



RON GALPERIN
CONTROLLER

February 28, 2018

Honorable Eric Garcetti, Mayor
Honorable Michael Feuer, City Attorney
Honorable Members of the Los Angeles City Council

Re: Audit of the Department on Disability

Today, my office is releasing an audit of the Department on Disability (DoD). Established in 1998, the DoD facilitates and supports other City Departments by expanding access and ensuring City compliance with the Americans with Disabilities Act (ADA). Based on U.S. Census data, approximately 240,000 Angelenos under the age of 65 have a disability. This audit provides recommendations to enhance the Department's effectiveness and improve the City's compliance with disability laws.

Overall, the audit found that DoD management and staff are committed to helping those experiencing a disability. The Department is tasked with many important and diverse responsibilities, including: responding to requests regarding programs or services for individuals with disabilities; administering contracts for interpretation/translation services at public City meetings and events for individuals with disabilities; providing training to City employees regarding ADA and other accessibility issues; and, through the AIDS Coordinator's Office, developing and supporting programs and policies to prevent the transmission of HIV/AIDS.

With just 22 full-time staff positions, however, the Department struggles to effectively accomplish all of its prescribed responsibilities, along with other projects and initiatives. Meanwhile, after \$1.7 billion in disability-related legal settlements since 2013, the City should work toward a more proactive process to address disability-related liability claims, reduce lawsuits and create better policy.

This audit found that the Department would also benefit from:

- Clearer direction from the City Council on what services should be prioritized based on available resources;
- Providing more expertise in risk management with citywide ADA compliance issues;

February 28, 2018

Page 2 of 2

- Being more proactive in seeking external grants to augment existing programs;
- Improving data collection for more effective reporting;
- Reevaluation of its job training, job development, and job placement responsibilities for disabled individuals;
- Transferring responsibility for the assessment of new blue curbs as part of the City's Blue Curb Program from DoD to the Department of Transportation; and
- Developing a strategic plan to carry out its prioritized responsibilities.

Lastly, the audit noted that the \$431,000 in special fees assessed on City businesses to fund increased State Certified Access Specialist services to the public have not yet been allocated to a program or service. We recommend DoD report to the City Council with a proposed plan for how the City's allocation of these funds be prioritized and programmed.

As a city, Los Angeles has sought to increase its accessibility for those who may be hearing or sight impaired, or bound by wheelchairs or crutches. However, we have more work to do to ensure everyone who has a disability can each day have the most productive, accessible experiences throughout the City. The recommendations in this audit seek to build on the great work DoD is doing to provide specific guidance and ultimately better assist those we serve.

Respectfully submitted,



RON GALPERIN
Los Angeles Controller



L.A. CONTROLLER AUDIT ON A MORE ACCESSIBLE LOS ANGELES

FEBRUARY 28, 2018



RON GALPERIN
LA CONTROLLER

TABLE OF CONTENTS

EXECUTIVE SUMMARY	i
BACKGROUND	1
<u>FINDINGS AND RECOMMENDATIONS</u>	
I. Reframing The Purpose and Role of DOD	6
II. Enhancing DOD’s Role in Ensuring Compliance with ADA.	13
III. Enhancing DOD’s Ability to Address City Prescribed Responsibilities	23
IV. Improving DOD’s Operational Effectiveness	27
SCOPE & METHODOLOGY.....	34
<u>APPENDICES</u>	
I. ACCESS STATS & DEFINITIONS	35
II. AUDIT ACTION PLAN	42
III. DEPARTMENT’S FORMAL RESPONSE	50

EXECUTIVE SUMMARY

Historically, people with disabilities were routinely excluded from everyday life. Barriers that appear non-existent to individuals without disabilities – such as steps, door design, signage, and verbal communication – can be challenging or even insurmountable to individuals in the disabled community. Although the Americans with Disabilities Act (ADA) prohibits discrimination based on ability, the need for services and support continues. Indeed, in the City of Los Angeles approximately 240,000 residents under the age of 65 have a disability¹. To help them, the City has a legal and moral responsibility to ensure that these residents can access government services and their communities at large. In addition, the City has recently faced several legal challenges over compliance with various disability laws. These legal challenges have resulted in the City negotiating over \$1.5 billion in related settlements and legal costs over the past five years.

The City's Department on Disability (DOD) was created by Ordinance in 1998; however, the expectations for DOD are broad. In particular, the Los Angeles Administrative Code (LAAC) tasks DOD with 1) providing information and referral services for residents affected by disabilities, including job training and placement, 2) helping the City comply with disability law² and 3) advising on programs managed by other City Departments. However, since the General Managers of other departments are fully responsible for the programs and activities under their operational scope, DOD provides only a supportive, rather than an enforcement role in this area, even when it comes to compliance with the ADA and other relevant laws.

Over time, the DOD's efforts have expanded and contracted based on demand from City leaders, Departments, and the public, rather than based on a strategic plan. As a small Department with 22 budgeted positions, it is often a challenge for DOD to perform all its designated responsibilities. Given limitations in terms of funding, personnel and other resources, we reviewed the Department's functions through the lens of adherence to federal and state law and the City's prescribed expectations; and we sought to identify the City's needs and risks so policymakers can consider what DOD **must** do, and what it **should** or **could** do.

FAVORABLE CONDITIONS NOTED

The Executive Director seeks opportunities for DOD staff to stay informed of emerging issues relative to disability law and risks, and to enhance collaboration with citywide stakeholders. Staff of DOD are committed to their work, and management welcomed the

¹ The U.S. Census reported that 6.1% of the population under the age of 65 within the County of Los Angeles has a disability. Applying this percentage to the City of Los Angeles, approximately 240,000 residents have some type of disability.

² The primary federal disability law is the Americans with Disabilities Act (ADA), which prohibits discrimination on the basis of disability in employment, state and local government, public accommodations, commercial facilities, transportation, and telecommunications.

Controller's Audit to provide an independent assessment of DOD's activities and opportunities for improvement. DOD is receptive to making significant changes to its operations and role within the City.

CONDITIONS REQUIRING ATTENTION

I. **The City's expectations for the Department on Disability need to be aligned with clearly defined priorities and resources**

Our audit found that the LAAC and City Council have not prioritized DOD's diverse responsibilities. Currently, the Department strives to:

- provide technical assistance and accessibility assessments to City Departments that needs to comply with the ADA ,
- respond to requests regarding programs or services for individuals with disabilities,
- administer contracts for interpretation/translation services for individuals with disabilities,
- provide training to City employees regarding ADA and other accessibility issues³, and
- through the AIDS Coordinator's Office, develop and support programs and policies that prevent the transmission and acquisition of HIV/AIDS through education and prevention services.

However, meeting all of these responsibilities is challenging based on resource limitations, staff, and areas of expertise.

As a result, policymakers need to consider a broader question: to what degree should DOD continue all these responsibilities? For example, should ensuring the City's compliance with ADA be prioritized over other services? Should information requests, referrals, and job training, be addressed or led by other entities within the City or by the County of Los Angeles?

Once policymakers have better refined DOD's roles and responsibilities (including possible revisions to the LAAC) DOD will be better positioned to develop and implement a strategic plan that aligns its priorities to its resources.

II. **Issues related to what DOD Must Do, to facilitate and support the City's compliance with the Americans with Disabilities Act:**

³ See a complete list of DOD activities on Pages 7-9.

A critical role for DOD, defined by the LAAC, is the implementation of ADA's Title II. This requirement includes: Completing the City's Self Evaluation and Transition Plan⁴, monitoring for compliance with the ADA, and providing training and technical assistance to all City departments relative to disability law and related risks. However, citywide self-evaluation and transition plans that document whether City programs, facilities, services and activities are accessible to people with disabilities have not been updated since 2000. While there is no federal requirement to update plans on a set time-frame, many federal disability laws have been added since 2000, and programs and activities change over time. These changes require updates to the City's self-evaluation and transition plans.

City Departments need to establish a more proactive approach to simultaneously improve compliance with the ADA, and the quality of life for those affected by disabilities. Given DOD's expertise, it is well-positioned to offer guidance to Departments to help address the needs of people with disabilities, which in turn also protects the City from legal challenges and financial losses that can result from noncompliance with the ADA. If granted adequate resources to execute a well-designed citywide strategy, DOD could more effectively collaborate with City Departments by identifying risks and offering technical assistance.

In particular, DOD should maximize the reach of its expertise by keeping the City's ADA Compliance Handbook up to date, working with Departments to tailor ADA-related training to Departments' specific operational needs (including digital accessibility compliance), and by providing periodic policy updates and bulletins related to emerging trends and needs of the disabled community.

Finally, DOD should implement formalized systems, processes and training programs, and clearly define the role of Departmental ADA coordinators within operating Departments.

III. Issues related to what DOD Should or Could Do, given its City-prescribed responsibilities:

Staffing shortages and turnover have impacted outreach services to the disabled community, and the responsiveness and capability of the Community, Outreach, Resource, and Education (CORE) Unit. The CORE Unit reported more than 2,000 requests for information and referrals during FY 2016-17; however, many calls were complaint-

⁴ The United States Department of Justice (USDOJ) developed regulations requiring public entities to conduct a self-evaluation of the accessibility of their programs and services, to determine whether issues of accessibility could be addressed through changes in the way such programs and services are provided, and to determine what structural changes and/or auxiliary aids should be made or offered in order to provide accessibility.

oriented and DOD has limited capacity to address them. Staff note that it takes one to two weeks on average to respond to the callers.

In addition, one of DOD's City-prescribed responsibilities is to provide job training, job development, and placement of persons with disabilities into the private and public sector. However, DOD's efforts in these areas are limited, and results have not been particularly impactful.

Finally, despite limited efforts by the Department to obtain external grant funding, DOD is not proactive nor effective in seeking external grants, and its capacity to do so is constrained by its appropriate focus on accessibility compliance. However, DOD could leverage relationships with other City Departments that seek additional grants to fund their activities. Doing so could appeal to funders, enhance the City's competitiveness for these grants, and help prioritize programs targeted to the disabled community.

IV. Issues related to improving DOD's internal operations:

DOD tracks operational statistics on its activities, however the data is neither verified nor supported, and gaps and inconsistencies lead to questions of accuracy. To resolve this issue, work orders should track staff time and help management measure the resources dedicated to those activities and outcomes. Implementing a Program Management System could better ensure that reported data is accurate, and that resources are matched to supportable outcomes.

Second, the lack of full administrative accountability over the City's Accessible Parking Zone ("Blue Curb") Program, compounded by the uncertainty of program-related requirements and the multiple City entities involved, means that no new blue curbs have been created since a pilot program to research the best practices for restoration of the program was directed by the City Council in January 2017. This is unfortunate as the program helps make street parking more accessible for residents who are disabled. To address the lack of progress, we believe DOD should continue to guide and advise on the City's Blue Curb program, but facilitate transfer of all administrative functions to the Department of Transportation.

Also, a new City fee charged to business permittees provides a source of funding for ADA assessments, education and Certified Accessibility Specialists. DOD should report to Council on a proposed plan for how these fees should be allocated.

Finally, DOD's administration and coordination of contracted interpretation services can be improved through more flexibility in the contracting process, and consideration given to cost-sharing by Departments and/or City employees to perform the work.

WHAT POLICYMAKERS AND THE DEPARTMENT SHOULD DO NEXT:

- **Reframe DOD’s Purpose and Priorities:** Since disability laws are intended to improve the overall quality of life for the disabled community, it is essential that DOD facilitate citywide accessibility and compliance with current law. While the City has endeavored to establish a baseline for DOD services, resources are now fully dependent on the General Fund (which must also serve public safety, infrastructure and other citywide needs). Rethinking that baseline may enable this small Department to benefit the City and those it serves more.

Therefore, we recommend that Policymakers re-evaluate the many responsibilities assigned to DOD and prioritize what the Department must do and should or could do. This report provides insight into the Controller’s views on the risks and operational gaps that should be considered with this re-evaluation.

- **Focus DOD on Ensuring Compliance with ADA:** As an employer and governmental entity, the City has a legal and ethical responsibility to help individuals with disabilities access programs, services, facilities, information, and digital accessibility, etc. To improve the City’s posture with regard to ADA, Policymakers should ensure DOD and Departments complete the City’s self-evaluation and transition plans, and strengthen DOD’s role in risk management through enhanced reporting, technical assistance and training.
- **Consider Alternative Approaches to Addressing other City Prescribed Responsibilities:** Once Policymakers prioritize DOD’s essential responsibilities, there are opportunities for the Department to strategize how it can accomplish other expectations with current resources, which activities may need additional resources, and where other entities may be better positioned to carry out specific responsibilities.

CONCLUSION

Given its broad mandates and limited resources, the Department’s overall effectiveness is constrained. As a result, the City must re-examine the purpose of the Department, and DOD resources must then be aligned with those redefined, strategic priorities.

Assuring access for people with disabilities facilitates their quality of life within the City – whether they reside, work, or visit Los Angeles. Therefore, we believe DOD’s most critical function is to help the City comply with the ADA. We also believe DOD should have a more defined role in risk management related to citywide compliance, and that it should

better execute technical assistance efforts by implementing formalized systems, processes and training programs.

DEPARTMENT RESPONSE & ACTION PLAN

On January 12, 2018, a draft of this report was provided to DOD management. We met with DOD management at an exit conference held on January 30, 2018 and considered their comments as we finalized this report. DOD management generally agreed with all of the findings and recommendations within the report and provided a formal response and action plan on February 9, 2018 (see Appendix III). For the 16 recommendations addressed to DOD management (Recommendations 1.1, 2.1, 3.1, 4.1, 4.2, 4.3, 5.1, 7.1, 8.1, 9.1, 9.2, 10.4, 11.1, 12.1) we now consider 14 as In-Progress, with two In-Progress pending further action by the City Council (Recommendations 5.3 and 6.1).

Seven additional recommendations (Recommendations 1.2, 1.3, 3.2, 5.2, 10.1, 10.2, and 10.3) are addressed to Policymakers; and we urge that they be considered by the City Council.

We would like to thank DOD staff and management for their time and cooperation during this audit.

