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DRAFT

February 8, 2022

City of Hermosa Beach

Public Works Department
Administration and Engineering Division
1315 Valley Drive, Basement Level
Hermosa Beach, California 90254

Attention: Mr. Lucho Rodriguez, P.E., Deputy City Engineer

Subject: Americans with Disability Act (ADA) Self Evaluation and Transition Plan
City of Hermosa Beach, California 90254

Dear Mr. Rodriguez,

Access, Inc. is pleased to have the opportunity to be of service to the City of Hermosa Beach by performing a review of the City's Draft Americans with Disabilities Act (ADA) Transition Plan. Access, Inc. reviewed a copy of the City's 2015 Draft ADA Transition Plan and various site survey inspection reports prepared to date. The 2015 Draft ADA Transition Plan has been updated with currently known information, and together with the site surveys, serve as the City's ADA Self-Evaluation and Transition Plan.

As will be explained in greater detail in the ADA Self-Evaluation and Transition Plan, a transition plan is a living document and is a tool the ADA requires cities to develop to identify and prioritize accessibility issues in a city's facilities, services, and programs based on legally-mandated self-evaluations. Though the City has completed numerous self-evaluations over the years, there are some areas that are yet to be assessed for ADA compliance. This is normal. Any remaining areas will be included in future updates to the ADA Transition Plan, which we are happy to assist the City with.

If there are any questions or clarification is needed, please contact our office at (949) 270-2775.

Respectfully,

Matthew D. Steele
Certified Access Specialist (CASP) #865



ADA SELF-EVALUATION AND TRANSITION PLAN

**City of Hermosa Beach
1315 Valley Drive
Hermosa Beach, CA 90254**



I. INTRODUCTION

The American with Disabilities Act (ADA) enacted on July 26, 1990, is a Federal Civil Rights law prohibiting discrimination against individuals on the basis of disability. The ADA is built upon the foundation laid out by Section 504 of the 1973 Rehabilitation Act. It uses as its model Section 504's definition of disability and then goes further. While Section 504 applies only to entities receiving federal financial assistance, the ADA covers all state and local governments, including those that receive no federal financial assistance. Section 504 works together with the ADA to protect children and adults with disabilities from exclusion, and unequal treatment in schools, jobs and the community.

While the ADA consists of five titles, Title II is the section specifically applicable to programs, services, and activities provided by “public entities” (state and local governments) including state executive agencies, towns, counties, school districts, universities, community colleges, special purpose districts, regional transit authorities, and other state and local government instrumentalities. Generally, Title II of the ADA requires a public entity to make reasonable changes to policies, ensure effective communication with people with disabilities, and provide physical access to buildings, facilities, and programs with the goal of ensuring meaningful access to all its services and offerings. This requirement extends not only to physical access to facilities, programs, and events; but also to pedestrian facilities in public rights-of-way.

To provide the legal background of this ADA Self-Evaluation and Transition Plan, Part I of this report will discuss the ADA Title II requirements applicable to public entities, including cities’ obligations to prepare self-evaluations and transition plans. Part II then goes on to summarize the City’s Transition Plan; past site-specific self-evaluations; facilities, programs, services yet to be assessed; and recommended steps to achieve access compliance, also known as “program accessibility”. It is important to stress that transition plans are living documents. Given the tremendous amount of time and expense that may be needed to achieve program accessibility, the primary purposes of a transition plan is to demonstrate a city’s good faith commitment to that goal, which in many cases requires several decades.

A. GENERAL ADA TITLE II REQUIREMENTS

1. Equality in Participation/Benefits

The ADA provides for equality of opportunity but does not guarantee equality of results. The foundation of many of the specific requirements in the U.S. Department of Justice (the “Department”) regulations is the principle that individuals with disabilities must be provided an equally effective opportunity to participate in or benefit from a public entity's



aids, benefits, and services. On the other hand, as long as persons with disabilities are afforded an equally effective opportunity to participate in or benefit from a public entity's aids, benefits, and services, the ADA's guarantee of equal opportunity is not violated. Also, the ADA generally does not require a State or local government entity to provide additional services for individuals with disabilities that are not provided for individuals without disabilities.

2. Separate Benefit/Integrated Setting

A primary goal of the ADA is the equal participation of individuals with disabilities in the "mainstream" of American society. The major principles of mainstreaming are –

- 1) Individuals with disabilities must be integrated to the maximum extent appropriate.
- 2) Separate programs are permitted where necessary to ensure equal opportunity. A separate program must be appropriate to the particular individual.
- 3) Individuals with disabilities cannot be excluded from the regular program or required to accept special services or benefits.

a. Separate Programs

A public entity may offer separate or special programs when necessary to provide individuals with disabilities an equal opportunity to benefit from the programs. Such programs must, however, be specifically designed to meet the needs of the individuals with disabilities for whom they are provided.

b. Relationship to “Program Accessibility” Requirement

The integrated setting requirement may conflict with the obligation to provide “program accessibility”, which may not necessarily mandate physical access to all parts of all facilities (see “Program Accessibility” section, below). Provision of services to individuals with disabilities in a different location, for example, is one method of achieving program accessibility. Public entities should make every effort to ensure that alternative methods of providing program access do not result in unnecessary segregation.

3. Reasonable Modifications

A public entity must reasonably modify its policies, practices, or procedures to avoid discrimination. If the public entity can demonstrate, however, that the modifications would fundamentally alter the nature of its service, program, or activity, it is not required to make the modification.



4. Maintenance of Accessible Features

Public entities must maintain in working order equipment and features of facilities that are required to provide ready access to individuals with disabilities. Isolated or temporary interruptions in access due to maintenance and repair of accessible features are not prohibited.

Where a public entity must provide an accessible route, the route must remain accessible and not blocked by obstacles such as furniture, filing cabinets, or potted plants. An isolated instance of placement of an object on an accessible route, however, would not be a violation, if the object is promptly removed. Similarly, accessible doors must be unlocked when the public entity is open for business.

Mechanical failures in equipment such as elevators or automatic doors will occur from time to time. The obligation to ensure that facilities are readily accessible to and usable by individuals with disabilities would be violated, if repairs are not made promptly or if improper or inadequate maintenance causes repeated and persistent failures.

