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STEPHEN DAVID SIMON
EXECUTIVE DIRECTOR

April 23, 2024

The Honorable Councilmember Bob Blumenfield
Chair, Budget, Finance, and Innovation Committee
Room 395, City Hall
Los Angeles, CA 90012

RE: PROPOSED BUDGET FISCAL YEAR (FY) 2024-25 - (CF 24-600)

Dear Councilmember Blumenfield:

On behalf of the Department on Disability (DOD or Department), I would like to thank you for the opportunity to provide feedback regarding the Department's proposed budget for FY 2024-25.

Over the past decade, the Department on Disability has sought to grow both its citywide compliance and risk management capacity; as well as direct services to constituents with disabilities, their families, and the organizations that service them. This programmatic and service growth, while generating important success and milestones, has traditionally come without corresponding growth in administrative infrastructure and other resources. To adjust for this widening disparity and with profound appreciation of the complex circumstances facing the Mayor's Office, Council, and the Office of the City Administrative Officer (CAO) in balancing the budget, we believe that with minor but impactful revisions by the City Council, DOD will be able to restructure its operations in a manner that minimizes reductions in both compliance efforts and direct services. And we can do so while continuing to address the Mayor's policy objectives of providing outstanding service, addressing homelessness, improving public safety, and advancing sustainability; all through a lens of institutionalizing equity.

Anticipated Department Achievements

Through the submission of DOD's FY 2024-2025 budget proposal, we outlined efforts to increase DOD's ability to provide effective services in alignment with the Mayor's priorities. These efforts continue to be vital to ensuring the continued provision of high-quality services while reducing accessibility-related risks for all City programs, activities, services, and facilities.

Critical Homelessness Response - DME and Outreach: Reconfiguring DOD's Homelessness response involves operating our Community Outreach efforts in a more targeted manner, independent of coordination with Inside Safe operations. With the elimination of our social worker program and flat funding of our Durable Medical Equipment (DME) program in the Mayor's proposed budget, we are focussed on streamlining efficiencies and continuing to provide DME through current community partners, with a capped number of approximately 130 City resident participants. Case management needs will be referred out to community partners through our current intake and referral system.

Critical Homelessness Response - Harm Reduction and Overdose Prevention: The \$210,000 (52.5%) reduction of our Homelessness and HIV Program in the Mayor's proposed budget may reduce days and hours of operation of our community partners, but we intend to continue support of their outreach efforts, provision of syringe exchange and overdose prevention services, and referrals of clients to long-term supportive services in areas of high impact. Seeking alternative sources of funding is a key priority here to avoid reduction to the 24,493 unhoused individuals served, and 4,218 overdoses that have been reversed in the first seven months of the current fiscal year.

Advance the Citywide Facility Accessibility Self-Evaluation: The continued funding in the Mayor's proposed budget for Certified Access Specialist (CASp) services is a key element to complete the facility accessibility self-evaluation portion of the Citywide ADA Self-Evaluation and Transition Plan (SE/TP) Initiative (CF 17-0263 Blumenfield). To date, the Department has substantially completed the evaluations for 27 of 47 departments and evaluations are in progress for an additional 9 departments. The Department is working towards completing these evaluations by December 2024, and an additional 6 departments by June 2025, contingent upon adequate staffing resources, at which point a few large and/or proprietary departments will remain to be evaluated. For the departments completed during FY 2024-2025, the Department intends to begin drafting department-by-department transition plans that will be integrated into a Citywide transition plan to ensure all City facilities, services, and programs are accessible to individuals with disabilities and compliant with federal civil rights laws.

Restoring Critical Gaps in our Administrative Capacity and Efficiency: The Department has committed to improving both efficiency and efficacies by building out our administrative infrastructure to reduce and eliminate gaps in service delivery and to streamline processing of contractual payments. These efforts anticipated the hiring of a Senior Management Analyst I in the Administration Division to enhance and expedite data collection and reporting for the Mayor's Office, City Council and CAO; coordinate the Department's issuance and processing of RFPs/RFQs, and monitor the resulting contracts. Absent this position in the proposed budget, we will continue to realign administrative functions, while extending milestone dates and streamlining services. The inclusion of an Administrative Clerk in the budget will provide dedicated Commission support and provide some gap coverage for basic administrative functions for the other divisions.

Restructuring Accessible Communications Resources and Services: The Department is committed to supporting Citywide compliance with ADA requirements for accessible communications as online City services continue to expand. In an attempt to provide this support in the most effective and efficient manner, in the FY 2024-2025, DOD proposed the creation of an Accessible Communications division and associated resources to support the work of the division. Because this proposal was denied, we intend to pivot our restructuring efforts to provide accessible communication resources and services under the ADA

Compliance Division and to streamline resources and services to match the Department's existing capacity. We anticipate this will include training and supporting City staff on how to make public-facing websites and apps accessible by using remediation software their department can purchase, and by using third party vendors to remediate complex content and larger documents and to perform navigability and usability testing for public-facing digital services and content. Additionally, we anticipate providing training to departments on how to coordinate the details and logistics of fulfilling ADA effective communication accommodation requests including SLI, CART, and materials in alternative formats, which is a service that DOD previously provided, but will need to be absorbed by departments moving forward.