BACKGROUND

For over 40 years, the City has sought to address issues specific to the needs of the City's disabled community. In 1975, Mayor Tom Bradley established the City's first Office of the Handicapped in response to the Federal Rehabilitation Act of 1973. Up until 1998, the Office on Disability within the Personnel Department was responsible for the City's efforts "to assist citizens with disabilities." However, in 1998, through a Council ordinance (LAAC §8.250), the City's disability oversight and compliance efforts were consolidated into a stand-alone, Council-controlled City Department, the Department on Disability (DOD).

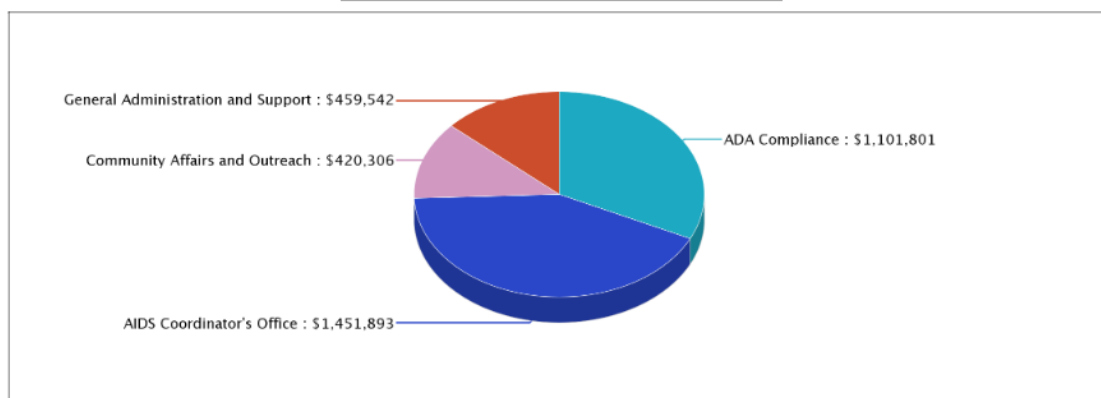
In 2000, DOD's responsibilities were expanded to include the activities of the AIDS Coordinator's Office. Prior to that time, the City's efforts to provide education and promote the prevention of HIV and AIDS came through the Community Development Department, and before that it came through the Mayor's Office of AIDS Prevention, as established by Mayor Tom Bradley in 1989.

DOD oversees the City's compliance with federal and State disability law. The scope of its responsibilities further encompass planning, administering, and implementing activities relevant to the accessibility of all City programs and facilities, providing citywide in-service training and technical assistance for compliance with disability law, administering procedures for resolving accessibility grievances, and serving as a clearing house for information and referrals. The Department also provides services in collaboration with the private sector and community-based entities.

DOD BUDGET

DOD's approved operating budget for FY 2017-18 is \$3.4 million, with 22 authorized positions allocated among four defined programs, or units. While the majority of its budget is allocated for staff, \$1.2 million is budgeted for contractual services, which includes the provision of citywide sign-language interpretation services, and for AIDS/HIV prevention services and programs.

2017-18 FUNDING DISTRIBUTION BY PROGRAM

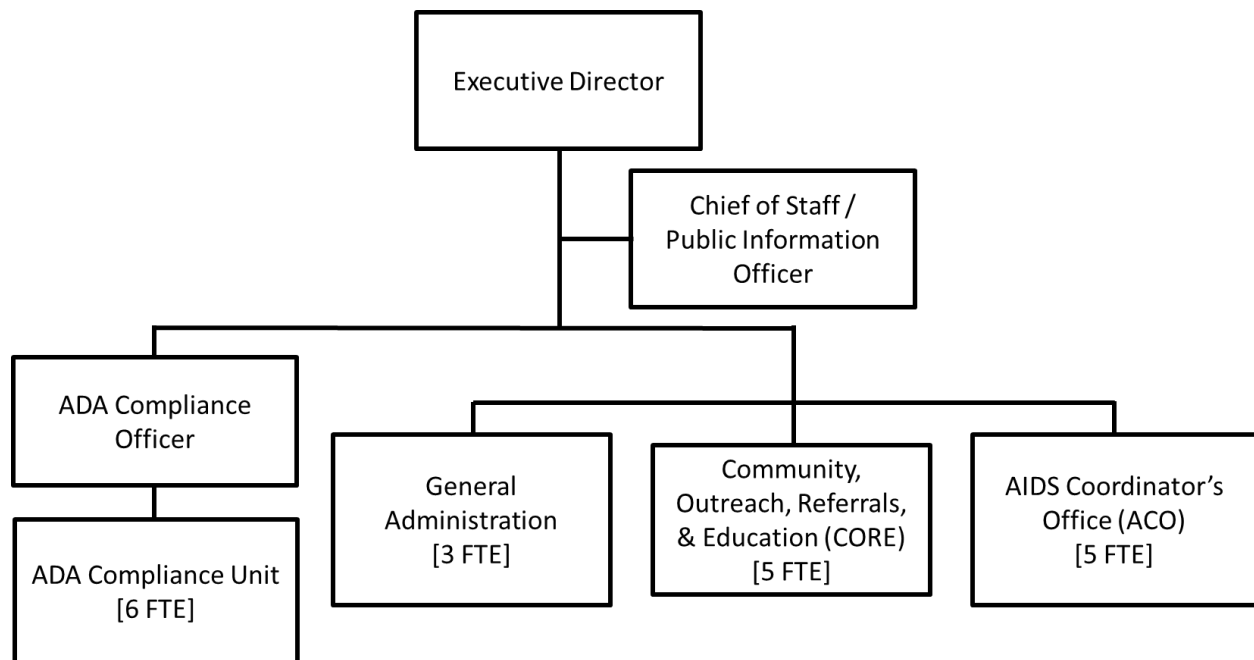


It should be noted that a portion of City’s Community Development Block Grant (CDBG) funding was previously allocated to DOD to support AIDS prevention/education programs as well as the Department’s Community, Outreach, Referrals and Education (CORE) Unit predecessor, the Computerized Information Center (CIC). However, due to the reduction of this CDBG funding and elimination of an allocation to DOD, the Department’s operations are now almost entirely funded by the City’s General Fund.

ORGANIZATIONAL STRUCTURE

The Department is organized into four operating units shown below.

Department on Disability Organizational Chart



DOD UNIT RESPONSIBILITIES

ADA Compliance Unit

The ADA Compliance Unit provides the following:

- Technical assistance and guidance to City Departments on issues related to disability compliance
- Compliance assessments for City programs and facilities, including within the Public Right-of-Way

- Contract coordination for Sign Language/Video Relay Interpreting (SLI/VRI) and Communication Access Real-Time Interpreting (CART)
- Provide program management support to other City departments on significant and long-term civic projects such as the 30-year Sidewalk Repair Program, the 10-year citywide Great Streets Initiative, the 15-year Los Angeles World Airports (LAWA) expansion, the 10-year Sixth Street Viaduct project, and the 10-year Autonomous Vehicle effort.
- Oversee and direct operational support for Emergency Management and provide guidance to accommodate persons with disabilities as a mission critical function of Emergency Management policy, procedures, and tactical operations.
- ADA compliance training for City employees and Council staff
- Assessments of complaints and grievances related to potential violations of Disability Laws and practices

In addition, the ADA Compliance Unit provides consultative services to City departments that address department operations as they relate to achieving compliance with disability law. Specific examples of departments and services provided are shown in the table below:

Department Name	Examples of Services
Department of Public Works Bureaus of Engineering and Street Services	Sidewalk Repair Program Access Requests
Department of Transportation	Crosswalks and associated traffic signals, and Accessible Parking Zones
Department of Public Works Bureau of Sanitation	Accessibility for temporary facilities during construction of large civic projects

General Administration

The General Administration Unit supports the financial and budgetary activities of the Department, assists the Executive Director in planning and performing administrative functions, and acts as the administrative support for the City’s Commission on Disability.

Community, Outreach, Referrals, and Education (CORE)

The CORE Unit is DOD’s information and referral section, and provides the following:

- Addresses requests for information from people with disabilities and refers them to appropriate services and programs

- Provides training and technical assistance to public and private entities
- Maintains a database of information and referral resources
- Handles any special cases referred by the Mayor, City Councilmembers, City Departments, and community-based organizations
- Coordinates and participates in various community outreach events to promote disability awareness and department resources
- Plans for the development and execution of emergency management plans, policies, and procedures for the Disabilities Access and Functional Needs (DAFN) populations at the Emergency Operations Center (EOC), and
- Provides technical assistance to City departments to ensure that individuals with disabilities are afforded meaningful access to City programs, services, and activities using telecommunications products and services as well as emerging technologies.

In addition, the CORE Unit advises other City Departments with operations that may serve persons with disabilities. Examples are noted below:

City Departments’ Services Assisting Accessibility

Department Name	Examples of Services
Department of Transportation	Accessible pedestrian signals, bus stop issues, addressing placard abuse and misuse, parking enforcement and citations
Department of Aging	Aging and Disability Resource Collaborative, Purposeful Aging
Housing and Community Investment Department	Housing Code Enforcement, eviction information, Handyworker Program, Rent Stabilization
Department of Public Works – Bureau of Street Services	Curb cuts and ramps, street service requests and sidewalk repairs

AIDS Coordinator’s Office

The AIDS Coordinator’s Office (ACO) administers several AIDS/HIV prevention and education programs, including contracting for testing and referrals for testing; oversight of service providers that perform AIDS prevention and outreach services; policy review; and support for various AIDS education and research programs.

The City's AIDS Coordinator is currently the Co-Chair of the Los Angeles County Commission on HIV. The ACO also advises City officials on State and federal policy matters related to AIDS/HIV issues.

SECTION I: REFRAMING THE PURPOSE & ROLE OF DOD

Finding #1: The City’s expectations for the Department on Disability need to be aligned with clearly defined and mutually agreed upon priorities and resources.

DOD is challenged to effectively execute all of its prescribed responsibilities as currently specified within the City’s Administrative Code and as directed by Council. There are various reasons for this, including resource constraints, lack of prioritized responsibilities, and an inability to enforce ADA compliance. DOD has also experienced a high amount of staff vacancies, especially in key positions such as the City’s ADA Compliance Officer. Since most DOD operations require specialized expertise, any staff vacancy can significantly impact the Department’s capability to operate effectively. Accordingly, it is essential for the Department to focus its efforts on the most critical endeavors. This requires the Department’s overall direction to be clearly defined, transparent, and understood by policymakers, stakeholders, and staff.

DOD serves a vital role in assisting City’s disabled community. Although the Department does not provide direct client services, it is tasked with planning, coordinating and administering various activities and services provided by the City to persons with disabilities, assisting City Departments to comply with federal and State disability laws, and administering services to persons with (or at risk of acquiring) HIV/AIDS.

In the course of this audit, we noted that there is no prioritization of DOD’s specific responsibilities or activities it performs. As a result, the Department is challenged to fulfill all of its responsibilities with its existing staff and resources.

To assist the Department and City leaders in determining how DOD’s role could be reframed, we noted the activities/tasks DOD is currently performing and grouped the activities by the following three categories of the Department’s operating functions:

- Mitigation & Compliance Assistance;
- Community Resources & Support Services; and
- Training & Professional Development.

We evaluated the tasks performed by the Department within each of these categories to determine how each task relates to operational mandates such as compliance with federal law, performance of City-prescribed responsibilities per the Los Angeles Administrative Code (LAAC), and/or execution of City Council requests. This evaluation is summarized in the table below:

DOD Operational Functions	Function Related To:			
	Compliance with Federal Disability Law	Performance of City-Prescribed Responsibilities Per LAAC §8.250	Execution of City Council Requests	Lawsuits / Legal Settlements
1) Mitigation and Compliance Assistance				
<ul style="list-style-type: none"> • ADA Title I⁵: Employee Accommodations – Provide specialized equipment to City employees and provide training to departments and advocacy to employees related to Title I issues. 	✓	✓		
<ul style="list-style-type: none"> • ADA Title II⁶: Accessibility to public facilities and information – Respond and address complaints and grievances from public. 	✓	✓		
<ul style="list-style-type: none"> • §508 Document Review/Remediation – Create or converting documents to be compliant with §508 of the Rehabilitation Act. 	✓	✓		
<ul style="list-style-type: none"> • Technical Assistance – provide information to City departments and private businesses related to accessibility, compliance, or disability issues. Includes performing accessibility audits of Departments. 	✓	✓	✓ ⁷	✓
<ul style="list-style-type: none"> • Technical Advice & Guidance (ADA Title III⁸) – Resolve issues around compliance, accessibility, or an accommodation within the private sector. 		✓		
<ul style="list-style-type: none"> • Mediations (City Departments) – Formal mediation services for City Departments. 		✓		
<ul style="list-style-type: none"> • Mediations (ADA Title III) – Formal mediation services to entities outside the City. 	✓			
<ul style="list-style-type: none"> • Emergency Preparedness, Planning, and Response for People with Disabilities. 	✓			✓

⁵ Title I of the ADA prohibits private employers, State and local governments, employment agencies and labor unions from discriminating against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, job training, and other terms, conditions, and privileges of employment. Title I covers employers with 15 or more employees, including State and local governments.

⁶ Title II of the ADA protects qualified individuals with disabilities from discrimination on the basis of disability in services, programs, and activities provided by State and local government entities. Title II extends the prohibition on discrimination established by section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794, to all activities of State and local governments regardless of whether these entities receive Federal financial assistance.

⁷ Motion approved by the Health, Education and Neighborhood Councils Committee on November 28, 2017. Motion forwarded to City Council for consideration on December 8, 2017 per Council File (CF) 17-0263.

⁸ Title III of the ADA prohibits discrimination on the basis of disability in the activities of places of public accommodations (businesses that are generally open to the public and that fall into one of 12 categories listed in the ADA, such as restaurants, movie theaters, schools, day care facilities, recreation facilities, and doctors' offices) and requires newly constructed or altered places of public accommodation—as well as commercial facilities (privately owned, nonresidential facilities such as factories, warehouses, or office buildings)—to comply with ADA Standards.

