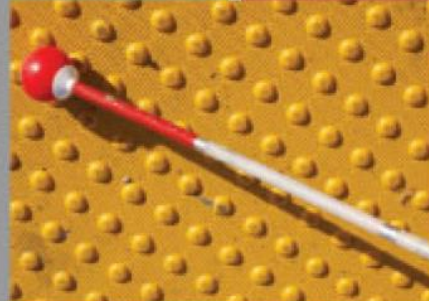


SZS ENGINEERING ACCESS



ENVIRONMENTAL HEALTH

ADA ACCESS COMPLIANCE ASSESSMENT

100 H STREET, EUREKA CA
(COUNTY LEASED FACILITY)



COUNTY OF HUMBOLDT, CALIFORNIA

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March 6, 2020



Humboldt County Administrative Office
CAO-ADA Compliance Team
825 Fifth Street, Room 112
Eureka, California 95501
Attention: Karen Clower, ADA Coordinator

Re: ENVIRONMENTAL HEALTH – ADA ACCESS COMPLIANCE ASSESSMENT

Dear Ms. Clower,

We are pleased to submit this report as a first step in the process to identify barriers to access for the County of Humboldt. This process will allow the County to apply programmatic accessibility before resorting to physical barrier removal, in order to conserve funds while meeting the goal of improving access.

This has been an informative process. We look forward to creating an updated digital remediation program to facilitate implementation. Please review the report and provide input. We welcome collaboration in this process.

Contact me with any questions you may have.

Regards,

Syroun Z. Sanossian, Principal
SZS Engineering Access, Inc.



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1. EXECUTIVE SUMMARY

This ADA Access Compliance Assessment was compiled for the Environmental Health facility located at 100 H Street in Eureka, CA. This structure is leased by the County of Humboldt as a location where the County can provide county programs, services and activities. As a privately owned facility in which public activities take place, the facility is defined under the ADA as a public accommodation.

This report was developed to fulfill requirements under the consent decree entered into by the County of Humboldt with the US Department of Justice (DOJ). The United States alleged that Humboldt County has discriminated, and continues to discriminate, against individuals with disabilities by failing to make County facilities, programs, services, and activities accessible to and useable by individuals with disabilities in violation of the ADA.

The DOJ initiated a compliance review of Humboldt County under its Project Civic Access (“PCA”) initiative, a wide-ranging effort to ensure that cities, counties, and other public entities throughout the country comply with the ADA by eliminating physical, communication, and other barriers that prevent people with disabilities from participating fully in community life. The DOJ’s review of the County included a review of its programs and an accessibility survey of over 50 facilities, although the consent decree governs all facilities in which County programs, services or activities take place¹. As the result of its review, the Department found numerous violations of the ADA, notified the County of the violations and negotiated a settlement agreement in which the County committed to bring its facilities, programs, services and activities into compliance with the ADA.

SZS Engineering Access, Inc. is the Independent Licensed Architect (“ILA”), pre-approved by the DOJ, acting independently to certify whether any alterations, additions, or modifications made by the County during the term of this Consent Decree comply with the applicable standard pursuant to 28 C.F.R. § 35.151(c) and the Appendix to 28 C.F.R. § 35.151(c)².

In issuing certifications pursuant to this Consent Decree, the ILA will impartially prepare reports identifying each violation and demonstrating with photographs each violation that has been remediated. The ILA is considered a neutral inspector for purposes of issuing certifications of compliance.

Under the consent decree, the County agreed not to deny the benefits of its programs, services, and activities³ or discriminate against individuals with a disability, and will not, based on disability provide an unequal, different, or separate opportunity to participate in its programs, services, and activities⁴.

The intent of this assessment report is to identify physical barriers to access, so that design professionals can use the information to ensure that alterations to facilities that house County programs, services and activities result in facilities that are accessible to and usable by people with disabilities. This facility is owned by a private party. Where the owner leases the facility for use as a public accommodation, the facility must comply with requirements to provide access

¹ US v. County of Humboldt, US v. County of Humboldt, Civil Action No. 16-5139, Attachment - G, H, I, J

² 28 C.F.R. § 35.151(c) and the Appendix to 28 C.F.R. § 35.151(c)

³ 28 C.F.R. § 35.130(b)(1).

⁴ 28 C.F.R. § 35.130(b)(1), (3).



to a public accommodation. If the County were to vacate this facility, the requirements will remain in place for any other parties leasing the facility that provide public accommodations.

The field investigation began on June 26, 2017. Images of each physical element identified in this report were captured in HD digital photos while manual measurements were taken to establish as-built conditions for the process of cost estimating. Digital photographs are provided within this report for each barrier to access to facilitate the review of the data collected. Technical data can be interpreted more efficiently with a visual component; the photos provide a clear connection between the technical data described in each barrier data record and the physical barrier to access identified.

When taking measurements in exterior areas, visual markers are used to indicate the location or beginning and end of a barrier such as a cross slope. Red cups or the digital level used to take measurements will be used in photos as a visual marker to indicate the location of these exterior barriers within the context of the existing site conditions.

The Environmental Health facility is a structure that was built before the enforcement of the Americans with Disabilities Act and barriers to access were identified.