B. EMPLOYMENT REQUIREMENTS

Beginning January 26, 1992, Title II prohibits all public entities, regardless of size of workforce, from discriminating in their employment practices against qualified individuals with disabilities.

1. Other Federal Laws Prohibiting Employment Discrimination

In addition to the Title II employment coverage, Title I of the ADA and section 504 of the Rehabilitation Act of 1973 prohibit employment discrimination against qualified individuals with disabilities by certain public entities. Title I of the ADA, which is primarily enforced by the Equal Employment Opportunity Commission (EEOC), prohibits job discrimination –

- 1) Effective July 26, 1992, by State and local employers with 25 or more employees; and
- 2) Effective July 26, 1994, by State and local employers with 15 or more employees. Section 504 of the Rehabilitation Act prohibits discrimination in employment in programs or activities that receive Federal financial assistance, including federally funded State or local programs or activities. Each Federal agency that extends financial assistance is responsible for enforcement of section 504 in the programs it funds.



2. Reasonable Accommodation

All public entities must make "reasonable accommodation" to the known physical or mental limitations of otherwise qualified applicants or employees with disabilities, unless the public entity can show that the accommodation would impose an "undue hardship" on the operation of its program.

"Reasonable accommodation" means any change or adjustment to a job or work environment that permits a qualified applicant or employee with a disability to participate in the job application process, to perform the essential functions of a job, or to enjoy benefits and privileges of employment equal to those enjoyed by employees without disabilities. Examples include –

- 1) Acquiring or modifying equipment or devices;
- 2) Job restructuring;
- 3) Part-time or modified work schedules;
- 4) Providing readers or interpreters; and
- 5) Making the workplace accessible to and usable by individuals with disabilities.

However, any particular change or adjustment would not be required if, under the circumstances involved, it would result in an undue hardship.

"Undue hardship" means significant difficulty or expense relative to the operation of a public entity's program. Where a particular accommodation would result in an undue hardship, the public entity must determine if another accommodation is available that would not result in an undue hardship.

C. PROGRAM ACCESSIBILITY

A public entity may not deny the benefits of its programs, activities, and services to individuals with disabilities because its facilities are inaccessible. A public entity's services, programs, or activities, **when viewed in their entirety**, must be readily accessible to and usable by individuals with disabilities. This standard, known as "program accessibility," applies to all existing facilities of a public entity. Public entities, however, are not necessarily required to make each of their existing facilities accessible.

Public entities may achieve program accessibility by a number of methods. In many situations, providing access to facilities through structural methods, such as alteration of existing facilities and acquisition or construction of additional facilities, may be the most efficient method of providing program accessibility. The public entity may, however, pursue alternatives to structural changes in order to achieve program accessibility.



Nonstructural methods include acquisition or redesign of equipment, assignment of aides to beneficiaries, and provision of services at alternate accessible sites. Put differently, unlike private entities under Title III of the ADA, public entities are not required to remove barriers from each facility, even if removal is readily achievable. A public entity must make its "programs" accessible. Physical changes to a building are required only when there is no other feasible way to make the program accessible.

1. Curb Ramps

Public entities that have responsibility or authority over streets, roads, or walkways must prepare a schedule for providing curb ramps where pedestrian walkways cross curbs. Public entities must give priority to walkways serving State and local government offices and facilities, transportation, places of public accommodation, and employees, followed by walkways serving other areas. This schedule must be included as part of a transition plan (see Section F.2 "Transition Plan", below).

2. Existing Parking Lots or Garages

A public entity should provide an adequate number of accessible parking spaces in existing parking lots or garages over which it has jurisdiction.

3. Time Periods for Achieving Program Accessibility

Public entities must achieve program accessibility by January 26, 1992. If structural changes are needed to achieve program accessibility, they must be made as expeditiously as possible, but in no event later than January 26, 1995. This three-year time period is not a grace period; all changes must be accomplished as expeditiously as possible. In addition, a public entity that employs 50 or more persons must develop a transition plan by July 26, 1992, setting forth the steps necessary to complete such changes (see Section F.2 "Transition Plan", below).¹ Title II also requires public entities to complete a self-evaluation by January 26, 1993 (see Section F.1 "Self-Evaluation", below).² Failure to complete a self-evaluation does not excuse public entities from compliance with Title II's requirements.

¹ Though the City has not completed a transition plan until now (which by law addresses the removal of *existing* structural barriers only), the City through various capital improvement programs over the decades has ensured renovations to existing public facilities and new construction comply with current California Building Code (CBC) and ADA accessibility standards. In addition, through its ADA grievance procedures, the City has made improvements to several facilities on a case-by-case basis.

² While no formal self-evaluation(s) has been prepared until recent years, the City assesses its programs, activities, and services on an ongoing basis to provide equal access to persons with disabilities (to the extent required by law) and avoid discriminatory treatment. *See also* fn. 1.



D. NEW CONSTRUCTION AND ALTERATIONS

All facilities designed, constructed, or altered by, on behalf of, or for the use of a public entity must be readily accessible and usable by individuals with disabilities, if the construction or alteration is begun after January 26, 1992. This means that the facility must be designed, constructed, or altered in strict compliance with a design standard. The Title II regulation gives public entities a choice of two standards that may be used: the Uniform Federal Accessibility Standards (UFAS) or the Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities (ADAAG). 28 CFR § 35.151. The major differences between these two standards as they apply to specific facilities and elements of those facilities are summarized in Section II-6.3000 of *The ADA Title Technical Assistance Manual* published by the U.S. Department of Justice available at <https://www.ada.gov/taman2.html>.

1. Curb Ramps

When streets, roads, or highways are newly built or altered, they must have ramps or sloped areas wherever there are curbs or other barriers to entry from a sidewalk or path. Likewise, when new sidewalks or paths are built or altered, there must be curb ramps or sloped areas wherever they intersect with streets, roads, or highways.

E. COMMUNICATIONS

A public entity must ensure that its communications with individuals with disabilities are as effective as communications with others. This obligation, however, does not require a public entity to take any action that it can demonstrate would result in a fundamental alteration in the nature of its services, programs, or activities, or in undue financial and administrative burdens.

In order to provide equal access, a public accommodation is required to make available appropriate auxiliary aids and services where necessary to ensure effective communication.

