement of all existing curb ramps that may not reflect new construction standards (as described in Federal Register, Volume 56, No. 144, ADA Rules and Regulations, Section 35.150), non-conforming curb ramps will be replaced under this plan. A high priority is to reconstruct curb ramps at locations where existing ramps have a condition that may impede a path of travel to a City program or activity. Examples are vertical displacement of the curb ramp, broken or cracked concrete, deteriorated conditions, steep slopes, narrow widths, high gutter lips, and offset locations.

City curb ramp standards shall meet or exceed current federal, state and local accessibility regulations and standards. The Right of Way Access Coordinator is responsible to develop and update City standards for curb ramp construction and reconstruction. Copies of the City's standard curb ramp details are available from the ADA Public Right of Way Coordinator (see Section 1.4).

### **3.0 CURB RAMP PLAN**

#### **3.4. Priorities for Curb Ramp Construction and Replacement**

The City's is endeavoring to ensure equal access to the public right of way (sidewalks and crosswalks) for pedestrians with disabilities by identifying all areas of potential deficiency and by making necessary structural improvements. The assignment of priorities for curb ramp construction and reconstruction is intended to guide the selection of locations, to incorporate federal guidance, and to address specific concerns of the local disability community.

The priorities for curb ramp construction and replacement are grouped into three classifications. The first classification and highest priority is requests by qualified persons with disabilities. The second classification evaluates the specific curb ramp with respect to its physical location within the city and to predominating land uses adjacent to the curb ramp location. The third classification evaluates the curb ramp with respect to its physical attributes.

##### **Priority Classification One: Requests from Qualified Persons with Disabilities**

Soon after passage of the ADA, the City recognized that it would take some time to complete a curb ramp transition plan, which requires construction of ramps at over 17,500 locations (street corners). In Fiscal Year 1990-91, the City launched the On-Call Curb Ramp Program to ensure access for people with disabilities living and working in Oakland during the lengthy transition period. This Program is currently funded by the City's ADA Capital Improvement Program (general fund) and by Measure B Gas Tax revenues.

The On-Call Curb Ramp Program constructs curb ramps on an individual basis in response to requests from qualified persons with disabilities. Generally, requests come from residents with disabilities who wish to get to from their home or work place to transportation, school, medical facilities or other areas to accommodate their activities of daily living. This program installed over 900 curb ramps between 1991 and 2007.

The City will continue its policy of installing curb ramps upon request by qualified individuals with disabilities at locations not otherwise scheduled and budgeted for improvement. These requests will have the highest priority. The City will set aside funds for on-call curb ramp requests on an annual basis in an amount consistent with prior year demand. The City's On-Call Curb Ramp Policy and related forms are provided in Attachment 3.

### 3.0 CURB RAMP PLAN

#### Priority Classification Two: Curb Ramp Location Priorities

From 1991 to 2004, the City received funding commitments and spent approximately \$3.5 million for construction of over 1,600 curb ramps. Funding was provided primarily by the Federal Highway Administration (FHWA), through the Intermodal Surface Transportation Efficiency Act (ISTEA) and subsequently the Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21). Matching funds were provided by the City through a number of sources—primarily Measure B Sales Tax and Transportation Development Act, Article 3 (TDA) funds. Curb ramp locations were selected using surveys conducted by the City in 1984 and 1994; priorities set forth in the City's ADA Buildings and Facilities Transition Plan, Section 3.9; and input from the MCPD. In a separate project targeting curb ramps in proximity of transit stops, the City spent approximately \$100,000 in FY 1999-00 to install an additional 112 ramps.

The City will establish a program for curb ramp construction and reconstruction called the Citywide Curb Ramp Program. The following location (land use) priorities for curb ramp infill activities are based upon U.S. Department of Justice ADA Title II Regulations, the City of Oakland General Plan (1998), and best practices of other jurisdictions.

#### Curb Ramp Location Priorities

Tier 1: Transit streets and centers <sup>1</sup>

- A. Regional transit streets (60 foot buffer);
- B. Transit centers (1,000 ft. buffer)<sup>2</sup>;
- C. Local transit streets (60 foot buffer)<sup>3</sup>.

Tier 2: Public facilities (with 60 foot buffer unless otherwise noted)

- A. City buildings (city offices, museums, libraries, senior centers, recreation centers, fire stations, etc.);
- B. State and county buildings, including county medical centers;
- C. Schools (community colleges; high school, junior high and elementary school programs with magnet programs for children with disabilities; and all other public schools);

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<sup>1</sup> Land Use and Transportation Element of the Oakland General Plan (1998)

<sup>2</sup> BART stations; Amtrak (Jack London Square); Eastmont Transit Center, and Oakland/Alameda Ferry

<sup>3</sup> Hegenberger/73<sup>rd</sup> Ave, College Ave, Bancroft Ave, Park Blvd, 23<sup>rd</sup> Ave, 35<sup>th</sup> Ave, 40<sup>th</sup> St.