ADA Title III holds that no individual shall be discriminated against on the basis of disability in the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of any place of public accommodation by any private entity who owns, leases (or leases to), or operates a place of public accommodation. The findings presented are both narrative and technical in nature. Physical barriers to access identified during the field investigation process are documented in two ways:

1. Summary and Analysis: An analysis of findings is provided in a narrative form that describes particular barriers identified in the following records to help ensure that the findings for atypical situations can be further explained. The intent of this information is to provide a discussion on the functionality of physical elements. Background reasoning and research behind the identification of barriers is also provided where universal design principles may play a role. This analysis may be accompanied by digital photographs or diagrams, where applicable. Understanding building function and usage is essential when interpreting the findings held in this report. The narrative is intended to facilitate this process.
2. Barrier Data Records: Individual barriers to access are entered into the ADA/Access Compliance database so that technical information on each individual barrier can be provided a barrier data record. These barrier data records include detailed information including digital photographs of each barrier identified, code references that determine the barrier to access, as-built measurements, barrier severity ratings, budgetary cost estimates, recommended solutions for barrier removal and a priority for barrier removal will be assigned in the final report. The information is formatted with two barriers on each report page.

Each barrier identified in this report is designated as either required for removal or recommended for removal. State and federal model code provide the basis for most of the barrier identification contained in this report. There are other barriers to access that are dictated by case law precedent, vehicle code, health code, safety code and labor code. Most barriers identified in this report are based on those requirements but additional barriers exist



that are not based on these regulations or statutes. Barriers that are recommended for removal are based on pending regulations or good practices. The associated field provides two options for each barrier: Required or Recommended.

It is important to note that the barriers identified in this report reflect the most stringent requirements from the 2010 ADA Standards, California Code of Regulations/Title 24 and the California edition of the Manual on Uniform Traffic Control Devices (MUTCD). These model codes are not identical and contain conflicting requirements. To ensure ADA Access Compliance is achieved, this report is based on the most stringent requirements taken from these model codes.

In order to consolidate the barrier data, some of the more typical barriers found in multiple locations have been grouped within the barrier data records with a description of the locations in which they were found. For instance, this occurs where barriers were identified in stairways that have existing handrails that continue through multiple floors.

A. PRIVATE ENTITIES, PUBLIC ACCOMMODATIONS AND THE ADA

The landmark Americans with Disabilities Act (ADA), enacted on July 26, 1990 provides comprehensive civil rights protection to individuals with disabilities in the many areas including employment, telecommunications, facilities that offer public accommodations, and state and local governmental services. The ADA is comprised of five parts, or titles. Each title covers a specific area delineated by the ADA, in which the legislation is intended to enhance accessibility for persons with disabilities. The five titles are as follows:

Title I: Employment Practices by units of State and Local Governments

Title II: Programs, Services and Activities of State and Local Governments

Title III: Public Accommodations and Commercial Facilities (private businesses and non-profit service providers)

Title IV: Telecommunications

Title V: Miscellaneous Provisions

Title III of the Americans with Disabilities Act of 1990 (42 U.S.C. 12181) applies to this property. Title III prohibits discrimination on the basis of disability by public accommodations and requires places of public accommodation and commercial facilities to be designed, constructed, and altered in compliance with the construction-related accessibility standards established by Section 36.101 of the Act. The 2010 ADA Standards have updated the original ADA as of March 2012.

Furthermore, ADA Title III holds that no individual shall be discriminated against on the basis of disability in the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of any place of public accommodation by any private entity who owns, leases (or leases to), or operates a place of public accommodation. **Both the landlord who owns the site that houses a place of public accommodation and the tenant who owns or operates the place of public accommodation are responsible to provide accessible public accommodations subject to the requirements of this Title. As between the parties, allocation of**



responsibility for complying with the obligations of this part may be determined by lease or other contract.⁵ The terms of the lease should define the responsibilities.

ACTIVITIES

Public accommodations also cannot deny participation to persons with disabilities, or provide for unequal or separate benefits for persons with disabilities. The basis of the ADA is the integration of persons with disabilities into society, not the expectation of preference or any type of special treatment.

A public accommodation shall afford goods, services, facilities, privileges, advantages, and accommodations to an individual with a disability in the most integrated setting appropriate to the needs of the individual. The maintenance of accessible features is essential. A public accommodation 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 the Act, although this Act or section does not prohibit isolated or temporary interruptions in service or access due to maintenance or repairs.

ELIGIBILITY CRITERIA

A public accommodation shall not impose or apply eligibility criteria that screen out or tend to screen out an individual with a disability or any class of individuals with disabilities from fully and equally enjoying any goods, services, facilities, privileges, advantages, or accommodations, unless such criteria can be shown to be necessary for the provision of the goods, services, facilities, privileges, advantages, or accommodations being offered. But, a public accommodation may impose legitimate safety requirements that are necessary for safe operation. Safety requirements must be based on actual risks and not on mere speculation, stereotypes, or generalizations about individuals with disabilities. A public accommodation also may not impose a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the costs of measures, such as the provision of auxiliary aids, barrier removal, alternatives to barrier removal, and reasonable modifications in policies, practices, or procedures, that are required to provide that individual or group with the nondiscriminatory treatment required by the Act or this section.