Examples of auxiliary aids and services for individuals who are deaf or hard of hearing include qualified interpreters, note takers, computer-aided transcription services, written materials, telephone handset amplifiers, assistive listening systems, telephones compatible with hearing aids, closed caption decoders, open and closed captioning, telecommunications devices for deaf persons (TDD's), videotext displays, and exchange of written notes.



Examples for individuals with vision impairments include qualified readers, taped texts, audio recordings, Brailled materials, large print materials, and assistance in locating items.

Examples for individuals with speech impairments include TDD's, computer terminals, speech synthesizers, and communication boards.

The type of auxiliary aid or service necessary to ensure effective communication will vary in accordance with the length and complexity of the communication involved

F. ADMINISTRATIVE REQUIREMENTS

Title II requires that public entities take several steps designed to achieve program accessibility. These include –

- The preparation of a self-evaluation; and
- Notice to the public of Title II.

In addition, public entities with 50 or more employees are required to –

- Develop a grievance procedure;
- Designate an individual to oversee Title II compliance (e.g., an ADA coordinator);
- Develop a transition plan if structural changes are necessary for achieving program accessibility; and
- Retain the self-evaluation for three years.

1. Self-Evaluation

All public entities subject to Title II of the ADA were required to complete a self-evaluation by January 26, 1993.³ 28 Code of Federal Regulations (“CFR”) § 35.105. A self-evaluation is a public entity's assessment of its current policies and practices. The self-evaluation identifies and corrects those policies and practices that are inconsistent with the Title II requirements.

A public entity that employs 50 or more employees must retain its self-evaluation for three years. Other public entities are not required to retain their self-evaluations but are encouraged to do so because these documents are evidence a public entity's good faith efforts to comply with the Title II requirements.

³ See fn. 2, above.



As part of the self-evaluation, a public entity should:

- 1) Identify all of the public entity's programs, activities, and services; and
- 2) Review all the policies and practices that govern the administration of the public entity's programs, activities, and services.

Normally, a public entity's policies and practices are reflected in its laws, ordinances, regulations, administrative manuals or guides, policy directives, and memoranda. Other practices, however, may not be recorded and may be based on local custom.

Once a public entity has identified its policies and practices, it should analyze whether these policies and practices adversely affect the full participation of individuals with disabilities in its programs, activities, and services. In this regard, a public entity should be mindful that although its policies and practices may appear harmless, they may result in denying individuals with disabilities the full participation of its programs, activities, or services. A public entity should carefully examine the programs, activities, and services discussed in Section B ("Employment"), Section C ("Program Accessibility"), Section E ("Communications"), above, and more specifically perform the following in preparing a self-evaluation.

- 1) A public entity must examine each program to determine whether any physical barriers to access exist. It should identify steps that need to be taken to enable these programs to be made accessible when viewed in their entirety. If structural changes are necessary, they should be included in the transition plan.
- 2) A public entity must review its policies and practices to determine whether any exclude or limit the participation of individuals with disabilities in its programs, activities, or services. Such policies or practices must be modified, unless they are necessary for the operation or provision of the program, service, or activity. The self-evaluation should identify policy modifications to be implemented and include complete justifications for any exclusionary or limiting policies or practices that will not be modified.
- 3) A public entity should review its policies to ensure that it communicates with applicants, participants, and members of the public with disabilities in a manner that is as effective as its communications with others. If a public entity communicates with applicants and beneficiaries by telephone, it should ensure that TDD's or equally effective telecommunication systems are used to



communicate with individuals with impaired hearing or speech. Finally, if a public entity provides telephone emergency services, it should review its policies to ensure direct access to individuals who use TDD's and computer modems.

4) A public entity should review its policies to ensure that they include provisions for readers for individuals with visual impairments; interpreters or other alternative communication measures, as appropriate, for individuals with hearing impairments; and amanuenses for individuals with manual impairments. A method for securing these services should be developed, including guidance on when and where these services will be provided. Where equipment is used as part of a public entity's program, activity, or service, an assessment should be made to ensure that the equipment is usable by individuals with disabilities, particularly individuals with hearing, visual, and manual impairments. In addition, a public entity should have policies that ensure that its equipment is maintained in operable working order.

5) A review should be made of the procedures to evacuate individuals with disabilities during an emergency. This may require the installation of visual and audible warning signals and special procedures for assisting individuals with disabilities from a facility during an emergency.

6) A review should be conducted of a public entity's written and audio-visual materials to ensure that individuals with disabilities are not portrayed in an offensive or demeaning manner.

7) If a public entity operates historic preservation programs, it should review its policies to ensure that it gives priority to methods that provide physical access to individuals with disabilities.

8) A public entity should review its policies to ensure that its decisions concerning a fundamental alteration in the nature of a program, activity, or service, or a decision that an undue financial and administrative burden will be imposed by Title II, are made properly and expeditiously.

9) A public entity should review its policies and procedures to ensure that individuals with mobility impairments are provided access to public meetings.

10) A public entity should review its employment practices to ensure that they comply with other applicable nondiscrimination requirements, including section



504 of the Rehabilitation Act and the ADA regulation issued by the Equal Employment Opportunity Commission.

11) A public entity should review its building and construction policies to ensure that the construction of each new facility or part of a facility, or the alteration of existing facilities after January 26, 1992, conforms to the standards designated under the applicable Title II regulation.

12) A review should be made to ascertain whether measures have been taken to ensure that employees of a public entity are familiar with the policies and practices for the full participation of individuals with disabilities. If appropriate, training should be provided to employees.

13) If a public entity limits or denies participation in its programs, activities, or services based on drug usage, it should make sure that such policies do not discriminate against former drug users, as opposed to individuals who are currently engaged in illegal use of drugs.

2. Notice to the Public

A public entity must provide information on Title II's requirements to applicants, participants, beneficiaries, and other interested persons. The notice shall explain Title II's applicability to the public entity's services, programs, or activities. A public entity shall provide such information as the head of the public entity determines to be necessary to apprise individuals of Title II's prohibitions against discrimination.

Public notice methods include the publication of information in handbooks, manuals, and pamphlets that are distributed to the public to describe a public entity's programs and activities; the display of informative posters in service centers and other public places; or the broadcast of information by television, radio, or the internet. In providing the notice, a public entity must comply with the Title II requirements for effective communication, including alternate formats, as appropriate.

