# **EXHIBIT B**

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12 13	Attorneys for Plaintiffs and the Proposed Classes  UNITED STATES I	DISTRICT COURT
14 15	NORTHERN DISTRICT OF CAL	IFORNIA-SAN JOSE DIVISION
16 17 18	ABDUL NEVAREZ; PRISCILLA NEVAREZ, and SEBASTIAN DEFRANCESCO, on behalf of themselves and all others similarly situated;	Case No. 5:16-cv-07013-LHK (SVK) <u>CLASS ACTION</u>
19	Plaintiffs,	DECLARATION OF GARY WATERS IN
20	vs. FORTY NINERS FOOTBALL COMPANY, LLC,	SUPPORT OF PLAINTIFFS' MOTION FOR CLASS CERTIFICATION
21   22	a Delaware limited liability company, et al.,	Date: June 14, 2018
23	Defendants.	Time: 1:30 p.m. Place: Courtroom 8
24		Judge: Hon. Lucy H. Koh
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1. I am a resident of Sonoma County. I make these statements based on personal

knowledge and would so testify if called as a witness at trial.

2. This Declaration is submitted in support of Plaintiffs' Motion for Class Certification in *Nevarez et al.*, *v. Forty Niners Football Co., LLC, et al.*, Case No. 5:16-cv-07013-LHK (SVK), in the U.S. District Court, Northern District of California.

# **QUALIFICATIONS AND BACKGROUND**

- 3. I am a licensed architect with over 25 years of experience in the practice of architecture. I currently am the President of Gary Waters Architectural Corporation. Since 2000, I have focused my practice on accessibility and universal design, providing access management consulting services. I have significant knowledge and experience in assessing compliance with all facility related disability access laws and regulations, including the 2010 Americans with Disabilities Act Standards for Accessible Design (2010 ADAS), the 1991 Americans with Disabilities Act Accessibility Guidelines (1991 ADAAG), and the California Building Code (CBC). In 2014, I was a founding Member of Pacific Access Consulting, LLC along with Anthony Goldsmith, providing access consulting services to business, governmental agencies, attorneys and architects & developers. In early 2017, Mr. Goldsmith returned to legal practice. I continue to provide access consulting services as Pacific Access Consulting, a Dba of Gary Waters Architectural Corporation.
- 4. As an access consultant, I maintain a balanced practice providing access litigation consulting services for both plaintiff and defense, working with businesses and governmental entities to assist them in meeting their respective obligations for barrier removal and program access, and as a specialized access consultant for design and construction of new facilities and alterations projects. Significant recent and current projects include for which I provided access consulting services for design and construction include:
  - City College of San Francisco Chinatown Campus
  - San Francisco Conservatory of Music
  - Be Here Farm Nature Sanctuary
  - Sonoma Bungalows Boutique Hotel

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- MacArthur Place Resort and Spa
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- Sutter Santa Rosa Regional Hospital.

A true and correct copy of my curriculum vitae is attached hereto as Exhibit A.

- 5. I am very familiar with the requirements of federal disability access design standards, including the 2010 Americans with Disabilities Act Standards for Accessible Design (ADAS), the Americans with Disabilities Act Accessibility Guidelines (ADAAG) and the Uniform Federal Accessibility Standards (UFAS). I am also very familiar with the requirements of California accessibility design standards as codified within the California Building Code (CBC), also known as Title 24 of the California Code of Regulations (Title 24). I am an accessibility consultant approved by the Division of the State Architect for the review of K thru 12, Community College, and other public projects. I review those plans for compliance with the CBC. I am familiar with both federal and state disability access design standards as they relate to accessibility for persons with mobility and/or vision disabilities.
- 6. I received my Bachelor of Architecture from California Polytechnic Institute, San Luis Obispo in 1985. I am a member of the American Institute of Architects. I am a Certified Access Specialist in California, CASp - 065.

# SCOPE OF MY WORK AND TESTIMONY IN THIS MATTER

7. Counsel for Plaintiffs retained Pacific Access Consulting, Jeff Mastin of Facility Access Consulting, Inc., and William "Scott" McBrayer of Construction Quality Group to survey Levi's Stadium in Santa Clara, California ("the Stadium"). I conducted the survey on behalf of Pacific Access Consulting. We were asked to determine the extent to which Levi's Stadium and its physical elements comply with the standards set forth in the 2010 ADAS, the 1991 ADAAG and the 2010 CBC, and to assess the sufficiency of the policies, procedures, and practices of Defendants—the City of Santa Clara ("the City"), the Santa Clara Stadium Authority ("the Stadium Authority"), Forty Niners Football Co. LLC, Forty Niners SC Stadium Co. LLC, and Forty Niners Stadium Management Co. LLC—with respect to disability access for persons with mobility disabilities.

# BASIS OF EXPERT TESTIMONY

# A. Published Materials

8. The opinions I express in connection with this litigation are based upon various professional trainings and seminars that I have either presented or attended, upon articles, reports, codes and publications that I have studied, my professional experience interpreting and applying the requirements of the ADA (including the standards of the 2010 ADAS, the 1991 ADAAG, and UFAS) and the CBC in practice, and my experience in working with public entities and owners to educate them on their obligations under the ADA, the 2010 ADAS, the 1991 ADAAG, and the CBC with regard to providing facilities that are accessible to individuals with disabilities.

## **B.** Review of Case Documents and Testimony

9. The opinions I express in this Declaration are based on review and analysis of various documents, including the architectural plans for Levi's Stadium; the Design-Build Agreement between Santa Clara Stadium Authority, Forty Niners Stadium LLC, and Turner/Devcon, a Joint Venture ("the Design-Build Agreement"); and the transcripts of the deposition testimony to date of Jonathan Harvey, David Tran, and Robert Jay Harrison. Additionally, I have reviewed the site inspection reports prepared by Scott McBrayer and Jeff Mastin, the other disability access experts retained by Plaintiffs' counsel to inspect Levi's Stadium in this case. The analysis and conclusions contained in this report reflect my preliminary findings and conclusions, and these are subject to revision and supplementation, as further information becomes available through the discovery process in this case. My work is continuing. I may supplement, revise or change the opinions contained within this Declaration as I review additional documents produced and additional deposition testimony in this litigation and should I conduct any further site inspections of the Stadium and its facilities.

## C. Federal Disability Access Design Standards

10. With the passage of the ADA, the Department of Justice issued the ADAAG standards. Since January 26, 1992, public entities have been obligated to perform new construction and alterations in compliance with either ADAAG or UFAS. On September 15, 2010, the Department of Justice published updated accessible design standards, the 2010 ADA Standards for Accessible

Design (2010 ADAS). For new construction and alterations commenced between September 15, 2010 and March 15, 2012, public entities had to choose and ensure compliance with one of the following three federal standards: the 2010 ADAS, ADAAG, or UFAS. Physical construction or alterations commenced by public entities on or after March 15, 2012 must comply with the 2010 ADAS.

- architects to ensure that new construction and alterations be performed in compliance with both the CBC and the applicable federal access standard, whichever is more restrictive. The goal in following the more restrictive standard is to ensure the greatest degree of compliance with applicable codes and regulations and consequently, to ensure the greatest usability for persons with disabilities, including persons with mobility disabilities. I have utilized the most restrictive requirements of the applicable federal access standard (2010 ADAS or ADAAG) and the CBC as the appropriate disability access standard for our work with public entities in California. It is widely accepted among California architects who work with public entities that compliance with the standards of both the applicable federal access standard and the CBC, whichever is more restrictive, is necessary to ensure that persons with mobility disabilities are able to use the public facilities safely and independently.
- 12. I have reviewed the Design-Build Agreement and the deposition testimony of the following individuals:
  - a. the witnesses designated by the City of Santa Clara and the Santa Clara Stadium Authority pursuant to Federal Code of Civil Procedure 30(b)(6) on the topics of the designs, plans, specifications, permits, construction, dimensional tolerances, punch lists, close-out procedures and certificate of occupancy or other approval process for Levi's Stadium and its parking lots, David Tran and Robert Jay Harrison; and
  - b. the witness designated by Turner/Devcon pursuant to Federal Code of Civil

    Procedure 30(b)(6) on the topics of policies, procedures and practices regarding
    compliance with the applicable design access standards during the design,
    construction and operation of Levi's Stadium, Jonathan Harvey.
- 13. Based on my review of those materials and my knowledge of Title II of the ADA and its implementing regulations, specifically 28 C.F.R. § 35.151(c), it is my professional opinion that

1	the federal access design standard that applied to the design and construction of Levi's Stadium is the
2	2010 ADAS. The Stadium is owned and was developed by the Santa Clara Stadium Authority, a part
3	of the City of Santa Clara and therefore a public entity. Under Title II of the ADA, new construction
4	by public entities commenced after September 15, 2010 and before March 15, 2012 must comply with
5	the 2010 ADAS, the 1991 ADAAG, or the UFAS. New construction by public entities commenced
6	after March 15, 2012 must comply with the 2010 ADAS. Based on my review of the case documents
7	and deposition testimony, it is clear that construction of the Stadium began after March 15, 2012,
8	thereby triggering a duty to comply with the 2010 ADAS. I understand that the City of Santa Clara
9	and the Santa Clara Stadium Authority may argue that Stadium construction commenced between
10	September 15, 2010 and March 15, 2012, thereby permitting the election of the 2010 ADAS, ADAAC
11	or the UFAS. This is incorrect. To determine the required federal design standard, one must look at
12	the commencement of construction. Site clean up to prepare for construction took place after March
13	15, 2012. Temporary power was put in after March 15, 2012 in preparation for construction. The
14	permit for the shell and core of the Stadium, and the beginning of the construction of the shell and
15	core, all took place well after March 15, 2012. Thus, the 2010 ADAS applies.
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14. To the extent the City or the Stadium Authority elected a federal accessibility standard under any mistaken conclusion that construction on the Stadium commenced prior to March 15, 2012, it would have elected either the 1991 ADAAG or the 2010 UFAS. The Design-Build Agreement erroneously specifies Title III of the ADA, which applies to facilities owned and built by private entities, not public entities such as the City or the Stadium Authority. Nonetheless, Title III permits a choice between the 1991 ADAAG and the 2010 ADAS, but not UFAS, for new construction projects by private entities constructed between September 15, 2010 and March 15, 2012. For this reason, I analyzed compliance with both the 2010 ADAS and the 1991 ADAAG in my inspection of the Stadium.