### 3.0 CURB RAMP PLAN

(cont.)

- D. Large public housing (OHA) sites and critical homeless services;
- E. City parks and open space;
- F. East Bay Regional parks and open space (100 foot buffer);
- G. Other public facilities (reserved).

Tier 3: Privately-owned public accommodations<sup>4</sup> (60 foot buffer)

- A. Commercial zoning areas (C1-xx) and Kaiser (KX) — (with an emphasis on doctor, medical and health offices; service sites of disability organizations; and major employment sites);
- B. Special zoning areas limited to medical centers not listed above (S1); transit oriented development (S15); and housing and business mix (HBX1-3);
- C. Medium to high density housing and high rise apartments (R50 – R90);
- D. Other public accommodations (reserved).

Tier 4: Locations that do not fall into any of the above groups but are within 100 feet of a sidewalk route.

Tier 5: Locations that do not fall into any of the above groups and are greater than 100 feet from a sidewalk route. These locations are neither counted as “possible locations” nor scheduled for improvement.

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<sup>4</sup> Zoning designations are per the City of Oakland General Plan and Zoning Map, January 2008  
City of Oakland  
ADA Curb Ramp Transition Plan  
April 2009

### **3.0 CURB RAMP PLAN**

#### **Priority Classification Three: Curb Ramp Attributes**

This attribute classification will be used in conjunction with the location prioritization above. It sets priorities for curb ramp construction and replacement based upon lack of ramps and physical condition and placement of existing curb ramps, with one being the top priority, and five being the lowest priority.

1. The highest priority is to reconstruct curb ramps at locations where existing curb ramps have a condition that may impede a path of travel to a City program or activity. Examples are vertical displacement of the curb ramp, broken or cracked concrete, deteriorated conditions, steep slopes, narrow widths, high gutter lips, and offset locations.
2. A new curb ramp will be installed at locations without a curb ramp, where required in order to provide access to a sidewalk. (This priority may be used in place of priority number 1 to provide a continuous path of travel.)
3. When utility conflicts, physical barriers or other constraints exist at a location, a curb ramp will be reconstructed where required in order to provide access to a sidewalk.
4. To the maximum extent practicable, an existing curb ramp will be reconstructed when it does not meet current federal or state standards.
5. When a curb return has one existing curb ramp and conditions allow for the construction of an additional curb ramp at the same return, and provided that traffic controls allow for a safe path of travel, an additional curb ramp will be installed where required in order to provide access to a sidewalk.

### **3.0 CURB RAMP PLAN**

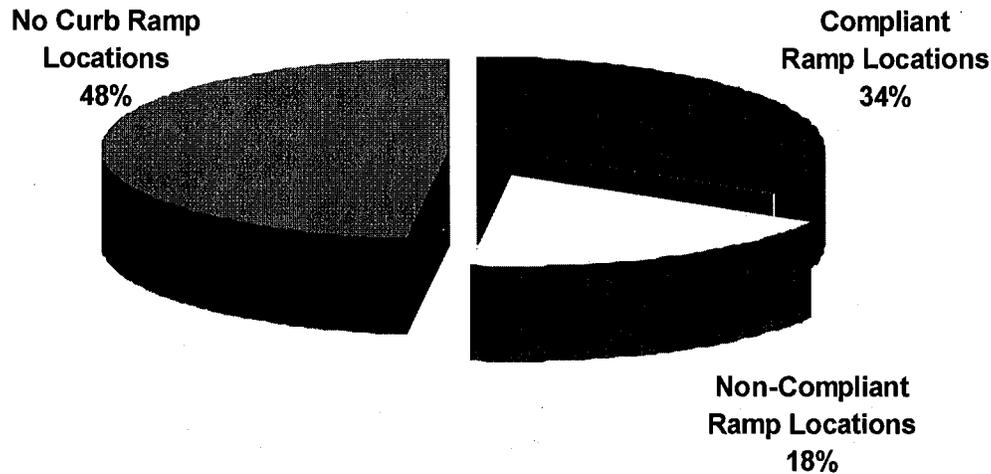
#### **3.5. Annual Schedule for Curb Ramp Construction and Reconstruction**

The City of Oakland has committed itself to the following schedule and methods for the annual construction or reconstruction of curb ramps:

1. The City of Oakland will construct or reconstruct, on average, 500 or more curb ramps annually until the City is ADA compliant.
  - Approximately 100 of these curb ramps will be at locations requested by persons with disabilities (on-call program).
  - At least 50 of these curb ramps will be at locations where streets have been overlaid between 1992 and 2008, until all required curb ramps have been constructed or reconstructed at those locations. To the extent practicable, the City will follow the priorities set forth above when installing curb ramps along streets that have been overlaid during this time period, and all other curb ramps will be installed according to those priorities.
  - Curb ramps will be installed on an infill basis (Citywide Curb Ramp Program) as funding allows.
  - Curb ramps must be installed where streets are overlaid with new asphalt surfacing.
  - Curb ramps will be installed or reconstructed as required under other City street improvement projects.
  - Curb ramps located adjacent to City facilities will be constructed or reconstructed as part of projects to improve these facilities, where applicable.
  