3. Development of Grievance Procedures

A public entity that employs 50 or more persons must adopt and publish grievance procedures providing for the prompt and equitable resolution of complaints alleging any action that would be prohibited by Title II.

4. Designation of Responsible Employee



In addition, a public entity that employs 50 or more persons shall designate at least one employee to coordinate its efforts to comply with and fulfill its responsibilities under Title II, including the investigation of complaints. A public entity shall make available the name, office address, and telephone number of any designated employee. This person is commonly referred to as the ADA Coordinator.

5. Transition Plan

Where structural modifications are required to achieve program accessibility, a public entity with 50 or more employees must develop a transition plan by July 26, 1992, that provides for the removal of these barriers. 28 CFR § 35.150(d).⁴ Any structural modifications must be completed as expeditiously as possible, but, in any event, by January 26, 1995. When completed, a copy of the transition plan must be made available for public inspection.

A transition plan must contain at a minimum –

- 1) A list of the physical barriers in a public entity's facilities that limit the accessibility of its programs, activities, or services to individuals with disabilities;
- 2) A description of the methods to be utilized to remove these barriers and make the facilities accessible;
- 3) The schedule for taking the necessary steps to achieve compliance with Title II's regulations. If the time period for achieving compliance is longer than one year, the plan should identify the interim steps that will be taken during each year of the transition period; and
- 4) The name and contact information of the public official responsible for the plan's implementation.

⁴ See fn. 1, above.



II. 2022 ADA SELF-EVALUATION AND TRANSITION PLAN

A. PREFACE

This report is intended to consolidate the unfinished 2015 Draft Transition Plan by ADA Inspection Plus, LLC. and the self-evaluation of selected facilities to date. Though areas of self-evaluation are yet to be completed, this report nonetheless functions as the City's 2022 Self-Evaluation and ADA Transition Plan ("2022 Transition Plan") to demonstrate its good faith commitment to achieve program accessibility in measurable steps and goals. Areas yet to be examined for accessibility will be the subject of individualized self-evaluation reports to be completed at a later date.

B. FOCUS OF 2022 TRANSITION PLAN

This report focuses on subtitle A of Title II. Subtitle A is intended to protect qualified individuals with disabilities from discrimination on the basis of disability in the services, programs, or activities of all State and local governments. It additionally extends the prohibition of discrimination on the basis of disability established by section 504 of the Rehabilitation Act of 1973, as amended, to all activities of State and local governments, including those that do not receive Federal financial assistance.

Barriers that deny or limit access to programs, services or activities may be structural or nonstructural. This report focuses on structural barriers. Structural barriers are referenced in this 2022 Transition Plan by site and are described in detail in the self-evaluation reports of sites inspected over the years. It is important to note that the recommended corrections in site evaluation reports are options, and that some structural barriers may be addressed by using a programmatic methodology if they do not involve new construction or new remodeling and renovation.

C. CURRENT STATUS OF ACCESS COMPLIANCE

This report applies a simplified conceptual framework known as the "Five Phases of Access Compliance" to assess the status of the City's program accessibility. This framework was created by the State of California Department of Government Services (DGS), the five phases of which are summarized below.⁵

⁵ The DGS framework is derived from Title II and California Government Code Section 4450 *et seq.* and do not have the force of law. The Five Phases framework was developed as an advisory bulletin for public entities that, like the City, are subject to both Title II of the ADA and Title 1, Division 5, Chapter 7 (Access to Public Buildings by Physically Handicapped Persons) of the California Government Code, commencing with Section 4450. Chapter 7 requires that buildings, structures, sidewalks, curbs, and related facilities funded by state, county, or municipal funds be



Phase I. Commitment

This phase involves the designation of an employee as the ADA Coordinator, notice to the public of how Title II applies to the public entity, adoption of an ADA Grievance procedure, and the hiring of a Certified Access Specialist (CAsp).

Phase II. Self-Evaluation

This phase involves the completion of a self-evaluation as described in Section F.1 (“Self-Evaluation”), above.

Phase III. Transition

This transition phase involves the development and completion of a transition plan as described in Section F.2 (“Transition Plan”), above.

Phase IV. Implementation

This phase achieves the goals established in the self-evaluation and transition plan.

Phase V. Ongoing Support

This phase is the maintenance and quality control phase and includes such steps as a final report on compliance status, periodic evaluations of compliance status, scheduled maintenance of access features, resolution of access issues as they arise, and ensuring new facilities, alterations, and repairs are ADA-compliant.

Table 1 below sets forth a basic summary of the current status of the City’s program accessibility.

accessible to and usable by persons with disabilities. Such publicly funded facilities (which include those leased by a city) must comply with the California Building Code (CBC) Standards relating to access to persons with disabilities and federal standards.



**TABLE 1
FIVE PHASES OF ACCESS COMPLIANCE**

Phase	Status	Steps Taken	Actions Required/Recommended
I: Commitment	Ongoing	ADA Coordinator has been designated, grievance procedures developed, and CASp consultant hired.	Provide public notice of ADA requirements applicable to City, and maintain commitment to access compliance.
II: Self Evaluation	Ongoing	ADA inspection reports are completed for (1) main public buildings; (2) main parking lots and on-street parking segments; and (3) sidewalks and curb ramps.	1) Update existing ADA reports; (2) complete self-evaluation of remaining programs, services, and facilities; (3) and review every 3-4 years.
III: Transition	Ongoing	2022 Transition Plan has been prepared.	Incorporate updated ADA reports, self-evaluation of remaining programs, services, and facilities into Plan, and review Plan every 3-4 years.
IV: Implementation	Ongoing	Not yet applicable; City will complete goals in 2022 Transition Plan according to recommendations and implementation schedule shown in Appendix A.	Update the implementation dates in the ADA reports and Transition Plan as budget and priority dictates.
V. Ongoing Support	Ongoing	City is employing its grievance procedure, ensures public works projects meet CBC and ADA regulations, and is in regular contact with its CASp employee or consultant.	Provide periodic assessment related to the proper maintenance of all access features.