## SITE INSPECTION OF LEVI'S STADIUM AND ITS FACILITIES

15. I was part of a team of three disability access consultants who surveyed Levi's Stadium from January 22-26, 2018. The other two consultants were Jeff Mastin and Scott McBrayer. Additionally, I surveyed the Stadium's restaurants, Michael Mina Bourbon Steak & Bourbon Pub and

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Michael Mina Ta	ailgate, on March 7, 2018. We were asked primarily to determine the extent to which
the stadium and	its physical elements comply with the standards set forth in the 2010 ADAS, the 1991
ADAAG, and th	e 2010 version of the CBC. The Stadium is an extremely large facility, so in order to
complete the ins	pection in the time allotted, each of us inspected different areas and/or elements of the
Stadium accordin	ng to a division of labor we agreed upon in advance.
16.	I inspected the following elements of the Stadium:
a.	Accessible routes of travel and related elevators
b.	Wayfinding signage related to the location of the elevators
c.	Box office windows
d.	Forty Niners Team Stores
	i. Main Team Store at Gate A, 200 level and 300 level
	ii. Team stores at 700 level
e.	Accessible seating (other than within suites)
	i. Field level accessible seating at the North end of the Stadium
	ii. Field level accessible seating from the Brocade Club East
	iii. Field level accessible seating from the Brocade Club West
	iv. Accessible seating from the 501 Club
f.	Brocade Club East
g.	Bay Mellon Club
h.	Auditorium
i.	Restrooms serving the following areas
	i. Men's and Women's field level seating Northeast
	ii. Men's and Women's field level seating Northwest
	iii. Two sets Men's and Women's restrooms serving Brocade and Bay Mellon
	Clubs
j.	NRG Solar Terrace: Bars and seating areas
k.	Michael Mina's Bourbon Steak & Bourbon Pub
	i. Men's and Women's restrooms serving the Bourbon Steak & Bourbon Pub

1	Commission on	September 16, 1998, attached as Exhibit B to this Declaration, I did not record any
2	conditions that w	would fall within the tolerances listed therein, including the following:
3	a.	Concrete paving. Standard: Plus or minus 1/4" over 10' for drives, parking surfaces
4		sidewalks and other side paving.
5	b.	Concrete slabs for flatness and straightness. Standard: Bull-float slab is plus or
6		minus 1/2" over 10'.
7	c.	Flatness of counter tops. Standard: 1/4" per 8'.
8	d.	Clear opening at doors. Standard: plus or minus 3/8".
9	e.	Plumbing fixture installation. Standard: plus or minus 1/2" measured from the
10		finished wall or floor.
11	f.	Handrail dimensions. Nominal handrails not to vary more than 3/16" in diameter
12		from code dimension; height plus or minus 3/16" measured from finished floor.
13	g.	Threshold. Standard: 1/8" variation in threshold height is permitted above the
14		finished floor surface.
15	h.	Knee clearance under wall mounted plumbing fixtures, including lavatories,
16		drinking fountains, urinals and toilets. Standard: Mounting height above finished
17		floor equals plus or minus 3/8". Within a 30" wide area, centered on the accessible
18		basin or fixture, there may be a variation of 1/4" in height between the lower edge of
19		the counter and the finished floor.
20	i.	Switches, receptacles, pull stations, controls and similar devices. Standard: Plus or
21		minus 1/2" vertically.
22	j.	Door operating pressure. Standard: Plus or minus 1/2 pound.
23	k.	Operating pressures for faucets, flush valves and miscellaneous hardware. Standard
24		Plus or minus 1/2 pound.
25		<b>FINDINGS</b>
26	19.	The detailed survey findings and photographs of the areas and elements listed in
27	Paragraph 16 are	e attached as Exhibits C and D. Below is a summary of those findings.
28	\\	
	D	ECLARATION OF GARY WATERS ISO PLAINTIFFS' MOTION FOR CLASS CERTIFICATION

# **Elevators and Way-Finding**

20. One of the primary problems encountered by class members attempting to use Levi's Stadium is wayfinding, in particular finding the appropriate elevator to their seat location and/or other facilities and amenities at the Stadium. Wayfinding is an essential element of facility access. The 2010 ADAS requires that information be provided to persons with disabilities regarding the existence and location of accessible services, activities and facilities. The 2010 CBC requires that information be provided along the entire accessible route of travel through a facility, specifically identifying decision points and deviations from the general circulation path.

21. There are nine elevator locations throughout the Stadium. They are used as primary vertical circulation at primary Stadium entries, but are hidden from the general public. At major entry points, including Gate A, Gate B, Gate C and Gate F, way-finding signage is not provided indicating the location of elevators. At the primary entry for Level 300, all elevators serving the above entry gates are accessed through exterior doors that are either not identified or only identified at the door without adequate way-finding signage to get to that location. At major vertical circulation elements in the Stadium, such as ramps and stairs, way-finding information identifying the location of corresponding elevator is not provided. At Level 700 approaching the escalator at the east side of the South Concourse, the nearest elevator is at the west end of the South Concourse, and no signs indicating the elevator's location are visible from the escalator approach. Moreover, elevators in the Stadium are typically located through doors that are not clearly identified as leading to an elevator. The freight elevator (not one of the 9 passenger elevators) is identified by signage as a passenger elevator. As a result of these violations, patrons with mobility disabilities that necessitate the use of an elevator will inevitably experience difficulty and expend time and energy getting to their seats and other areas of the Stadium. See Exh. C at Nos. 57-60.

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# Path of Travel

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22. The path of travel does not comply with the 2010 ADAS, the 1991 ADAAG or the

Intel Gate A

and Tailgate

- 23. The plaza at Intel Gate A is a large, open space connecting multiple facilities that are required to be accessible. These include the box office, the main 49ers Team Store, SAP Tower, 49ers Museum, and Michael Mina's Bourbon Steak & Pub and Tailgate. As an identifiable accessible route of travel through the plaza is not provided, the entire area must be at 1:48, or 2.1%, slope in any direction. The cross slope on the direct route of travel from Gate A to the Box Office is consistently over 1:48, with cross slope measured up to 4.2%. See Exh. C at Item 1. Stadium Entry Level East Side Levi's 501 Club Entry to Michael Mina's Bourbon Steal, Bourbon Pub,
- 24. The slope of the path of travel exceeds the maximum allowed slope of 1:20, or 5%. I measured a slope was measured of up to 6.1%. See Exh. C at Item 4.

## Restrooms

25. The restrooms I inspected at Levi's Stadium contain numerous access barriers that violate the 2010 ADAS, the 1991 ADAAG, and the 2010 CBC. The entrance doors do not have signs indicating the presence of an accessible restroom within. The door latches in the accessible stalls require two hands to operate, making it very challenging for persons with mobility disabilities, as many have limited manual dexterity, balance or strength. Many of the accessible stalls contain floor drains and an excessive floor slope, making it difficult and unsafe for wheelchair users to transfer between their wheelchairs and the toilet seat. In some of the accessible stalls, the baby changing station, when in the open position, prohibits entry to the stall by a wheelchair user. Moreover, the baby changing stations within the accessible stalls cannot be accessed by a wheelchair user because the knee clearance is inadequate. In some of the accessible stalls, the toilet paper dispenser is not in the required location, making it difficult, and in some cases impossible, for persons with mobility disabilities to access the toilet paper. Similarly, the seat cover dispensers in some of the accessible stalls are located above the side wall grab bar and outside of the reach range of a wheelchair user. In

some of the accessible restrooms, the hinge jamb of the stall door is too far from the side partition; as a result, the stall door does not open onto the wide side of the toilet, hampering a wheelchair user from pulling straight into the stall without having to maneuver around the toilet. See Exh. C at Items 61-81. The restrooms in the Clubs and Restaurants are discussed in those sections.

# **Accessible Seating**

26. The accessible seating in Levi's Stadium does not comply with the requirements of the 2010 ADAS, the 1991 ADAAG or the 2010 CBC.

Field Level (100 Level) Accessible Seating

- Accessible seating in Sections 106-104, Row 1W; 146-102, Row 1W; and East Brocade Field Level South is only 33" wide, rather than the required 36". Slopes within many of the accessible seat locations exceed the minimum permissible slope of 2.1%, in some cases quite significantly—5.3% in Sections 112-108, 3.5% at East Brocade Club Field Level North, 3.3% at East Brocade Club Field Level South, 2.6% in Sections 146-102, 3.1% in Sections 144-142, and 3.8% at West Brocade Club Field Level South. These slopes are uncomfortable and may cause a wheelchair to roll backward or forward, depending on the orientation of the slope. The same is true of the cross slope at the aisles behind the accessible and companion seats—5.4% at Sections 112-108, 3.2% at East Brocade Field Level South, 3.2% at East Brocade Club Field Level North, 3.2% at Sections 144-142, and 3.2% at West Brocade Club Field Level South. The route of travel to the accessible and companion seating must be at least 36" wide; in Sections 112-108, Row 1W, and Sections 144-142, Row 1W, the stairs to the seats above the accessible seating encroach into the clear accessible route when wheelchair users are in place at the adjacent seating locations. See Exh. C at Items 14, 16, 18-23, 25-28, 31-32, 36-40.
- 28. Ramps to the accessible seating in Sections 106-104, 112-108, have steep running slopes, exceeding the permitted maximum of 8.33%, in some cases up to 9.2%, and making it difficult for persons with mobility disabilities to access the seating. The handrail extensions on the ramps to the accessible seating are not a full 12" in the direction of travel before returning to the wall, which makes it difficult for persons with mobility disabilities to hold onto the handrail at the bottom or top of the ramp in order to rest and stabilize. The ramp to the accessible seating at Sections 144-142 is