MODIFICATIONS IN POLICIES, PRACTICES OR PROCEDURES

A public accommodation shall make reasonable modifications in policies, practices, or procedures, when the modifications are necessary to afford goods, services, facilities, privileges, advantages, or accommodations to individuals with disabilities, unless the public accommodation can demonstrate that making the modifications would fundamentally alter the nature of the goods, services, facilities, privileges, advantages, or accommodations. This is significant in terms of physical alterations made to improve accessibility for persons with disabilities. A public accommodation may refer an individual with a disability to another public accommodation, if that individual is seeking, or requires, treatment or services outside of the referring public accommodation's area of specialization, and if, in the normal

⁵ Department of Justice ADA Title III Regulations 28 CFR Part 36; Sec.36.105 -- 36.199 [Reserved] Subpart B -- General Requirements Sec.36.201 General. (b)



course of its operations, the referring public accommodation would make a similar referral for an individual without a disability who seeks or requires the same treatment or services.

AUXILIARY AIDS AND SERVICES

A public accommodation shall take steps that may be necessary to ensure that no individual with a disability is excluded, denied services, segregated or otherwise treated differently than other individuals because of the absence of auxiliary aids and services, unless the public accommodation can demonstrate that taking those steps would fundamentally alter the nature of the goods, services, facilities, privileges, advantages, or accommodations being offered or would result in an undue burden, i.e., significant difficulty or expense.

REMOVAL OF BARRIERS

A public accommodation shall remove architectural barriers in existing facilities, including communication barriers that are structural in nature, where design and construction for first occupancy started before January 26, 1993, **and such removal is readily achievable, i.e., easily accomplishable and able to be carried out without much difficulty or expense**⁶. Examples of steps to remove barriers include, but are not limited to, the following actions:

- 1) Installing ramps;
- 2) Making curb cuts in sidewalks and entrances;
- 3) Repositioning shelves;
- 4) Rearranging tables, chairs, vending machines, display racks, and other furniture;
- 5) Repositioning telephones;
- 6) Adding raised markings on elevator control buttons;
- 7) Installing flashing alarm lights;
- 8) Widening doors;
- 9) Installing offset hinges to widen doorways;
- 10) Eliminating a turnstile or providing an alternative accessible path;
- 11) Installing accessible door hardware;
- 12) Installing grab bars in toilet stalls;
- 13) Rearranging toilet partitions to increase maneuvering space;
- 14) Insulating lavatory pipes under sinks to prevent burns;
- 15) Installing a raised toilet seat;
- 16) Installing a full-length bathroom mirror;
- 17) Repositioning the paper towel dispenser in a bathroom;
- 18) Creating designated accessible parking spaces;

⁶ Department of Justice ADA Title III Regulations 28 CFR Part 36; Sec..36.105 -- 36.199 [Reserved] Subpart B -- General Requirements Sec.36.304 Removal of barriers.



- 19) Installing an accessible paper cup dispenser at an existing inaccessible water fountain;
- 20) Removing high pile, low density carpeting; or
- 21) Installing vehicle hand controls.

PRIORITIES

It is recommended that a public accommodation take measures to comply with the barrier removal requirements of this section in accordance with the following order of priorities:

(1) A public accommodation should take measures to provide access to a place of public accommodation from public sidewalks, parking, or public transportation. These measures include, for example, installing an entrance ramp, widening entrances, and providing accessible parking spaces.

(2) Second, a public accommodation should take measures to provide access to those areas of a place of public accommodation where goods and services are made available to the public. These measures include, for example, adjusting the layout of display racks, rearranging tables, providing Brailled and raised character signage, widening doors, providing visual alarms, and installing ramps.

(3) Third, a public accommodation should take measures to provide access to restroom facilities. These measures include, for example, removal of obstructing furniture or vending machines, widening of doors, installation of ramps, providing accessible signage, widening of toilet stalls, and installation of grab bars.

(4) Fourth, a public accommodation should take any other measures necessary to provide access to the goods, services, facilities, privileges, advantages, or accommodations of a place of public accommodation. This may include providing space in the seating area for wheelchair users to maneuver or wait, as able-bodied persons presently do.

No measure shall be taken; however, that poses a significant risk to the health or safety of individuals with disabilities or others. The provision of visual alarms is only required in sites where existing fire alarm systems are provided.

ALTERNATIVES TO BARRIER REMOVAL

Where a public accommodation cannot demonstrate that barrier removal is readily achievable, the public accommodation shall make its goods, services, facilities, privileges, advantages, or accommodations available through alternative methods, if those methods are readily achievable. Examples of alternatives to barrier removal include, but are not limited to, the following:

- (1) Providing curb service or home delivery;
- (2) Retrieving merchandise from inaccessible shelves or racks; and
- (3) Relocating activities to accessible locations.



Accessibility improvements for existing facilities must be viewed on a case-by-case basis; especially where space constraints or other extenuating circumstances may exist. Further, there may be instances where alterations that are otherwise necessary to provide fully compliant accessibility may be technically infeasible. In such cases, it is expected that alterations aimed at full compliance be made to the maximum extent feasible.