Proposed Changes

The Department is committed to implementing our FY2024-25 budget in a manner that will enhance the Department's operational and administrative effectiveness. The proposed budget contemplates a 22% reduction in staff and a 15.6% reduction in our budget. In order to successfully implement the above-enumerated goals, the Department requests additional resources. Faced with proposed 67% reductions in Office and Administration funding and 43% in disability accommodation funding, the Department has no offsets to offer for these proposed changes without terminating staff.

1. ADA Compliance: Accessible Communications

Absent the requested formation of an Accessible Communications Division, the Department seeks approval of our request for two (2) positions that would have been located in the Accessible Communications Division, but will be placed in the ADA Compliance Division instead, if approved:

a. MA - Deaf Services & Accessible Communications (\$55,109)

The Department requests to add six-months funding and regular authority for one Management Analyst to serve as the Deaf Services and Accessible Communications Analyst. This position provides a range of services as liaison between the City and the Deaf community, including Citywide training and technical assistance to facilitate the City's legal compliance with ADA effective communication requirements; and coordinating services including sign language interpreting, video remote interpreting, and real-time captioning to ensure the Deaf and hard-of-hearing communities have equal access to City information and services. Currently these services are managed by an Administrative Clerk working outside of classification.

b. Sign Language Interpreter (\$71,626)

The Department requests to add nine-months funding and regular authority for one Human Relations Advocate to serve as an In-House Sign Language Interpreter; or alternatively, equivalent contractual services funding of \$90,000 and authority to contract with an individual to serve in this role.

2. ADA Compliance: Facility Accessibility and Division Management

a. Senior Project Coordinator (CAsp / Facility Accessibility) (\$116,937)

One of the most fundamental requirements for ADA compliance is facility accessibility. The Department does not currently have a dedicated staff person to provide technical assistance and guidance to City departments to ensure that the thousands of permanent and temporary facilities where City programs and services are provided are accessible to people with disabilities in compliance with the ADA. Although it has been difficult to fill the position because

of its technical expertise requirements, we had qualified candidates just prior to the implementation of Prioritized Critical Hiring, but were not able to finalize the hiring process before being advised through the PCH process that the position was not approved for hiring. Additionally, this position is entirely special funded, \$91,358 of which can only be used to address accessibility.

b. Sr. MA I - Access Compliance Administrative Management (\$119,788)

The Department requested nine-months funding and resolution authority for one Senior Management Analyst I to coordinate the administration of the ADA Compliance division, including providing administrative organization and oversight for the Citywide SE/TP initiative, On-Street Accessible Parking (Blue Curb) request program, Sidewalk Repair Access Request program, and Citywide technical assistance and training on ADA compliance. Without this position, we do not anticipate being able to meet the milestones discussed above for the Citywide SE/TP initiative and we anticipate challenges with providing proper oversight for the Department's accessible communications work that will need to be integrated into the ADA Compliance division due to denial of the Department's proposed creation of an Accessible Communications Division.

3. Direct Funding

a. Overtime Funding (\$60,000)

Our budget proposal requested an additional \$60,000 to provide sufficient staffing levels for our required participation in Disability, Access and Functional Needs support for the Emergency Operations Center during activations, as well as to participate in and provide access compliance support for an increasing number of in person community events that occur outside of regular business hours. Without additional overtime funding, the Department will likely need to significantly reduce its participation in these activities.

b. Training and Related Travel Costs (\$20,000)

Access Compliance and serving constituents with disabilities is specialized work that requires training to remain up to date on current and new requirements and to connect with other professionals in the industry to share best practices and respond to emerging trends. Complete elimination of DOD's funding for training and related travel costs will restrict our ability to maintain the expertise required to facilitate Citywide ADA compliance

c. Printing/Binding (\$20,000)

During earlier budget discussions, DOD indicated a willingness to give up portions of the printing and binding budget because of the possibility of producing these critical emergency management and housing materials using office and admin or other funds. Because those funds have been severely reduced, we ask that the printing and binding resources be restored. Many of the people we serve with these resources do not have technology to access the digital version, so provision of a printed version is necessary to support the City's equity goals.

