

February 10, 2020

Honorable Mayor Faulconer and Council Members:

On February 5, 2020, the City of San Diego Accessibility Advisory Board voted unanimously to compose and send you this letter.

The City of San Diego Accessibility Advisory Board (SDAAB) requests:

1. The addition of three new technical positions to the Office of ADA Compliance and Accessibility;
2. The addition of \$50 million dollars over the next five years to address the unfunded backlog of ADA deficiencies and official complaints;
3. A reorganization of duties with all accessibility reviews of Capital Improvement Program (CIP) project plans to be the responsibility of the Office of ADA Compliance and Accessibility rather than the Engineering and Capital Projects division of the Public Works Department.

As you are aware, SDAAB is charged with providing guidance and policy recommendations to the Mayor and Council members to improve accessibility for people with disabilities in the City of San Diego. As required by federal law the City must have an ADA Coordinator who is responsible for:

- Monitoring and executing the City's ADA Transition Plan to address known deficiencies at existing city facilities;
- Coordinating with the Public Works Department to avoid deficiencies in the construction of new city facilities;
- Tracking and coordinating with asset-managing departments to resolve ADA complaints from people with disabilities.

The City of San Diego's federally-mandated ADA Coordinator is also the Executive Director of the Office of ADA Compliance and Accessibility. The ADA Coordinator and their staff carries out these mandates as well as provide technical advice to all city departments in support of improving accessibility for all citizens and reducing the City's risk of ADA lawsuits, which are currently on the rise in California.

As such, we are concerned with the recent staff reductions which caused the Office of ADA Compliance and Accessibility to lose a staff member at a time when the Office of ADA should be adding crucial positions to support core functions. Large urban cities such as San Francisco and Los Angeles have robust staffs who oversee their respective city's ADA compliance responsibilities. The City of San Francisco has an ADA Coordinator with a staff of seven and the City of Los Angeles has an ADA Coordinator with a staff of 21. By comparison, the City of San Diego has an ADA Coordinator/Executive Director and a staff that's been recently reduced from four down to only three, with anticipated additional reductions in the proposed Fiscal Year 2021 budget. This situation will significantly limit San Diego's accessibility mandates. Additionally, since the Public Works Department no longer has a Certified Access Specialist on staff, the thorough review of all new CIP projects is in question. Funding three new qualified technical staff members for the Office of ADA Compliance and Accessibility will help to prevent accessibility errors in new construction and help to remedy known deficiencies in existing city facilities. Better ADA oversight is the key to improving accessibility for those who live, work and visit San Diego while minimizing the risk of ADA litigation against the City.

Finally, we are concerned with the lack of sufficient funding for CIP projects to address the unfunded backlog of ADA Transition Plan Projects totaling approximately \$35 million and official ADA complaints totaling approximately \$21 million, with some dating back to 2008. This board sent a letter dated December 16, 2019, requesting an adequate five-year budget allocation for required accessibility remediations.

We respectfully ask the Mayor and City Council to address the CIP budget needs and increased staff needs of the Office of ADA Compliance and Accessibility in the FY21 budget and future years as well. Taking such action will demonstrate the City's continuing commitment to provide accessible City programs, services and activities for people with disabilities as required by federal and state law. It is our goal to make San Diego one of the top cities for inclusivity and accessibility in the nation.

We will be reaching out to each of your offices requesting a meeting to discuss these staffing and budget shortages and appreciate your consideration in meeting with us as soon as possible.

Sincerely,



Adam M. Ringler
Chairman
City of San Diego Accessibility Advisory Board

cc: Andrea Tevlin, Independent Budget Analyst