1	narrower than the 48" required. The bottom landing of the ramp to accessible seating in Sections 146-
2	102 does not extend the required 72" in the direction of travel; instead there is a permanent concrete-
3	filled bollard 36" from the end of the ramp slope, creating an obstacle and a hazard for persons with
4	mobility disabilities. See Exh. C at Items 14-15, 17-18, 29-30, 33-35.
5	29. The door opening force to the lifts to the accessible seating in the East Brocade
6	Club Field Level North and South exceeds the maximum 5 lb. for exterior doors (measured up to 8.5
7	lb.). See Exh. C at Item 24.
8	501 Club 400 Level
9	30. Accessible seating in the 501 Club South Seating 400 Level is only 33" wide,
10	rather than the required 36". Slopes within the accessible seat locations exceed the minimum
11	permissible slope of 2.1%—3.6% in South Seating and 3.2% in North Seating. The same is true of the
12	cross slope at the aisles behind the accessible and companion seats, measured up to 3.0% in South
13	Seating and 3.0 and 5.0% in North Seating. See Exh. C at Items 41-43, 45, 47-48.
14	31. Ramps to accessible seating in both the South and North Seating have steep
15	running slopes, exceeding the permitted maximum of 8.33%8.7% in South Seating and 8.8% in
16	North Seating. See Exh. C at Items 44, 46.
17	Clubs
18	32. In addition to the violations of the standards in the accessible seating, described
19	above in Paragraphs 27 and 29-31, other elements in the clubs I inspected do not comply with the
20	2010 ADAS, the 1991 ADAAG or the 2010 CBC.
21	East Brocade Club, Level 100, South and North
22	The bars in the Brocade Club East, North and South, do not have an accessible
23	counter section. There is a lowered section at the end of the L-shaped bar that is visibly disconnected
24	from the rest of the bar and not deep enough. Also, the accessible height counter is not the same depth
25	as the rest of the bar. See Exh. C at Item 50.
26	34. The Men's and Women's Restrooms at Brocade Club East, North and South, are
27	not identified as accessible. The baby changing station, when in the open position, prohibits entry to
28	the stall by a wheelchair user. The toilet paper dispenser is not in the required location, making it

1	difficult, and in some cases impossible, for persons with mobility disabilities to access the toilet paper.
2	In the Men's restrooms, the hinge jamb of the stall door is too far from the side partition; as a result,
3	the stall door does not open onto the wide side of the toilet, hampering a wheelchair user from pulling
4	straight into the stall without having to maneuver around the toilet.
5	Bay Mellon Club East
6	35. The bar is 42" high from the floor and is only accessible to standing patrons. A
7	section that would be accessible to patrons with mobility disabilities, at a 34" maximum height, is not
8	provided. See Exh. C at Item 49.
9	Box Office
10	36. There are twelve ticket windows; one must be accessible. The location of the
11	ticket window intended to be accessible is not identified as such. A clear space for side approach is
12	not provided at the ticket windows, and the ground slope exceeds the maximum 2.1%, measured up to
13	2.5%. See Exh. C at Items 2, 3.
14	Team Stores
15	The team stores contained numerous elements that were not compliant with the
16	2010 ADAS, the 1991 ADAAG, or the 2010 CBC.
17	Main Team Store – Gate A 200 Plaza Level
18	38. Multiple entry doors have an opening force that exceeds the permissible maximum
19	of 5 lb. for exterior doors (measured up to 8.5 lb.), making them difficult to open for persons with
20	mobility disabilities who often have limited upper body strength. At multiple doors, the sweep
21	period—the amount of time it takes for the door to go from an open position of 90 degrees to a point
22	12 degrees from the latch—is less than the five-second minimum required (measured at 3.88 seconds
23	to 4.42 seconds). This is not sufficient time for many persons with mobility disabilities to pass
24	through the door. See Exh. C at Items 5, 6.
25	39. There is only one dressing room, and it is not accessible. The door to the dressing
26	room opens into the room and encroaches on the required pull-side maneuvering space of 60"
27	(measured at 49"), making it very difficult for a wheelchair user to exit the dressing room. The
28	clothing hook and pole are 68" above the finished floor, which not within reach range for a wheelchair

1	user. Of the multiple sales counters provided, the accessible counter is not clearly identified, which
2	makes it difficult for persons with mobility disabilities to identify which line they should use. See
3	Exh. C at Items 7-9.
4	Team Store – Gate C 300 Level Concourse
5	40. Of the multiple sales counters provided, the accessible counter is not clearly
6	identified, which makes it difficult for persons with mobility disabilities to identify which line they
7	should use. See Exh. C at Item 10.
8	Team Store – Southeast 700 Level Concourse
9	41. At the push side of the exit door, display shelving encroaches into the required
10	clear maneuvering space. There is a 7/8-inch change in level at the entry door threshold, posing a
11	tripping hazard for semi-ambulatory persons and a tipping hazard for wheelchair users, who may also
12	have a difficult time overcoming the level change. See Exh. C at Items 11, 12.
13	Team Store – Southeast 700 Level Concourse
14	42. There is a 3/4-inch change in level at the entry door threshold, posing a tripping
15	hazard for semi-ambulatory persons and a tipping hazard for wheelchair users, who may also have a
16	difficult time overcoming the level change. See Exh. C at Item 13.
17	Auditorium
18	43. The auditorium does not comply with the 2010 ADAS, the 1991 ADAAG or the
19	2010 CBC. The platform stage is accessed by three risers at either end, and there is no ramp or lift to
20	the stage. The lectern height is not adjustable. The general seating is fixed and on a sloped floor, and
21	there is no accessible seating provided, even though the standards require at least four accessible
22	seating spaces. The left leaf on one set of entry doors has an opening force that exceeds the permitted
23	15 lb. for fire doors (measured at 17 lb.). See Exh. C at Items 51-53.
24	NRG Solar Terrace
25	44. I inspected certain elements of the NRG Solar Terrace and Jeff Mastin inspected
26	others, as noted in his declaration and inspection report. I noted a number of elements that do not
27	comply with the 2010 ADAS, the 1991 ADAAG or the 2010 CBC.

- 45. Paving stones appear to be installed on a raised pedestal system and are not securely attached, allowing movement between the pavers. There are excessive level changes in several locations changes in level between the pavers. See Exh. C at Item 56.
- 46. This terrace provides seating with field views. There are no identified wheelchair seating locations with a companion seat. In front of the seating is a 7"-deep drink counter typically mounted at 42-3/4" above the ground surface. It blocks the line of sight and cannot be used by a person in a wheelchair because its height exceeds the 34-inch maximum allowed. Although there is one lowered section, the measurements of that area do not constitute a compliant wheelchair seating location with a companion seat. See Exh. C at Item 55.
- 47. There are two bar areas. At each, the accessible bar counter is located to the side of the bar in a circulation path and separated from the bar activity. This location is not integrated with the rest of the bar area, segregating guests with mobility disabilities from other patrons. The typical bar counter is 30" deep. The bar counter at the accessible location is only 24 inches deep and not equivalent to the bar counter for guests without mobility disabilities. Additionally, its location does not provide a view of the televisions visible from the rest of the bar, further isolating fans with disabilities from the game experience. See Exh. C at Item 54.

#### Restaurants

- 48. The Stadium's restaurants contain numerous elements that do not comply with the 2010 ADAS, the 1991 ADAAG and the 2010 CBC.
- 49. There are several "picnic"-style outdoor tables outside the entrance to the Michael Mina restaurants, but no accessible seating locations are provided, despite a minimum requirement of 5% of the available seating. See Exh. D at Item 32.
- 50. The primary double entry door is not identified as accessible. It has an opening force that exceeds the maximum permissible of 5 lb. (measured at 18 lb. and 12 lb). The sweep period is faster than the minimum 5 seconds permitted (measured at 3.87 seconds and 3.69 seconds). There is not sufficient maneuvering space from the push side of the left door leaf, measuring at 41 1/2" even though the minimum is 48". See Exh. D at Items 1-4.

CBC contrast requirements. This makes the sign difficult to read without getting closer to the door.

whether the restrooms will meet their needs (Men's, Women's, Unisex, etc.) does not comply with the

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from the sidewall to the centerline of the fixture (measured at 14 1/2" and 14 1/4"). Additionally,
Degrapation of Capy Watter ICO By a reference Morrow for Cyang Constitution

Neither of the two lavatories in the Men's restroom are located a minimum 18"

in

See Exh. D at Items 36, 37, 46.

63.

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both restrooms, the clear knee space provided at the lavatories is obstructed by moveable items stored below the lavatory counter. The lavatory hot and waste lines in both restrooms are not completely insulated, posing a burn danger for persons with limited to no sensation in their lower bodies. See Exh. D at Items 38-40, 47, 48.

64. In both restrooms, the door pulls on the inside of the doors to the accessible stalls are not located below the latch and prevent one from using the latch. The seat cover dispensers are mounted less than 12" above the side grab bar, making it difficult to use the side grab bar. The opening of the dispensers is also mounted too high, 46" above the finished floor instead of the maximum of 40". The toilet roll dispensers are not in an accessible location. The required toe space beyond the stall partitions is not provided, which reduces the maneuvering space for a wheelchair user. In both restrooms, the baby changing stations are in the accessible stalls, and if left in the open position, block entry to the stall. See Exh. D at Items 41-45, 49-53.