D. 2022 ADA TRANSITION PLAN DOCUMENTS

Access, Inc. has reviewed the documents listed below. Each evaluation report contains an inventory of features at a facility (e.g., parking signs and striping) and an assessment of these features' compliance with applicable CBC and ADA standards. The earliest evaluation report was prepared in 2015, and as discussed in the "Recommendations"



section below, these reports should be updated by the time of the City's next transition plan cycle to reflect current conditions (e.g., compliance achieved, structure removed, etc.). Access, Inc. has updated cost estimates in the summary assessment included with the 2015 Draft Transition Plan, and added cost estimates and the status of completed work to the City of Hermosa Beach Citywide Disabled Parking Report prepared by Creative Design Associates & Martin Brothers Construction Services. The updated costs to correct each violation listed in the 2015 Draft Transition Plan were based on an average inflation rate of 2.21% per year. The estimated costs do not include design, project and/or construction management, construction inspection and any contingencies.

These updates are indicated in bold red text in the reports.

- Hermosa Beach Draft Transition Plan, dated September 24, 2015 (ADA Inspection Plus LLC)
- Program Accessibility Evaluation Reports (ADA Inspection Plus LLC) for:
 - 13th St. Parking Structure
 - Clark Building
 - Valley Park Building
 - Kiwanis Shared Building Exterior Access & Parking
 - Hermosa Beach Kiwanis Club
 - Hermosa Beach Rotary Club
 - Fire Department
 - Police Department
 - City Hall
 - Civic Center Exterior
 - City Yard
 - Base 3 Building
 - South Park Building
 - Community Center & Theatre
- City of Hermosa Beach Citywide Disabled Parking Report, dated June 13, 2017 (Creative Design Associates & Martin Brothers Construction Services)
- Hermosa Beach On-Street Disabled Parking Report, dated June 13, 2017 (Creative Design Associates & Martin Brothers Construction Services)
- Citywide Building and Facilities Condition Assessment CIP 13-664 ADA Sidewalks and Curb Ramps Evaluation, dated May 2015 (CivilSource, Inc.)

1. 2015 City of Hermosa Beach Draft Transition Plan

The City of Hermosa Beach Title II Comprehensive Evaluation and Transition Plan, Revision 1, dated September 24, 2015 (the "2015 Draft Transition Plan"), was prepared by ADA Inspection Plus, LLC. (See **Attachment A of Appendix B.**) The report was prepared to assist the City with identifying physical barriers of accessibility and to develop barrier removal solutions that will facilitate the opportunity of access to all



individuals. The 2015 Draft Transition Plan describes the process by which facilities were evaluated for compliance with the ADA; presents the findings of that evaluation; and provides recommendations to ensure compliance. Like this 2022 ADA Transition Plan, the report also provides an overview of the obligation public entities have to develop a Self-Evaluation and Transition Plan and outlines the plan development process. Additionally, the report describes the differences between policies and programs and establishes the relationship between physical and programmatic barriers to accessibility.

2. 2015 Draft Transition Plan Evaluation Reports – Main Public Facilities

To prepare the 2015 Draft Transition Plan, ADA Inspection Plus, LLC also prepared Program Accessibility Evaluation Reports for the City’s main public facilities. They are attached to this report as indicated in the chart below.

Facility	Address	Report Date	Attachment
13th St. Parking Structure	NW corner of 13th & Hermosa Ave	3/18/2015	A-1
Clark Building	861 Valley Drive	3/18/2015	A-2
Valley Park Building	2521 Valley Drive	4/8/2015	A-3
Kiwanis Shared Building Exterior Access and Parking	2515 Valley Drive	4/8/2015	A-4
Hermosa Beach Kiwanis Club	2515 Valley Drive	4/8/2015	A-5
Hermosa Beach Rotary Club	2515 Valley Drive	4/8/2015	A-6
Fire Department	540 Pier Ave	4/21/2015	A-7
Police Department	540 Pier Ave	4/21/2015	A-8
City Hall	1315 Valley Drive	4/21/2015	A-9
Civic Center Exterior	Same as City Hall, Fire, and Police	4/21/2015	A-10
City Yard	679 Valley Drive	5/6/2015	A-11
Base 3 Building	NE corner of 11th and Valley Drive	5/6/2015	A-12
South Park Building	425 Valley Drive	5/6/2015	A-13
Community Center & Theater	710 Pier Ave	5/6/2015	A-14

A summary assessment of these evaluation reports, which include ADA Inspection Plus, LLC’s findings, is provided on pages 10 through 58 of the 2015 Draft Transition Plan. As shown in the summary assessment, we have added an “Updated Estimated Cost” column denoted in red font.



ESTIMATED COST

The total estimated cost to correct all the violations noted in the evaluation reports is on the order of approximately \$1,150,468.

3. Citywide Disabled Parking Evaluation Reports - Off-Street Parking (Parking Lots)

The Hermosa Beach Citywide Disabled Parking report, dated June 13, 2017, was prepared by Creative Design Associates and Martin Brothers Construction Services (CDA-MBCS) (the “City-Wide Disabled Parking Report”). (See **Attachment B of Appendix B.**) The City of Hermosa Beach engaged the consultant to review eight (8) City-owned parking lots for compliance with applicable accessibility standards. The standards CDA-MBCS used in their evaluation included the 2010 ADA Standards for Accessible Design (ADAS) and the 2016 California Building Code (CBC). The report provided recommendations to correct non-compliant conditions. Cost to correct the non-compliant conditions was not provided.

CDA-MBCS team members evaluated the City parking facilities shown in the chart below, and prepared reports for each. An executive summary of these evaluation reports, which include CDA-MBCS’s findings, is provided on pages 1 through 21 of the Citywide Disabled Parking Report.

Off-Street Parking Facility	Address	Report Date
Parking Lot A	1101 Hermosa (NW corner of 11th & Hermosa Ave)	2/8/2017
Parking Lot B	59 13th Court	2/8/2017
Parking Lot L	Between 2nd St. and Herondo St. along Valley	3/11/2017
Parking Lot M	Between 2nd and 3rd Street South of PCH	2/8/2017
Parking Lot N	800 4th Street	2/9/2017 & 2/28/2017
Parking Lot O	Kiwanis Club	2/9/2017
Parking Lot R	Greenwood Park	2/9/2017

Access, Inc. found that many of the non-compliant conditions noted by CDA-MBCS have been corrected and updated the evaluation reports with edits in red, starting on page 22 of the Citywide Disabled Parking Report. Additionally, Access, Inc. provided estimated costs to correct the remaining non-compliant conditions.