DOD Operational Functions	Function Related To:			
	Compliance with Federal Disability Law	Performance of City-Prescribed Responsibilities Per LAAC §8.250	Execution of City Council Requests	Lawsuits / Legal Settlements
<p>2) Community Resources and Support Services</p> <ul style="list-style-type: none"> Sidewalk Repair Assessments – Perform accessibility assessments of sidewalk repair requests and curb cutting operations. 				✓
<ul style="list-style-type: none"> Sign Language Interpreter (SLI and Computer Assisted Real-Time Translation (CART) Requests – Coordinate requests for SLI and CART services. 	✓			
<ul style="list-style-type: none"> ACO Technical Assistance – Provide small grants to Community Based Organizations (CBOs) for organizational development, capacity building and education for staff, programmatic capacity, and other miscellaneous items that improve services. 		✓ ⁹		
<ul style="list-style-type: none"> Information & Referrals – Provision of information and referral services for supportive resources related to accessibility and disability issues. 		✓		
<ul style="list-style-type: none"> Case Management – Assist constituents who need to be directed to supportive resources with additional support in contacting and gaining those resources. 		✓		
<ul style="list-style-type: none"> Blue Curb Program – Receive and Administer Applications for citywide Blue Curb parking spaces. 			✓	✓
<ul style="list-style-type: none"> ACO Prevention Program Services – Performance of prevention services through the use of ACO service providers (contracted services include syringe removal and HIV testing and referrals for testing). Hosting community events, seminars and roundtables. 			✓	
<ul style="list-style-type: none"> Technology Coordination/Assistance – Consultation on available technology, and the suitability of technology solutions, as related to accessibility. 	✓	✓		
<ul style="list-style-type: none"> Policy Review, Strategy, and Research – Provide policy analysis, review, construction, and research related to 			✓ ¹⁰	

⁹ HIV/AIDS in Los Angeles: 21st Century Challenges and Approaches. – White Paper (CF 03-2593).

¹⁰ AIDS/HIV Discrimination (CF 98-1254); HIV Discrimination (CF 85-0869-S8); Zero New Infections (CF 15-1381); Support Leg. Re NEP (CF 95-0025).

DOD Operational Functions	Function Related To:			
	Compliance with Federal Disability Law	Performance of City-Prescribed Responsibilities Per LAAC §8.250	Execution of City Council Requests	Lawsuits / Legal Settlements
accessibility, disability, and AIDS/HIV issues.				
<ul style="list-style-type: none"> Community Engagement – Representing the Department, Office and City at meetings, committee hearings, and public events. (e.g. County HIV Commission) 			✓ ¹¹	
<ul style="list-style-type: none"> Coordinate events and programs. (e.g. DEAFestival, Disability Mentoring Day) 		✓		
<ul style="list-style-type: none"> Commission Support – Provide administrative support to the City’s Commission on Disability. 		✓		
3) Training & Professional Development				
<ul style="list-style-type: none"> ADA Title I, II, III and IV¹² Trainings – Provide in-person trainings related to the ADA. 	✓	✓		
<ul style="list-style-type: none"> Other Disability and Accessibility Trainings (Non ADA) – Provide in-person trainings related to Non ADA-related disability and accessibility issues. 		✓		
<ul style="list-style-type: none"> Online Accessibility Trainings – Provide ADA compliance training through an online training module. 		✓	✓	
<ul style="list-style-type: none"> ACO Trainings – Trainings provided by the AIDS Coordinators Office. 			✓ ¹³	

In addition to DOD’s current activities described in the previous table, there are responsibilities prescribed to the Department in accordance with the LAAC that are not adequately carried out due to resource limitations. Listed below are the City-prescribed responsibilities that City leaders should consider in its examination of priorities for DOD.

- Develop grant funded projects to serve all City residents with disabilities (see Finding #8).
- Administer and oversee programs, services and activities funded by federal and State grants, City appropriations and other sources of funds, whether private or governmental (see Finding #8).

¹¹ HIV/AIDS in Los Angeles: 21st Century Challenges and Approaches. – White Paper (CF 03-2593).

¹² ADA Title IV addresses telephone and television access for people with hearing and speech disabilities. It requires common carriers (telephone companies) to establish interstate and intrastate telecommunications relay services (TRS) 24 hours a day, 7 days a week.

¹³ HIV/AIDS in Los Angeles: 21st Century Challenges and Approaches. – White Paper (CF 03-2593).

- Plan and coordinate programs and activities for persons with disabilities which may be implemented by and through the cooperation of other City departments (see Findings #1, #4, #6, #10, #11 and #12).
- Implement Title II of the ADA including completing the City's Self Evaluation and Transition Plan (see Finding #2).

With the above measures in mind, we discuss three main causes that have contributed to challenges in meeting the City's expectations for the Department.

City-Prescribed Responsibilities Extend Beyond Federal Disability Laws

DOD has 17 staff to carry out its varied responsibilities beyond its general administration and executive management staff. Seven staff are assigned to its ADA Compliance Unit; five to its CORE Unit, and five to the AIDS Coordinator's Office.

Providing information and referral services to persons with disabilities is a City-prescribed responsibility. Functions associated with the AIDS Coordinator's Office were previously performed within the Mayor's Office and subsequent to that, by the Community Development Department with federal CDBG grant funding. This funding continued when the ACO functions were incorporated within DOD. In FY 2010-11, DOD was budgeted \$630,000 in CDBG grant funding toward ACO operations. These funds remained fairly consistent through FY 2015-16 until they were reduced to \$375,000, and ultimately eliminated during the FY 2016-17 budget cycle. With the elimination of CDBG grant funding dedicated towards AIDS prevention/education programs provided through the City's ACO, all Departmental operations are currently funded by the General Fund.

It should be noted that the services provided through the ACO are not specifically prescribed as a DOD responsibility within the LAAC. By moving this function to DOD, the City has formally acknowledged that HIV/AIDS is a disability, making the City of Los Angeles unique, according to the ACO.

Many of the Department's functions relate to the administration of various outreach services to the disabled community. While these can be helpful in addressing the needs of the disabled community, with limited resources, they may be less effective. The County of Los Angeles (County) administers several programs that provide direct services to individuals with disabilities, including health/rehabilitative care, mental health, and social services. In addition, the County's 2-1-1 phone line provides information and referrals for all health and human services provided in the County. The County also operates a dedicated hotline for individuals to report disability discrimination issues. There is a need for greater clarity around DOD's priorities as well as exploration of opportunities for more coordination with the County and other external agencies.

Lack of a Strategic Plan that Prioritizes DOD Resources or Guides Operations

A formalized strategic plan, in conjunction with an evaluation of the Department's responsibilities, would provide DOD with clear direction on organizational priorities and help to better align its resources to help meet its organizational goals. A strategic plan would also set the basis for DOD's development of internal policies and procedures, which direct how Department staff carry out DOD's (newly defined) responsibilities, and what outcomes are expected. Such a plan should be tailored to any revised mandate for the Department, and its available resources, in order to set realistic goals.

DOD's Executive Director understands the importance of having a strategic plan, and there has been some initial effort to establish one. However, due to their limited resources and other citywide budgetary priorities, a formal plan has yet to be developed. Once policymakers have redefined DOD's roles and responsibilities to its most critical priorities, the Department should take steps to align its resources to meet those priorities, as laid out through a strategic plan.

DOD Provides Limited Oversight Over Citywide Compliance with Federal Disability Laws

ADA regulations require that all City programs, services, and activities be accessible to persons with disabilities. In order to accomplish this, the United States Department of Justice (USDOJ) developed regulations requiring public entities to conduct a self-evaluation of the accessibility of their programs and services, to determine whether issues of accessibility could be addressed through changes in the way such programs and services are provided, and to determine what structural changes and/or auxiliary aids should be made or offered in order to provide accessibility. Realizing that the structural changes/auxiliary aids would require both time and funding to implement, USDOJ Regulations require that a Transition Plan, indicating the timeline and resources needed for the changes, be developed by all government entities.

One of DOD's most critical responsibilities is to lead the effort to implement Title II of the Americans with Disabilities Act (ADA), including completing the City's Self Evaluation and Transition Plan (Transition Plan). A Citywide Transition Plan was completed in 2000, and a subsequent Mayoral Executive Directive (December 2012) called for City Departments to update their Transition Plans. At that time, two additional staff positions were provided to DOD to assist Departments in updating their sections of the citywide Transition Plan. These staff were allocated to the Department's ADA Compliance Unit, yet no formal updates have been made to individual Department Transition Plans, nor the Citywide Transition Plan. Efforts continue towards their completion (see related issue, Finding #2).

Even with its responsibility to lead the effort to implement Title II of the Americans with Disabilities Act (ADA) for the City, the DOD, as a Council-controlled Department, cannot enforce ADA compliance for other City Departments. In addition, DOD performs only a limited monitoring function, and this situation can place the City at an elevated risk of legal exposure. DOD has an opportunity to expand its technical assistance functions to support Departments in taking a more proactive role in risk management (see Findings #3, #4, and #5).

Recommendations

DOD should:

- 1.1 Collaborate with other City Departments, policymakers, and stakeholders within the disabled community to comprehensively reevaluate the DOD's organizational priorities and determine whether other governmental agencies should be the primary entity responsible for some functions. DOD should provide their conclusions to Policymakers to consider in reframing the role of the Department, including proposing revisions to the LAAC.**

City Policymakers should consider:

- 1.2 Re-evaluating the responsibilities assigned to DOD and prioritize what the Department must do and can do given its resources. The LAAC should be revised as necessary.**
- 1.3 Requiring DOD to develop a strategic plan to carry out the prioritized responsibilities.**

SECTION II: ENHANCING DOD'S ROLE IN ENSURING COMPLIANCE WITH ADA

Finding #2: Citywide self-evaluation and transition plans that document whether City programs, services and activities are accessible to people with disabilities, have not been updated since 2000.

The Americans with Disabilities Act (ADA) is the nation's flagship civil rights law prohibiting discrimination on the basis of disability in employment, state and local government, public accommodations, commercial facilities, transportation, and telecommunications. To be protected by the ADA, a person must have a disability or have a relationship or association with an individual with a disability. An individual with a disability is defined by the ADA as a person who has a physical or mental impairment that substantially limits one or more major life activities; a person who has a history or record of such an impairment; or a person who is perceived by others as having such an impairment.

Title I of the ADA prohibits private employers (with 15 or more employees), state and local governments, employment agencies and labor unions from discriminating against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, job training, and other terms, conditions, and privileges of employment.

Title II of the ADA covers all activities of state and local governments, and requires that governmental entities give people with disabilities an equal opportunity to benefit from all of their programs, services, and activities (e.g. public education, employment, transportation, recreation, health care, social services, courts, voting, and town meetings). State and local governments are required to follow specific architectural standards in the new construction and alteration of their buildings. They also must relocate programs or otherwise provide access in inaccessible older buildings, and communicate effectively with people who have hearing, vision, or speech disabilities.

Public entities are not required to take actions that would result in undue financial and administrative burdens. However, these entities are still required to make reasonable modifications to policies, practices, and procedures where necessary to avoid discrimination, unless they can demonstrate that doing so would fundamentally alter the nature of the service, program, or activity being provided.

Under federal law relative to Title II, the United States Department of Justice (USDOJ) developed regulations requiring public entities to conduct a self-evaluation of the accessibility of their programs and services, to determine whether issues of accessibility could be addressed through changes in the way such programs and services are provided, and to determine what structural changes and/or auxiliary aids should be made or offered

in order to provide accessibility. The federal government recognized that the assessment and implementation of needed structural changes and auxiliary aids could require significant time and funds, so the USDOJ regulations require that a Transition Plan, indicating the timeline and resources needed for the changes, be developed by the public entity.

Per the Los Angeles Administrative Code (LAAC), DOD is responsible to implement Title II of the ADA, including ensuring completion of the City's Self Evaluation and Transition Plan. In September 2000, DOD finalized the City's latest Citywide Transition Plan; however, neither updated self-assessments nor revisions to the Transition Plan have been made since then. In addition, several of the issues identified as being addressed within the City's 2000 Transition Plan have not yet been completed.

Executive Directive 26 issued in 2012 called for DOD to be responsible for updating citywide ADA self-evaluation surveys, though as of the date of this report, this had not yet been completed.

In March 2017, the City Council Committee on Health, Mental Health, and Education passed a motion that all City Departments and Offices conduct a review of their status as it relates to the 2000 ADA Self Evaluation and Transition Plan, and with the assistance of DOD update the Transition Plan as necessary. The Committee further moved that DOD, with the assistance of all relevant City Departments, be instructed to report to Council on a bi-annual basis on the status of the ADA Self-Evaluation and Transition Plan and the implementation of that plan.

At the time of our audit, DOD was developing a letter and informational packet for Department Managers to reference while performing their updated self-evaluations and transition plans. According to DOD's Executive Director, due to the significant workload and resources required for Departments to adequately perform these assignments, a citywide "phased implementation" is being planned to reduce the impacts on City resources and DOD's capability to provide technical assistance.

By not updating the City's Transition Plan, nor addressing current ADA laws and requirements into the plan, the City remains at a disadvantage in representing a proactive stance toward citywide compliance with ADA law and related requirements.

Recommendation

DOD should:

- 2.1 Formalize a plan for monitoring and assisting City Departments in updating citywide ADA Self-Evaluations and Transition Plans. The plan should detail the criteria that City Departments should follow while performing Self-Evaluations, and prioritize assistance and monitoring resources to City Departments with elevated exposure to ADA compliance issues.**

Finding #3: DOD does not have a defined role in risk management related to citywide ADA compliance.

As the designated City Department with an inherently high-level of staff expertise in the review and assessment of ADA issues, DOD is well-positioned to help protect the City from future legal challenges and financial loss that can result from noncompliance. However, DOD's functions as specified by the LAAC, do not include the authority to provide a proactive role in citywide ADA compliance or related risk management. While DOD is expected to lead the effort for this, City Department General Managers are responsible to ensure that City facilities and programs comply with all local, State, and federal laws.

Since 2013 there have been several financially significant disability-related legal settlements that the City has negotiated. These are summarized below:

1. *Willits v. City of Los Angeles* - \$1.3 billion investment over 30 years to address accessibility and the condition of City sidewalks;
2. *Independent Living Center v. City of Los Angeles* - \$200 million over 10 years to address housing accessibility for disabled; and
3. *Communities Actively Living Independent and Free (CALIF) v. City and County of Los Angeles* - \$2.1 million in attorney fees to address ADA compliance within City and County Emergency Management plans.