2. Additionally, the City anticipates that an average of 150 curb ramps per year will be constructed or reconstructed in the public right of way by others:
  - Curb ramps will be constructed or reconstructed as a condition of private development.
  - The State of California has installed curb ramps along the portions of state highways that have recently been repaved. More curb ramps may be installed along state highways in the City in conjunction with future improvement of these facilities.
  - Utility companies are required to install new curb ramps at corners where they excavate.

### 3.0 CURB RAMP PLAN

#### 3.6. Status and Cost Estimate for Curb Ramp Plan as of August 2008



*As of August 2008, the curb ramp database showed that about 5972 (34%) of a total of approximately 17,776 possible locations (street corners) have ADA compliant curb ramps. About 8,535 (48%) of possible locations have no curb ramp(s) and about 3,269 (18%) have non-compliant ramps.*

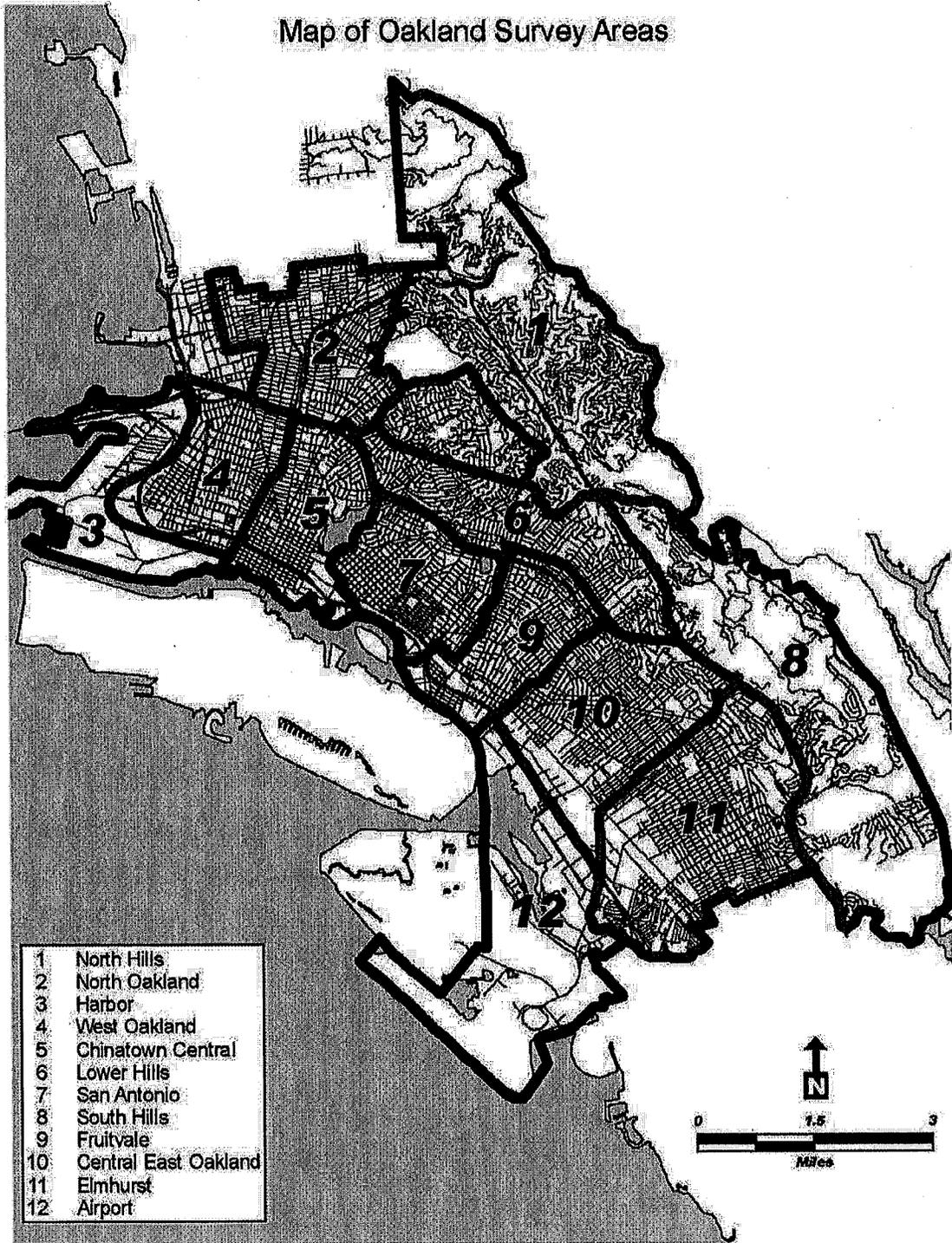
#### Number of Ramps Needed and Cost Estimate as of August 2008