ESTIMATED COST

The total estimated cost to correct all remaining violations noted in the evaluation reports is on the order of approximately \$850,000.

4. Hermosa Beach On-Street Disabled Parking Report

Creative Design Associates and Martin Brothers Construction Services (CDA-MBCS) also evaluated selected on-street accessible parking spaces and provided a report dated, June 13, 2017 ("On-Street Disabled Parking Report"). (See **Attachment C of Appendix B.**) CDA-MBCS reviewed 28 accessible residential parking spaces for compliance with applicable accessibility standards (see chart below). A detailed breakdown of the parking space locations, assessment of compliance, and recommended corrections can be found on pages 11 through 21 of the On-Street Disabled Parking Report. No cost estimates were provided.

Parking	Location	Inspection Date
On-street parking east of PCH	1050 1st Street	6/13/2017
On-street parking east of PCH	436 Gentry	6/13/2017
On-street parking east of PCH	439 Ocean View	6/13/2017
On-street parking east of PCH	1105 3rd St.	6/13/2017
On-street parking east of PCH	1115 17th St.	6/13/2017
On-street parking east of PCH	1228 6th St.	6/13/2017
On-street parking east of PCH	505 Hallowell	6/13/2017
On-street parking east of PCH	1507 Golden St.	6/13/2017
On-street parking west of PCH	1823 Valley Park Ave	6/13/2017
On-street parking west of PCH	2162 Circle Drive	6/13/2017
On-street parking west of PCH	731 10th St	6/13/2017
On-street parking west of PCH	245 33rd St	6/13/2017
On-street parking west of PCH	616 7th St.	6/13/2017
On-street parking west of PCH	1441 Monterey	6/13/2017
On-street parking west of PCH	823 Monterey	6/13/2017
On-street parking west of PCH	412 Manhattan	6/13/2017
On-street parking west of PCH	1811 Manhattan	6/13/2017
On-street parking west of PCH	2440 Silverstrand	6/13/2017



On-street parking west of PCH	218 28th St.	6/13/2017
On-street parking west of PCH	360 33rd St.	6/13/2017
On-street parking west of PCH	611 7th St.	6/13/2017
On-street parking west of PCH	3010 Hermosa Ave.	6/13/2017
On-street parking west of PCH	74 18th St.	6/13/2017
On-street parking west of PCH	67 16th St.	6/13/2017
On-street parking west of PCH	60 10th St.	6/13/2017
On-street parking west of PCH	32 10th St.	6/13/2017
On-street parking west of PCH	21 4th St.	6/13/2017
On-street parking west of PCH	841 Manhattan Ave.	6/13/2017
On-street parking west of PCH	2006 PCH	6/13/2017

The standards used in the CDA-MBCS evaluation included the 2010 ADA Standards for Accessible Design, the 2016 California Building Code, and the proposed 2011 Public Rights-of-Way Guidelines published by the U.S. Access Board (2011 PROWAG). In general, there is not one specific accessibility regulation or code that directly applies to on-street parking areas. The proposed PROWAG addresses only spaces that are marked or metered and have yet been adopted by the DOJ, which means they are not mandatory but are instead “best practices” guidelines. However, it was the consultant’s professional opinion that the on-street parking areas are required to be made accessible due to case law, even in the absence of specific scoping or technical requirements that directly apply.

Since the date of the CDA-MBCS on-street disabled parking report, the City has added additional on-street accessible parking spaces in the downtown district and updated many of the existing on-street accessible parking spaces with new striping and signage. The report also provided guidance on receiving request by businesses and residences for additional on-street accessible parking spaces.

ESTIMATED COST

The total estimated cost to correct all remaining violations noted in the evaluation reports is on the order of approximately \$52,500.

5. Citywide Facilities Assessment of Sidewalks and Curb Ramps



The Citywide Building and Facilities Condition Assessment CIP 13-664 ADA Sidewalks and Curb Ramps Evaluation report, dated May 2015, was prepared by Civil Source, Inc. ("Sidewalk and Curb Ramp Report"). (See **Attachment D of Appendix B.**) This assessment covered the pedestrian facilities for all streets including major arterials, collectors, and residential streets. The field data was input for each segment regarding physical characteristics, accessibility criteria, existing barriers, and any additional comments by the data collector. The criteria relating to accessibility included sidewalk width and alignment, the presence of curb ramps, ramp width and ramp slope. A detailed table of the numerous sidewalks and curb ramps evaluated for the Sidewalk and Curb Ramp Report begins on page 4 of that report.

Pedestrian facility improvements are mainly funded through the local Capital Improvement Program (CIP), Gas Tax Revenue Funds, the Regional Transportation Authority, and federally funded programs. Analyzing the design characteristics that promote accessibility will help jurisdictions to meet basic standards for accessibility. It also aids the process of prioritizing improvements and funding. Identifying these deficiencies will aid the City as it meets the needs of all sidewalk users.

In addition, pursuant to Hermosa Beach Municipal Code Chapter 12.08, most persons constructing commercial, industrial, and residential development projects must make improvements to the right-of-way. Section 12.08.010 states:

Except as provided in Section 12.08.020, any owner, lessee or agent or any other person or persons constructing or arranging for the construction of: (a) any commercial or industrial building or residential dwelling structure, or addition thereto, exceeding four hundred (400) square feet in floor area, or (b) any accessory building greater than fifty percent (50%) of the square footage of the existing main building, shall provide for the construction of Portland cement concrete curbs, gutters and sidewalks, street pavement between the gutter and center line of the street fronting the property, and pavement between the edge of pavement and center line of any alley adjoining the property, in accordance with the standard specifications of the City Engineer. (Ord. 02-1219, §1, May 2002).

Due to the number of curb ramps, driveways and sidewalks that have been improved since the report was authored, and potential changes to site conditions over time, it is recommended the Citywide Buildings and Facilities Condition Assessment CIP13-664 ADA Sidewalks & Curb Ramps Evaluation, dated May 2015, be updated or replaced with a new report.



ESTIMATED COST

The total estimated cost to correct all remaining violations noted in the evaluation reports is on the order of approximately \$43,000,000. A new assessment report is estimated to cost approximately \$150,000. The resulting combined cost is approximately \$43,150,000.

