

1 [The City's ADA Transition Plan and Uniform Physical Access Strategy.]

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3 **Resolution adopting the City's ADA Transition Plan and Uniform Physical Access**
4 **Strategy.**

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6 WHEREAS, The Americans with Disabilities Act ("ADA") states that no individual with a
7 disability shall "be excluded from participation in or be denied the benefits of the services,
8 programs, or activities of a public entity." (42 U.S.C. § 12132.)

9 WHEREAS, The U.S. Department of Justice promulgated regulations implementing the
10 ADA ("Title II Regulations"). In general, the Title II Regulations require state and local
11 governments to "operate each service, program, or activity, when viewed in its entirety, is
12 readily accessible to and useable by individuals with disabilities." (28 C.F.R. § 35.150 (a).)

13 WHEREAS, The Title II Regulations also require state and local governments to
14 develop an ADA Transition Plan identifying "physical obstacles in the public entity's facilities
15 that limit the accessibility of its programs or activities." (28 C.F.R. § 35.150 (d)(3)(i).) The
16 ADA Transition Plan must also "describe in detail the methods that will be used to make the
17 facilities accessible." (28 C.F.R. § 35.150(d)(3)(ii).)

18 WHEREAS, In 2000 and 2001, the City and County of San Francisco ("the City")
19 conducted surveys of more than 700 facilities to identify the physical obstacles in City-owned
20 buildings and facilities; and,

21 WHEREAS, The Mayor's Office on Disability and the Mayor's Disability Council used
22 the results of these surveys to formulate the City's ADA Transition Plan with input from the
23 public, including individuals with disabilities; and,

24 WHEREAS, In addition to the specific requirements of the Title II Regulations, the City
25 is striving to make all City-owned buildings and facilities accessible. To that end, the Mayor's

1 Office on Disability has expanded the City's ADA Transition Plan to also include the City's
2 Uniform Physical Access Strategy; and,

3 WHEREAS, The implementation of the City's ADA Transition Plan will be coordinated
4 with the City's' Ten Year Capital Expenditure Plan, which the Board of Supervisors ("the
5 Board") initially adopted on June 20, 2006; and,

6 WHEREAS, The City's ADA Transition Plan and the City's Uniform Physical Access
7 Strategy are on file with the Clerk of the Board of Supervisors in File No. ⁰⁷⁰³⁶⁷, which is hereby
8 declared to be a part of this resolution as if set forth fully herein; and,

9 WHEREAS, The City's ADA Transition Plan is available to the public in the Mayor's
10 Office on Disability and on its website at http://www.sfgov.org/site/mod_page.asp; and,

11 WHEREAS, The Board requests that the Mayor's Office on Disability provide annual
12 updates by November 30th of each year on the progress made in the previous fiscal year to
13 implement the City's ADA Transition Plan and the City's Uniform Physical Access Strategy
14 and make recommendations for any changes or additions the Board should make to the City's
15 ADA Transition Plan and the City's Uniform Physical Access Strategy; and,

16 WHEREAS, The Board requests that all city administered or funded projects for new
17 construction or major renovations be reviewed for compliance with the ADA by the Mayor's
18 Office on Disability or a certified disability access specialist approved by the Mayor's Office on
19 Disability so as to avoid creating new architectural barriers in City-owned buildings and
20 facilities; now, therefore, be it

21 RESOLVED, That the above recitals are true and correct; and, be it

22 FURTHER RESOLVED, That this Board has reviewed the City's ADA Transition Plan
23 and the City's Uniform Physical Access Strategy; and, be it

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FURTHER RESOLVED, That this Board hereby adopts the City's ADA Transition Plan and the City's Uniform Physical Access Strategy.