What does "maximum extent feasible" mean? In the context of ADA compliance, the "maximum extent feasible" refers to the greatest degree of alterations that can be made to *existing* sites and structures without adversely affecting:

- (1) the structural integrity of the site or structure;
- (2) the historical fabric of the site or structure; or
- (3) the naturally occurring geographic barriers surrounding the site or structure.

The fact that adding accessibility features during an alteration may increase costs does not, by itself, mean compliance is technically infeasible. Moreover, even if it is technically infeasible to comply with standards for individuals with certain disabilities (for instance, those who use wheelchairs), the alteration must still comply with standards for individuals with other impairments.⁷

ILLUSTRATION 1: A restaurant is undergoing a major renovation. Widening the entrance would affect the site structure because removal of an essential part of the structural frame would be required. In this case, it is "technically infeasible" to widen the entrance and the alteration is not required. However, all other CBC/ADA alterations requirements would apply to the renovation.

BUT: If the only problem with widening the entrance is that it would increase the cost of the renovation, the "technically infeasible" exception does not apply, and the entrance must be widened.

These issues have been taken into consideration while compiling this report. In cases where a facility was constructed since the enforcement of the ADA, full compliance is required.

B. SAFE HARBOR PROVISIONS

The County of Humboldt and private property owners can make use of the *safe harbor* provision contained in the 2010 ADA Standards. This federal rule applies to provisions in the ADA Standards and is applied on an element-by-element basis for elements that complied with the 1991 ADA Standards. The rule includes a general "safe harbor" under which physical elements in facilities used for County programs, activities and services, that were built or altered in compliance with the 1991 Standards, would not be required to be brought into compliance with the 2010 Standards until the elements were subject to a planned alteration. A similar safe harbor applies to elements associated with the "path of travel" to an altered area. The federal Access Board has provided a list of the new

⁷ Department of Justice: Americans with Disabilities Act ADA Title III Technical Assistance Manual Covering Public Accommodations and Commercial Facilities. III-6.1000 General.



requirements in the 2010 Standards that are not eligible for the safe harbor in § 35.150(b)(2)(ii)(A) through § 35.150(b)(2)(ii)(L) of the final rule⁸, which includes golf courses, recreation areas, play areas outdoor recreational areas and open spaces not originally covered by the 1990 Standards that are now included in the 2010 Standards.

The most common area where safe harbor applies in this particular facility is within the reach range requirements. Previous requirements under the 1990 ADA Standards allowed high reach range to extend to a maximum of 54 inches high, whereas the 2010 ADA Standards now allow a maximum reach of only 48 inches. Many controls and mechanisms can be granted safe harbor under this federal provision. Safe harbor does not apply to areas where an alteration to the permanent room or space has been performed since 1992, which required the element (e.g. light switch) to comply with the new construction standards in place at the time of the alteration.

C. BARRIER SEVERITY RATINGS AND REMEDIATION

SZS has developed proprietary barrier identification systems to standardize our process and ensure consistency while collecting data, creating reports and recommending implementation removal over time. Our proprietary barrier severity rating system was developed through many years of research and experience, and is integrated into our database, so that each barrier is assigned a rating that defines how severely each barrier affects a person's ability to use the element. We know from experience that without a systematic approach to barrier severity rating, deciding which barriers to remove, and when, can be reduced to guesswork.

There are five barrier severity ratings (BSR) that are assigned to individual barriers:

- 1 – Necessary
- 2 – Recommended
- 3 – Hindrance
- 4 – Low Severity
- 5 – Technically Infeasible

The affect that the barrier has on a person using the element is important, but the date of construction also plays a role in determining barrier severity ratings. Facilities that are defined under the ADA as new construction are required to be fully compliant and the barrier severity rating assigned to those barriers is 1 – Necessary to Remove. That is a legal requirement that governs our work regardless of how minor a barrier may be in terms of how it affects the user.

In existing facilities, which were constructed prior to the passage of the ADA, barrier removal is not required to achieve new construction standards. The standard for barrier removal is to bring a facility into compliance to the maximum extent feasible. This standard takes into consideration past building standards and practices which did not comply to the current ADA standards. Where barrier severity ratings are 4- Low Severity, these barriers may not require remediation. When barriers are rated as a 5 – Technically Infeasible, they

⁸ Americans with Disabilities Act Title II Regulations, Part 35 Nondiscrimination on the Basis of Disability in State and Local Government Services (as amended by the final rule published on September 15, 2010)
http://www.ada.gov/reg2010/titleII_2010/titleII_2010_regulations.htm



cannot be removed due to structural impracticability or other conditions that cannot be altered. Increasing the clear width of an interior stairway in an existing building, or reducing the roadway slope where it corresponds with steep terrain, is technically infeasible to remediate.

Sidewalks, which were constructed prior to 1992, were often constructed intentionally with a cross slope to encourage drainage that is now defined as a code violation. Research shows that the affect that the cross slope of a walking surface between 2.1% and 2.9% is minor, or of a low severity, and can be navigated by a person using a mobility assist device with some extra effort, whereas a cross slope of 5.0% or more is known to cause a wheelchair to tip over which may result in injury. Existing walkways and sidewalks that are identified with a cross slope in the 2.1% and 2.9% range are assigned a low severity BSR with remediation not generally recommended where the duration (linear footage) of the barrier is limited to less than 5 feet and the affect they have for people using mobility assist devices is minor in comparison to many other barriers identified. Other instances where barriers are identified in the report and no remediation is recommended will be provided with an explanation on a case-by-case basis.