Tailgate Loft Meeting Rooms

- 65. Tailgate contains Loft Meeting Rooms. The accessible route of travel at the first floor is through the employee-side of the food-serving counters to the elevator. At the second floor the elevator opens into the commercial kitchen. This is prohibited by the 2010 CBC. Additionally, the route through the kitchen area to the elevator is only 30", although 36" is the minimum permitted. There is also a ramp from the second-floor kitchen to the Loft. The handrail on one side of it is discontinuous; it is lined with kitchen equipment preventing use of the handrail. Moreover, the handrail extensions at the top and bottom are not the full required horizontal dimension. There are also interior stairs from Tailgate to the meeting rooms. The handrail extensions at the top of these stairs do not extend in the direction of the stair run, nor do they extend the full required length before return to the wall. See Exh. D at Items 54-59.
- 66. There are two Loft Meeting Rooms, Skybox 01 and Skybox 02. I was not able to inspect Skybox 01 because it was in use, but based on information provided by Defendants, it appears to have the same features as Skybox 02. Sufficient maneuvering space is not provided at the pull side of the entry door to Skybox 02 (58 3/4" rather than the required 60"). The counters in Skybox 02

exceed the 34" maximum height (measured at 37 7/8" above the finished floor). See Exh. D at Items 60-61.

Rooms. Both have excessive door opening forces (7.5 lb. and 7.1 lb.). The sweep period for the doors to both restrooms is faster than the permitted minimum of 5 seconds (measured at 3.49 seconds). The geometric door signs do not comply with CBC contrast requirements. The lavatory hot and waste lines in both restrooms are not insulated. The seat cover dispensers are mounted less than 12" above the side grab bar, making it difficult to use the side grab bar. The opening of the dispensers is also mounted too high, 46" above the finished floor instead of the maximum of 40". The toilet roll dispensers are not in an accessible location. In one of the restrooms, there is no clear space at the paper towel dispenser to permit parallel approach by a wheelchair user, making it difficult if not impossible to use. Additionally, the lavatory encroaches on the clear space near the toilet, making it difficult to maneuver near the toilet and/or perform a transfer from a wheelchair. See Exh. D at Items 62-75.

# **CONCLUSIONS**

- 68. Based on my site inspection and those of Jeff Mastin and Scott McBrayer, it is my expert opinion that Levi's Stadium contains repeated violations of the 2010 ADAS, the 1991 ADAAG and the 2010 CBC, which appear throughout the facility. It is my opinion that a public entity must put into place appropriate quality control policies and procedures for new construction projects to prevent these access barriers. It is my opinion that the widespread identification of access barriers represent a systemic problem in the administration of the Levi's Stadium design and construction project.
- 69. Having reviewed the deposition transcripts, I understand that Building Division of the City of Santa Clara reviewed the design plans for compliance with the 2010 CBC and not any federal access design standard. The City based approval of the permits for Levi's Stadium on compliance with the CBC only. Based on my professional experience, reliance on the approval agency's review of the construction documents is not an effective means to ensure that new construction projects are in compliance with the requirements of the applicable federal access standard, in this case the 2010 ADAS, or the 2010 CBC, whichever is most restrictive. Approval

agencies review construction documents in order to ensure compliance with the CBC only and not federal access standards.

- 70. Ultimately, the responsibility for compliance with both the applicable federal access standard and the CBC lies with the facility owner—including a public entity owner—and its design team. Therefore, it is my professional opinion that it is critical for owners, including public entities, to develop and enforce appropriate policies and procedures regarding construction. Based on my professional experience, the following elements must be present in any effective policy and procedure of a public entity to ensure that construction is performed in compliance with the ADA and parallel California laws:
  - a. All elements of accessibility must be designed to the strictest requirements of the applicable federal access standard—in this case the 2010 ADAS—and the CBC.
  - b. The design plans must be reviewed not only for compliance with the CBC, but also with the applicable federal access standard.
  - c. It must be emphasized to the General Contractor and relevant sub-contractors at the pre-construction and subsequent construction meetings that conformance with the contract documents with regard to construction of accessible elements is critical. The obligation to comply with all applicable disability access standards—including federal access standards (in this case the 2010 ADAS)—should be stated within the contract documents themselves.
  - d. A person of responsibility must be assigned to monitor the construction for conformance with the contract documents throughout the construction process. This person must have the appropriate training and knowledge regarding disability access requirements and may be the architect, inspector of record, construction manager, or other representative of the public entity. This person should report directly to the Owner or the Owner's Representative.
  - e. Inspections of the built facility must review not only for compliance with the CBC, but also with the applicable federal access standard.

f. Non-compliant work must be fixed prior to acceptance of the project by the Owner, filing of the notice of completion and payment of retention.

In my expert opinion, these are the policies and procedures that must be followed by a public entity, whether by its architect, or other specified responsible person, to ensure compliance with the federal disability access standards (in this case the 2010 ADAS) and the CBC accessibility requirements. Defendants did not employ these policies and procedures in the design and construction of Levi's Stadium, which has resulted in systemic violations of the 2010 ADAS, the 1991 ADAAG, and the 2010 CBC.

71. In my expert opinion, systemic failures have occurred at every stage of the new construction and operations process of Levi's Stadium. At the design stage, Defendants did not specify and the designer did not employ the 2010 ADAS or any federal standard, resulting in significant design errors which violate the 2010 ADAS and the 1991 ADAAG, which are described in Paragraphs 19-67 above and in greater detail in my reports, Exhibits C and D. Based on my review of the design plans and deposition testimony in this case, I understand that Defendants used the 2010 CBC as its access design standard for the Stadium. There are significant differences between the 2010 CBC and the 2010 ADAS which impacted the design and construction of Levi's Stadium. I have described some of the more significant differences below.

# Differences between the 2010 ADAS and the 2010 CBC

Van Accessible Parking Spaces

- 72. The 2010 ADAS § 208.2.4 changes the requirement for the number of van accessible parking spaces from 1 for every 8 accessible parking spaces to 1 in every 6 accessible parking spaces provided. The 2010 CBC § 1129B.3.2, still required 1 van accessible space for every 8 accessible parking spaces provided.
- 73. For parking serving Levi's Stadium this would be a significant increase in the number of van accessible parking spaces required.
- Slope at Wheelchair Seating Locations
- 74. The 2010 ADAS § 802.1.1 specifically indicates that changes in level are not permitted and limits any slope to 1:48 max, or 2.1%. The 2010 CBC § 1104B.3.4 indicates that

1	wheelchair spaces are to be level, but then also states that wheelchair spaces shall comply with §
2	1124B, which allows for changes in level at § 1124B.2. This leaves open to interpretation what it
3	means to provide a "level" wheelchair space.
4	75. At Levi's Stadium the accessible wheelchair seating spaces at the field level
5	seating and at the 501 Club level seating have significant slopes, greatly exceeding the permissible
6	maximum of 2.1%.
7	Size of Wheelchair Seating Spaces
8	76. The size of a single wheelchair seating space is clearly defined by 2010 ADAS
9	802.1.2 as being 36" wide minimum. The same section allows side-by-side wheelchair seating spaces
10	to each be 33" wide minimum. CBC § 1104B.3.6 and Figure 11B-15 only define the width for side-
11	by-side wheelchair seating spaces as being 66" wide minimum overall. The CBC does not define the
12	width of a single wheelchair seating space.
13	77. At Levi's Stadium many of the single wheelchair seating spaces were measured at
14	33" wide, not 36" minimum wide as required by the 2010 ADAS.
15	Luxury Boxes, Club Boxes & Suites
16	78. 2010 ADAS § 221.2.1.2 specifically requires that in each luxury box, club box and
17	suite, accessible wheelchair spaces shall be provided and shall be calculated box by box and suite by
18	suite. The 2010 CBC requires that persons with disabilities be provided with a choice of admission
19	prices and lines of sight comparable with those of the general public. The CBC language does not
20	require each luxury box, club box and suite in arenas, stadiums and grandstands to be accessible.
21	79. This specific requirement of the 2010 ADAS ensures that all specialty seating
22	areas available to spectators are also available to persons with mobility disabilities. In addition, this
23	requirement ensures that persons with mobility disabilities can visit friends and family in any luxury
24	box, club box or suite. Levi's Stadium has not designed each of the luxury boxes, club boxes and
25	suites to be fully accessible, as identified in the site inspections by Jeff Mastin and Scott McBrayer.
26	Specialty Seating
27	80. The 2010 ADAS in 28 C.F.R. § 36.308 requires that public accommodations
28	ensure that accessible wheelchair and companion seating locations are provided in each specialty

seating area that provides spectators with distinct services or amenities. As in the case of luxury
boxes, club boxes and suites, the 2010 CBC requires that a person with disabilities be provided with
choice of admission prices and lines of site comparable with those of the general public. The CBC
language does not ensure that each specialty seating area be accessible.

- 81. Although the stadium is owned and constructed by a governmental entity and subject to Title II of the ADA (28 CFR Part 35), when operated by the Forty Niners as a public accommodation it must also comply with the requirements of Title III of the ADA (28 CFR Part 36).
- 82. Two examples of specialty seating areas that do not provide wheelchair accessible and companion seating are the Pepsi platforms (4-locations at level 700 north and south ends of the Stadium) and the NRG Solar Terrace. The Pepsi platforms do not have an accessible route of travel to them and do not provide wheelchair accessible and companion seating. At the NRG Solar Terrace, wheelchair accessible seating and companion seating are not provided.

Sight Lines

- 83. The 2010 ADAS § 221.2.3 requires that wheelchair spaces be provided with choices of seating locations and viewing angles that are substantially equivalent to or better than the choices of seating locations and viewing angles available to all other spectators. The purpose of this requirement is to ensure that the experiences of wheelchair users is substantially equivalent to that of other members of the audience. The CBC § 1104B.3.5 uses performance language that does not necessarily assure compliance with the more specific 2010 ADAS requirements. In the December 1, 2012 Comparative Analysis, DSA recommended the 2010 CBC be amended to adopt the language in the 2010 ADAS.
- 84. At Levi's Stadium, the lines of sight at nearly all suites are significantly inferior to those of other spectators in the same suite, as identified in the site inspection by Jeff Mastin.