In addition to the legal settlements discussed above, in August 2017 the USDOJ filed an amendment to a prior complaint against the Los Angeles Community Redevelopment Agency¹⁴ (CRA/LA). The amended complaint alleges that the City (as the successor agency to CRA/LA) obtained millions of dollars in federal grants by falsely certifying that the money was being spent in a way that complied with federal accessibility laws. This risk of litigation and potential financial loss could possibly have been reduced if a centralized

¹⁴ In July 2011, the State Legislature enacted two bills (AB 1X26 and AB 1X27) that abolished redevelopment agencies in California. Under the authority of this law, the City's Housing and Community Investment Department (HCID) assumed the housing functions and assets of CRA/LA.

authority had assisted City Departments in proactively identifying and addressing compliance requirements for all operational programs and facilities.

Given the burden of mandated requirements created through ADA-related litigation and settlements, there is a need for the City to establish a more proactive approach to improve the City's ADA compliance posture.

While the Office of the City Attorney handles all disability-related litigation on behalf of the City, as a subject matter expert, DOD may be able to provide insight or advice to the Office of the City Attorney as litigation or settlement is being considered. If granted the authority and adequate resources to execute upon a well-designed citywide ADA compliance strategy, DOD could more effectively collaborate with City Departments through enhanced risk identification and technical assistance programs. Thus, DOD should have a defined role in risk management related to citywide ADA compliance to identify and inform the City of emerging issues, and aid in future mediation efforts.

Breadth of ADA Requirements Create Complex Compliance Challenges

The progeny of ADA law is extremely broad and constantly evolving. Understanding and achieving compliance with the ADA demands specialized expertise in many professional disciplines such as architecture, construction, technology, physiology, mental health, language, and human relations. This regulatory complexity makes collaboration between City Departments with varying expertise essential, in order to identify, assess, and mitigate compliance risks throughout the City.

In addition to collaboration, there is a need for a strong and effective technical assistance function to assist City Departments to adequately identify and address ADA requirements pertaining to their specific operational needs.

Throughout DOD's existence, DOD staff have provided various technical assistance functions to City Departments. Most of these efforts are informal and based on requests from managers of the Departments. For example, in 2015 DOD partnered with the Personnel Department to implement an online training module for City employees. As a result, there are currently two ADA trainings available to all City employees through the Personnel Department's online training system.

Additionally, recently hired DOD staff have developed live trainings related to citywide compliance with federal¹⁵ and State¹⁶ requirements for digital documentation and related public information accessibility. These efforts are commendable, as training related to ADA compliance is a key component to increase awareness and expertise within the City's workforce.

¹⁵ Section 508 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794 (d)).

¹⁶ California Government Code 11135.

Recommendations:

DOD should:

3.1 Re-evaluate its technical assistance capabilities and align resources to target key areas of disability law and policy. This would be done with the purpose of proactively addressing key administrative and programmatic challenges of individual City Departments.

City Policymakers should consider:

3.2 Exploring the prospect and potential benefits of expanding DOD's role and available resources to proactively monitor and mitigate citywide risks related to ADA compliance issues. Functions that could enhance DOD's role include:

- **Providing formal technical assistance to City Departments on key areas of compliance.**
- **Performing data assessments and program appraisals to identify areas of citywide compliance risk.**
- **Collaborating with City Departments to ensure compliance requirements are adequately incorporated into operational programs.**
- **Conducting research of ADA compliance issues and litigation related to other municipal government organizations.**
- **Requiring City Departments to formally notify DOD, and, in consultation with the City Attorney, seek advice on how to best address identified ADA compliance risks.**

Finding #4: DOD could better execute its responsibility to provide technical assistance to City Departments by implementing formalized systems, processes, and training programs.

Citywide, Departmental General Managers are ultimately responsible to ensure compliance with all laws and regulations relative to their operational responsibilities, including ADA. Among its other prescribed responsibilities, DOD is tasked to provide technical assistance to City Departments as requested.

According to DOD management, prior attempts by DOD staff to provide formalized assistance to City Departments were perceived as a monitoring or enforcement function, and were not well-received; straining the working relationship. However, during our audit interviews with managers in several City Departments, many indicated that DOD's technical expertise would be beneficial to them. Examples of desired assistance include performing additional assessments of accessibility issues related to City facilities, and providing compliance and eligibility review services for key department programs, initiatives, and projects. With a clear understanding of departmental roles in achieving ADA compliance, a collaborative working relationship between DOD and other City Departments would greatly benefit the City in its efforts to help ensure compliance with ADA requirements.

In addition, although DOD's ADA Compliance Handbook has not been revised since 2013, it does not reflect all current policy and regulatory requirements, such as updates to accessibility requirements for digital documents and related media. As a key reference for City employees on key policy and compliance matters, the ADA Compliance Handbook is a critical tool for general understanding and communication, and should reflect current law and recommended citywide practices.

On occasion, DOD provides ADA-related trainings for City employees and community events, however, the portfolio of trainings offered are typically ad-hoc and fragmented. Most trainings provided by DOD staff have been in a live format addressing issues related to serving the public who may include persons with disabilities (i.e., sensitivity training), and are not specific to operational requirements.

DOD has resource challenges in providing necessary trainings to over 40,000 City employees. Executive Directive 26 (2012) only directed ADA training to General Managers and Departmental ADA Coordinators. General Managers were provided ADA compliance training in 2013, but no coordinated trainings for Departmental ADA Coordinators occurred. In December 2017, the City Council passed a motion requiring DOD, with the assistance of the Personnel Department, to require the completion of its live and/or online ADA training module by all City employees on an annual basis. However, as of the writing of this report, no mandatory citywide ADA-training program has been implemented.

There has been limited coordination with the Personnel Department in developing online ADA compliance training. Available online training modules appear to have been developed in response to legal settlements, rather than having been proactively developed to address employee-specific or programmatic needs.

The Personnel Department currently offers two ADA-related online trainings for City staff; however, these are not mandatory and there is no established curriculum for City employees. The development and implementation of mandatory online training could greatly enhance the City's cumulative knowledge and awareness of disability requirements. City Department managers interviewed as part of this audit indicated that additional disability-related trainings would be beneficial, particularly with respect to sensitivity trainings for City employees who frequently interact with the public.

The pervasiveness of digital technology in our society has created opportunities for City Departments to rapidly create and distribute information through many types of digital formats including websites, online databases, and other electronic mediums. However, providing information to the public in a digitized form has created additional challenges, due to related accessibility requirements. In 1998, the United States Congress amended the Rehabilitation Act of 1973 to require federal agencies to make their electronic and information technology (EIT) accessible to people with disabilities. Inaccessible technology interferes with an ability to obtain and use information quickly and easily. Section 508 was enacted to eliminate barriers in information technology, open new opportunities for people with disabilities, and encourage development of technologies that will help achieve these goals. The law¹⁷ applies to all Federal agencies when they develop, procure, maintain, or use electronic and information technology. Under Section 508, agencies must give disabled employees and members of the public access to information that is comparable to access available to others. In 2011, the California State Legislature amended the California Government Code¹⁸ to require all state agencies, or agencies funded by the State, to comply with the accessibility requirements of Section 508.

Currently, there is a high demand from City Departments for training and advisement on accessibility requirements and processes related to publication of digital documents and related media. To address this need, DOD recently hired specialized staff to develop trainings and provide technical assistance specific to citywide digital accessibility needs.

Our interviews with City Department managers revealed that some departments are aware of the need to remediate public documents in order to satisfy accessibility requirements. However, these Departments lack expertise in refining processes to satisfy

¹⁷ 29 U.S.C. Sec. 794d.

¹⁸ California Government Code 11135.

these requirements, nor do they have dedicated resources to attain and maintain compliance requirements.

DOD is uniquely positioned to provide technical assistance to City Departments with respect to digital accessibility compliance, and is currently developing a plan to address and prioritize citywide training and remediation needs related to this area. However, with limited resources available to address digital accessibility compliance issues, DOD will be unable to adequately train Department staff and remediate the massive volume of digital information produced citywide on its own.

In addition, City Department managers stated that coordination and communication with DOD could be enhanced if DOD provided periodic policy updates and best practice bulletins and/or announcements. These bulletins could provide information on the various services and expertise that DOD offers, and direction on how City Departments can access those services.

Recommendations

DOD should:

- 4.1 Collaborate with City Departments to establish a formalized system to receive and respond to requests for technical assistance with ADA compliance requirements.**
- 4.2 Update current online training offerings, and develop a formalized online ADA compliance training program that is made available to all City employees. The online training modules should be compliant with all ADA requirements, and the content of the trainings should be updated on a periodic basis to reflect any future changes in disability law or policy.**
- 4.3 Implement periodic bulletins for City management and policymakers that highlight DOD accomplishments, capabilities, disability policy updates, and discussion of emerging disability trends, technology, and needs of the disabled community. These bulletins should encourage Department managers to seek tailored technical assistance services from DOD to meet ADA requirements as related to operational goals.**

Finding #5: ADA Coordinators within City Departments are not uniformly trained or fully-dedicated to ADA compliance issues.

Departmental ADA Coordinators are generally full-time Human Resources/Personnel employees, reporting up to their Department's General Manager. DOD does not track

efforts of the Department ADA Coordinators with respect to their handling of ADA-related issues.

Federal law states that if a public entity has 50 or more employees, it is required to designate at least one responsible employee to coordinate ADA Title II compliance. The head of DOD's ADA Compliance Unit is considered the City's main ADA Coordinator; however, DOD staff do not have authority to ensure departmental compliance with ADA requirements. A government entity may elect to have more than one ADA Coordinator, and in December 2012, Executive Directive 26 by Mayor Villaraigosa directed each City Department General Manager to designate a departmental staff person as an ADA Coordinator.

Federal regulations require ADA Coordinators to be responsible for coordinating the efforts of the government entity to comply with Title II of the ADA, and investigating any complaints that the entity has violated Title II requirements. However, no formal training or required curriculum has been established for an employee to be designated as a Departmental ADA Coordinator. Furthermore, no centralized oversight or tracking of ADA-related activities at individual City Departments has been established to help ensure citywide ADA compliance.

Without adequate awareness and expertise at the staff level within individual City Departments, the City has an increased risk of noncompliance, or may implement inappropriate or unnecessary actions. Due to the pervasiveness of ADA requirements in the City's role as both a large employer and government program administrator, the City must maintain a comprehensive and consistent approach to addressing all potential ADA compliance issues.

DOD does not have the authority to enforce ADA compliance upon individual City Departments. However, establishing a mechanism for standardized reporting, whereby Departmental staff are required to report any and all ADA-related issues to DOD as the centralized authority for the City, DOD could more effectively identify and respond to citywide ADA compliance needs.

Recommendations

DOD should:

5.1 Formally redefine the roles and responsibilities for Departmental ADA Coordinators. In addition, reinstate the in-depth training curriculum appropriate for City staff assigned as departmental ADA Coordinators.

City Policymakers should consider:

5.2 Requiring City Departments to report any and all ADA-related issues to DOD.

DOD should (upon City Policymakers action relative to 5.2, above):

5.3 Establish a monitoring and reporting system for Department ADA Coordinators to periodically report inquiries, issues, and actions taken in their role as Department ADA Coordinator.

SECTION III: ENHANCING DOD'S ABILITY TO ADDRESS CITY PRESCRIBED RESPONSIBILITIES

Finding #6: Staffing shortages and turnover have impacted the responsiveness and capability of the CORE Unit to provide outreach services to the disabled community.

As discussed in Section I, DOD has a large breadth of responsibilities prescribed by the Administrative Code (LAAC). As a stand-alone City Department, DOD is subject to annual budget allocations proposed by the Mayor and approved by the City Council. DOD programs must compete for resources alongside other General Fund programs. Due to the limited General Fund resources allocated to the Department, it is critical that they be used as efficiently and effectively as possible, in order for DOD to fulfill its prioritized responsibilities.

DOD's Community Outreach, Referrals, and Education (CORE) Unit participates in some community outreach events that include events sponsored by Council District Offices. CORE's participation in these events has directly contributed to increased public awareness of the CORE Unit's public information and referral hotline.

During FY 2016-17, the CORE Unit reported 2,261 requests for information. However, according to DOD Management, many of these were information and referral calls and complaints related to the City's Blue Curb Program. This has become problematic since DOD has limited capacity to address constituent complaints, nor does the Department have qualified staff dedicated to receiving and processing hotline calls. According to DOD staff, the increased call volume has resulted in response time delays in providing requested information and/or referrals of one to two weeks.

CORE Unit staff also indicated that most requests are for information related to housing resources available for persons with disabilities. To keep pace with a rising demand of housing-related inquiries to the hotline, the CORE Unit created a "Housing Listing Guide" that allows constituents to access listings to accessible affordable housing resources.

Efforts such as these highlight recent CORE efforts to enhance DOD services to the disabled community. However, while these activities are an expectation of DOD as prescribed by the LAAC, these functions may be less critical than those related to ensuring the City's compliance with ADA. This is especially pertinent given our observation in Section I; according to criteria established in Section I of this report, DOD's CORE activities can be categorized as functions that the City *could*, or *should* provide, rather than what it *must* provide.

Regardless, with limited resources, DOD must set reasonable expectations and related goals regarding what specific activities it can perform related to outreach, education and information/referrals.

Recommendation

(In conjunction with implementation of the recommendations offered in Section I), DOD should:

- 6.1 Prioritize the functions and activities performed by the CORE Unit and identify process enhancements that will utilize current staff resources most effectively to achieve prioritized goals. This may include implementing an automated system to facilitate management of the information and referral hotline.**

Finding #7: DOD efforts to provide job training, development, and placements for persons with disabilities have been limited.

One of DOD's City-prescribed responsibilities per the LAAC is to provide job training, job development, and placement of persons with disabilities into the private and public sector.

Recent efforts performed by DOD to address the above responsibility have been limited to participation in two job events during the last year; however, no City job opportunities were specifically available for members of the disabled community at those events.