Barriers with a low severity rating are often assigned a Proposed Solution of “No remediation recommended – low severity barrier”. The California Division of State Architect has approved this approach for projects throughout the state, since it is reasonable and allows for funds to be concentrated on barrier removals that have hindered or prevented use of an element by people with disabilities.

D. OFFICIAL RESPONSIBLE

The County of Humboldt is responsible to ensure access for people with disabilities to the programs, services or activities that they provide, whether they are provided in owned or leased facilities. The County is not necessarily the responsible party entrusted with removing barriers in leased facilities. The county will work with property owners, where feasible, to ensure compliance. Under the federal statute, discrimination includes a failure to design and construct facilities for first occupancy after January 26, 1993, that are readily accessible to and usable by individuals with disabilities⁹. California government code, civil code, health and safety code, vehicle code and labor code contain similar requirements.

The designated ADA Coordinator (ADA CO) is in charge of the barrier remediation plan pursuant to the Project Civic Access Consent Decree and ADA Transition Plan remediation during the time in which these reports have been compiled. The ADA CO and/or representative can be reached at (844) 365-0352 or ADA@co.humboldt.ca.us. It is likely that the person in this position will change over time through attrition, or retirement. At that time, another ADA CO will be assigned and assume these responsibilities to ensure continuity of services.

E. RECOMMENDED BARRIER REMOVAL PRIORITIES

The functions within the buildings were assigned a barrier removal priority that corresponds with the regulations discussed above. All construction and alterations to County buildings and facilities by the County or on its behalf [in leased facilities] will comply with the

⁹Subpart D – New Construction and Alterations. § 36.401 New construction. (a) General. (a)



requirements of 28 C.F.R. § 35.151, including applicable architectural standards. All architectural changes by the County or on its behalf made on or after March 15, 2012, must comply with the 2010 ADA Standards. The term “2010 ADA Standards” refers to the 2010 ADA Standards for Accessible Design (28 C.F.R. § 35.104 (Title II) (defining the “2010 ADA Standards” as the requirements set forth in appendices B and D to 36 C.F.R. part 1191 and the requirements contained in 28 C.F.R. § 35.151.)). All citations are to the 2010 ADA Standards unless otherwise noted.

The parts of a County facility that do not comply with the 1991 ADA Standards (or the 2010 ADA Standards, as applicable), as listed in Attachments G, H, I, and J, of the consent decree, prevent people with disabilities from fully and equally enjoying the County’s programs, services, or activities and constitute discrimination on the basis of disability within the meaning of 42 U.S.C. § 12132 and 28 C.F.R. §§ 35.149-35.151¹⁰.

Facilities that are privately owned will remain under this consent decree whether or not the County continues to lease the facility to house programs, services and activities. As long as public accommodations continue to be provided in the facility, the requirement to remove barriers to access will remain in effect.

In addition, barrier removal priorities should reflect the way in which people use the facilities. For instance, if barrier removal is not completed and a person cannot reach the facility because there is no pedestrian access route from the public transportation provided to serve the building, or no accessible parking is provided, an accessible toilet room inside the building is of little use to people with disabilities.

In order to prioritize barrier removal within facilities for implementation we have correlated the County programs, activities and services that take place within buildings that serve people with disabilities with the barriers to access that have been identified. Barriers to access identified in the exterior and interior spaces have been prioritized according to the following criteria:

- Priority 1:** Pedestrian route including access to the building from points of arrival and from the building site, including walkways and breezeways and potential hazards (see stairways below). Building entrances and lobby spaces
- Priority 2:** Primary building functions (classrooms, meeting rooms, auditoriums, corridors, play areas, etc.)
- Priority 3:** Restrooms, drinking fountains and benches or tables in public places
- Priority 4:** Interior and exterior stairways, signage and remaining barriers that affect people with disabilities as a low severity barrier

Finalized barrier priorities can be influenced by information on other factors provided by the County of Humboldt. These factors include:

¹⁰ US v. County of Humboldt, Civil Action No. 16-5139, Section II.M: New Construction, Alterations, and Physical Changes to Facilities.



- Number and type of programs, services and activities that take place in the facility
- Frequency of use by the general public
- Age of facility (pre-1992 existing or new construction post-1992)
- Type of use (public, staff or mixed use)
- Long-term Facility Planning Goals
 - Infrastructure improvement projects
 - Facility replacement as part of future CIP plans

F. COST ESTIMATES

This report contains budgetary cost estimates provided to facilitate the remediation of barriers. Cost estimates are provided for physical elements only while the cost of implementing a new policy or practice cannot be accurately assessed at this point in the process. The actual cost estimates are calculated using RS Means Construction Cost Estimating data and in some instances where a barrier location can have several different barriers to access, one or more of the barriers may have a cost estimate of \$0 dollars. This is an intentional reporting mechanism as it reflects the fact that the cost to remove that particular barrier is part of a cost of one or more barriers at that same location.