  \*Accessible Seating Horizontal Dispersion\*
- 85. The 2010 ADAS, 28 CFR Part 35.151(g)(2), requires that in assembly areas with seating encircling, in whole or in part, a field of play, wheelchair seating and companion seating shall be dispersed around that field of play. The 2010 CBC does not have a specific section that addresses

1	this issue and uses performance language that does not ensure compliance with this more specific
2	requirement.
3	86. This lack of specific language in the 2010 CBC addressing horizontal dispersion is
4	seen clearly in the design of Levi's Stadium. At the field level, accessible wheelchair seating and
5	companion seating is only provided at the north side of the Stadium. No accessible wheelchair and
6	companion seating is provided at the field level south side of the Stadium as required by 28 CFR Part
7	35.151(g)(2).
8	Queue Lines at Concessions
9	87. The 2010 ADAS § 227.5 requires specific compliance for queue lines with the
10	requirements for walking surfaces under section 404, including requirements at turns under § 403.5.2
11	and in figure 403.5.2. It specifically requires that when an obstruction is less than 48" wide with
12	approaches less than 42" wide, then the end aisle must be 60" wide. Turning in a narrow queue line is
13	similar to making a tight U-turn; one needs a larger turning clearance based on the width of the object
14	around which the wheelchair must turn. The 2010 ADAS recognizes this by adjusting the required
15	turning clearance based on the width of the object around which the wheelchair must turn. The 2010
16	CBC § 1133B.6 and figure 11B5E(a) and (b) do not have this requirement.
17	88. Levi's Stadium has queue lines painted on the walk surface typically at all
18	permanent concessions. The aisle width is typically 36", and the aisle width at the end is less than
19	60", not allowing a wheelchair user the required space to maneuver in the line. Maneuvering a
20	wheelchair outside the queue line can be particularly difficult due to the large numbers of people in
21	the concessions areas on event days.
22	Reach Range
23	89. The 2010 ADAS § 308.3.1 reduces the unobstructed side reach to an element from
24	54" above the floor to the highest operable part to 48" above the floor to the highest operable part.
25	The 2010 CBC allows the unobstructed side reach to be up to 54" above the floor to the highest
26	operable part. The 2010 ADAS provides significantly greater access than the 2010 CBC.
27	\\

- 90. This affects many elements within Levi's Stadium. Two specific items included in the surveys are:
  - a. At the condiment stations provided at the concession areas, the highest operable parts for many of the dispensers are more than 48" above the floor, but not more than 54" above the floor. These dispensers are compliant with the 2010 CBC but not the 2010 ADAS.
  - b. At the suites, the highest operable parts at all the telephones are more than 48" above the floor, but not more than 54" above the floor. These telephones are compliant with the 2010 CBC but not the 2010 ADAS.

# Handrail Extensions at Ramps

- 91. The 2010 ADAS, in sections 505.10 & 505.10.1, specifically required handrail extensions at ramps to be in the same direction as the ramp run and to extend horizontally above the landing for 12" minimum. The extensions must then return to a wall, guard, or landing surface or be continuous to the handrail of an adjacent ramp run. CBC § 1133B.4.2.2 does not specifically require the handrail extension to be in the same direction as the ramp run. The result is that often the return begins before the full 12" extension.
- 92. At Levi's Stadium the handrail extensions at ramps (and typically at stairs that have similar requirements) do not extend the full 12" in the direction of the ramp run and horizontally above the landing. The purpose of the extension is to provide persons with mobility disabilities with support at the top and bottom of a ramp if they need to rest and recover from the added exertion needed to use the ramp. When the extension is less than 12", it makes the use of the extension for support more difficult and less effective.

# Doors – Closing Speed

93. The 2010 ADAS § 404.2.8.1 changes the requirements for the closing speed so the time it takes a door to move from an open position of 90-degrees to a point 12-degrees from the latch is not less than 5-seconds. CBC § 1133B.2.5.1 is less restrictive. In the December 1, 2012 Comparative Analysis, DSA recommended the 2010 CBC be amended to adopt the language in the 2010 ADAS.

issue.

100. At the restrooms that serve Michael Mina's Tailgate, the compartment partitions are less than 9" above the floor and do not provide the additional maneuvering space required by the 2010 ADAS.

Accessible Sinks

- 101. The 2010 ADAS § 212.3 requires that where sinks are provided at least 5%, but no fewer than one, of each type provided in each accessible room or space must be accessible. CBC 1117B.9 indicates that sinks required to be accessible must comply with the requirements of this section, however, there is not a clear requirement for what sinks and how many sinks are required to be accessible.
- 102. In Levi's Stadium, each suite has at least two sinks, one used as a wash sink and one used as an ice sink. The 2010 ADAS clearly requires both types of sinks to be accessible. The 2010 CBC does not clearly address this issue. The ice sinks are not accessible and, based on the completed construction, do not appear to have been held to the same standard as the wash sink at each suite, as noted in the site inspections by Jeff Mastin and Scott McBrayer.

# The Stadium Contains Violations of Both California and Federal Disability Access Standards

103. The number and severity of physical access barriers in the Stadium that violate the 2010 CBC, as well as both the 2010 ADAS and the 1991 ADAAG, demonstrate that the appropriate and necessary professional care was not exercised by Defendants at the design or design review and approval processes. Based on my review of the Design-Build Agreement and the deposition testimony, the Design-Build Agreement specified Evan Terry Associates, P.C. as the "ADA Conformance Consultant." However, officials at the City and the Stadium Authority responsible for approving the design permits and inspecting the Stadium did not speak with anyone from that firm nor even know who or what it was. Moreover, the person at the City with the most expertise in disability access standards is not familiar with federal disability access standards and does not review building permits for compliance with any federal disability access standard. Nor did the main agent for the Design-Build Contractor, Turner/Devcon, speak with Evan Terry or know who the firm was until this year. The Design-Build Contractor did not hire or contract with an expert or consultant on disability access for the Stadium project. There was no person with expertise on the ADA or federal disability

access standards within the City or to oversee the Stadium design and construction project. In my 1 2 expert opinion, this lack of control for compliance with federal and state disability access standards in construction is another cause of the presence of widespread, significant access barriers in the Stadium. 3 4 104. Additionally, Defendants' failure to consult a disability access expert or institute 5 controls for compliance with the ADA, the 2010 ADAS and the 2010 CBC for operations and maintenance has resulted in the presence of widespread access barriers throughout the Stadium, such 6 7 as improper heights and placement of moveable items like condiments, the use of a wheelchair lift to transport supplies, excessive door pressure and inadequate door sweep time, and the lack of accessible 8 9 queues at the concessions. 105. Finally, the Stadium opened in the Summer of 2014, yet from my observation 10 nothing has been done since that time to remove or remedy the physical access barriers outlined in my 11 report or those of Jeff Mastin and Scott McBrayer. In my expert opinion, these problems are 12 sufficiently significant and numerous to indicate that Defendants' procedures and practices in the area 13 of access for persons with mobility disabilities are not adequate to ensure that such persons have full 14 and equal enjoyment of the Stadium's accommodations. In my professional opinion, the number and 15 severity of physical access barriers at the Stadium demonstrate that the appropriate and necessary 16 professional care has not and is not being exercised by Defendants in the design, construction and 17 operation of Levi's Stadium. 18 19 // 20 \\ 21 // 22 // 23  $\backslash \backslash$ 24 // 25 // 26 \\ 27 // 28

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1	106. In my professional opinion, no facility or portion of a facility can be considered
2	fully accessible unless it complies with the minimum standards established by the applicable federal
3	access standard, in this case the 2010 ADAS. This is the standard that has been established by the
4	ADA and the Department of Justice as allowing most persons with disabilities to use buildings and
5	facilities safely and independently, and on an equal basis with non-disabled persons. In my
6	professional opinion, the widespread, repeated violations of these minimum standards in all parts of
7	Levi's Stadium make it inevitable that any person with a mobility disability who attends an event at
8	the Stadium will encounter significant access barriers that will impact their entire experience and den
9	them full and equal enjoyment of the facility and its accommodations.
10	I declare under penalty of perjury under the laws of the United States that the foregoing is true
11	and correct.
12	Executed on April 6, 2018, in Santa Rosa, California.
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14	Mywatuta
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16	Gary K. Waters, AIA
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# EXHIBIT A

# **Curriculum Vitae**



Gary Waters, Architect, CASp
Gary Waters Architectural Corporation
Dba - Pacific Access Consulting
Dba - Waters MacRae Architects

California Architect License No.: C-19677

California Certified Access Specialist: CASp 065

ICC Accessibility Inspector / Plans Examiner

Gary Waters is the president of Gary Waters Architectural Corporation, doing business as Pacific Access Consulting and Waters MacRae Architects. Mr. Waters brings nearly 30 years of experience in the practice of architecture in a variety of projects types, including corporate offices, community centers, athletic facilities, neighborhood commercial/retail, regional retail, medical office, OSHPD approved medical facilities, childcare, educational facilities.

Since 2000, Mr. Waters has focused his practice on accessibility and universal design, providing comprehensive access management services to public and private clients. He is responsible for project development, client relations, and providing access consulting services and litigation support. Mr. Waters is a recognized expert in the field of accessibility with significant knowledge and experience in all facility related accessibility laws and regulations, including the Americans with Disabilities Act. Notable clients/projects include, County of Alameda, Sonoma Developmental Center, UC Riverside, Napa Valley College, City College of San Francisco, Santa Rosa Junior College, Division of the State Architect, McDonalds, YUM! Foods and Staples.

Preferring a proactive approach to access management, Mr. Waters has developed a suite of Comprehensive Access Management Services, designed to assist public and private entities in meeting their obligations for access in an efficient and effective systems approach. Services Include:

Access Consulting
Transition Planning
Architectural Design
Access Plan Review
Access Plan Review
Access Construction Observation
Accessibility Training
Litigation Support & Expert Witness

Mr. Waters provides accessibility consulting, litigation support and acts as an expert witness on accessibility issues. Notable cases he has been involved with include Lopez v. San Francisco Unified School District, Cherry v. City College of San Francisco and Kirola v. City and County of San Francisco.