	<u>Total Locations</u>	<u>Dual Ramp Multiplier</u>	<u>Total Ramps Needed</u>	<u>Cost Per Ramp</u>	<u>Cost Estimate</u>
New Construction (No Ramp)	8,535	1.5	12,803	\$2,500	\$32 million
Reconstruction (Non-compliant)	3,269	1.8	5,884	\$2,500	\$15 million
<b>TOTALS</b>	<b>11,804</b>		<b>18,687</b>		<b>\$47 million</b>

*At the planned rate of 650 new or reconstructed ramps per year, it would take 29 years to complete the curb ramp plan.*

### 3.0 CURB RAMP PLAN

#### 3.7. Statistical Summaries from the City Curb Ramp Database



### 3.0 CURB RAMP PLAN

#### Curb Ramp Summary by Survey Area as of August 2008

Survey Area	Possible Locations <sup>1</sup>	Compliant Ramp <sup>2</sup>	No Ramp <sup>3</sup>	Non-compliant Ramp <sup>4</sup>
1. North Hills	606	61	515	30
2. N Oakland	2292	992	800	500
3. Harbor	65	17	26	22
4. W Oakland	1524	638	349	537
5. Downtown*	1627	618	314	695
6. Lower Hills	1808	552	1158	98
7. San Antonio	2082	545	1190	347
8. South Hills	795	144	584	67
9. Fruitvale	1586	565	707	314
10. E Oakland	2153	553	1282	318
11. Elmhurst	2846	958	1556	332
12. Airport	147	85	54	8
13. Not Assigned	<u>245</u>	<u>244</u>	<u>0</u>	<u>1</u>
Totals	17776	5972	8535	3269

\*Chinatown/Central

Notes:

1. Number of Possible Locations by Survey Area
2. Number of ADA Compliant Ramp Locations (Curb Ramps to be Retained by the City) by Survey Area
3. Number of No Curb Ramp Locations (Where New Curb Ramps Will be Constructed) by Survey Area
4. Number of Non-Compliant Ramp Locations (Where Existing Curb Ramps Will Be Replaced) by Survey Area

### 3.0 CURB RAMP PLAN

#### Curb Ramp Status by Land Use Area as of August 2008

Land Use Area	Possible Locations <sup>1</sup>	Compliant Ramp <sup>2</sup>	No Ramp <sup>3</sup>	Non-Compliant Ramp <sup>4</sup>
Tier 1: Transit Facilities	3633	2026	575	1031
Tier 2: Public Facilities	1657	535	765	359
Tier 3: Public Accommodations	6275	1931	3017	1327
Tier 4: Other	<u>6211</u>	<u>1480</u>	<u>4178</u>	<u>552</u>
Totals	17776	5972	8535	3269

Notes:

1. Number of Possible Locations by Land Use (Tiers 1-4)
2. Number of ADA Compliant Ramp Locations (Curb Ramps to be Retained by the City) by Land Use (Tiers 1-4)
3. Number of No Curb Ramp Locations (Where New Curb Ramps Will be Constructed) by Land Use (Tiers 1-4)
4. Number of Non-Compliant Ramp Locations (Where Existing Curb Ramps Will Be Replaced) by Land Use (Tiers 1-4)



OAKLAND PUBLIC WORKS DEPARTMENT  
BUREAU OF ENGINEERING AND CONSTRUCTION STANDARD

No: BEC 3.2.1

Approved: March 26, 2009

Revised: August 11, 2014

**Subject: ADA Sidewalk Repair Program**

**Supersedes: N/A**

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## Purpose

The City of Oakland expedites repairs of sidewalks damaged by City street trees upon request for qualified individuals with disabilities where such repairs are necessary to provide access to residences or to provide access to public transportation, medical facilities, schools, workplaces, and other essential facilities for individual applicants.

***The application form is included as Attachment A.***

## Standard

The ADA Sidewalk Repair Program expedites necessary repairs of sidewalks damaged by City street trees upon request for qualified individuals with disabilities as defined by the Americans with Disabilities Act of 1990 and as amended. The program is not intended to address community concerns other than access for people with disabilities and does not make repairs that are the responsibility of private property owners<sup>1</sup>. For curb ramps, refer to the On Call Curb Ramp Program Policy for requests to install curb ramps for people with disabilities as defined under Americans with Disabilities Act of 1990, as amended.