For instance, where a door equipped with a door closer is identified with a non-compliant opening force, sweep period and a lack of required maneuvering clearance on one or both sides of that door, the recommended barrier removal solution is often to install an automatic door opening device (ADOD), which at the time of this assessment is estimated to cost \$5,000. If each of those barriers to access had been reported with a cost estimate, the estimate could amount to 3 times that much, or \$15,000 if the correction to 2 of the 3 cost estimates was not performed. The end result is intended to produce a budgetary cost estimate that does not include amounts that could exponentially increase the overall cost of barrier removal implementation plans.

G. EXTERIOR SPACES

This assessment process included identification of barriers to access within the pedestrian access route (accessible route within the public rights-of-way or PROW) that serves this facility. Under state and federal regulations and statutes, the pedestrian access route from points of arrival at public transportation stops (where provided), continuing through sidewalks (where provided) and walkways leading to the facility entrance must be accessible to people with disabilities in order to ensure that they can reach the facility where programs, services and activities are provided. This information is not contained in this report, but has been compiled into a separate report provided to each jurisdictional authority that owns the PROW that connects bus stops and sidewalks to this facility.

Where these jurisdictions make use of federal funding for roadway work, etc. the entity is required under the federal Rehabilitation Act of 1973 to ensure that the pedestrian access route is usable by and accessible to people with disabilities. The 1990 ADA Standards



provided additional requirements intended to ensure that these paths of travel are made fully accessible “as expeditiously as possible, but, in any event, by January 26, 1995”.¹¹

At present, barriers were identified that appeared to be pre-ADA in some cases and these entities should be making progress on this work through a Rehabilitation Act Transition Plan since 1974 or ADA Transition Plan since 1992. If such plans are not in place, this information will be provided available to these entities, to allow them to make use of it when updating their existing remediation plans to comply with state and federal statutes and regulations.

This report contains barriers to access that are located within the facility site. There may be some overlap between site arrival points and a pedestrian connection to the facility entrance. In cases where the existing sidewalk is an essential part of the accessible route to the facility entrance, alterations must be made to the sidewalk to ensure that people with disabilities can make use of County programs, services and activities.

Owners of leased properties are likely to have responsibility for some of the sidewalk that borders their property.

As a public facility that was constructed before the passage of the ADA, the facility is required to have at least one accessible entrance and an accessible route provided within the building site that connects the existing sidewalk to the exterior and interior amenities provided, including a connection to public streets and sidewalks; and public transportation stops to the accessible building or facility entrance¹², as required by the 1990 and 2010 ADA Standards and California Code of Regulations Title 24.

H. FACILITY ENTRANCES

The building is located on the corner of H Street and 1st Street, where H Street has a severe slope and alterations to the existing pedestrian access route to travel to the building, from existing parking or nearby bus stops, must be performed to comply to the maximum extent feasible, but may not be possible to provide a fully compliant pedestrian access route.

An accessible stall is provided in the off-street parking lot connected to the second floor, which is leased by non-county parties, and a pedestrian connection exists to the sidewalk leading to the ground floor entrance to this facility leased by the County. No accessible stall is provided adjacent to the sidewalk along H Street on the shortest possible route to the County facility entrance.


¹¹ The Americans with Disabilities Act, Title II Technical Assistance Manual Covering State and Local Government Programs and Services, Section II-8.3000. See <https://www.ada.gov/taman2.html#II-8.3000>

¹² 2010 ADA Standards for Accessible Design, Section **206.2.1 Site Arrival Points**



I. REPORT FORMAT - DEFINITIONS

SZS CONSULTING

1 Field Date: 8/30/2016 2 Report Date: 9/13/2016 3 Barrier #: 1 4 

5 Facility: Jail (Adult Detention)

6 Location: Pedestrian Path to Building

7 Official Responsible:

8 Facility Function: Public Dwg: 1 of 2 9

10 Barrier Area: Walkways Remediation: Required 11

12 Barrier Type: Detectable Warnings - Hazardous Vehicular Way

13 Barrier Description: Detectable warning (truncated domes) or vertical curb not provided at hazardous vehicular area 18

14 Code References: CBC 11B-705.1.2.5 19

15 As Built Description: Pedestrian path along vehicular traffic lane has no detectable warnings installed where required 20

16 Proposed Solution: Provide truncated domes as detectable warning along pathway from Chestnut Avenue to building entry 22

17 As-Built Meas: 194 Quantity: LF Cost Estimate: \$67,900.00 BSR: 2 Recommended 23

21 X Coordinate: N/A Y Coordinate: N/A Z Coordinate: N/A 27

24 Implementation: Priority 1 Phase Date Status Open 26

28 Notes: 25

This is the Graphic User Interface (GUI) for the SZS database entry form. The name of each facility is located at the top of the form and the reports produced by the database have a similar format with identical fields although they are, in some instances, slightly different in size. A description for the data contained within each field is provided below:

- 1) **Field Date:** The date of the facility inspection.
- 2) **Report Date:** The date the report was compiled, revised or completed.
- 3) **Barrier #:** Individual number assigned to each barrier identified. The alphanumeric character assigned correlates with a room or space identified on the reference drawings provided with each report. This number allows the barrier to be pinpointed to a location within the facility.
- 4) **Image:** Digital photograph provided for each barrier as a visual representation of the issue and context.
- 5) **Facility:** Name of building, park or parking lot where the inspection was performed
- 6) **Location:** Area or space within the facility where a barrier is identified
- 7) **Official Responsible:** Person responsible for overseeing the policies and practices implemented through this process



- 8) **Facility Function (Public/Staff):** Designates barriers as located in either staff or public areas. Most barriers identified are designated for public use. Different requirements exist for public and staff use areas.
- 9) **Reference Drawing (Dwg):** Floor, site plans or aerial maps of the designated facility where the assessment was performed. Each reference drawing provides correlation between the barrier number listed in the report (see item 3 above) and the actual physical location where the barrier was identified.
- 10) **Barrier Area:** Provides a grouping of similar barriers identified in specific spaces (E.G.: Restrooms, Doors and Gates, Stairs, Ramps, Sidewalk, Walkways)
- 11) **Remediation:** Indicates whether a barrier is in direct violation of the federal and state codes and statutes and must be remediated or whether the remediation is recommended as a best practice. One of two options exist: (Required) or (Recommended).
- 12) **Barrier Type:** Identifies the type of physical element or area defined by California Building Code and the ADA Standards used to identify non-compliance. The categories of barriers contained in the database include:

Alarms
Assembly Areas
Blended Transitions
Bus Stops & Shelters
Classrooms
Clear Floor Space
Controls and Mechanisms
Corridors
Counters and Tables
Curb Ramps
Dining Facilities
Doors or Gates
Drinking Fountains
Elevators
Kitchens
Outdoor Areas Access Route
Parking
Passenger Loading Zones (Drop-Off)
Picnic Facilities
Play Areas
Public Phones
Ramps
Restrooms
Signage
Stairways
Street Furniture
Swimming Pools



Turning Space
Walkways

- 13) Requirement (Barrier Description):** Code language or performance standard that describes barrier identified.
- 14) Code References:** Applicable state and federal codes regulating the entities compliance. Each code reference is specific to each barrier and identifies the section of code which regulates compliance to that specific element (doors, parking stalls, sidewalks, etc.). Where a best practice is recommended, the term *Performance Standard* identifies the barrier to access documented in the barrier data record.
- 15) As Built Description (Desc):** Also known as the *findings*, information describes the barrier.
- 16) Proposed Solution:** Provides one suggested solution for the remediation of the barrier identified. Please note that other options may exist to bring items into compliance. Other solutions may exist and all solutions cannot be accounted for in this report. The suggested solution is generally the most common way of remediating this particular barrier.
- 17) As Built Measure:** Actual field measurement number for square footage (SF), linear footage (LF), or a single value (EACH or JOB) used to indicate physical dimension of barrier and calculate cost estimate.
- 18) Quantity:** Unit of measure for the remediation of each barrier (SF, LF, EACH or JOB).
- 19) Cost Estimate:** Budgetary Cost Estimate to remove the barrier described.
- 20) Barrier Severity Rating (BSR):** A systematic, research based rating that describes how severely each barrier affects usability for the particular element.
- 21) X Coordinate:** Geographic coordinate that provides the longitude (north-south) value
- 22) Y Coordinate:** Geographic coordinate that provides the latitude (east-west) value
- 23) Z Coordinate:** Geographic coordinate that provides the elevation value
- 24) Implementation Priority:** N/A
- 25) Implementation Phase:** N/A
- 26) Implementation Date:** Scheduled year or date as to when the remediation of the barrier will take place within the consent decree schedule. This field can be scheduled during phasing and changed to a specific date after the barrier is remediated and the record is closed.
- 27) Status (Open or Closed):** An implementation management tool that can flag barriers to indicate that they have been remediated or are remaining in the implementation phasing plan. Barrier data records have a “Closed” status when completed or have an “Open” status when they remain scheduled for remediation. This can be useful when remediation is



performed by both maintenance staff and design professionals within the construction process.

- 28) Notes:** Open field where additional explanation of the findings can be noted when encountering unusual situations in the field, or to note programmatic access solutions. The notes field can contain the image file name shown in the barrier data record, or additional information as needed such as an explanation of findings, or information on associated barriers in the same or similar locations.

EXTERIOR SPACES

This narrative reflects the findings at the time of the original inspection. Overtime, barrier remediation has taken place and the original findings may no longer reflect present conditions.

The path of travel from the nearest bus stop was assessed as part of the scope of work. People with disabilities often travel using regional transit and must have an accessible route that allows them to reach the facility. Barriers to access were identified which may be the responsibility of another local jurisdiction to remediate. The jurisdiction should be contacted in order to ensure that these barriers are removed so that the County program, services and activities that take place in this location are accessible to people with disabilities.

The main entrance to this facility is located on the corner of 1st Street and H Street. The sidewalk is not level at the entrance, although the roadway slope was not identified as non-compliant at the entry level of this building. The existing off-street parking lot located on the upper level of the building must be altered to provide a van accessible stall on the shortest possible route to this facility entrance on the ground floor.