#### **RELEVANT PROJECTS**

# **City College of San Francisco – Chinatown Campus**

808 Kearny Street, San Francisco

The project included the construction of two new education towers, 14-stories and 5-stories, in the financial district of San Francisco. WMRA provided access consulting to the District. Services included design consultation and peer review of construction documents, periodic site visits during construction to review access compliance including rough-in of plumbing and electrical elements, verifying framing dimensions, working with general contractor and trades on critical access issues during construction, review of shop drawings and construction changes, final access punch list and project acceptance.

## City College of San Francisco – Conlan Hall

Ocean Campus, 50 Phelan Avenue, San Francisco, CA

This project included the remodel of existing restrooms for access barrier removal. Services included plan review, review and consultation during construction, and final access punch list and project acceptance.

## City College of San Francisco – District Wide Access Barrier Removal

Gary Waters, of Waters MacRae Architects was named in settlement agreement for Cherry v City College of San Francisco, an ADA class action lawsuit, to monitor the implementation of the agreement. Services included peer review of construction documents, final access punch list and project acceptance. In addition, Mr. Waters participated in Federal Court hearings reviewing the progress of the settlement agreement.

Ocean Avenue Campus

Science Hall
Student Health Center
Batmale Hall
Creative Arts
Visual Arts

Rosenberg Library Community Health & Wellness Center

Student Union Smith Hall

John Adams Campus Downtown Campus Evans Campus Alemany Campus

Mission Campus

# San Francisco Unified School District – Implementation of the Settlement Agreement in Lopez v SFUSD

Gary Waters of Waters MacRae Architects was hired by the law firm of Schneider Wallace to conduct oversight of the District's compliance with the settlement agreement. Services included peer review of construction plans for access compliance and post construction access compliance evaluation surveys and report.

# McDonald's Corporation – Sierra Pacific Region

Gary Waters has been working with the Sierra Pacific Region of McDonald's for about 3-years providing access compliance services. The region covers Northern California and Northern Nevada. McDonald's has implemented a national comprehensive access management program to ensure access compliance. Services provided by Mr. Waters to the Sierra Pacific Region include access training seminars for McDonald's construction managers, architects and general contractors, Pre-construction access surveys, post construction access surveys and CASp determinations, peer review of construction documents including decor as-needed construction services and consultation. The following 50 locations represent a partial list of project sites:

Arcata – 4901 Valley West Blvd.

Auburn – 2865 Bell Rd.

Carson City NV - 3344 N. Carson St.

Citrus Heights – 7632 Sunrise Blvd.

Coalinga – 25145 W. Dorris St.

Cupertino - 10990 N. Sterling Rd.

Fair Oaks - 5288 Hazel Ave.

Dinuba – 1725 E. El Monte Way

El Dorado Hills – 4312 Town Center Dr.

Fresno – 4505 Kings Canyon

Fresno – 5600 E. Ashlan Ave.

Fresno – 1248 N. Blackstone Ave.

Galt – 324 Pine St.

Healdsburg – 110 Healdsburg Ave.

McKinleyville – 1500 Anna Sparks Way

King City – 1350 Broadway St.

Lincoln – 290 G Street

Lodi – 6440 W. Banner St.

Lodi – 841 E. Kettleman Ln.

Los Banos – 1550 W. Pacheco Blvd.

Martell – 12201 Trade Center Dr.

Milpitas – 1795 Landess Ave

Modesto – 2118 McHenry Ave.

Modesto - 2601 Oakdale Rd.

Modesto - 3430 Tully Rd.

Anderson – 3100 McMurray Dr.

Auburn – 13370 Lincoln Way

Citrus Heights – 6212 Auburn Blvd.

Clovis – 412 W. Shaw St.

Coalinga - 396 W. Elm St.

Elk Grove – 2733 Elk Grove Blvd.

Fremont – 40708 Grimmer Blvd.

Concord - 4550 Clayton Rd.

Fremont – 38860 Fremont Blvd.

Fresno - 34898 E. Kings Canyon

Fresno - 4190 N. West Ave.

Fresno – 669 E. Nees Ave.

Hayward – 26253 Mission Blvd.

Hollister – 1711 Airline Highway

Eureka – 1730 4<sup>th</sup> St.

Lemoore - 1089 N. Lemoore Ave.

Lindsay – 208 N. Highway 65

Lodi – 200 W. Lodi Ave.

Los Banos – 1480 S. Mercy Springs

Manteca - 1236 W. Yosemite Ave.

Merced – 1821 Motel Dr.

Modesto – 4120 Dale Rd.

Modesto – 901 N. Carpenter Rd.

Modesto - 1800 Prescott Rd

Modesto – 1280 E. Whitmore

#### Sebastiani Theatre - Sonoma California

The Sebastiani Theatre, located on the historic Sonoma Plaza in Sonoma California, is a designated historic landmark. The building is privately owned and leased by the City of Sonoma for the purposes of ensuring the continuing use as a theatre of this historic and iconic representation of the City Sonoma. The City in turn leases the theatre to a non-profit group operating group. The City commissioned and access evaluation of the facility for compliance with the Americans with Disabilities Act and the California Building Code as part of their lease renewal negotiations with the building owner. There were several overlapping accessibility issues that came into play including:

- 1. Historic Building Considerations
- 2. ADA Title II for State and Local entities
- 3. ADA Title III For Public Accommodations
- 4. Allocation of access responsibilities between Lessor, Lessee and Sub-Lessee Gary is currently working as a consultant to the City of Sonoma to review plans and construction for an alteration project to remove access barriers.

#### **Sonoma Bungalows Boutique Hotel**

Gary Waters is the project architect and access consultant for the design and construction of Sonoma Bungalows Boutique Hotel just off the square in Sonoma, CA. The project will incorporate 3-existing single family 2-bedroom, 2-bath homes and construct 5 new 1-bedroom guest suites and a hospitality room as part of a new luxury boutique hotel project.

# **San Francisco Conservatory of Music**

Pacific Access Consulting, led by principal Gary Waters, is currently providing access consulting services as part of the design team let by Mark Cavagnero Architects, for the design and construction of the new 12-story San Francisco Conservatory of Music project. The project includes teach and performance spaces, student housing, replacement rental housing and a restaurant. The project has a prominent on Van Ness Ave, in the San Francisco Civic Center across from the Louise M. Davies Symphony Hall.

## Selected CASp Surveys and Reports – A Partial List of Clients

Mending Wall Winery
3730 Silverado Trail, St. Helena, CA 94574
Marini's Inn & Restaurant
2500 El Camino Real, Santa Clara, CA 95051
G & G Supermarket
1211 W. College Ave., Santa Rosa, CA 95401
Carneros Deli & Bonneau's 76 Service Station
12001 & 12003 Arnold Dr., Sonoma CA

#### **Acacia Winery**

2750 Las Amigas Road, Napa, CA

#### **Alderbrook Winery**

2306 Magnolia Dr. Healdsburg, CA

#### **Provenance Winery**

1695 St Helena Highway, Rutherford, CA

#### Andy's Market

1691 Gravenstein Highway North, Sebastopol, CA

#### **Café Trieste**

4045 Piedmont Avenue, Oakland, CA

#### Café Trieste

2500 San Pablo Avenue, Berkeley, CA

#### **Country Club Apartments**

2700 East Tabor Avenue, Fairfield, CA

#### **Burbank Heights and Orchard senior Apartments**

7777 Bodega Avenue, Sebastopol, CA

#### Perko's Restaurant

829 11th Street, Lakeport, CA

#### **Vineyard Business Park**

7419-7555 Southfront Road, Livermore, CA

#### **Fountain Grove Center**

3550, 3554, 3558 Round Barn Blvd., Santa Rosa, CA

#### **Waterfall Towers Business Park**

2455 Bennett Valley Road, Santa Rosa, CA

#### **Hookston Square Business Park**

3478 & 3489 Buskirk Avenue, Pleasant Hill, CA

#### **Digital Realty**

200 Paul Avenue, San Francisco, CA

#### Canevari's Delicatessen & Catering

695 Lewis Road, Santa Rosa, CA

#### **Exchange Bank**

Various branch location throughout Sonoma County and

Administrative Offices -440 & 444 Aviation Blvd. Santa Rosa, CA

#### **Point West Professional Center**

2448 Guerneville Road, Santa Rosa, CA

#### **Winners Circle Beach and Tennis Resort**

550 Via De La Valle, Solana Beach, CA

#### Elk Valley Rancheria and Casino

Various Tribal buildings and facilities including Elk Valley Casino, Crescent City, CA

#### Christian Brothers De La Salle Institute

4405 Redwood Road, Napa, CA 94558

#### Yum! Foods

The project included conducting access surveys for more than 300 fast food restaurants (Taco Bell, Pizza Hut, Wing Stop, KFC) in 15 states.

#### Staples

The project included conducting access surveys at 15 staples locations in California.

#### La Playa Carmel

75 room luxury historic hotel in Carmel, Ca

#### Chevron

Access Consulting Services for various sites in California

#### BP

Access Survey and consulting for various Arco sites throughout Northern California

#### O'Reilly Auto Parts

Access Consulting Services for various sites in California

#### **Kaiser Medical Offices**

Access Consulting Services for Medical Office facilities in Sonoma and Marin Counties

#### Medical Office Building, Sebastopol, CA

Access Consulting Services and Barrier Report

#### Annadel Medical Group Offices - St Joseph Health, Santa Rosa, CA

Access Consulting for full tenant improvements for new medical offices

#### **Baechtel Creek Medical Clinic, Willits, CA**

Access Consulting Services and Barrier Report

#### **Division of the Architect Access Consulting Services**

As a principal of Architerra, LLP, Gary Waters managed the firm's work with the Division of the State Architect providing access consulting services. Gary personally provided or supervised access plan reviews, conducted back checks and providing in-house staffing at DSA Regional offices (Oakland, Sacrament, Los Angeles and San Diego) from 2001 thru 2011. During this time, the firm completed an estimated 500 plus plan reviews. Mr. Waters is currently providing services to DSA as a consultant to Synthesis Partners, Inc.