Effective January 30, 2009, the following guidelines will be used to address ADA sidewalk repair program:

1. The applicant must certify that he or she is a qualified person with a disability as defined by the Americans with Disabilities Act of 1990 (ADA), as amended and that his or her request is based upon personal need.
2. Each applicant may request that repairs be conducted at up to three locations (parcels) where sidewalk damage is caused by City street trees. Requests for more than three locations will be considered on a case-by-case basis.
3. Sidewalk repairs will be conducted only if the City finds that existing sidewalks are ADA non-compliant and in need of repair.
4. Applicants requesting sidewalk repair shall receive a response from the City within 10 working days from their request date. The response will indicate whether the request is approved, denied, or if additional information is required. It typically takes up to 180 days from the approval date for

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<sup>1</sup> Repair of Sidewalk damage is the responsibility of the private property owners except when the sidewalk damage is the result of City tree roots. Notices to Repair are issued to property owners for repair of private sidewalk damage. See O.M.C. 12.04.020 and following.

sidewalk repairs to be completed but repairs may be delayed by utility conflicts, contract disputes, weather, etc. Applicants will be notified of any delay.

5. On-call ADA sidewalk repair request process:

- a. Applicant completes the attached application form. **Applicants may contact the department for assistance (see below)**. Applicants must certify their eligibility under the program by signing the application form.
- b. Applicant submits the completed application form (see below).
- c. City staff investigates the application.
- d. City staff will respond to the applicant within 10 working days after receipt of the application indicating whether the request is approved, denied, or if additional information is required.
- e. Approved locations are added to the list for the current on-call sidewalk repair construction contract. If the current contract is fully obligated, repairs will be added to the following construction contract.

6. Where to submit applications:

Interested applicants may submit applications by U.S. mail or e-mail to:

**Kevin Kashi, Supervising Civil Engineer**  
Bureau of Engineering and Construction  
Right of Way Management  
250 Frank H. Ogawa Plaza, Suite 4314  
Oakland, CA 94612  
PH: (510) 238-7116  
E-mail: [kkashi@oaklandnet.com](mailto:kkashi@oaklandnet.com)

7. Applicants wishing to register a complaint about the On-Call ADA Sidewalk Repair Program may file an ADA Grievance form. The grievance procedure and forms may be obtained by contacting the following:

Oakland Public Works Department  
Bureau of Engineering & Construction  
Right of Way Management  
250 Frank H. Ogawa Plaza, 4<sup>th</sup> Floor Ste. 4314  
Oakland, CA 94612  
510-238-7116  
Attn: Kevin Kashi

OR

ADA Programs Division  
1 Frank H. Ogawa Plaza, 3<sup>rd</sup> Floor  
Oakland, CA 94612  
Voice: 510-238-5219  
TTY: 510-238-2007  
Email: [adaprograms@oaklandnet.com](mailto:adaprograms@oaklandnet.com)

Approved for Distribution:



9/18/14

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Michael Neary, P.E.  
Assistant Director, Public Works Department  
Bureau of Engineering & Construction

Attachment A – On-Call ADA Sidewalk Repair Program Application

**Attachment A**

**OAKLAND PUBLIC WORKS DEPARTMENT  
BUREAU OF ENGINEERING AND CONSTRUCTION STANDARD**

**ADA Sidewalk Repair Program Application**

The ADA Sidewalk Repair Program expedites necessary repairs of sidewalks damaged by City street trees upon request for qualified individuals with disabilities as defined by the Americans with Disabilities Act of 1990 and as amended. The program is not intended to address community concerns other than access for people with disabilities and does not make repairs that are the responsibility of private property owners.

**Applicant Information**

Name \_\_\_\_\_ Phone Number \_\_\_\_\_

Address \_\_\_\_\_

Email Address \_\_\_\_\_ Fax \_\_\_\_\_

**Reason for Request (check all that apply)**

- To repair sidewalk in front of my residence
- Path of travel to public transit
- Path of travel to school /work
- Path of travel to medical facilities
- Other (indicate) \_\_\_\_\_

**Describe Request**

List street addresses for which you are requesting expedited sidewalk repairs:

Street Address	Describe Sidewalk Condition

**Certification**

I certify that I am a qualified person with a disability as defined by the Americans with Disabilities Act of 1990 (ADA), as amended, and that my request is based upon individual need.

Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_

Voluntary Information [Applicants need not provide this information but doing so will help the City to better plan sidewalk repair accommodation programs.]