Critically Needed Positions, Repurposing Existing Positions, and Restructuring

The Department on Disability has relied heavily on repurposing staff to cover multiple duties and learn core accessibility laws, regulations, and policy if otherwise untrained, and when exemptions were unavailable to hire staff with accessibility expertise from outside the civil service system. We examined our current structure prior to submitting our FY 24-25 budget request and incorporated various repurposing and restructuring efforts to implement the Department's work in the most effective and efficient manner possible.

Because of the Department's small size, every position is specialized and plays a crucial role. The Department has thirty-three (36) full time authorities, including several positions that we were in the process of interviewing for when the process was halted by Prioritized Critical Hiring. The current budget proposal reduces that number to twenty-eight (28). Staff members regularly absorb the duties of vacant positions to fill gaps in services, but this is an unsustainable strategy. Additionally, it is extremely difficult for the Department to trade one unique and critical position for another position with an equally unique and crucial role.

When we proposed swapping the classifications of two positions (Sr. Management Analyst and Management Analyst) to better focus the job duties for greater effectiveness, we were asked to delay hiring the positions until it was accomplished through the budget process, and now those positions have been eliminated.

Other repurposing of existing positions has led to employees working out of class, often requiring bonuses for which we are not funded. For example, one of the Department's administrative clerks currently performs accounting functions, one manages the City's Sign Language Interpreting and Captioning programs, and the Department's Principal Public Relations Representative currently serves as the Director of our mandated accessible communications efforts and supervising staff at a higher compensation level without being eligible for supervisory pay due to the existing structure of the department. Other staff that have been repurposed have indicated that they do not wish to continue performing the work outside of their scope, which has negatively impacted morale. These are significant issues that we are attempting to address through our budget request.

Based on the Mayor's proposed budget, the Department will need to pivot our necessary restructuring efforts to maximize the impact of our work while narrowing the scope of services we provide to better match our staff capacity.

Equity in Budgeting Requests

The Department on Disability is determined to fulfill its mission of achieving equity through access for individuals with disabilities. All services provided by the Department, including those discussed throughout this letter, are necessarily focused on enhancing equity for the diverse disability community that accounts for over twenty percent of Los Angeles County residents.

Service Level Impacts of the Proposed Budget

In summary, based on the proposed budget, the Department on Disability anticipates the following service level impacts:

- A. Completion of the Self-Evaluation and Transition Plan may be delayed up to an additional three years due to insufficient staff to manage the project.
- B. The Department will not offer a comprehensive Citywide accessible communications program, the impacts of which include:
 - a. Department on Disability technical assistance, training, and guidance provided to other City departments regarding digital accessibility will be limited to what the Department's one digital accessibility staff will be able to independently provide and manage. This will be particularly impactful on the City's ability to comply with the recently released final rule on Accessibility of Web Information and Services of State and Local Government ("Final Rule") that requires the City to be in full

- compliance with the Final Rule by approximately July 1, 2026.
- b. Document remediation and website accessibility testing services will be limited to DOD produced or sponsored materials and content. The cost of these services that DOD currently provides for other departments will need to be absorbed by those departments. Of note, due to the Final Rule, all departments will require these services.
 - c. DOD will continue to process requests and payment for effective communication accommodations including SLI, CART, and Braille, however administrative coordination of details and logistics for each request will need to be managed by the requesting department. Additionally, in the event that the funds allocated to DOD for these services are exhausted, requesting departments will likely need to absorb the costs.
- C. As the Department restructures its administrative division staffing, establishes department specific procurement policies and procedures, and better aligns employee duties with class specifications and capacity, the Department anticipates ongoing delays in meeting reporting and procurement deadlines.

Critical Issues and Funding Concerns

The City's cost of settlements for non-compliance with the Americans with Disabilities Act, Federal Rehabilitation Act, and related laws exceeded \$2 billion between 2010-2020, and continues to grow as the City revisits the mechanisms for bringing many aspects of its facilities, services and programs into compliance. The Department believes that with a Citywide ADA Transition Plan in place, coupled with immediate efforts to remove barriers, implement comprehensive compliance policies, and ensure proper procurement of accessible technology and services, we can vastly improve accessibility while vastly reducing the City's risk exposure; giving Angelenos with disabilities true opportunity to fully participate in civic life.

Thank you for your consideration of the needs of the Department on Disability. Together we can provide high quality, more targeted services, assist in tackling the issue of homelessness, and truly build the infrastructure necessary to make Los Angeles the most accessible big City in America. Should you have any questions, you may contact me by phone at (213) 202-2757, or my Budget Director, Sergio Samayoa, at (213) 202-2752.

Sincerely,



Stephen David Simon
Executive Director and General Manager

SDS:ae:rr:srs

cc: Brenda Shockley, Deputy Mayor & Chief Equity Officer, Economic Opportunity
Zita Davis, Executive Officer, Mayor's Office of Economic Opportunity
Andrew Martinez, Administrative Analyst, Office of the City Administrative Officer