#### CASp Surveys and Reports - California State Leased Facilities

#### **California State Water Quality Control Board**

5550 Skylane Blvd., Santa Rosa, CA

#### **California Department of Fish and Game**

5355 Skylane Blvd., Santa Rosa, CA

**Hookston Square - State Leased Facility** 

3478 Buskirk Ave 2<sup>nd</sup> Floor, Concord CA

#### **California Department of Fish & Wildlife**

3633 Westwind Blvd., Santa Rosa, CA

## Access Litigation Support and Expert Witness Services - Title II Cases - A Partial List of Cases

#### **Lopez v San Francisco Unified School District**

Gary Waters conducted access surveys at multiple elementary, middle and high schools as part of the discovery process. Litigation support also included providing declarations, depositions and participation in settlement agreement discussions.

#### Cherry v City College of San Francisco

Gary Waters provided litigation support services including conducting access survey and compiling reports at many CCSF facilities, providing declarations, depositions and participation in settlement agreement discussions.

#### Kirola v City and County of San Francisco

Gary Waters's involvement in discovery in this case included conducting access survey and compiling reports for a wide variety of San Francisco City and County parks and recreation facilities and street and sidewalk surveys. Gary also participated in settlement discussions, provided declarations, depositions and expert trial testimony. The final outcome of this case is pending.

#### Yates v County of Marin

Gary Waters work in discovery in this case included conducting access survey and compiling reports for a wide variety of Marin County facilities, including County administration buildings and street and sidewalk surveys.

#### Willits v. City of Los Angeles

To date, Gary Waters has participated in conducting street and sidewalk surveys in this case; discovery is on-going.

# Selected Access Litigation Support and Expert Witness Services - Title III Cases - A Partial List of Cases

Jean Ryker vs. Beach Blanket Babylon
Al De La Campa vs. Benihana
Randall Wright vs. Café Trieste
Guy Jones vs. 3701 J Street LLC
Walter Delson vs. Montclair Egg Shop
Jeff Stivers vs. Radio Shack
Gail Moran vs. Hobby Lobby
Jean Ryker vs. Gar Woods Grille and Pier
Donna White vs. Lucky Supermarket
Roberta Hays vs. Sutter Lakeside Hospital

Wadman vs. Discovery Bay Yacht Harbor, LLC et al.

Jean Riker vs. Garden Court Hotel, et al.

#### **Litigation Consulting Services**

- McDonald's 587 El Camino Real, South San Francisco, CA
- McDonald's 16<sup>th</sup> & Mission, San Francisco, CA
- McDonald's- 3rd & Townsend San Francisco, CA
- Torta Ahogada Oakland, CA
- Rio Nido Lodge Rio Nido, CA
- Canevari's Deli & Catering, Santa Rosa CA
- Perkos Restaurant Lakeport, CA
- Nella Oil Placerville, CA
- Nella Oil Clearlake, CA

#### Americans with Disabilities Act Title II Transition Plan

#### University of California Riverside - ADA Transition Plan Update

Gary Waters, in addition to conducting access surveys, led the transition plan development process for the including implementing new standards at the time for housing at places of public education.

# San Ramon Valley Unified School District – ADA Self-Evaluation and Transition Plan Update Project

Gary Waters and Pacific Access Consulting, LLC is assisting the San Ramon Valley USD in completing an update to the existing ADA Transition plan from 1998. There have been many changes in District facilities and in the applicable Access regulations since the original plan was completed. The Transition Plan Update Project will bring the plan current with respect to regulations, existing facilities and future development and construction planning.

#### Napa Valley College ADA Transition Plan Update

Gary Waters led this firm's work to conduct campus wide accessibility surveys and produce barrier reports. Gary worked with the NVC committees to develop the transition plan and establish priorities for barrier removal.

#### Seminars and Workshops Presented

## Welcome SB 1608 – New ADA Lawsuit Protection 2009 Santa Rosa CA

## CSI / AIARE ADA Seminar – Accessibility in California: Welcome to the Future

March 16, 2011, Santa Rosa, CA, 5-hour seminar for California and AIA continuing education learning units.

#### AIAEB ADA Seminar – Accessibility in California: Welcome to the Future

August 22, 2011, Oakland, CA, 5-hour seminar for California and AIA continuing education learning units.

#### AIARE ADA Seminar – Accessibility in California: Welcome to the Future

August 26, 2011, Santa Rosa, CA, 5-hour seminar for California and AIA continuing education learning units.

#### McDonalds Regional ADA Summit 32013 - Sierra Pacific Region

August 27, 2013, Walnut Creek, CA, A 4-hour seminar for McDonald's construction managers and architects to review the 2010 ADA and the recently adopted CBC.

## AIASJ ADA Seminar – Accessibility in California

April 19, 2015, Fresno, CA, 5-hour seminar for California and AIA continuing education learning units.

#### AIAEB ADA Seminar – Accessibility in California

August 28, 2015, Oakland, CA, 5-hour seminar for California and AIA continuing education learning units.

# **EXHIBIT B**

2007 SAN FRANCISCO BUILDING CODE

**AB-014** 

#### ADMINISTRATIVE BULLETIN

AB-014 :

**DATE** : September 16, 1998 (Updated 01/01/08 for code references)

**SUBJECT**: Inspection

TITLE : Dimensional Tolerances for New and Existing Construction

**PURPOSE** : This bulletin details dimensional tolerances which can be accepted by field inspection

personnel from the Department of Building Inspection when reviewing on-site construction work. This bulletin is the procedural implementation of the California Building Code, Section 1101B.4 and 1104B.5, Dimensional Tolerances, which amends the State code to permit jurisdictions to allow dimensional tolerances which meet industry standards. These tolerances should allow construction to proceed with dimensions as shown on the plans or in the code that are not exact but are within the

standards accepted by the industry, the Department and the community.

**REFERENCES**: 2007 San Francisco Building Code

- Sections 1101B.4 and 1104B.5 Dimensional Tolerances

2007 San Francisco Plumbing Code 2007 San Francisco Electrical Code

The Handbook of Construction Tolerances, McGraw Hill, 1994, David Kent Ballast,

editor.

**DISCUSSION**: The application of dimensional construction tolerances is necessary because structures

cannot be built which conform precisely to code defined absolute dimensions without deviation. This bulletin defines the limits of those deviations within which administrative approval can be routinely granted. Any deviations beyond these must be addressed in the form of "unreasonable hardships" through the standard Documentation of Unreasonable Hardship process. These tolerances are based on industry standards for materials and methods of construction and are not intended to approve any incorrect dimensions or design changes. These are not code changes but approvals for variance based on as-built conditions. This applies to both new construction and the remodeling

of existing structures.

One of the bases of the Department's construction tolerance standards is the 1994 Edition of the <u>Handbook of Construction Tolerances</u>, edited by David Kent Ballast. This is a commonly used reference book regarding industry standards for tolerances and, as excerpted below, is adopted by this bulletin as representing the standards for tolerances within the City and County of San Francisco. Please note that some adjustments and additions to these tolerances have been made inasmuch as the <u>Handbook of Construction Tolerances</u> does not specifically address disabled access issues. Where specific accessibility conditions needed to be addressed, such standards have been added as needed. Per Section 1101B.4, dimensions that are not stated as "maximum" or "minimum" are absolute. The Department may administratively modify and/or add to the below referenced standards as necessary to meet the intent of the codes.

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Standard tolerances will be based upon the nominal manufactured dimensions of fabricated goods.

Note that the State Historical Building Code provides other remedies for variations which may be addressed through the provisions of Administrative Bulletin No. AB-013. This applies to all qualified historic properties. In cases where the State Historical Building Code is applied, that code takes precedence over the regular Building Code requirements.

The following tolerances are to be used:

a. Concrete paving.

Standard: Plus or minus 1/4" over 10' for drives, parking surfaces, sidewalks and other site paving. *Ref. ACI117-06* 

b. Concrete slabs for flatness and straightness.

Standard: Bull-float slab is plus or minus 1/2" over 10'.

Ref. ACI117-06 and ASTM E1155-96

c. Cast-in-place concrete walls:

Standard: Plumb is 1/4" in 10'.

Ref. ACI117-06

d. Concrete masonry unit and masonry construction.

Standard: 1/4" in 10' vertical or horizontal

Ref. ACI117-06

e. Brick wall construction.

Standard: 1/4" in 10' vertical or horizontal

Ref. ACI117-06

f. Granite and marble installation.

Standard: 1/4" in 10' vertical or horizontal.

Ref. Dimension Stone Design Manual VII, Marble Institute of America, Inc. 2007

g. Limestone installation.

Standard: 1/4" in 10' vertical or horizontal.

Ref. Various industry standards

h. Slate tile installation for flooring or walls.

Standard: Vertical or horizontal 1/4" in 10'.

i. Wood floor framing and sub-flooring.

Standard: 1/4" in 10' horizontal tolerance.

Ref. Spectext, Section 06112, Framing and Sheathing by the Construction Sciences Research Foundation, 2006

j. Floor and wall tile.

Standard: 1/4" in 8' for wall and flooring. This does not apply to thresholds.

Ref. ANSI A108.1, A108.4, and A108.5

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k. Terrazzo flooring. Standard: 1/4" in 10'

Ref. Terrazzo Information Guide, the National Terrazzo and Mosaic Association, 1993

1. Wood flooring.

Standard: 1/4" in 10'

Ref. ANSI/HPMA LHF, 1982

m. Other stone installation.

Standard: 1/4" in 10'

Ref. Dimensions, Stone Design Manual IV, 1991

n. Cabinets and counter tops.