Type of impairment:

- Vision Impairment
- Mobility Impairment
- Other (indicate) \_\_\_\_\_

Bureau of Engineering and Construction Right of Way Management staff Use only:

\_\_\_\_\_  
Date Request was received

\_\_\_\_\_  
Date of Investigation

\_\_\_\_\_  
Date Response was given to applicant

\_\_\_\_\_  
Number of Ramps Approved

\_\_\_\_\_  
Reason for approval

\_\_\_\_\_  
Approval by

\_\_\_\_\_  
Date of Approval

\_\_\_\_\_  
Disposition

\_\_\_\_\_  
Contract Number

**CITY of OAKLAND**  
DEPARTMENT of TRANSPORTATION

Subject: **Accessible On-Street Parking Policy**  
Effective Date: October 12, 2017  
Supersedes: On-Street Disabled Parking Zone Policy (July 1, 2009)  
Reference: U.S. Access Board Public Right of Way Accessibility  
Guidelines (2011)  
Caltrans Design Information Bulletin #82-05 and the Caltrans  
Highway Design Manual  
Responsible Divisions: Parking and Mobility Management  
ADA Programs

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I. Purpose

This policy sets out Department of Transportation (DOT) policies, practices and procedures for on-street accessible, or disabled, parking compliance and management. The policy is a necessary part of the Department's access compliance program pursuant to Administrative Instruction #123, the City Access Policy.

II. Responsible Parties

The Parking and Mobility Division Manager is responsible to administer this policy and the on-call residential and non-residential disabled parking zone programs, to manage the City's on-street parking inventory in conformance with the applicable federal, state and local accessibility laws and regulations, and to help ensure that all public right of way improvement projects initiated or permitted by the City conform to this policy.

The City ADA Coordinator in the ADA Programs Division is responsible to develop this policy, to review appeals by on-call disabled parking zone program applicants and other qualified people with disabilities about decisions made by the Parking and Mobility Division under this policy, and to help ensure that all public right of way improvement projects initiated or denied by the City conform to this policy.

Please direct all questions regarding this policy and its administration to:

Division Manager  
Parking and Mobility Division  
Department of Transportation  
250 Frank H. Ogawa Plaza, Suite 1333  
Oakland, CA 94612  
(510) 238-7670 (Voice)  
(510) 238-2007 (TTY)

### III. Background

The City has the authority to regulate on-street residential parking pursuant to California Vehicle Code Chapter 9 of Division 11 and Oakland Municipal Code Chapter 10.28 covering Stopping, Standing and Parking.

The Americans with Disabilities Act of 1990 (ADA) as amended prohibits discrimination on the basis of disability by public entities in its services, programs and activities. The general prohibitions against discrimination set forth in 28 CFR, Part 35.130(a) states: “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.” Further, 28CFR Part 35.130(b)(1)(iii) states: “A public entity, in providing any aid, benefit, or service, may not, directly or through contractual, licensing, or other arrangements, on the basis of disability, provide a qualified individual with a disability with an aid, benefit, or service that is not as effective in affording equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement as that provided to others.” Since the City makes on-street parking facilities available to the public, it should make the same or equivalent facilities available to people with disabilities.<sup>1</sup>

Current federal ADA regulations do not specifically address on-street parking facilities. Nevertheless, in 2014, the United States Court of Appeals for the Ninth Circuit affirmed a district finding that Title II of the ADA requires local governments to provide accessible on-street parking in the absence of regulatory design specifications for on-street parking facilities.<sup>2</sup> In December 2015, the City Engineer adopted a policy to adhere to the latest State of California, Department of Transportation (Caltrans) guidelines and standards when constructing or reconstructing ADA features in the public right of way under the City’s control or jurisdiction and, when Caltrans standards do not address scoping and technical requirements for making a particular right of way feature accessible under the ADA, to reference the United States Access Board’s Proposed Right of Way Accessibility Guidelines (PROWAG).<sup>3</sup>

### IV. Policy

The Department of Transportation (DOT) shall ensure that all public right of way (PRoW) improvement programs under its jurisdiction or control include construction or reconstruction of on-street accessible, or disabled, parking facilities in accordance with this policy. PRoW alterations shall not decrease or have the effect of decreasing the accessibility for persons with disabilities. This policy shall extend to private entities, utility companies and others working under permit with the City.

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<sup>1</sup> U.S. Department of Transportation, Federal Highway Administration, Office of Civil Rights letter to Californian’s for Disability Rights, September 29, 2005.

<sup>2</sup> U.S. Court of Appeals for the Ninth Circuit, Opinion No. 12-56280, D.C. No. 2:11-cv-06644-DDP-JCG, *Fortyune v. City of Lomita*, September 5, 2014.

<sup>3</sup> Oakland Public Works, Bureau of Engineering and Construction, Technical Bulletin #2, December 2015.

The DOT shall operate additional discretionary programs under which on-street disabled parking zones may be installed upon request by qualified individuals with disabilities, by the City ADA Coordinator, and by public accommodations as defined by the ADA.