One event was a job fair that took place in conjunction with the 2017 Abilities Expo at the Los Angeles Convention Center. DOD was a co-sponsor of this event, along with the City's Economic and Workforce Development Department (EWDD) and the City's Personnel Department. While over 40 hiring organizations participated in the Job Fair, the results were relatively lackluster, with only one participating organization (The Home Depot) offering 20 jobs to participants. In addition, DOD hosts Disability Mentoring Day which promotes career development for students and job seekers with disabilities through hands-on career exploration. The second event was the 2017 Diversity Job Fair which mainly served the Transgender Community and the Los Angeles LGBT Resource Center. Even though there is a diversity-based nexus supporting the inclusion of the disabled community with this event, DOD's participation did not directly produce any job placements from this event. According to DOD, it supported the event by providing technical assistance and a \$500 administrative sponsorship.

One reason that DOD's efforts have been less than impactful in this area is because more program coordination between DOD, EWDD, and the County of Los Angeles is needed for job training and placement services for the disabled. An impediment to this increased coordination, however, is that the roles and responsibilities between DOD and these agencies with regard to services to disabled individuals are not formally defined, making it difficult to coordinate programs specific to the needs of the disabled community. EWDD

does have an internal service goal that at least 10% of the people they serve be part of the disabled community. DOD could leverage from this goal, and provide targeted assistance to EWDD to increase and/enhance efforts toward attainment of this goal.

Recommendation

DOD should:

- 7.1 Work with EWDD to explore the feasibility of transferring job placement and training responsibilities for the disabled community to EWDD. The results of this effort should be reported to the City Council for consideration and potential action.**

Finding #8: DOD has not been successful in proactively searching for external grant funding.

Per the LAAC, DOD is responsible to develop, administer and oversee grant-funded programs and activities to serve all City residents with disabilities. DOD, through its AIDS Coordinator's Office (ACO), had consistently received CDBG grant funding, and in FY 2015-16 this grant funding was \$375,000, or 15% of DOD's total operating budget. However, in FY 2016-17 this grant funding was eliminated, and related program costs administered by the ACO were summararily absorbed by the Department's allocation from the City's General Fund.

DOD currently seeks limited external funding through grant opportunities, and has received approximately \$25,000 in grants. However, DOD's capacity for acquiring grant funding is affected by its appropriate organizational focus on accessibility compliance (ADA Title II compliance) and general lack of complementary resources and programs. The Mayor's Office has a Grants Unit which may be able to assist DOD in developing a plan to identify and apply for external grant funds. DOD could also leverage relationships with other City Departments that seek grants to fund their broader program activities, in order to enhance the City's competitiveness, prioritize programs targeted to the disabled community, and appeal to funders. For example, the Economic & Workforce Development Department (EWDD) is better positioned to compete for workforce-related grants due to its level of complementary resources and presence (i.e. workforce centers) throughout the City.

Our benchmarking with other cities shows little grant funding is currently available for accessibility programs. New York City, however, was able to garner significant private funding for workforce development programs targeted to disabled individuals by leveraging current initiatives and directly approaching partner organizations with similar

interests in assisting the disabled community. Following an approach similar to that of New York City could potentially identify and yield additional resources that are dedicated to fund programs, services or activities for persons with disabilities.

Recommendation

DOD should:

- 8.1 Seek assistance from the Mayor's Office to develop a plan to identify and apply for external grant funds that align with DOD's prescribed responsibilities. If DOD is not organizationally competitive for specific disability-related grant funds, DOD should leverage its relationship with other City Departments (such as EWDD) and/or partner organizations to increase the City's potential for securing and distributing grant resources.**

SECTION IV: IMPROVING DOD'S OPERATIONAL EFFECTIVENESS

Finding #9: Processes and systems used by DOD staff to monitor performance lack consistency and are not tailored, nor comprehensive, to defined outcome goals.

In the course of this audit, we noted that DOD staff do not currently track their time by specific projects and/or work orders, which makes it virtually impossible to measure the efforts and related costs of specific operational activities. Even though definitions for DOD's reported statistics have improved, Department operations cannot be sufficiently linked to resources spent or staff hours worked. Tracking staff time to specific projects and/or assignments is a key internal control that provides management with improved capabilities for monitoring operations, adjusting resource allocations, facilitating project management, and evaluating organizational performance.

We also noted that DOD does not have an automated Program Management System to track and monitor constituent information related to information and referrals, or its broader program activities. Instead, DOD relies on internal spreadsheets that are manually populated by DOD staff, and shared on the Department's computer network.

DOD management currently tracks operational statistics in several categories including technical assistance services provided, interpretation services provided, and ADA compliance trainings conducted. DOD refers to the yearly aggregation of these statistics as "Access Stats," and Appendix I provides a table of Access Stats as reported by DOD over the past four fiscal years (July 2013 through June 2017).

Data supporting Access Stats are entered directly by DOD staff into several spreadsheets, and are not verified by supervisory staff. In addition, statistical definitions have evolved over time, creating gaps and inconsistency in reported numbers. Without a uniform data collection and reporting system, DOD is challenged in monitoring and reporting upon its operations. If a system were developed to capture key operating statistics efficiently and reliably, the resulting data could be used by management to better understand functional performance, and inform decisions related to workload and resource optimization.

The manual nature of the current process also prevents integration capabilities with other systems such as the City's centralized payroll and timekeeping system (D-Time). Such integration would allow for the measurement of actual staff time and resources spent on defined activities.

DOD staff recently attempted to identify a reputable software provider and to quantify the costs associated with implementation of a customized software system. According to DOD management, the cost was prohibitive at an estimate of approximately \$70,000 to purchase and implement, and \$40,000 annually to maintain software licenses. However,

even with the implementation of a robust system, its effectiveness would be dependent on DOD management to ensure that appropriate functionality, and uniform processes are integrated into the system.

By ensuring reliable and accurate program data, and use of (D-Time) data to quantify staffing resources dedicated to defined program activities, DOD management could better manage its functions by actively monitoring resources and by providing greater transparency related to program outcomes.

Recommendations

DOD should:

- 9.1 Procure an automated Project Management System with sufficient capability to track, monitor, and report on department operations. The system should be customizable to DOD’s operational needs and be able to perform the following automated functions:**
 - a. Input and track constituent requests for information, referrals, and/or related services.**
 - b. Maintain files and staff work product related to technical assistance provided to City Departments and external agencies.**
 - c. Produce periodic activity reports for management review and analysis.**
 - d. Structured data extraction and integration capabilities.**

- 9.2 Limit the use of general work order payroll codes within the Department’s timekeeping system (D-Time), and establish unique payroll work orders within D-Time for specific operational functions and related tasks.**

Finding #10: The City’s revived “Blue Curb Program” has not resulted in additional blue curb production throughout the City.

Accessible parking for disabled individuals (blue zones) may be provided through the use of DMV-issued placards which allow the individual to park on the street with parking meters free of charge, or in off-street parking where the space is reserved exclusively for disabled persons. Another blue zone parking option is the City’s Blue Curb Program, which allows a resident or business to request a blue painted curb and sign, designating the on-street parking spot as a disabled parking space.

Since 2010, new State and federal rules were issued under the ADA, the California Manual on Uniform Traffic Control Devices (CA-MUTCD), and Public Rights of Way Accessibility Guidelines (PROWAG). These rules mandate, in part, that the City must install ADA

compliant curb ramps, sidewalk improvements, and remove adjacent obstructions, along with new blue curb zones. The LADOT was originally responsible for the Blue Curb Program, but it was suspended in 2010 due to budget and staffing reductions. Yet, the City continued to receive constituent inquiries for blue curb zones, especially for on-street parking spaces within residential areas.

In November 2014, the City Council instructed LADOT to report on the status of installing on-street blue curb zones to create additional accessible parking spaces throughout the City. As a result of LADOT's recommendations, in January 2017, the City Council initiated Phase I of the City's Blue Curb Program which reflects new federal and State requirements to be incorporated into the City's Sidewalk Repair Program. Constituents can request an application for a Blue Curb parking space from DOD or LADOT, and application requests are routed through the LADOT Service Request System.

However, no single individual or entity is responsible for the overall accountability of the City's Blue Curb Program, and the lack of established goals or outcomes inhibit monitoring or ensuring program performance. At a high-level this has caused uncertainty of program-related regulations and requirements, and questions whether certain characteristics of proposed blue curb locations are required or merely recommended such as mid-block locations, buffer spaces, and curb ramp proximity.

DOD staff receive Blue Curb Program applications, assess the submitted applications for completeness, and verify that application requirements have been met. These requirements include that the applicant possesses a valid disabled parking placard, and that the requested address for the Blue Curb parking space is within the City. As of August 2017, 548 completed Blue Curb applications had been validated by DOD, yet no new blue curbs had been created.

The lack of complete administrative accountability over the City's Blue Curb Program has resulted in confusion and duplication of work between DOD and LADOT. Council action in 2017 did not specify administrative ownership to any single department; rather the action required DOD and its partners at LADOT to collaborate on policy review and recommendations in order to reinstate the program. Another reason why none of the 545 validated applications resulted in the creation of any Blue Curb parking spaces is because additional assessments, approvals, and resources are required of other City entities such as the Department of Public Works' Bureau of Engineering (BOE) and Bureau of Street Services (BSS).

Recommendations

City Policymakers should consider:

- 10.1 Designating LADOT as the lead administrator of the City’s Blue Curb Program. LADOT should be provided adequate authority and resources to accomplish established goals of the Blue Curb Program. The Administrator should execute upon the goals and policies established by the City Council, and periodically report metrics related to Blue Curb Program demand and production.**
- 10.2 Establishing targeted goals for the number and geography of Blue Curb spaces desired throughout the City, and request LADOT, DOD, and the Department of Public Works’ Bureaus of Engineering (BOE) and Street Services (BSS) to identify the processes needed and resources required to attain Blue Curb Program goals.**
- 10.3 Directing the Blue Curb Program Administrator to determine a prioritization schedule, and create a procedural framework for creation of Blue Curb spaces throughout the City.**

DOD should:

- 10.4 Continue providing guidance and technical assistance toward the implementation and performance of the City’s Blue Curb Program, while facilitating the transfer of all non-technical administrative functions related to the City’s Blue Curb Program to LADOT.**

Finding #11: Business tax revenue intended for ADA assessments, education, and Certified Accessibility Specialists has been collected by the City, but remains unallocated.

From January 2013 through December 2018, State law¹⁹ allows cities that issue business permits and related renewals to collect a special fee of \$1 from businesses that apply for, or renew, a business permit. The purpose of this fee is intended to fund increased State Certified Access Specialist (CAsp) services to the public, and to facilitate compliance with construction-related accessibility requirements. In October 2017, the Governor signed AB 1379 which increased this fee from \$1 to \$4, effective January 2018 through December 2023. While the City has and will continue to collect these fees, none have yet been allocated to a program or service; nor is there a citywide plan for how to best utilize these funds.

¹⁹ California Government Code §4467

Even though the enabling legislation was effective January 2013, the City's Office of Finance (Finance) did not initiate collection of these fees until the 2017 business permit renewal period. Finance retroactively collected these fees in 2017 for active business license applicants and renewals, and as of July 2017, had collected \$616,000. Of this amount, \$431,000 is available to the City (70%), and \$184,000 (30%) was remitted to the Division of the State Architect.

According to Finance Staff, as of August 2017 the City Administrative Officer (CAO) was made aware of the availability of these funds, but no budget allocation had been made to DOD or any other City Department to augment CASp resources and/or programs. DOD currently has one technical accessibility specialist employed within the ADA Compliance Unit to advise on concurrence with the California Building Code, Federal construction standards related to the ADA, provide direction and guidance as to the applicability of ADA-related requirements; as of late 2017, this individual is the City's Acting ADA Compliance Officer.

The funding available from this special fee could be allocated to increase DOD's capability to perform additional certified ADA assessments through the hiring of additional CASp staff, or procurement of ADA assessment services through a qualified service provider. Additional funding for CASp services would provide DOD with an opportunity to potentially expand its capacity to perform ADA assessments throughout the City; however, it should be noted that this function would be an additional service directed to external businesses and structures, rather than assessments of City-owned structures, for which the City is liable to ensure compliance.

Recommendation

DOD should:

11.1 Report to the City Council with a proposed plan for how the City's share of specially-collected fees meant for ADA assessments, education, and Certified Accessibility Specialists (CASp) should be prioritized and allocated.

Finding #12: Administration of citywide interpretation contracts requires improvement.

Federal and State law requires that governmental agencies provide language interpretation services at public meetings and events when requested. For public meetings and events conducted by a City of Los Angeles department, board, or commission, DOD coordinates interpretation services for the hearing and visually-impaired population through the use of contracted service providers that provide Sign Language Interpretation (SLI), Video Relay Interpretation (VRI), and Computer Assisted

Real-time Translation (CART) services. Costs related to these citywide interpretation services are included within DOD's annual operating budget, and totaled approximately \$638,000 for the prior three fiscal years (July 2014 through June 2017).

DOD is unable to pool budgeted funds for contracted services, and is subject to contracted limits with the vendors it selects to provide services. The Department currently has executed contracts with three Computer Assisted Real-Time Interpretation (CART) vendors, but all CART services have been provided by only one. DOD staff noted that the Department chooses to rely on the one vendor that it knows can adequately meet the City's CART service needs; therefore, the other two contracted providers have not received any service requests from DOD during the three-year period reviewed. By relying on one of the three contracted providers, annual expenditures for the vendor consistently exceeded the yearly allocated contract amount.

Since annual expenditures for CART services exceed any one single vendor's annual contracted amount, DOD must tap future year contracted amounts to pay for CART services provided in a prior fiscal year. If this practice continues, services provided by the preferred vendor will eventually exceed the total contracted amount available, requiring an amendment to the contract to increase the contract amount for the preferred vendor.

Further, DOD reports that the demand for interpretation services has increased significantly from 378 total requests in FY 2014-15 to 454 requests (20% increase) in FY 2016-17. DOD staff attribute this to an increase in requests from certain Departments with a relatively large amount of public engagement, such as the Department of Neighborhood Empowerment (DONE), the Los Angeles Police Department (LAPD), and the Department of Water & Power (DWP).

However, no cost-sharing structure has been established between DOD and City Departments requesting interpretation services. DOD must absorb the entirety of increased citywide interpretation costs through its limited budgeted resources.

