

REPORT FROM

OFFICE OF THE CITY ADMINISTRATIVE OFFICER

Date: March 16, 2018
To: Personnel and Animal Welfare Committee
From: Richard H. Llewellyn, Jr., City Administrative Officer
Reference: Bureau of Engineering transmittal to Council dated March 8, 2018
Subject: **SIDEWALK REPAIR PROGRAM – AMERICANS WITH DISABILITIES ACT (ADA) COORDINATOR POSITION (C.F. 17-1144)**

CAO File No. 0220-05458-0000
Council File No. 17-1144
Council District: All

RECOMMENDATIONS

That the City Council, subject to the approval of the Mayor:

1. Authorize a Senior Architect resolution position authority, Class Code 7927, from April 1, 2018 through June 30, 2018, in the Bureau of Engineering to serve as the Americans with Disabilities Act (ADA) Coordinator for the City's Sidewalk Repair Program, subject to an allocation of the position by the Civil Service Commission; and,
2. Authorize the Bureau of Engineering to utilize funding already appropriated to the Sidewalk Repair Program for salaries to provide full funding for the ADA Coordinator (Senior Architect position) through June 30, 2018.

SUMMARY

On November 13, 2017, the Mayor and City Council approved a Motion (Blumenfeld – Buscaino) relative to the recruitment of qualified candidates for the ADA Coordinator position for the City's Sidewalk Repair Program. The Motion instructed the Personnel Department to coordinate and assist the Bureau of Engineering (Bureau) with the recruitment of qualified candidates, and work with the City Administrative Officer to identify an appropriate classification for potential candidates.

Per Section 15 of the Willits v. City of Los Angeles Settlement Agreement (Settlement Agreement), the ADA Coordinator for the Pedestrian Right of Way position must meet the following requirements:

- Shall have substantial experience in evaluating or assisting public entities in evaluating the accessibility of facilities under Title II of the ADA;
- Shall be knowledgeable in current federal and state accessibility standards;
- Shall have a minimum of three (3) years' experience in providing ADA services related to

- accessible facilities;
- Shall be licensed either as an architect or as a registered civil engineer; and
- Shall have valid Certified Access Specialist (CAsp) certification within no more than twelve months of hiring date.

Further, per the Settlement Agreement, the ADA Coordinator must be hired within 12 months after the commencement of the Compliance Period. Year 1 of the Compliance Period began on July 1, 2017, and will end on June 30, 2018. An ADA Coordinator will be retained and directed by the City throughout the 30-year Compliance Period.

As detailed in the Bureau's transmittal, the Bureau conducted City-wide recruitment for the ADA Coordinator position and did not find any qualified candidates available due to the combined background, experience, and expertise required for the position, as stipulated by the Settlement Agreement. In particular, the Settlement requirement for the minimum three years' experience providing ADA services related to accessible facilities was not available among current employees. The Personnel Department and the Bureau of Engineering subsequently conducted a statewide external recruitment process for the Sidewalk Repair Program's ADA Coordinator position. The search identified a limited number of qualified candidates. As a result, the Bureau and the Personnel Department recommend a Senior Architect position for the ADA Coordinator.

There are no Senior Architect vacancies currently available in the Bureau of Engineering. This Office recommends providing the Senior Architect position with resolution authority for the remainder of 2017-18. The Bureau has submitted a proposed 2018-19 budget request for funding and regular authority for a Senior Architect position to serve as the ADA Coordinator, as described above.

This Office concurs with Recommendations 1 and 3 of the Bureau transmittal as amended. If approved, a request for civil service exemption for the Senior Architect (ADA Coordinator) position will be considered in a subsequent transmittal. Recommendation 2 of the Bureau's original transmittal is not necessary, as the described actions can be addressed through existing policies and procedures through the Personnel Department and/or the Office of the City Administrative Officer, Employee Relations Division.

FISCAL IMPACT STATEMENT

There is no impact to the General Fund at this time. The Sidewalk Repair Fund (Fund No. 57F) includes sufficient salary funds for this position in 2017-18.

