



Accessibility at City of San José: Disability Affairs & Disability Access Improvement Grant Program

California Commission on Disability Access

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Presenters:

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Overview

- City's Disability Affairs Portfolio
- Disability Inclusion Equity Pledge
- Business Coaching Center
- City's Small Business Ally Program
- Disability Access Improvement Grant Program
- Questions & Answers

City's Disability Affairs Portfolio

Background

- ✓ Portfolio emerged from lessons learned during COVID-19 pandemic through Council leadership and budget appropriation FY 2021-2022
- ✓ **Concurrently, in 2022, City co-sponsored AB 1164 (Lee) to extend Disability Access Education Revolving Fund indefinitely + allow funds to cover construction remediations**
- ✓ Council supported City Manager's Organizational Disability Assessment and budget appropriation in FY 2022-23 and FY 2023-24
- ✓ New Disability Affairs Officer hired December 2022

Disability Affairs Portfolio

Disability Inclusion Equity Pledge

Council adopted Pledge, June 13, 2023

- ✓ Prioritizes disability inclusion as a human right and matter of equity
- ✓ Rooted in the social model of disability
- ✓ “We commit to prioritizing disability through a learning process, modeling behavior, and action steps....”

We commit to prioritizing disability inclusion through a learning process, modeling behavior, and action steps, which may take us beyond the minimum legal requirements. We affirm that the full and complete realization of the human rights of all persons with disabilities is an essential, integral, and invisible part of all human rights and fundamental freedoms.

We pledge to prioritize disability inclusion to ensure the human rights of persons with disabilities are achieved.

We promise to work to build trust and confidence among persons with disabilities, as ongoing ableism has harmed the trust and confidence among people with disabilities.

We confirm that people with disabilities deserve an environment that allows them to participate on an equal basis fully and effectively with others.

We support the Disability and Independent Living motto of “Nothing About Us Without Us.” We must partner with our community first so that we can adequately address the needs of all residents. All people must be included in planning and problem-solving.

We recognize that these are first steps and commit to continuous learning and implementation processes that will advance systemic change within the City of San José and serve as a model for disability inclusion in the City and beyond.

We commit to pursuing the following in our efforts to gain disability inclusion.

- **Engage the Disability Community** through the creation of community engagement policy and principles for including people with disabilities, as well as family members and care providers of people with disabilities, in community engagement activities and other advisory roles in the spirit of the disability rights principle “Nothing About Us Without Us.”
- **Implement Best Practices** that help recruit, retain, and promote people with disabilities as City staff, including but not limited to accommodation policies, job descriptions and training of hiring managers.
- **Build Staff Capacity and Training Programs** that include disability education, access, equity and inclusion training.
- **Prioritize Events Accessibility** that includes accommodations language on invitations and registrations for all events that the City hosts and sponsors citywide.
- **Use Disability-Inclusive Language** by recognizing that the language of identity is an individual choice that varies widely among the disability community, use both person-first and identity-first language to respectfully acknowledge different preferences in internal and public facing communications and style guides.
- **Create Disability Metrics** as a dimension of diversity and equity to work collectively to track disability participation as appropriate, in the City of San Jose’s programs and services aiming to optimize accessibility and participation.

Disability Affairs Portfolio

Guiding Objectives

1. Build institutional awareness about disability inclusion
2. Support Disability Affairs organizationally (internal + external)
3. Improve accessibility in five areas across offices and departments:
 - Communications and information access
 - Community engagement
 - Physical access
 - Employment access
 - Shared data collection

Disability Affairs Portfolio

Strategic Framework: Fostering Inclusion & Equitable Opportunities



*Build Awareness
thru Education*



Advance Policy &
Advocacy



Cultivate Proactive
Accessibility



Partner with
Community



Strengthen Data
Collection

Disability Affairs Portfolio

Collaboration with Departments - “Low Hanging Fruit”

- **Disability Access Improvement Grant Program, funding up to \$25,000**
- **Al Fresco Parklet/Sidewalk Seating regulations and permit applications now includes “accessibility plan” as part of checklist for approval**
- Updated assistive technology devices for City Hall Tower
- Identified nearly \$1 million in funding for Accessible Pedestrian Signal updates and internship opportunities for people with disabilities
- Provided guidance on Library upgrades to assistive technologies
- **Developed ADA Mandatory Disclosure flyer for all business tax licensees per SB 748**