Recommendation

DOD should:

12.1 Pursue actions to streamline processes and maximize cost effectiveness of translation services. These should include:

- **Working with City Attorney to provide flexibility in contract funding provisions, to allow for flexibility in payments for contracted services (i.e., pooling of budgeted expenditures).**

- **Working with the CAO to consider the cost/benefit of having City employees perform translation services, and exploring a cost-sharing program with City Departments that require translation services.**

SCOPE & METHODOLOGY

Our audit objective was to evaluate the Department on Disability's effectiveness relative to its prescribed responsibilities, considering its current systems and processes, organizational structure, interdepartmental and interagency coordination, and efforts related to risk management.

We planned and performed the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives.

Audit fieldwork was primarily conducted from April through November 2017 and generally covered activities over a three-year period ending June 30, 2017.

In accordance with auditing standards and best practices, we conducted interviews and walkthroughs of processes, reviewed documents and performed data analysis and benchmarking, as noted below:

Interviews and Walk-Throughs

We conducted multiple interviews of DOD management and staff, and discussed DOD's operational functions with supervisory staff. Further, we interviewed management representatives from other City Departments to document the quality and extent of interdepartmental collaboration with DOD, and to gain perspective on areas of potential improvement in assisting other City departments with disability-related issues.

Data Analysis and Documents Reviewed

We gathered and reviewed documentation on DOD operations and related financial performance, and analyzed the quality and reliability of operational data provided by DOD management. We reviewed the legal frameworks of federal, state, and local disability laws, and analyzed the City's Administrative Code that established DOD as a stand-alone City department. We also researched and evaluated several disability-related legal challenges and related settlements that have occurred over the past five years.

Benchmarking

We researched and administered a survey to several municipalities with dedicated ADA compliance functions to evaluate and compare organizational and operational characteristics to those of DOD. The results of these surveys were used to inform our evaluation of DOD's governance, financial, and operational structure, and to provide comparative insights within this report.

APPENDIX I - ACCESS STATS & DEFINITIONS

Included in the following pages are the Department on Disability's reported Access Stats for FYs 2013 through 2017, and an Access Stats glossary.

Access Stats is used by the Department to report various statistics on services it provides.

As noted in our report, auditors cannot confirm the validity of these reported statistics.

ACCESS STAT	FY 2013-14 Totals	FY 2014-15 Totals	FY 2015-16 Totals	FY 2016-17 Totals
SAPR / Curb Cuts	N/A	N/A	32	833
§504/ADA Employees Accommodations	24	12	27	86
Title I Education, Advocacy, and Coaching	N/A	N/A	66	72
Title II Informational/Unwritten Complaint	N/A	N/A	103	167
Title II Grievances	21	14	68	74
508 Document Review/Remediation	N/A	N/A	1,119	4,441
Total TAs	N/A	525	2,365	2,640
Technical Assistance (Consultation)	N/A	525	1,111	1,254
Technical Assistance (Comprehensive)	N/A	See above	523	658
Technical Assistance (Projects)	N/A	See above	697	650
Technical Advice & Guidance (Title III)	N/A	See above	34	76
Mediations (City Family)	N/A	N/A	-	1
Mediations (Title III)	N/A	N/A	-	2
Total SLI/CART	294	302	526	528/521
SLI Requests/Filled	225	223	398	369/362
CART Requests/Filled	69	79	128	159/159
Technical Assistance (ACO)	N/A	N/A	10	6
Total CORE Inquiries	1,547	2,107	3,433	2,261
Blue Curbs	N/A	1,079	997	1,912
Information & Referral (M/F/T)	N/A	N/A	1,460	1,288
Case Management (M/F/T)	N/A	N/A	226	58
HIV Test/Referrals Provided	37,176	18,222	21,406	3,593
Syringes Removed	1,190,961	948,227	1,091,265	1,083,359
ACO Prevention Program Services (M/F/T) (Vets) (Homeless)	46,877	25,569	27,528	25,053
Hosting Community Events, Seminars, and Roundtables	N/A	N/A	31	23
Technology Coordination/Assistance	N/A	N/A	74	171
Policy Review, Strategy, and Research	N/A	N/A	50	154

ACCESS STAT	FY 2013-14 Totals	FY 2014-15 Totals	FY 2015-16 Totals	FY 2016-17 Totals
Community Participation (Meetings, Committees, etc)	N/A	N/A	392	506
Total DOD Trainings	4,286	1,759	1,442	1,306
Title I Trainings (Employment)	See Above	See Above	1	-
Title II Trainings (Government)	See Above	See Above	367	532
Title III Trainings (Public Accommodations)	See Above	See Above	33	37
Title IV Trainings (Telecommunication Relay Services)	See Above	See Above	2	143
Online Accessibility Trainings	See Above	See Above	1	-
Other Disability and Access Related Training	See Above	See Above	1,038	544
508 Trainings	N/A	N/A	N/A	50

ACCESS STATS Definitions

Mitigation & Compliance Assistance:

- *§504/ADA Employees Accommodations* – Collaborate with City departments and City employees with disabilities for research and provide recommendation on assistive technologies and telecommunications to meet and match employee’s need.
- *Title I Education, Advocacy, and Coaching*– Title I of the ADA requires employers with 15 or more employees to provide qualified individuals with disabilities an equal opportunity to benefit from the full range of employment-related opportunities available to others. For example, it prohibits discrimination in recruitment, hiring, promotions, training, pay, social activities, and other privileges of employment.
- *Title II Informational/Unwritten Complaint* – Intake event including DOD staff creating a log entry identifying constituent name and address, terms and parameters of complaint, and suggested or shared remedy presented to constituent.
- *Title II Grievances* – Providing online or in-person methodologies for intake of Title II grievance filings from constituents for the purpose of developing a comprehensive solution to resolve the subject matter being filed. Expanded services include grievances filed in association with the Sidewalk Repair Program Access Request (SRP-AR) program.
- *508 Document Review/Remediation* – Review, reformat, and remediate existing documents to ensure they are readable/accessible via multiple assistive technologies before publishing online for the public to access.
- *Technical Assistance (Consultation)* – Support provided to City constituents of a minor, non-programmatic nature, including brief telephone or email exchanges or correspondence, a few short on-site meetings with the constituency or their advocates, or a combination of these efforts for the purpose of providing basic accessibility awareness or guidance, advice or directives, such as may be the case when the Department on Disability receives a query for an accessibility evaluation or to opine as to whether or not a physical condition implies an accessibility barrier.
- *Technical Assistance (Comprehensive)* – Support provided that is technical in nature for the resolution of larger, ongoing, or perpetual program interests of the Department on Disability that include efforts to establish compliance, accessibility, accommodation, or enhancements, such as with the Sidewalk Repair Program, the Accessible Parking Zone program, the Self-Evaluation and Transition Plan program, the LAWA construction efforts, the LA Convention Center efforts, the Korean-American Legal Aid support efforts or other large-scale programs for which the DOD has a significant and primary role.

- Technical Assistance (Projects) – Support efforts delivered by Department on Disability personnel to resolve single or multiple issues related to a single concern or event, such as providing guidance or support for the Abilities Expo, Job Fairs, Neighborhood Council meetings, invitational one-off events, or other singular projects.
- Technical Advice & Guidance (Title III) – Providing technical advice, guidance, and salient information to small business owners and constituents, in congruence with Title III of the ADA.
- Mediations (City Family) – Providing formal mediation services for the City family.
- Mediations (Title III) – Providing formal mediation services outside the City family.

Community Resources & Support Services:

- SLI Requests – All requests for Sign Language Interpreters received by the Department on Disability, and functionally coordinated by DOD personnel.
- CART Requests – All requests for Communication Access Real-Time Translation services or captioning services received by the Department on Disability, and functionally coordinated by DOD personnel.
- Technical Assistance (ACO) – Small grants offered to a Community Based Organization (CBO) for organizational development, capacity-building, education for staff, programmatic development, or other miscellaneous improvements, or services expansion.
- Information & Referrals (M/F/T) – This refers to a constituent who calls and needs to be directed to supportive resources related to accessibility and disability issues and needs to be supported in contacting and gaining those resources. This is a NOT single transaction but it is a limited service i.e. follow up with organization providing resource.
- Case Management (M/F/T) - This refers to a constituent who calls and needs to be directed to supportive resources related to accessibility and disability issues and needs to be supported in contacting and gaining those resources. This is a NOT single transaction but it is a limited service i.e. follow up with organization providing resource.
- HIV Test/Referrals Provided (M/F/T) - Referrals provided to constituents for the purpose of directing individuals or organizations to appropriate caregiver entities to secure HIV related testing or consultation with medical personnel, as may be endorsed for such services by the ACO.
- Syringes Removed – Quantified reporting for all syringes removed by ACO-funded outlets or service providers, for the purpose of creating a measurable level of effort for syringe exchange or retrieval.

- ACO Prevention Program Services (M/F/T) (Vets) (Homeless) – Providing guidance or support to homeless veterans or the homeless various self-determined gender designations for the purpose of directing prevention methodologies or other support services towards HIV prevention and preemptive behavioral advice.
- Hosting Community Events, Seminars & Roundtables– Event organizing, coordinating, sponsoring, hosting/co-hosting by DOD/ACO. This includes Community Events, Seminars, Meetings, Committees, Forums, Roundtables, Collaboratives, Fairs attended.
- ACO Special Projects - Comprehensive Projects that are undertaken, managed, or organized by the ACO's Office.
- Technology Coordination/Assistance – Research, coordinate, and oversee the implementation of telecommunications as well as emerging assistive technologies. Stay current with AT which include low tech and high assistive technologies and telecommunications to ensure City departments' programs, services, activities and facilities.
- Policy Review, Strategy, and Research – Items quantified as Policy Review, Strategy, and Research are inclusive of operating procedures, program protocols, or other methodologies adopted by the Department on Disability as baseline operational functionality. Standard Operating Procedures, Best Practices, Guidance Memos, or other formatted outlines developed by DOD personnel may be quantified within this metric category.
- Community Participation – Participating, presenting or attending in event(s) NOT hosted, co-hosted, sponsored or organized by DOD/ACO. This includes Community Events, Seminars, Meetings, Committees, Forums, Roundtables, Collaboratives, Fairs attended.

Training/Professional Development:

- Title I Trainings (Employment) – Providing training, support or guidance to entities that have more than 15 employees with a focus on accessibility awareness, awareness of discriminatory practices and how to mitigate such potentialities, and advice on accommodation for employees by employers, related to accessibility matters, including for City departments and the City employees with the departmental ranks of personnel.
- Title II Trainings (Government) - All in-person trainings related to Title II of the ADA.
- Title III Trainings (Public Accommodations) - Public accommodations are private entities who own, lease, lease to, or operate facilities such as restaurants, retail stores, hotels, movie theaters, private schools, convention centers, doctors' offices, homeless shelters, transportation depots, zoos, funeral homes, day care centers, and recreation facilities including sports stadiums and fitness clubs.

- *Title IV Training (Telecommunication Relay Services)* - Providing telecommunication related training and service support.
- *Other Disability and Access Related Training* – Trainings related to disability or accessibility.
- *Online Accessibility Trainings* – All trainings taken through an online training module.
- *ACO Trainings* - Trainings Provided by the AIDS Coordinator’s Office.

APPENDIX II – ACTION PLAN

Findings	Page		Recommendations	Page	Responsible Entity	Priority
Section I: Reframing the Purpose and Role of DOD						
1 The City’s expectations for the Department on Disability need to be aligned with clearly defined and mutually agreed upon priorities and resources.	5	1.1	Collaborate with other City Departments, policymakers, and stakeholders within the disabled community to comprehensively reevaluate the DOD’s organizational priorities and determine whether other governmental agencies should be the primary entity responsible for some functions. DOD should provide their conclusions to Policymakers to consider in reframing the role of the Department, including proposing revisions to the LAAC.	11	Department on Disability (DOD)	A
		1.2	Re-evaluate the responsibilities assigned to DOD and prioritize what the Department must do and can do given its resources. The LAAC should be revised as necessary.	11	City Policymakers	B
		1.3	Require DOD to develop a strategic plan to carry out the prioritized responsibilities.	11	City Policymakers	B
Section II: Enhancing DOD’s Role in Ensuring Compliance With ADA						
2 Citywide self-evaluation and transition plans that document whether City programs, services and activities are accessible to people with disabilities, have not been updated since 2000.	12	2.1	Formalize a plan for monitoring and assisting City Departments in updating citywide ADA Self-Evaluations and Transition Plans. The plan should detail the criteria that City Departments should follow while performing Self-Evaluations, and prioritize assistance and monitoring	13	DOD	A

Findings	Page	Recommendations	Page	Responsible Entity	Priority
		resources to City Departments with elevated exposure to ADA compliance issues.			
3 DOD does not have a defined role in risk management related to citywide ADA compliance.	14	3.1 Re-evaluate its technical assistance capabilities and align resources to target key areas of disability law and policy. This would be done with the purpose of proactively addressing key administrative and programmatic challenges of individual City Departments.	15	DOD	B
		3.2 Explore the prospect and potential benefits of expanding DOD’s role and available resources to proactively monitor and mitigate citywide risks related to ADA compliance issues. Functions that could enhance DOD’s role include: <ul style="list-style-type: none"> • Providing formal technical assistance to City Departments on key areas of compliance. • Performing data assessments and program appraisals to identify areas of citywide compliance risk. • Collaborating with City Departments to ensure compliance requirements are adequately incorporated into operational programs. 	16	DOD	B

Findings	Page	Recommendations	Page	Responsible Entity	Priority
		<ul style="list-style-type: none"> Conducting research of ADA compliance issues and litigation related to other municipal government organizations. Requiring City Departments to formally notify DOD, and, in consultation with the City Attorney, seek advice on how to best address identified ADA compliance risks. 			
4 DOD could better execute its responsibility to provide technical assistance to City Departments by implementing formalized systems, processes, and training programs.	16	4.1 Collaborate with City Departments to establish a formalized system to receive and respond to requests for technical assistance with ADA compliance requirements.	19	DOD	B
		4.2 Update current online training offerings, and develop a formalized online ADA compliance training program that is made available to all City employees. The online training modules should be compliant with all ADA requirements, and the content of the trainings should be updated on a periodic basis to reflect any future changes in disability law or policy.	19	DOD	B
		4.3 Implement periodic bulletins for City management and policymakers that highlight DOD accomplishments,	19	DOD	C