E. TOTAL ESTIMATED COST

The updated costs to correct each violation listed in the ADA Assessment Reports were based on an average inflation rate of 2.21% per year. The updated costs do not include design, inspection, project and/or construction management and any contingencies.

Citywide Building Facilities	\$ 1,150,500.00
Citywide Disabled Parking (Off-Street)	\$ 850,000.00
Citywide Disabled Parking (On-Street)	\$ 52,500.00
Citywide Sidewalks and Curb Ramps	\$ 43,000,000.00
TOTAL ESTIMATED COST	\$ 45,053,000.00

F. PARTICIPATION OF INTERESTED PERSONS

The City created and involved the Access Hermosa Working Group (AHWG) to help comment on the 2015 Draft Transition Plan. Formed by a prior City Manager, from 2015 to November 2019 the AHWG met approximately once per month to discuss ADA access concerns and made suggestions to City staff. In 2019, the AHWG was given the opportunity to comment on the 2015 Draft Transition Plan and submitted feedback to City staff. AHWG comments November 2019 are included in **Appendix C** of this report. For a number of reasons beyond the City's control (including exigencies created by the COVID-19 pandemic), adoption of the proposed plan was delayed. As the purpose of the AHWG had up to that time been fulfilled, the AHWG ceased meeting and would convene again, upon request of the City Manager, to accomplish final approval of the City's transition plan.

G. IMPLEMENTATION SCHEDULE

Appendix A to this report is the schedule to implement the corrections to the accessibility issues noted in this 2022 Transition Plan. The dates in the schedule are approximate and may change as funding becomes available and priorities may change over time.



H. RECOMMENDATIONS

This report functions as the City's 2022 Self-Evaluation and ADA Transition Plan ("2022 Transition Plan"). Access, Inc. recommends the following as the City continues to demonstrate its good faith commitment to achieve program accessibility in measurable steps and goals:

1. **Evaluation Report and Code Updates** - The 2015 Draft Transition Plan and its ADA self-evaluation reports were performed in 2015. The other evaluation reports are based on inspections performed in early 2015 through 2017. However, the current California Building Code cycle is dated July 1, 2021. It is therefore recommended that prior to making alterations to existing buildings and facilities, a new assessment report(s) with current code requirements be provided by a licensed architect and/or California Access Specialist (CASP). As projects are created the design shall include the current codes that are applicable at the time of design.
2. **Self-evaluation** - The City should also perform self-evaluations of areas described in Section F.1 of Part I, above, including: (1) employment policies and practices, (2) notice to the public of ADA requirements, (3) website accessibility, (4) temporary event permits and (5) Emergency Operations Center and on-scene operations. It is recommended the City review and update the Self-Evaluation documents and Transition Plan every 3 to 4 years.
3. **Programs, Services and Activities** - Staff must continue to evaluate the City's programs, services and activities to ensure compliance.
4. **Other City Facilities** - Additional ADA assessments are required for City facilities that are not detailed in this 2022 ADA Transition Plan, including:
 - a. City Parks.
 - b. Buildings that are leased to Title III entities that provide public accommodations such as the storage facility adjacent to City Hall and the County Library.
 - c. Public buildings that are not occupied – the City should identify these buildings and indicate their current use. Such buildings that are not in use do not require ADA assessment reports, although if the use of the building(s) changes in the future, an ADA assessment is strongly recommended.



5. **Commitment** - Provide public notice of ADA requirements applicable to City (e.g., post notice at City Hall and on City website) and maintain commitment to access compliance.
6. **Funding** – the City has dedicated approximately \$600,000 within its FY 2021-2022 budget for ADA consulting services and Capital Improvements Improvement Projects that include ADA accessibility components. It should continue to dedicate funds as they are available in future budget cycles to advance recommendations in this report.

As funding becomes available, it is recommended that priority be given to completing self-evaluations of programs and services (including (1) employment policies and practices, (2) notice to the public of ADA requirements, (3) website accessibility, (4) temporary event permits and (5) Emergency Operations Center and on-scene operations) and developing a more detailed implementation schedule for curb ramps and walkways serving government buildings and facilities, transportation, and places of public accommodation (e.g., bus stops), followed by walkways serving other areas.

7. **Implementation** - Update the implementation dates in the ADA reports and Transition Plan Schedule as budget and priority dictates.
8. **On-going Maintenance Assessment** - Periodic assessment related to the proper maintenance of all accessible features is required. This can be accomplished through future updates to facilities assessment report, sidewalk/curb ramp inventories, etc. The City also has a GoHermosa system for residents to report issues.

FINAL COMMENTS

The services provided by Access, Inc. to create this Transition Plan, a vast majority of which is based on reports prepared by other consultants, does not guarantee the completeness nor the correctness in the reports provided in this document. This report is a living document and should be updated as accessible features are brought into compliance with the ADA and CBC Standards.



ATTACHMENTS:

Appendix A – Implementation Schedule

Appendix B – ADA Evaluation Reports

- A. Hermosa Beach Draft Transition Plan (ADA Plus LLC)
 - A.1 Parking Structure (ADA Plus LLC)
 - A.2 Clark Building (ADA Plus LLC)
 - A.3 Valley Park Building (ADA Plus LLC)
 - A.4 Kiwanis Shared Building Exterior Access & Parking (ADA Plus LLC)
 - A.5 Hermosa Beach Kiwanis Club (ADA Plus LLC)
 - A.6 Hermosa Beach Rotary Club (ADA Plus LLC)
 - A.7 Fire Department (ADA Plus LLC)
 - A.8 Police Department (ADA Plus LLC)
 - A.9 City Hall (ADA Plus LLC)
 - A.10 Civic Center Exterior (ADA Plus LLC)
 - A.11 City Yard (ADA Plus LLC)
 - A.12 Base 3 (ADA Plus LLC)
 - A.13 South Park (ADA Plus LLC)
 - A.14 Community Center & Theatre (ADA Plus LLC)
- B. City of Hermosa Beach Citywide Disabled Parking (Creative Design Associates & Martin Brothers Construction Services)
- C. Hermosa Beach On-Street Disabled Parking (Creative Design Associates & Martin Brothers Construction Services)
- D. Citywide Building and Facilities Condition Assessment CIP 13-664 ADA Sidewalks and Curb Ramps Evaluation (CivilSource, Inc.)