Launched New Disability Access Improvement Grant Program

Co-hosted with California Commission on Disability Access:
Listening Forum, August 31 + Webinar, December 11, 2023



RESIDENTS

BUSINESS

VISITORS

YOUR GOVERNMENT

NEWS & STORIES

Check Zoning

Find Land Use Info

Apply for Sign Permit

Apply for Building Permit

Register Business or Rental

Pay Business Tax

Help for Small Business

Why Locate Here

Move Business to San Jose

Become a Preferred Vendor

Do Business with the City

Apply for City Grants

- Getting Started in San José

Overview

Phase 1: Begin

Phase 2: Meet your coach

Phase 3: Launch

FAQs

Development Services Permit

[Business](#) »

GETTING STARTED IN SAN JOSÉ

Welcome to your Business Coaching Center

3 PHASES TO OPENING OR EXPANDING YOUR SAN JOSE BUSINESS

1.BEGIN

Help on how to start or expand your business in San José



2.COACHING

Our online coaching center helps you navigate City registration and permitting



3.LAUNCH

You've started or expanded your business... learn more about annual registration and other requirements



Opening or expanding your business at a glance

CLICK HERE



🗨️ How may I help you?

[Click Here >](#)



Need to register your business? You can [register your business or rental here](#). Every person or company

Small Business Ally Program



- Here to help small businesses
- 80,000 registered small businesses – we help 3,000/year
- Assist with permit process including steps, schedule, and costs
- “Coach” on:
 - Permit processes, including “Streamlined Restaurant Program”
 - Inspection requirements
 - Business registration requirements
 - **Disability access improvement grants**

Disability Access Improvement Grant

GOALS – help small businesses in San José:

- Make interior and exterior spaces accessible to all community members
- Support responsibility to comply with federal Americans with Disability Act (ADA)
- Comply with state building code requirements
- Increase market reach – accessibility is good for business

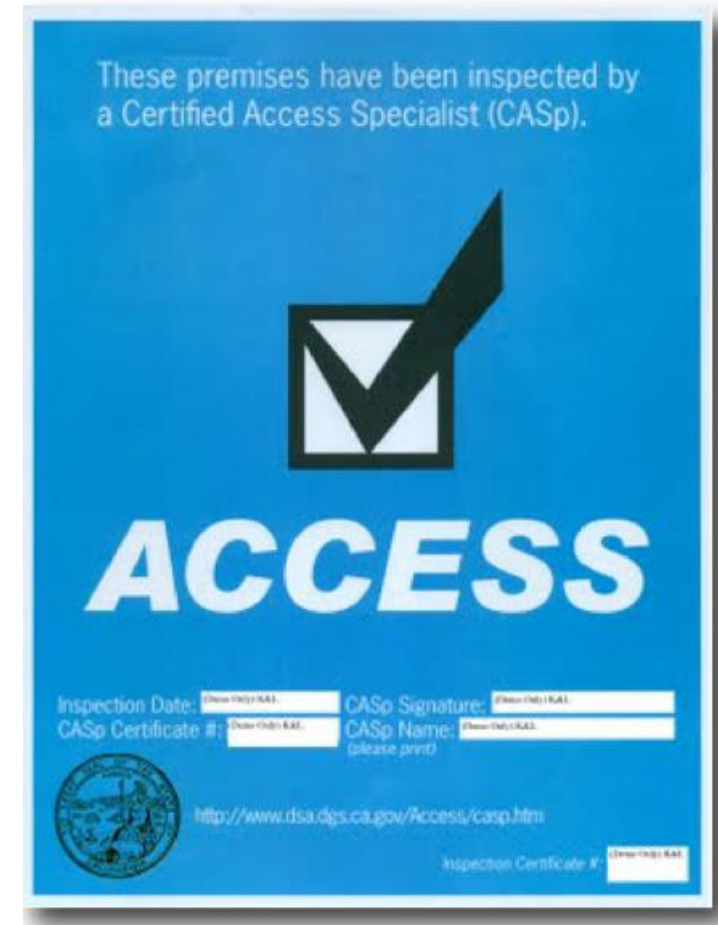
Website: www.sanjoseca.gov/ADAGrant



Phase 1 Grants

Credit of up to \$8,000 for:

- Cost to hire a Certified Access Specialist (CAsp) inspector to conduct an initial survey and prepare a CAsp Report (when City permits/inspections are required)
- Fees for plan review, permits, and inspections related to removing accessibility barriers as identified in a CAsp Report.