Findings	Page	Recommendations	Page	Responsible Entity	Priority
		capabilities, disability policy updates, and discussion of emerging disability trends, technology, and needs of the disabled community. These bulletins should encourage Department managers to seek tailored technical assistance services from DOD to meet ADA requirements as related to operational goals.			
5 ADA Coordinators within City Departments are not uniformly trained or fully-dedicated to ADA compliance issues.	19	5.1 Formally redefine the roles and responsibilities for Departmental ADA Coordinators. In addition, reinstate the in-depth training curriculum appropriate for City staff assigned as departmental ADA Coordinators.	20	DOD	B
		5.2 Require City Departments to report any and all ADA-related issues to DOD.	20	City Policymakers	B
		5.3 Establish a monitoring and reporting system for Department ADA Coordinators to periodically report inquiries, issues, and actions taken in their role as Department ADA Coordinator.	20	DOD	B
Section III: Enhancing DOD’s Ability to Address City Prescribed Responsibilities					
6 Staffing shortages and turnover have impacted the responsiveness and capability of the CORE Unit to provide	21	6.1 Prioritize the functions and activities performed by the CORE Unit and identify process enhancements that will utilize current staff resources most effectively to	22	DOD	B

Findings		Page	Recommendations		Page	Responsible Entity	Priority
outreach services to the disabled community.				achieve prioritized goals. This may include implementing an automated system to facilitate management of the information and referral hotline.			
7	DOD efforts to provide job training, development, and placements for persons with disabilities have been limited.	22	7.1	Work with EWDD to explore the feasibility of transferring job placement and training responsibilities for the disabled community to EWDD. The results of this effort should be reported to the City Council for consideration and potential action.	23	DOD	B
8	DOD has not been successful in proactively searching for external grant funding.	23	8.1	Seek assistance from the Mayor’s Office to develop a plan to identify and apply for external grant funds that align with DOD’s prescribed responsibilities. If DOD is not organizationally competitive for specific disability-related grant funds, DOD should leverage its relationship with other City Departments (such as EWDD) and/or partner organizations to increase the City’s potential for securing and distributing grant resources.	24	DOD	C
Section IV: Improving DOD’s Operational Effectiveness							
9	Processes and systems used by DOD staff to monitor performance lack consistency and are not tailored, nor	25	9.1	Procure an automated Project Management System with sufficient capability to track, monitor, and report on department operations. The system	26	DOD	B

Findings		Page	Recommendations	Page	Responsible Entity	Priority
<p>comprehensive, to defined outcome goals.</p>			<p>should be customizable to DOD’s operational needs and be able to perform the following automated functions:</p> <ul style="list-style-type: none"> a. Input and track constituent requests for information, referrals, and/or related services. b. Maintain files and staff work product related to technical assistance provided to City Departments and external agencies. c. Produce periodic activity reports for management review and analysis. d. Structured data extraction and integration capabilities. 			
		9.2	<p>Limit the use of general work order payroll codes within the Department’s timekeeping system (D-Time), and establish unique payroll work orders within D-Time for specific operational functions and related tasks.</p>	26	DOD	B
10	<p>The City’s revived “Blue Curb Program” has not resulted in additional blue curb production throughout the City.</p>	26	<p>10.1 Designate LADOT as the lead administrator of the City’s Blue Curb Program. LADOT should be provided adequate authority and resources to accomplish established goals of the Blue Curb Program. The Administrator should execute upon the goals and policies established by the City</p>	27	City Policymakers	A

Findings	Page	Recommendations	Page	Responsible Entity	Priority
		Council, and periodically report metrics related to Blue Curb Program demand and production.			
		10.2 Establish targeted goals for the number and geography of Blue Curb spaces desired throughout the City, and request LADOT, DOD, and the Department of Public Works' Bureaus of Engineering (BOE) and Street Services (BSS) to identify the processes needed and resources required to attain Blue Curb Program goals.	28	City Policymakers	B
		10.3 Request the Blue Curb Program Administrator determine a prioritization schedule using the current list of verified Blue Curb Program applications, and create a procedural framework for creation of Blue Curb spaces throughout the City.	28	City Policymakers	B
		10.4 Continue providing guidance and technical assistance toward the implementation and performance of the City's Blue Curb Program, while facilitating the transfer of all non-technical administrative functions related to the City's Blue Curb Program to LADOT.	28	DOD	A
11 Business tax revenue intended for ADA assessments, education, and Certified	28	11.1 Report to the City Council with a proposed plan for how the City's share of specially-collected fees meant for ADA assessments,	29	DOD	B

Findings		Page	Recommendations	Page	Responsible Entity	Priority
Accessibility Specialists has been collected by the City, but remains unallocated.			education, and Certified Accessibility Specialists (CASp) should be prioritized and allocated.			
12	Administration of citywide interpretation contracts requires improvement.	29	12.1 Pursue actions to streamline processes and maximize cost effectiveness of translation services. These should include: <ul style="list-style-type: none"> • Working with City Attorney to provide flexibility in contract funding provisions, to allow for flexibility in payments for contracted services (i.e., pooling of budgeted expenditures). • Working with the CAO to consider the cost/benefit of having City employees perform translation services, and exploring a cost-sharing program with City Departments that require translation services. 	30	DOD	C

A –High Priority - The recommendation pertains to a serious or materially significant audit finding or control weakness. Due to the seriousness or significance of the matter, immediate management attention and appropriate corrective action is warranted.

B –Medium Priority - The recommendation pertains to a moderately significant or potentially serious audit finding or control weakness. Reasonably prompt corrective action should be taken by management to address the matter. Recommendation should be implemented no later than six months.

C –Low Priority - The recommendation pertains to an audit finding or control weakness of relatively minor significance or concern. The timing of any corrective action is left to management's discretion.

N/A - Not Applicable

APPENDIX III – DEPARTMENT’S FORMAL RESPONSE

As part of our audit protocol, we requested a formal response and action plan from DOD prior to issuance of this report. Department management indicated their concurrence with the findings and recommendations, and provided some clarifying comments that we considered as we finalized the report for issuance.

The formal response and action plan submitted by DOD management is included as the following pages.

City of Los Angeles

CALIFORNIA

BOARD OF COMMISSIONERS

THERESA DE VERA, PRESIDENT
IRAN HOPKINS, 1ST VICE PRESIDENT
RICHARD ROTHENBERG, 2ND VICE PRESIDENT
ALISA SCHLESINGER, SECRETARY
DR. ROBERT BITONTE
MYRNA CABANBAN
ROBERT WILLIAMS
BETTY WILSON
DAVID WOLF



DEPARTMENT ON DISABILITY

201 NORTH FIGUEROA STREET
SUITE 100
LOS ANGELES, CALIFORNIA 90012

(213) 202-2764 TEL.
(213) 202-3452 TTY
(213) 202-2715 FAX
www.Disability.LACity.org

(213) 202-2764 TEL.
(213) 202-3452 TTY
(213) 202-2715 FAX

ERIC GARCETTI
MAYOR

STEPHEN DAVID SIMON
EXECUTIVE DIRECTOR

February 9, 2018

The Honorable Ron Galperin
200 North Main Street, Suite 100
Los Angeles, CA 90012

Re: 2017-18 Audit of the Department on Disability

Controller Galperin:

I have received and reviewed the recommendations that your office has made as a result of their audit of the Department on Disability over the past several months. I have attached a preliminary action plan to address the twelve recommendations you have presented us. Once we receive and thoroughly review the final audit report and initiate a formal planning process to address your recommendations, we will provide a more detailed response.

As I believe your auditors witnessed, the Department is already undergoing a significant process of restructuring and redefining our goals and means of achieving them. Our efforts are consistent with the majority of your recommendations, though I acknowledge that the recommendations and the audit process itself have helped us to begin rethinking both our long-term strategies as well as specific tactics to achieve our common goal of improving accessibility and addressing risk management issues throughout the City.

Section I: Reframing the Purpose and Role of DOD (Recommendation 1)

This section of the audit calls for “collaborat[ion] with other City Departments, policymakers, and stakeholders within the disabled community to comprehensively reevaluate...our priorities.” We have committed to coordinating stakeholder interviews, and focus groups, and further reviewing the roles and responsibilities of similar Departments (most often the Mayor’s Office of/on Disability in other cities) to update our services matrix as part of a comprehensive strategic plan.

Section II: Enhancing DOD’s Role in Ensuring Compliance with ADA (Recommendations 2-7)

Several factors – including the impending Self Evaluation and Transition Plan process, large scale litigation, and preparation for the 2028 Olympics and Paralympics – have highlighted the need for DOD to secure the resources as well as the regulatory authority to fulfill our primary mission ensuring City facilities, programs, and services are developed and implemented in compliance with state and federal law.

At the most basic level, this may include additional access specialist, inspector, and/or policy expert staff resources. Of equal importance, addressing these recommendations also requires determining the means for redefining DOD's regulatory or enforcement authority through changes to the LAAC or through other Council or executive actions.

DOD is already envisioning a model for greatly enhancing our capacity and efficacy for providing technical assistance to other City Departments, including the availability of more cohesive and comprehensive training for City staff than ever before. Our commitment to this effort has been reflected in key staffing changes we have already made, as well as programmatic changes outlined in our FY 2018-19 budget proposal.

Section III: Enhancing DOD's Ability to Address City Prescribed Responsibilities (Recommendations 6-8)

My Department leadership team has gone back to basics in making significant improvements to DOD's work environment. We have expanded technical training and expertise; reduced staff turnover, and improved morale; all with an eye on more effectively serving constituents and other City Departments.

Our communities' top priorities – accessible and affordable housing, employment, and transportation – require us to more comprehensively partner with specific departments to enhance their services for people with disabilities in a manner that helps leverage the impact of their programs without duplicating their work. This includes the departments specifically referenced in these recommendations [Economic and Workforce Development Department (EWDD) and Department of Transportation (LADOT)], as well as other key Departments. These efforts correlate with our evolving roles with the Safe Sidewalks Program, Great Streets, the Blue Curb Program (accessible parking zones), and adaptive recreation.

We concur with your recommendation that DOD needs to more effectively identify, solicit and secure external grant funding. We believe this needs to be part of a Citywide effort to better incorporate accessibility issues into major project funding proposals, as well as the need for DOD to be a formal partner in any funding provided to the City specifically to address the needs of disabled constituents.

Section IV: Improving DOD's Operational Effectiveness 9-12

Your final category of recommendations highlight vitally important concerns that my office shares about our operational effectiveness. The core infrastructure elements referenced here represent the baseline tools I believe are necessary to effectively enact the majority of improvements recommended above. I address them individually:

- Our direct services to constituents as well as City Departments and Council Offices requires a comprehensive case, constituent, project, and data management system. Operating without one has been a disservice to our constituents.

- The business tax revenue intended for ADA assessments, education, and Certified Accessibility Specialists (CASp) represents a new funding mechanism that creates a long term, reliable revenue stream for DOD to improve accessibility and mitigate potential lawsuits across the City. It is vital that DOD be allocated these special funds (whose use is limited to accessibility) to expand our efficacy without impacting the general fund. We fully support the Department of Building and Safety's request to use a portion of this funding to expand CASp training and certification for key staff.
- Our management of Sign Language Interpreting, Captioning, and Video Remote interpreting contracts; the process by which departments request and secure these services; and the funding of these mandated accommodations is in need of a complete overhaul. Although we have already begun discussing these issues with both the City Attorney's Office and CAO staff, I acknowledge that we have historically addressed this problem in a piecemeal manner. DOD is committed to working comprehensively to develop a more coordinated system to provide these services Citywide.

The scope and scale of this audit were at times difficult for me and my staff, challenging us to address not only the detailed workings of our day-to-day operations, but to truly assess how those functions are integrated into fulfilling our core mission. As you noted, this requires consideration of the Department's origins, authority, and regulatory structure.

I strongly agree.

Your recommendations have already begun to help guide improvements to our programs for the people and organizations we serve. I have great faith in my team and know that with the proper tools, structural changes, and resources, they can lead DOD into a new era of collaboration, efficacy and efficiency to truly make Los Angeles the most accessible big city in America.