INTERIOR SPACES

This narrative reflects the findings at the time of the original inspection. Overtime, barrier remediation has taken place and the original findings may no longer reflect present conditions.

The main entrance to the facility leads to a public lobby with seating and service counters. The lobby was identified with both a high and low service counter, but the lower counter was located in a corner and the surface dimensions and maneuvering clearance at the counter were not identified as compliant. Alterations to the lower counter and the clear floor space at the counter will be required.

Members of the public are assisted at the lobby service counter or meet with County staff within two meeting rooms located in the secure area. Access to the meeting rooms takes place by way of a secured gate controlled by County staff. A PC workstation intended for public use is provided just inside the secured gate. The workstation was not accessible and will need to be replaced to provide access to people who use wheelchairs.

Entry doors to the offices and toilet room were identified as requiring more than 5 pounds of operating force. Doors associated with spaces where programs, services or activities take place in this facility were identified with non-compliant operating force or sweep periods. In



instances where the door is not a fire rated door, or part of a fire rated assembly, the door closer may be removed to mitigate the barrier to access. If the door closer is to remain in place within a fire rated assembly, due to privacy concerns, etc., measures must be taken to ensure that the operating force and sweep period comply. If the existing door closer cannot be adjusted to comply for an extended period of time, the remaining options to ensure compliance are, first; to install new door closers that function at maximum 5 pounds of force and at least 5 seconds of sweep before reaching 12 degrees from the door frame (approx. 5 inches) consistently.

If the new door closer installed to comply is assessed and found not to function within these parameters, an automatic door opening device must be installed. An automatic door opening device has been identified by the California Building Standards Commission and the California Division of State Architect, as the only solution that meets both fire code requirements for fire doors, and accessibility requirements contained in the ADA and California Building Code, Section 11B, as well as California Government Code, Civil Code and Health and Safety Code.

Public use men and women's restrooms are provided in the secured area, although no separate men and women's restrooms are provided as required by California Labor Code §2350. The restrooms were identified with non-compliant tactile signage, entry doors, dispensers, lavatories and toilets. Both toilet rooms were identified with clothing racks used by staff, which blocked the space for maneuvering clearance at the toilet stall door and automatic door actuators installed where existing door closers did not provide accessible door operating force and sweep period. These clothing racks must be relocated to another staff area within the workspace to provide accessible toilet stalls and access to the automatic door opening device actuators.

The existing toilet stall compartments lacked compliant door hardware and the toilet paper dispensers were installed above the side grab bars, blocking use of those grab bars. Coat hooks provided within the toilet stalls were located at the top of each stall door, outside of accessible reach range. An additional coat hook within accessible reach range and with accessible clear floor space must be installed within the toilet stall, so that people using the stall can ensure that their belongings are safely within their control.

The following barrier data records provide more detailed information on the barriers described above.

BARRIER DATA RECORDS

Field Date: Report Date: Barrier #:

Facility:

Location:

Official Responsible:

Consent Decree: Paragraph: Dwg:

Barrier Area: Remediation:

Barrier Type:

Barrier Description:

Code References:

As Built Description:

Proposed Solution:

As-Built Meas: Quantity: Cost Estimate: BSR:

X Coordinate: Y Coordinate: Z Coordinate:

Implementation: Priority Phase Date Status

Notes:



Field Date: Report Date: Barrier #:

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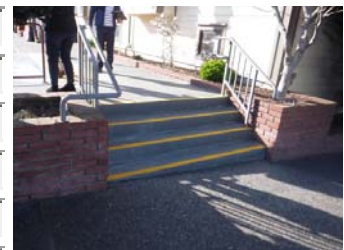
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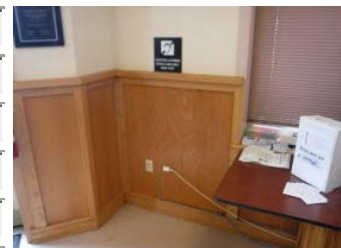
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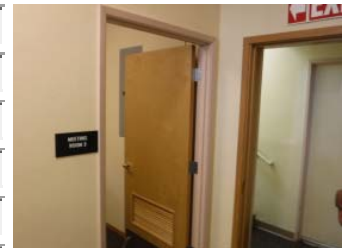
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Implementation: Priority Phase Date Status

Notes:

Field Date: Report Date: Barrier #:

Facility:

Location:

Official Responsible:

Consent Decree: Paragraph: Dwg:

Barrier Area: Remediation:

Barrier Type:



Barrier Description:

Code References:

As Built Description:

Proposed Solution:

As-Built Meas: Quantity: Cost Estimate: BSR:

X Coordinate: Y Coordinate: Z Coordinate:

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Notes:

COST ESTIMATES

Cost Estimate Total	\$15,245.00		
Cost Estimate - Priority 1:	\$8,375.00	% of Total Cost Estimate:	54.94%
Cost Estimate - Priority 2:	\$5,550.00	% of Total Cost Estimate:	36.41%
Cost Estimate - Priority 3:	\$1,320.00	% of Total Cost Estimate:	8.66%
Cost Estimate - Priority 4:		% of Total Cost Estimate:	

APPENDIX – REFERENCE DRAWINGS