The Parking and Mobility Manager will make the final decision on the design and location of on-street accessible parking and passenger loading facilities and will balance accessibility requirements with other site specific factors. In certain cases, the Manager may implement alternative measures to ensure equal access for persons with disabilities to on-street parking, such as providing off-street accessible parking spaces in City garages and lots where available.

1. Non-Residential Areas.

**A. New construction and alteration projects.**

Scoping. Where on-street parking is provided on the block perimeter and the parking is marked or metered, accessible (disabled) parking spaces shall be provided in accordance with the table below, pursuant to PROWAG §214.

Where parking on part of the block perimeter is altered, the minimum number of accessible parking spaces required is based on the total number of marked or metered parking spaces on the block perimeter. Metered parking includes parking metered by parking pay stations. Where parking pay stations are provided and the parking is not marked, each 6.1 m (20.0 ft.) of block perimeter where parking is permitted shall be counted as one parking space.

<b>On-Street Accessible Parking Spaces</b>	
<b>Total Number of Marked or Metered Parking Spaces on the Block Perimeter</b>	<b>Minimum Required Number of Accessible Parking Spaces</b>
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 and over	4% of total

Passenger Loading Zones. Where passenger loading zones other than transit stops are provided, at least one accessible passenger loading zone shall be provided for each 30 m (100.0 ft.) of continuous loading zone space or fraction thereof, pursuant to PROWAG §215.

Location and configuration.

The public right-of-way (PRoW) under the City's jurisdiction or control is typically constrained by existing development, underground and above ground utilities, mature trees, narrow sidewalks, and existing curb-to-curb widths severely limiting the ability to provide mid-block accessible parking and passenger loading zones in accordance with adopted accessibility standards. Most PRoW improvement projects will be considered as alterations and fall under the following PROWG standards:

R309.2.1.1 Alterations. In alterations where the street or sidewalk adjacent to the parking spaces is not altered, an access aisle shall not be required provided the parking spaces are located at the end of the block face.

R309.2.2 Narrow Sidewalks. An access aisle is not required where the width of the adjacent sidewalk or the available right-of-way is less than or equal to 4.3 m (14.0 ft.). When an access aisle is not provided, the parking spaces shall be located at the end of the block face.

The typical on-street accessible parking and passenger loading zone in Oakland is a parallel parking space located at the end of the block face, adjacent to a compliant crosswalk curb ramp.

End of block spaces should be made usable by vans that have rear lifts and cars that have scooter platforms. The sidewalk adjacent to accessible parallel parking and passenger loading zones should be free of signs, street furniture, and other obstructions to permit deployment of a van side-lift or ramp or the vehicle occupant to transfer to a wheelchair or scooter.

The project shall strive for maximum geographic distribution of accessible parking and passenger loading facilities. A best practice is to collocate accessible on-street parking and passenger loading facilities with public accommodations frequented by older adults and people with disabilities. Another best practice is to time limit standing and or to prohibit parking (unattended) vehicles in accessible passenger loading zones.

**B. Existing non-residential streets and sidewalks.** Qualified people with disabilities and representatives of places of public accommodations (businesses, medical facilities, places of worship, etc.) may request installation of on-street disabled parking zones (DPZ) on non-residential streets. Non-residential DPZ (NR-DPZ) will be established where a demonstrated need for such space is shown. The following criteria will be considered in determining whether a demonstrated need is shown:

1. Off-street parking is unavailable or where available is not accessible to persons with disabilities, as required by State and/or Federal laws.
2. Parking in the proposed location and on surrounding city streets is frequently not available requiring persons with disabilities to park an unreasonable distance (approximately 250 feet) from the business or requiring usage of routes that are not accessible to persons with disabilities as required by State and/or Federal laws.
3. NR-DPZ shall conform to all applicable standards. The surface of proposed on-street accessible parking locations including access aisles should not exceed a 5% slope (1:20) in any direction, and no other hazardous surface condition should exist in the immediate area.
4. Establishment of new NR-DPZ should not result in the net loss of existing metered parking spaces.
5. There is no existing NR-DPZ in the same block within 150 feet of the applicant's address in any direction.

## 2. City Buildings and Facilities

**A. New Construction or Alteration Projects.** For City of Oakland buildings and facilities with right-of-way frontage(s), at least one on-street disabled parking zone (DPZ) shall be installed under new construction or alteration projects.

Exception: Buildings and facilities that provide compliant off-street accessible parking for the public are exempt from this requirement.

**B. Existing Buildings and Facilities.** The City ADA Coordinator may request installation of on-street DPZ at existing City buildings and facilities as required to fulfill state or federal mandates, or to resolve disability access complaints.