Appendix C – Access Hermosa Working Group Comments, November 2019



Appendix A – Implementation Schedule

City of Hermosa Beach
ADA Transition Plan - Implementation Schedule - **DRAFT**
February 8, 2022

Facility Name	Facility Type	Year											
		2022-2025	2026-2030	2031-2035	2036-2040	2041-2045	2046-2050	2051-2055	2056-2060	2061-2065	2066-2070	2071-2075	2076-2080
Parking Structure	Building												
Clark Building	Building												
Valley Park Building	Building												
Kiwani's Building Shared Exterior	Building												
Hermosa Beach Kiwanis Club	Building												
Hermosa Beach Rotary Club	Building												
Fire Department	Building												
Police Department	Building												
City Hall Building	Building												
Civic Center Exterior	Building												
City Yard	Building												
Base 3 Building	Building												
South Park Building	Building												
Community Center & Theatre	Building												
City Parks	Parks												
Citywide Disabled Parking (Parking Lots)	Parking												
Citywide On-Street Disabled Parking	Parking												
Citywide Sidewalk & Curb Ramps	Right-of-Way												

**Appendix C – Access Hermosa Working Group Comments,
November 2019**

ADA TRANSITION PLAN COMMENTS

BY

ACCESS HERMOSA

November 2019

13th Street - Parking Structure

The Access Hermosa Work group has the following comments:

- Entrance into parking structure is too steep (2% grade change).
- Handicap entrance (1), cars only, no sidewalk to structure (no ramp provided).
- 10 handicap spots in total (4 L2, 3 L2, 3 L4).
- Trashcans (L4) in the way of path of travel.
- Hotel parking located at the subterranean level/bottom level (one handicap space for hotel guests/employees only).
- No sidewalk/walkway for handicap access for those coming from the bottom floor to L2.

Valley Park Building - 2521 Valley Dr.

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The Access Hermosa Work Group has the following comments:

- Picnic areas need better sidewalk access. Most of the picnic areas are in the grass which make it very difficult for people in wheel chairs, strollers, and walkers to reach.
- All stairways to the park need ramps with handrails.
- The park needs solar lights. While the park does have lights at night, they only light up some areas of the park. Solar lights would provide more lighting to the park at night and would prevent suspicious activity.
- BBQ areas need at least one picnic table that are lower for wheel chair access.
- All BBQ areas need to be leveled so wheel chairs can have access to the picnic areas.
- All sinks in the picnic areas need to have wheel chair access.
- At least one BBQ needs to be lowered for wheel chair access.

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The Access Hermosa Work Group has the following comments regarding the men's and women's restrooms:

- Park restrooms all need to provide disable access for adults and children.
- The bathrooms need an outside camera for monitoring bathroom activity.

Kiwani's Building South - 2515 Valley Dr.

The Access Hermosa Work Group has the following comments:

- The building needs disable bathroom repairs and upgrades including wheel chair access with upgraded door and push button door access.
- The front door is wide enough for wheel chairs access but the doors need push button door opener.
- A handrail may be needed on one side of the entrance.
- The south side door needs to have a ramp with a door wide enough for a wheel chair access this door leads to the kitchen.

- The north side door needs a ramp with hand rails leading outside.
- Next to the north side door, more disable parking is needed.
- The street parking on Valley Dr. needs disable parking near the stairs. The stairs needs a ramp for wheel chair access and with handrails.

Kiwani's Building North (Hermosa Beach Rotary) - 2515 Valley Dr.

The Access Hermosa Work Group has the following comments:

- The building has two front doors and both need to be upgraded to larger doors for wheel chair access with push button door openers.
- Bathrooms need to be upgraded with wider doors with push button door openers.
- Disable parking is needed on Valley Dr. in front of the Rotary Building.
- Stairs in front of the Rotary entrance needs a ramp with rails.
- Area in front of the Rotary Building Northside walkway near a tree needs to be leveled so wheel chairs do not get off the walkway.
- Rotary building only has outdoor access from the front doors in case of a fire a back door access maybe needed.

City Hall Building - 1315 Valley Dr.

The Access Hermosa Work Group has the following comments:

- Automatic door needs to be fixed.
- Ramp to City Hall is too far away (East of Library – difficult to see ramp if you park in front of City Hall).

Base 3 Building - 11th Street & Valley Dr.

The Access Hermosa Work Group has the following comments:

- There are 2 ADA parking spaces in the southwest corner of the parking lot and 1 ADA parking space curbside on 11th street west of the building.
- There is a ramp from the 2 spaces in the lot but it leads to a very long and serpentine sidewalk path to the main entrance on the east side of the building.
- There is no painted path anywhere on the premises.
- The curbside space also has no painted path.
- On the east side of the building there is the main entrance, a 36" door with appropriate clearance, but no opening device.

South Park Building - 425 Valley Dr.

The Access Hermosa Work group had the following comments:

- Portions of the sidewalk need leveling.
- Park tables need to be raised.
- The BBQ need to be lowered.
- The bathrooms need major disable remodeling.
- Looking at the building from the lower front, the stairs to the right need a ramp.

Community Center and Theatre – 710 Pier Avenue

The Access Hermosa Work Group had the following comments:

- Entrance door 1 has an automatic door, which closes slowly enough to allow a wheelchair to get through safely. The lip is safe to rollover.
- The doors for the men's and women's restrooms in the Main Building and entrance doors 2, 4, and 6 are not automatic. The doors close too fast. The lips are safe to rollover.

- Entrance door 4 does not have a ramp, which makes it wheelchair inaccessible.
- Entrance doors 3 and 8 do not automatically open. These doors close too fast to allow a wheelchair to get through safely. The lips are safe to rollover.
- Entrance door 7 does not automatically open. The door closes slowly enough, and the lip is safe to rollover.
- Entrance door 5 automatically closes. It closes slow enough to allow a wheelchair to get through safely. The lip is safe to rollover.
- The south corridor door from the theatre does not automatically close. It closes too fast to allow a wheelchair to get through safely. The lip is okay to rollover.
- The museum entrance and exit doors were locked, so an assessment was not possible.