Phase 2 Grants

Based on a remediation estimate, grant provides reimbursement and funding of up to \$25,000 for:

- Professional design services to prepare plans to remove accessibility barriers as identified in the CASp Report and when a City permit is required.
- Construction and labor costs to remove accessibility barriers.
- Purchase and installation costs for accessible furniture, fixtures, and equipment.
- Initial CASp survey and report when a City permit is not required.
- Final CASp inspection after completion of accessibility remediation work.



Grant Criteria

MUST BE

- A commercial business owner, a non-residential property owner, or a nonprofit business
- Located in San José
- Open with 50 employees or less

MUST HAVE

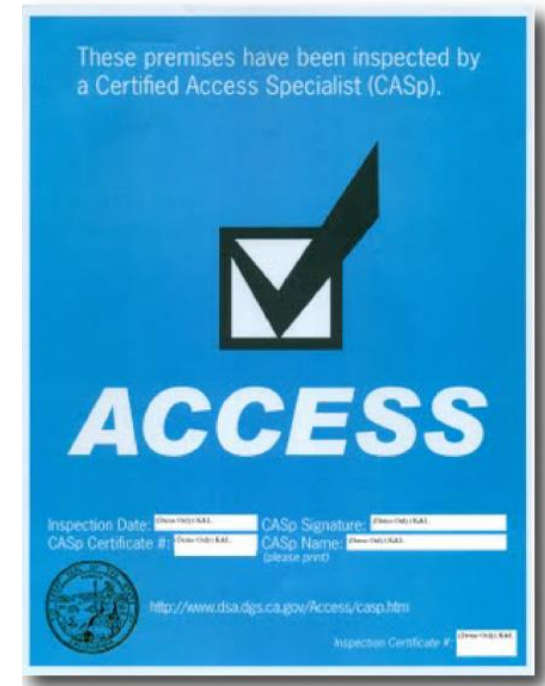
- Valid City Business Tax Certificate, (“business license”)
- Tenants must have at least 1 year remaining on their lease

Common Questions Received

1. Will getting a CASp report make me more liable because I or others would know that my property is out of compliance?

No. Your property is required to be free of barriers regardless of your knowledge of accessibility standards. If a CASp inspection of your property is done **before** any litigation is filed, the CASp report provides these legal advantages:

- An early evaluation conference.
- A 90-day stay of court proceedings.
- A reduction in ADA violation liability amounts by 75%, from \$4,000 to \$1,000 per offense if the violations are corrected within a certain time frame.



Common Questions Received

2. Are historical buildings exempt from ADA/accessibility compliance?

No. Historical buildings are NOT exempt, although there are special allowances for the preservation of historic features.

The ADA law contains no “grandfathering” provisions. Regardless of when built, all places of public accommodation are required to comply if it is accomplishable without significant burden or expense.

Failure to comply leaves you vulnerable to a discrimination claim filed by an individual that is denied access to your business or facility due to access barriers.



Common Questions Received

3. In addition to the City's grant, is there other financial support?

Yes.

- [Federal tax credits and deductions](#) - Consult your tax accountant to confirm allowable expenditures.
- **California Capital Access Program Americans with Disabilities Act (CalCAP/ADA) Financing Program** – Assists with financing the costs to comply with ADA requirements. Qualifying small businesses may receive more favorable loan terms if enrolled in the program.
- Learn more: <http://treasurer.ca.gov/cpcfa/calcap/ada>



Common Questions

4. How can I ensure Digital Accessibility for my business website?

- Non-profit Organization: Center for Accessible Technology
- Learn more: <https://www.c4at.org/home.html>.
- Contact:
 - Phone: (510) 225-7009
 - Email: julia@c4at.org or jpetchey@c4at.org

Digital Accessibility



Through user-testing, audits, and consulting, we work with organizations to make their digital presence, including websites and apps, more accessible.

Program Wins & Lessons Learned

Wins:

- A lot of interest
- A handful of grant recipients
- Ongoing Outreach – Business Associations, Chambers, Community Events, Website, Accessibility/ADA Disclosure Flyers
- Language Access in Spanish, Vietnamese, and Chinese

Lessons learned:

- Small business owners are busy running their operations
- Distrust in government-run program
- Reluctancy with making pro-active accessibility remediations due to cost
- Phase 2 funds (\$25,000) don't always cover full remediation costs

Thank you

Questions/Comments? Contact:

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