Sincerely,



Stephen David Simon
Executive Director, Department on Disability

LIST OF AUDIT/REVIEW RECOMMENDATION(S)

Report Title: Department on Disability
 Report Issuance Date: TBD
 Department Responsible for Implementation: Department on Disability
 Reported Status Date: 2/8/2018

Finding Number	Summary Description of Finding	Rec. No.	Recommendation	DEPARTMENT REPORTED INFORMATION			
				Current Status	Basis for Status	% of Implementation	Target Date for Implementation
Section I: Reframing the Purpose and Role of DOD							
1	The City's expectations for the Department on Disability need to be aligned with clearly defined and mutually agreed upon priorities and resources.	1.1	Department on Disability should: Collaborate with other City Departments, policymakers, and stakeholders within the disabled community to comprehensively reevaluate the DOD's organizational priorities and determine whether other governmental agencies should be the primary entity responsible for some functions. DOD should provide their conclusions to Policymakers to consider in reframing the role of the Department, including proposing revisions to the LAAC.	1. In Process/Ongoing	Agreed. Initiate a stakeholder-inclusive process to determine the degree of ownership and collaboration required to establish the most effective and efficient array of services to constituents and City departments. DOD will review best practices from other jurisdictions, reevaluate specific duties, and develop a set of recommendations for possible restructuring. DOD also agrees that there are revisions to LAAC that should be considered regarding DOD's structure, role, and authority. DOD will begin working with the Mayor's Office and Council to determine appropriate recommendations.		Third Quarter FY 2017-18 Jan.-March
		1.2	City Policymakers should consider: Re-evaluating the responsibilities assigned to DOD and prioritize what the Department must do and can do given its resources. The LAAC should be revised as necessary.	1. In Process/Ongoing	Agreed see 1.1		Fourth Quarter FY 2017-18 April-June
		1.3	Requiring DOD to develop a strategic plan to carry out the prioritized responsibilities.	1. In Process/Ongoing	Agreed. DOD will solicit bids for this service.		First Quarter FY 2018-19 July-Sept.
Section II: Enhancing DOD's Role in Ensuring Compliance with ADA							
2	Citywide self-evaluation and transition plans that document whether City programs, services and activities are accessible to people with disabilities, have not been updated since 2000.	2.1	Department on Disability should: Formalize a plan for monitoring and assisting City Departments in updating citywide ADA Self-Evaluations and Transition Plans. The plan should detail the criteria that City Departments should follow while performing Self-Evaluations, and prioritize assistance and monitoring resources to City Departments with elevated exposure to ADA compliance issues.	1. In Process/Ongoing	Agreed (with qualification)* In December 2017, Council mandated the Self Evaluation and Transition Plan requirement. DOD believes the process should be spread over three years. DOD has begun to devise criteria for prioritization of individual departments, and will begin to schedule preliminary Departments in April 2018. DOD will also develop customized guidance packets for each department, including checklists, timelines, and original materials from the 2000 Transition Plan. *DOD notes that many City Departments have made progress on their 2000 Transition Plans consistent with the ADA, but that there has not been a formal Citywide update since that time, nor as comprehensive a review as we intend to lead over the next three years.		Fourth Quarter FY 2017-18 April-June

Finding Number	Summary Description of Finding	Rec. No.	Recommendation	DEPARTMENT REPORTED INFORMATION			
				Current Status	Basis for Status	% of Implementation	Target Date for Implementation
3	DOD does not have a defined role in risk management related to citywide ADA compliance.	3.1	Department on Disability should: Re-evaluate its technical assistance capabilities and align resources to target key areas of disability law and policy. This would be done with the purpose of proactively addressing key administrative and programmatic challenges of individual City Departments.	1. In Process/Ongoing	<p>Agreed.</p> <p>DOD has included in our FY 2018-19 budget proposal the baseline infrastructure we need to more comprehensively provide technical assistance to City departments and mitigate risk. We will develop an updated plan and budget proposal based upon the recommendations made in this audit.</p> <p>We are also offering comprehensive TA in conjunction with the rollout of our 508 Digital Accessibility Training for City PIOs, ADA Coordinators and other City staff who generate digital documents for public consumption.</p> <p>Both programs are designed to improve the City's accessibility risk management operations.</p>		Third Quarter FY 2017-18 Jan.-March
		3.2	<p>City Policymakers should consider:</p> <p>Exploring the prospect and potential benefits of expanding DOD's role and available resources to proactively monitor and mitigate citywide risks related to ADA compliance issues. Functions that could enhance DOD's role include:</p> <ul style="list-style-type: none"> • Providing formal technical assistance to City Departments on key areas of compliance. • Performing data assessments and program appraisals to identify areas of citywide compliance risk. • Collaborating with City Departments to ensure compliance requirements are adequately incorporated into operational programs. • Conducting research of ADA compliance issues and litigation related to other municipal government organizations. • Requiring City Departments to formally notify DOD, and, in consultation with the City Attorney, seek advice on how to best address identified ADA compliance risks. 		<p>Agreed.</p> <p>Agreed.</p> <p>Agreed.</p> <p>Agreed.</p> <p>DOD is poised to lead such a review of policy and best practices moving forward.</p> <p>Agreed.</p>		

Finding Number	Summary Description of Finding	Rec. No.	Recommendation	Current Status	DEPARTMENT REPORTED INFORMATION		
					Basis for Status	% of Implementation	Target Date for Implementation
4	DOD could better execute its responsibility to provide technical assistance to City Departments by implementing formalized systems, processes, and training programs.	4.1	Department on Disability should: Collaborate with City Departments to establish a formalized system to receive and respond to requests for technical assistance with ADA compliance requirements.	1. In Process/Ongoing	Agreed. DOD has requested resources in our FY 2018-19 budget to purchase and customize a case, constituent, and data management program to track and improve our response to constituent and City Department requests for services. DOD will work with ITA to incorporate 311-like work orders into the online ADA technical assistance request if appropriate.		First Quarter FY 2018-19 July-Sept.
		4.2	Update current online training offerings, and develop a formalized online ADA compliance training program that is made available to all City employees. The online training modules should be compliant with all ADA requirements, and the content of the trainings should be updated on a periodic basis to reflect any future changes in disability law or policy.	1. In Process/Ongoing	Agreed. DOD has already developed online ADA Title II training, and will notify all City Departments that Council has made the training mandatory. DOD will continue to work with Personnel to ensure that all of the City's online training modules are fully accessible. We will expand our online training services to include a broader range of compliance issues and update annually consistent with changes to disability law and policy.		Third Quarter FY 2017-18 Jan.-March Fourth Quarter FY 2017-18 April-June As needed
		4.3	Implement periodic bulletins for City management and policymakers that highlight DOD accomplishments, capabilities, disability policy updates, and discussion of emerging disability trends, technology, and needs of the disabled community. These bulletins should encourage Department managers to seek tailored technical assistance services from DOD to meet ADA requirements as related to operational goals.	1. In Process/Ongoing	Agreed. DOD Community Outreach, Resources, and Education (CORE) staff, in collaboration with our ADA and ACO division, will begin issuing periodic bulletins to inform City staff of policy updates, provide educational materials, and link City employees to all of DOD's technical assistance resources. DOD is also developing quarterly e-news, focusing on specific statistics, disability trends, technology, and resources.		Fourth Quarter FY 2017-18 April-June
5	ADA Coordinators within City Departments are not uniformly trained or fully-dedicated to ADA compliance issues.	5.1	Department on Disability should: Formally redefine the roles and responsibilities for Departmental ADA Coordinators. In addition, reinstate the in-depth training curriculum appropriate for City staff assigned as departmental ADA Coordinators.	1. In Process/Ongoing	Agreed. DOD will develop a set of recommendations for redefining the roles and responsibilities for Departmental ADA Coordinators, and will additionally seek Council or Mayor's Office action to effect Citywide implementation. DOD will research and evaluate best practices from other jurisdictions as part of this effort. DOD will complete training curriculum revisions and release an annual training schedule for all City ADA Coordinators.		First Quarter FY 2018-19 July-Sept.
		5.2	City Policymakers should consider: Requiring City Departments to report any and all ADA-related issues to DOD.		Agreed.		
		5.3	Department on Disability should (upon City policymakers action relative to 5.2, above): Establish a monitoring and reporting system for Department ADA Coordinators to periodically report inquiries, issues, and actions taken in their role as Department ADA Coordinator.		Develop related policies as part of the ADA Coordinator training revision (see 5.1). Also incorporate this functionality into the case, constituent, and data management software (see 4.1).		First Quarter FY 2018-19 July-Sept. Second Quarter FY 2018-19 Oct.-Dec.

Finding Number	Summary Description of Finding	Rec. No.	Recommendation	DEPARTMENT REPORTED INFORMATION			
				Current Status	Basis for Status	% of Implementation	Target Date for Implementation
Section III: Enhancing DOD's Ability to Address City Prescribed Responsibilities							
6	Staffing shortages and turnover have impacted the responsiveness and capability of the CORE Unit to provide outreach services to the disabled community.	6.1	(In conjunction with implementation of the recommendations offered in Section I), Department on Disability should: Prioritize the functions and activities performed by the CORE Unit and identify process enhancements that will utilize current staff resources most effectively to achieve prioritized goals. This may include implementing an automated system to facilitate management of the information and referral hotline.	1. In Process/Ongoing	Agreed. As a function of the stakeholder-inclusive process to determine the most effective and efficient array of services to constituents and City departments (See 1.1), DOD will evaluate the functions and activities performed by the CORE Unit and identify process enhancements. DOD has requested resources in our FY 2018-19 budget to purchase and customize a case, constituent, and data management program (see 4.1) to also facilitate management of the information and referral hotline. (Also see 9.1.a). Two part-time Program Aides have been requested as well to expand DOD's capacity to address the increasing number of constituent requests for services quickly and effectively.		Second Quarter FY 2018-19 Oct.-Dec.
7	DOD efforts to provide job training, development, and placements for persons with disabilities have been limited.	7.1	Department on Disability should: Work with EWDD to explore the feasibility of transferring job placement and training responsibilities for the disabled community to EWDD. The results of this effort should be reported to the City Council for consideration and potential action.	1. In Process/Ongoing	Agreed. EWDD currently has primary job training, development, and placement responsibilities for people living with disabilities. DOD and EWDD have begun exploring the most effective ways DOD can provide technical assistance in expanding and targeting services, and ensuring upcoming job placement and training events are accessible. DOD and EWDD should also develop guidelines for a more formal involvement of each department. EWDD is presenting at the Commission on Disability informational hearing on employment services for people with disabilities on February 14, 2018.		First Quarter FY 2018-19 July-Sept.
8	DOD has not been successful in proactively searching for external grant funding.	8.1	Department on Disability should: Seek assistance from the Mayor's Office to develop a plan to identify and apply for external grant funds that align with DOD's prescribed responsibilities. If DOD is not organizationally competitive for specific disability-related grant funds, DOD should leverage its relationship with other City Departments (such as EWDD) and/or partner organizations to increase the City's potential for securing and distributing grant resources.	1. In Process/Ongoing	Agreed. (with qualification) DOD has proactively searched for grants, but has little capacity to do so. That, coupled with minimal availability of funding for ADA-specific services, has limited our success to approximately \$26,000. DOD will seek assistance from the Mayor's Office to develop a plan to identify external grant funds, and to determine available assistance for grant writing.		Fourth Quarter FY 2017-18 April-June

Finding Number	Summary Description of Finding	Rec. No.	Recommendation	DEPARTMENT REPORTED INFORMATION			
				Current Status	Basis for Status	% of Implementation	Target Date for Implementation
Section IV: Improving DOD's Operational Effectiveness							
9	Processes and systems used by DOD staff to monitor performance lack consistency and are not tailored, nor comprehensive, to defined outcome goals.	9.1	Department on Disability should: Procure an automated Project Management System with sufficient capability to track, monitor, and report on department operations. The system should be customizable to DOD's operational needs and be able to perform the following automated functions:	1. In Process/Ongoing	Agreed. DOD is currently soliciting bids from a number of case, constituent, and data management firms and seeking funds in the FY 2018-19 budget to purchase and implement a system (see 4.1, 6.1).		First Quarter FY 2018-19 July-Sept.
			a. Input and track constituent requests for information, referrals, and/or related services.		Agreed. Case, constituent, and data management software will automate and collate this data.		
			b. Maintain files and staff work product related to technical assistance provided to City Departments and external agencies.		Agreed. Case, constituent, and data management software will automate and collate this data.		
			c. Produce periodic activity reports for management review and analysis.		Agreed. Case, constituent, and data management software will automate and collate this data.		
			d. Structured data extraction and integration capabilities.		Agreed. Case, constituent, and data management software will automate and collate this data.		
		9.2	Limit the use of general work order payroll codes within the Department's timekeeping system (D-Time), and establish unique payroll work orders within D-Time for specific operational functions and related tasks.	1. In Process/Ongoing	Agreed. (with qualification) DOD is reviewing this option concurrently with its evaluation of the aforementioned case, constituent, and data management software.		
10	The City's revived "Blue Curb Program" has not resulted in additional blue curb production throughout the City.	10.1	City Policymakers should consider: Designating LADOT as the lead administrator of the City's Blue Curb Program. LADOT should be provided adequate authority and resources to accomplish established goals of the Blue Curb Program. The Administrator should execute upon the goals and policies established by the City Council, and periodically report metrics related to Blue Curb Program demand and production.				
		10.2	Establishing targeted goals for the number and geography of Blue Curb spaces desired throughout the City, and request LADOT, DOD, and the Department of Public Works' Bureaus of Engineering (BOE) and Street Services (BSS) to identify the processes needed and resources required to attain Blue Curb Program goals.				
		10.3	Directing the Blue Curb Program Administrator to determine a prioritization schedule, and create a procedural framework for creation of Blue Curb spaces throughout the City.				

Finding Number	Summary Description of Finding	Rec. No.	Recommendation	DEPARTMENT REPORTED INFORMATION			
				Current Status	Basis for Status	% of Implementation	Target Date for Implementation
		10.4	Department on Disability should: Continue providing guidance and technical assistance toward the implementation and performance of the City's Blue Curb Program, while facilitating the transfer of all non-technical administrative functions related to the City's Blue Curb Program to LADOT.	1. In Process/Ongoing	Agreed. DOD and DOT are redefining and reestablishing an internal workgroup to develop recommendations to Council on determining the most effective means of ensuring DOD policy and Technical assistance guidance is integrated into the program.		Third Quarter FY 2017-18 Jan.-March.
11	Business tax revenue intended for ADA assessments, education, and Certified Accessibility Specialists has been collected by the City, but remains unallocated.	11.1	Department on Disability should: Report to the City Council with a proposed plan for how the City's share of specially-collected fees meant for ADA assessments, education, and Certified Accessibility Specialists (CASp) should be prioritized and allocated.	1. In Process/Ongoing	Agreed. DOD has drafted a preliminary report addressing the background, purpose, and use for the funding to support the ADA Self Evaluation and Transition Plan over the next five years. Under separate cover we have also indicated support for the Department of Building and Safety to be allocated \$80,000 of this funding to expand CASp training for their inspectors and other key staff. DOD will prepare a formal report to Budget and Finance Committee.		Third Quarter FY 2017-18 Jan.-March.
12	Administration of citywide interpretation contracts requires improvement.	12.1	Department on Disability should: Pursue actions to streamline processes and maximize cost effectiveness of translation services. These should include: • Working with City Attorney to provide flexibility in contract funding provisions, to allow for flexibility in payments for contracted services (i.e., pooling of budgeted expenditures). • Working with the CAO to consider the cost/benefit of having City employees perform translation services, and exploring a cost-sharing program with City Departments that require translation services.	1. In Process/Ongoing 4. To Be Initiated	Agreed. DOD has met with the City Attorney and CAO to discuss more effective processes for managing these contracts during the current fiscal year. This is an ongoing process for subsequent contracts. We are also preparing a new round of RFPs to address Sign Language Interpreting (SLI), Video Remote Interpreting (VRI), and Captioning (CART), the three core components of these services. Agreed. DOD will work with the CAO and City Attorney to review the options for decentralizing SLI/CART/VRI services.		Third Quarter FY 2017-18 Jan.-March. First Quarter FY 2018-19 July-Sept.