



Agenda Item No. (5)

To: Building and Operating Committee/Committee of the Whole Meeting of April 25, 2024

From: Jon Gaffney, ADA Compliance and Program Manager  
Ron Downing, Director of Planning  
Kellee J. Hopper, Deputy General Manager, Administration and Development  
Denis J. Mulligan, General Manager

Subject: **AUTHORIZE THE SETTING OF A PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON THE GOLDEN GATE BRIDGE, HIGHWAY AND TRANSPORTATION DISTRICT'S DRAFT 2024 AMERICANS WITH DISABILITIES ACT (ADA) TRANSITION PLAN**

### **Recommendation**

The Building and Operating Committee recommends that the Board of Directors authorize the setting of a public hearing to receive public comment on the Golden Gate Bridge, Highway and Transportation District's Draft 2024 Americans with Disabilities Act (ADA) Transition Plan (Plan) for District-owned Facilities. The broadly noticed public hearing would take place on Thursday, May 23, 2024, at 9:00 a.m. in the Board Room, Administration Building, Golden Gate Bridge Toll Plaza, San Francisco, CA.

This matter will be presented to the Board of Directors at its April 26, 2024, meeting for appropriate action.

### **Summary**

If approved, this action would set a public hearing to review the Draft 2024 ADA Transition Plan for Golden Gate Bridge, Highway and Transportation District-owned Facilities (District). This Plan provides a synopsis of the actions required to bring all the District's facilities into compliance with the ADA. While not mandated, the Department of Justice (DOJ) encourages that a public hearing be held prior to final acceptance of any ADA Transition Plan. Furthermore, a public hearing also provides the disabled community and advocacy groups the opportunity to participate in the development of the Plan and be heard.

### **Background**

The Americans with Disabilities Act (ADA) was signed into law in 1990. Under Title II, a public entity may not deny the benefits of its programs, services, and/or activities to individuals with disabilities by maintaining inaccessible facilities, which house these programs, services, and activities.

Title II of the ADA requires the District to make its programs, services, and activities accessible in all cases, except where doing so would result in a fundamental alteration in the nature of the program, pose an undue financial and administrative burden, or threaten or destroy the significance of a historic property.

As part of Title II, the District is required to have a comprehensive, up-to-date ADA Transition Plan for bringing their facilities into full compliance with the regulations set forth by the United States Access Board. The Access Board is an independent federal agency that promotes equality for people with disabilities through leadership in accessible design and the development of accessibility guidelines and standards. This includes the built environment, transit vehicles and public right-of-way.

In 2020, a Request for Proposals was released to perform a complete detailed ADA Transition Plan for District-owned facilities. Sally Swanson Architects was selected to perform the work, which included a Draft Transition Plan along with a searchable database of all barriers that can be updated as projects are completed or as completion dates change. This document covers the following District Facilities:

- 1) The San Rafael Transit Center (3<sup>rd</sup> Street and Hetherton Avenue, San Rafael)
- 2) Division 1 – San Rafael (1011 Andersen Drive, San Rafael)
- 3) Division 2 – Novato (1 Golden Gate Place, Novato)
- 4) Division 3 – Santa Rosa (1200 Piner Road, Santa Rosa)
- 5) Division 4 – San Francisco Bus Facility (1210-125 Perry Street, San Francisco)
- 6) The Golden Gate Bridge Offices (Golden Gate Bridge Toll Plaza, San Francisco)
- 7) The Larkspur Ferry Terminal (101 East Sir Francis Drake Boulevard, Larkspur)

The Scope of Work did not include the Golden Gate Bridge itself, the Welcome Center, Round House, or other areas designated for visitors to the Golden Gate Bridge, nor did it include a Bus Stop analysis for stops in use by the District. The San Francisco Ferry Terminal, as well as the Sausalito, Tiburon, and Angel Island Ferry Landings were also not reviewed as part of this project.