RHL:RC:06180062

Attachment

CITY OF LOS ANGELES
INTERDEPARTMENTAL CORRESPONDENCE

Date: March 8, 2018

To: Honorable Members of the City Council

From: Gary Lee Moore, PE, City Engineer
Bureau of Engineering


Electronically signed by 21088 on 03/08/2018 at 9:28:27 AM

**SUBJECT: REPORT BACK ON THE AMERICANS WITH DISABILITIES ACT (ADA)
COORDINATOR POSITION FOR THE CITY'S SIDEWALK REPAIR
PROGRAM (CF 17-1144)**

RECOMMENDATIONS:

That the City Council, subject to the approval of the Mayor's request to exempt a Senior Architect position in the Bureau of Engineering, in accordance with Charter Section 1001 (b), from Civil Service:

1. Authorize a Senior Architect resolution position authority, Class Code 7927, from April 1, 2018 through June 30, 2018, in the Bureau of Engineering to serve as the ADA Coordinator for the City's Sidewalk Repair Program, subject to an allocation of the position by the Civil Service Commission; and,
2. Direct the Office of the City Administrative Officer to approve and/or take any actions necessary, including advance step hiring and salary bonuses, to ensure the Bureau of Engineering can attract and retain a qualified candidate to fill the ADA Coordinator position that also meets the qualifications as stipulated in the Willits Settlement Agreement; and,
3. Authorize the Bureau of Engineering to utilize funding already appropriated to the Sidewalk Repair Program for salaries to provide full funding for the ADA Coordinator (Senior Architect position) through June 30, 2018.

BACKGROUND:

In response to the Willits v. City of Los Angeles Settlement Agreement (Settlement), the City of Los Angeles made a historic commitment to invest \$1.4 billion over 30 years to fix our City's sidewalks. On February 3, 2015, the City Council adopted the actions under Council File 14-0163-S4, creating the City's Sidewalk Repair Program (Program). Subsequently, the Settlement was finalized with the compliance period commencing on July 1, 2017.

Pursuant to Section 15 of the Settlement, the City is required to hire an ADA Coordinator within 12 months after the commencement of the compliance period, June 30, 2018. Per the Settlement requirements; the ADA Coordinator must have a minimum of three (3) years' experience in providing ADA services, substantial experience in evaluating or assisting public entities in evaluating the accessibility of facilities under Title II of the ADA; and be knowledgeable in current federal and state accessibility

standards. Additionally, the ADA Coordinator must be licensed either as an architect or as a registered civil engineer.

In the fall of 2017, the Program conducted a City-Wide recruitment for the ADA Coordinator position; unfortunately, the Bureau of Engineering (BOE) did not receive any applications from internal City candidates with the required qualifications. The unique background, qualifications, and expertise required from the potential candidates and the inability to find that candidate within the City, necessitated the Bureau's request for an exempt position, including establishing a competitive salary range for the Program's ADA Coordinator position.

Accordingly, on November 13, 2017 the Mayor concurred with the action of City Council directing the Personnel Department to work with the BOE to recruit qualified candidates that meet the qualifications of the Settlement and identify an appropriate classification for the potential successful candidate. The Personnel Department, in conjunction with the BOE, subsequently commenced with a state-wide external recruitment process for the Program's ADA Coordinator position, reaching out to over 17 organizations including the Division of the State Architect, Certified Access Specialist Institute, California Certified Accessibility Specialists, American Society of Civil Engineers, and the American Institute of Architects.

Of the 726 CASp certified individuals listed on the California Department of General Services, Division of the State Architect's registry, only 104 were registered architects or engineers. At the closing of the application period, the BOE received 17 applications, of which only five (5) of the applicants met the required Settlement qualifications. Concurrently, the Personnel Department reviewed the position requirements and job duties as stipulated in the Settlement and recommended that the City classification of Senior Architect was appropriate for the Program's ADA Coordinator position.

The civil service exempt Senior Architect position will be funded using existing Program salary funds in Fund No. 57F for fiscal year (FY) 2017-18 and is consistent with the Bureau's budget request for FY 2018-19 that would continue the Senior Architect position with full-year funding to serve as the ADA Coordinator for the City's Program.

If there are any questions on this report back, please contact Deputy City Engineer Julie Sauter at (213) 847-2230.

GLMJS:ab

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cc: Barbara Romero, Deputy Mayor
Carol Armstrong, Mayor's Office
Liz Crosson, Mayor's Office
Richard H. Llewellyn, Jr., Chief Administrative Officer
Sharon M. Tso, Chief Legislative Analyst
Wendy G. Macy, General Manager, Personnel Department