## 3. Residential Areas

Qualified people with disabilities may request installation of on-street residential disabled parking zones (RDPZ). The RDPZ Applicant must meet all the following requirements:

1. Have a disability as defined by the Americans with Disabilities Act of 1990 that prevents him or her from walking long distances and be in possession of a Disabled Person License Plate or a permanent Disabled Person Placard ID Card, with adequate ID, as required by the California Vehicle Code Section 5007, 22511.55 or 22511.59.
2. Be a full-time resident of the address in question. The Applicant shall provide two forms of proof of residency including 1) a rental agreement or homeowner's insurance agreement and 2) one other form of proof, i.e. utility bill or driver's license.

3. Be the property owner or have the written permission of the property owner to install the RDPZ.
4. Provide a vehicle registration in his/her own name or provide vehicle registration of his/her primary live-in caretaker who resides full-time at the Applicant's address. Vehicle registration address must match the proposed RDPZ address.
5. Off-street parking (driveway, garage and/or parking lot) is unavailable or where available, such parking is not accessible to persons with disabilities, as further described below:

A. Garage Specifications:

- a. If the Applicant owns a lift-equipped van, the Applicant either has no garage or the garage width is less than 17 feet (interior width).
- b. If the Applicant owns a passenger vehicle, the Applicant either has no garage or the garage width is less than 14 feet (interior width).

B. Driveway Specifications:

- a. If the Applicant owns a lift-equipped van the Applicant either has no driveway or the driveway width is less than 17 feet, and/or the slope of the driveway is greater than 5% (1:20).
  - b. If the Applicant owns a passenger vehicle, either the Applicant has no driveway or the driveway width less than 14 feet, and/or the slope of the driveway is greater than 5% (1:20).
6. There is no existing RDPZ in the same block within 150 feet of the applicant's address, in any direction.
  7. The surface of accessible parking spaces on streets and access aisles from street parking does not exceed a 5% slope (1:20) in any direction and no other hazardous surface condition exists in the immediate area, such as a speed bump.
  8. The Applicant's residence is adjacent to a compliant corner curb ramp or the applicant's driveway substantially complies with Caltrans curb ramp standards.

**Exception:** If a compliant corner curb ramp does not exist or if the Applicant's driveway does not substantially comply with current Caltrans standards, a RDPZ may still be installed if the Applicant meets all other eligibility requirements and signs a statement of understanding that the RDPZ does not fully comply with accessibility regulations. The City will not install corner curb ramps, and will not permit or install mid-block curb ramps, for the purposes of installing RDPZ.

If the RDPZ Applicant meets all the criteria, the following requirements must be met and conditions agreed to before implementation:

1. The Applicant is under duty to inform the City if the RDPZ is no longer required and the City has the option of removing such RDPZ.

2. The Applicant must observe and obey all parking regulations covered in the Oakland Municipal Code Chapter 10.28. A copy of the O.M.C. is available for review at the Office of the City Clerk, One Frank H. Ogawa Plaza, Oakland, California, 94612 or online at [www.oaklandnet.com](http://www.oaklandnet.com)
3. A disabled parking space shall not be misused. Any misuse shall result in the removal of the space. Misuse shall be determined by the Transportation Services Manager, in his or her discretion. In ascertaining whether a disabled space has been misused, the Manager shall consider the following factors:
  - a. the extent of the Applicant's disability;
  - b. the length of time in which the Applicant has left the vehicle in the space without operating it;
  - c. misuse of the Applicant's disabled placard or license plates;
  - d. any violation by the Applicant of O.M.C. Chapter 10.28, applicable sections of the California Vehicle Code (CVC) or this policy;
  - e. any other factors the Transportation Services Manager deems reasonable and relevant to the issue.
4. The disabled parking space is not a private space and may be used by other vehicles licensed to park in a disabled parking zone on a first-come first-served basis.
5. The authority to enforce parking laws are the responsibility of the Oakland Police Department and the Parking Enforcement Division; complaints received regarding illegally parked vehicles are always taken in the order in which they are called in and prioritized based on the level of service required.
6. The space shall not to be used for long-term storage of vehicles. The vehicle must be kept in good repair and shall be operational, as outlined in the California Vehicle Code. For this policy, long-term storage of vehicles is defined as any vehicle parked or left standing on a public street in the same location and not driven or moved more than fourteen consecutive calendar days.

If the RDPZ Applicant disagrees with any decision made by the Parking and Mobility Manager, then the Applicant shall have the right to appeal to the City ADA Coordinator.

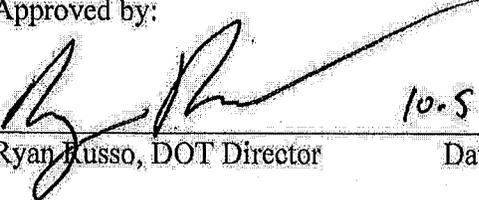
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