A key component of the ADA Transition Plan is an estimate of the total cost to the District to mitigate barriers that exist. This ADA Transition Plan identified 1,086 total barriers (795 in staff-only areas and 290 in public-facing areas); the total cost to eradicate these barriers is estimated at \$7.5 million dollars (\$5.4 million for staff-only areas and \$2.1 million for public-facing areas) in current dollars. The projects that address these barriers will occur and be completed over time. The ADA Transition Plan includes estimated dates of completion for individual items that are spread out over the next four fiscal years. These dates are subject to change based on available funds and staff time and will be reviewed annually.

To comply with the Title II requirements for accessibility to District programs, services, and activities, the Draft ADA Transition Plan:

- Evaluates existing policies, procedures, and practices as they pertain to the District's programs, services, and activities;
- Provides findings and recommendations with regard to policies, procedures and practices;
- Identifies physical obstacles in the public entity's facilities that limit the accessibility of its programs or activities to individuals with disabilities;

- Assesses the extent of architectural barriers to program accessibility in the public rights-of-way and within the buildings and other facilities operated by the District;
- Describes in detail the methods that will be used to make the facilities accessible;
- Estimates costs for mitigation solutions;
- Specifies the steps necessary to achieve compliance;
- Provides a schedule for barrier removal/mitigation;
- Sets priorities for barrier elimination; and,
- Indicates the official responsible for implementation of the plan.

All public-facing barriers have been reviewed by our maintenance teams at Bridge, Bus and Ferry, and dates for completion are included in the Draft Transition Plan. To ensure meaningful access to the public – the Bridge District's customers, staff prioritized the elimination of public-facing barriers; those barriers that only are encountered by District staff will be addressed after the public-facing barriers.

### **Actions Following the Public Hearing Process**

Public comment will be reviewed and included along with the Draft Transition Plan for approval by the Building and Operating Committee at its June 27, 2024 meeting, followed by final Board of Directors (Board) approval at the June 28, 2024 Board Meeting. Following Board Approval, the Transition Plan will be reviewed annually by the District's Bus, Ferry, and Bridge Divisions at the direction of the District's ADA Compliance and Program Manager. During this review, items completed will be noted in the database and completion dates for remaining items will be updated.

### **Public Notification**

If the proposal to hold this public hearing is approved by the Board, broad outreach on the proposal will be conducted during the month of May. Public notification activities will include:

- A Notice of Public Hearing posted to the District's website.
- A public workshop to be held at the Golden Gate Bridge Toll Plaza.
- Advertisements and legal notices in the *Marin Independent Journal*, *Press Democrat* and *San Francisco Chronicle* announcing the public hearing, as well as posting on the *La Voz* website.
- Postings at District-owned facilities open to the public.
- Social media postings on Facebook and X (formerly Twitter).
- E-mail blast to customers and community-based organizations.
- E-mail notifications to Disability Organizations in San Francisco, Marin, and Sonoma Counties.
- E-mail notification to organizations serving older adults in San Francisco, Marin, and Sonoma Counties.

Translation of all printed materials and handouts in Spanish will be available upon request, per the District's Language Implementation Plan.

### **Public Comment Process**

Public comments on this proposal can be submitted in several different ways:

1. Attend a meeting or hearing and comment directly;
2. E-mail [publichearing@goldengate.org](mailto:publichearing@goldengate.org) ;and/or,
3. Send written comments to the District Secretary.

The District's practice is to treat all comments equally without regard to the manner in which the comments are submitted or received. Therefore, individuals need not attend the public hearing and provide testimony in person if they have commented through e-mail or written forms. All comments received through the above methods will be considered in the final recommendation. Comments must be submitted by 4:30 p.m. on Friday, May 24, 2024.

### **Fiscal Impact**

The fiscal impact of providing a public hearing and associated outreach is estimated at less than \$9,000 and will be covered by the existing Marketing and Communications Department and District Secretary's Office budgets.