Standard: 1/4" in 12' out of parallel with the floor; 1/8" variation in clear width.

Ref. Quality Standards for the Professional Remodeler, Second Edition, National Association of

Homebuilders, Remodelers Council, 1991

o. Flatness of counter tops.

Standard: 1/4" per 8'.

Ref. Architectural Woodwork Quality Standards, Architectural Woodwork Institute, 1993

p. Storefront installation.

Standard: Storefront systems to be vertical plus or minus 1/8" in 12';

Ref. Aluminum Storefront and Entrance Manual, American Architectural Manufacturers Association, 1987

q. Framing for gypsum wallboard.

Standard: 1/8" in 10' vertical and horizontal.

Ref. GA-216

r. Wallboard partitions, ceilings, and trim.

Standard: 1/4" in 10'

Ref. ANSI A108.11, and GA-216

s. Installation of lath and plaster.

Standard: 1/4" per 10' *Ref. ASTM C926* 

t. Clear opening at doors.

Standard: plus or minus 3/8"

Ref. None.

u. Plumbing fixture installation

Standard: plus or minus 1/2" measured from the finished wall or floor.

Ref. None

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#### AB-014 2007 SAN FRANCISCO BUILDING CODE

v. Handrail dimensions.

Nominal handrails not to vary more than 3/16" in diameter from code dimension; height plus or minus 3/16" measured from finished floor.

Ref. None.

w. Threshold.

Standard: 1/8" variation in threshold height is permitted above the finished floor surface.

Ref. None

x. Knee clearance under wall mounted plumbing fixtures, including lavatories, drinking fountains, urinals and toilets

Standard: Mounting height above finished floor equals plus or minus 3/8". Within a 30" wide area, centered on the accessible basin or fixture, there may be a variation of 1/4" in height between the lower edge of the counter and the finished floor.

Ref. None

y. Switches, receptacles, pull stations, controls and similar devices.

Standard: Plus or minus 1/2" vertically.

Ref. None

z. Door operating pressure.

Standard: Plus or minus 1/2 pound.

Ref. None

aa. Operating pressures for faucets, flush valves and miscellaneous hardware.

Standard: Plus or minus 1/2 pound.

Ref. None

bb. Other elements. Other constructed elements which are not specifically regulated shall be permitted to have a construction tolerance of 1/4" plus or minus unless, in the opinion of the district inspector, such variation impedes access, except that grab bars and handrails shall be not more than the maximum horizontal distance from the adjoining wall surface than is permitted by the regular code.

Approved by the Building Inspection Commission on September 16, 1998

Originally signed by: Frank Y. Chiu, Director November 12, 1998

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# EXHIBIT C

4900 Marie P. DeBartolo Way, Santa Clara, CA 95054

## **Access Compliance Evaluation Survey Barrier Report**

Item	Description of Identified Barrier	As-Built	2010 ADAS	2010 CBC	ADAAG	Photos	Discussion
Lev	ri's Stadium - Intel Gate A						
Plaza	a at Intel Gate A						
	plaza at Intel Gate A is a large open space o Tower, 49er's Museum and Michael Mina's						
1	An identifiable accessible route of travel is not provided connecting all the facilities and elements that are required to be accessible. The entire plaza therefore must not exceed 1:48 slope in any direction. The cross slope from Gate A to the Box Office is consistently more than 1:48	Cross Slope measured up to 4.2%	403.3	1133B.7.1.3	4.3.7	8935 thru 8960	
Вох	Office						
Ther	e are 12 ticket windows						
2	There are 12 ticket windows at the Box Office, not	See Photos	227.3	1104B.3.1.2	7.2(2)	8966 thru 8986	
	all ticket windows are accessible. At least one ticket window must be accessible. A clear space for a wheelchair side approach is not provided; the slope exceeds 1:48.	Slope measured up to 2.5%		1122B.5			
3	The location of the ticket window intended to be accessible is not identified by a sign.	No signage is provided	216.3	1117B.5.1	4.1.3(16)(b)	8966	
Path	of Travel – Stadium Entry Level East Sid	le 501 Club E	ntry to Micha	el Mina's Boເ	ırbon Steak &	Bourbon Pub a	and Michaels Mina's Tailgate
4	The slope of the walk exceeds 1:20.	Measured up to 6.1%	403.3	1133B.7.3	4.3.7	9021 thru 9035	
49'	s Team Stores						
Main	Team Store – Gate A 200 Plaza Level						
5	At multiple entry doors from the plaza the sweep period of the door from an open position of 90-dgrees to a point 12-degrees from the latch is less	Measured at 3.88 sec to 4.42 sec	404.2.8.1	1133B.2.5.1	4.13.10	9159 thru 9173; 9222, 9229 thru 9232	

## Levi's Stadium

4900 Marie P. DeBartolo Way, Santa Clara, CA 95054

## **Access Compliance Evaluation Survey Barrier Report**

Item	Description of Identified Barrier	As-Built	2010 ADAS	2010 CBC	ADAAG	Photos	Discussion
	than 5 seconds.						
6	At multiple entry doors the door opening force exceeds the maximum allowable 5 lb. for exterior doors	Measured up to 8.5lb.	NA	1133B.2.5, Item 1	NA	9162 thru 9171; 9222 thru 9228	
7	There are many sales counters provided. There are no sales counters identified as accessible so that a person with disabilities can identify the appropriate line.	No signage is provided	216.3	1117B.5.1	4.1.3(16)(b)	9178 thru 9198	
8	Staff indicated there is one dressing room at the Main Team Store. The door to the dressing room opens into the room and the required pull side maneuvering space; 60" minimum measured perpendicular to the door in the closed position, is not provided.	Measured 49"	404.2.4 Table 404.2.4.1	1133B.2.4.2	4.13.6	9202, 9204 & 9205	
9	At the one dressing room, the coat hook and pole are not within reach range.	Measured at approx. 68" AFF	222.2 803.5	1117B.8	4.2	9206 thru 9211	
Team	Store - Gate C 300 Level Concourse						
10	There are many sales counters provided. There are no sales counters identified as accessible so that a person with disabilities can identify the appropriate line.	No signage is provided	216.3	1117B.5.1	4.1.3(16)(b)	9252 thru 9261	
Team	Store - Southeast 700 Level Concourse	•					
11	The change in level at the threshold exceeds 1/2"	Measured at 7/8" h x 3/4"w	404.2.5	1133B.2.4.1	4.13.8	9528 thru 9536	
12	At the push side of the exit door a shelf encroaches into the required clear maneuvering space at the push side of the door	See Photos	404.2.4	1133B.2.4.2	4.13.6	9525 thru 9527	
Team	Store - Northeast 700 Level Concourse	•					
13	The change in level at the threshold exceeds 1/2"	Measured at +3/4" h x 1"w	404.2.5	1133B.2.4.1	4.13.8	9528 thru 9536	

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## **Access Compliance Evaluation Survey Barrier Report**

Item	Description of Identified Barrier	As-Built	2010 ADAS	2010 CBC	ADAAG	Photos	Discussion
Acc	essible Seating						
Acce	ssible Seating – Sections 106 – 104 Rov	w 1W					
Ram	p to Seating				_		
14	At stairs and ramps handrail extensions must extend horizontally the full required length in the direction of travel. The ramp handrails as constructed do not extend the full length before starting the return.	Approx. 8" extensions	505.10.2 & .3	1133B.4.2.2	4.9.4(2)	9424 thru 9430	
15	The ramp slope exceeds 1:12.	Measured up to 9.2%	405.2	1133B.5.3	4.8.2	0141 & 1042	
Acce	ssible Seating			_			
16	The width of a single accessible wheelchair viewing position is 36" is not provided.	Measured at 33"	802.1.2	1104B.3.6	4.33.2	9435 thru 9437	The size of a single wheelchair space is not specified in the 2010 CBC. The 2010 ADAS is the more restrictive standard.
Acce	ssible Seating – Sections 112 – 108 Rov	v 1W	•	•		•	
Ram	p to Accessible Seating						
17	At stairs and ramps handrail extensions must extend horizontally the full required length in the direction of travel. The ramp handrails as constructed do not extend the full length before starting the return.	Approx. 8" extensions	505.10.2 & .3	1133B.4.2.2	4.9.4(2)	9392 thru 9402	
18	The ramp slope exceeds 1:12.	Measured up to 9.0%	405.2	1133B.5.3	4.8.2	0136 thru 1040	
Acce	ssible Seating				•	•	
19	An accessible route of travel a minimum 36" wide is required to serve the accessible seating and companion seating. Stairs to seating levels above encroach into the clear accessible route when wheelchair users are in place at adjacent accessible seating locations.	See Photos	403.5.1	1133B.6.1.2	4.3.3	9410 & 9411	
20	The slope at accessible seating locations shall not exceed 1:48.	Measured up to 5.3%	802.1.1	1104B.3.4	4.33.4	0093 thru 0128	The 1991 ADAAG and the 2010 CBC do not specifically state the max slope at a wheelchair seating location shall be limited

## Levi's Stadium

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## **Access Compliance Evaluation Survey Barrier Report**

Item	Description of Identified Barrier	As-Built	2010 ADAS	2010 CBC	ADAAG	Photos	Discussion
							to 1:48. The Division of the State Architect recommended this change in its comparative analysis between the 2010 ADAS and 2010 CBC.
21	The slope at the aisle behind the accessible seating and companion seat locations exceeds 1:48	Measured up to 5.4%	403.3	1133B.7.1.3	4.3.7	0093 thru 0128	
East	Brocade Club Accessible Field Level No	rth Seating				•	
22	The slope at accessible seating locations shall not exceed 1:48.	Measured up to 3.5%	802.1.1	1104B.3.4	4.33.4	9874 & 9878	The 1991 ADAAG and the 2010 CBC do not specifically state the max slope at a wheelchair seating location shall be limited to 1:48. The Division of the State Architect recommended this change in its comparative analysis between the 2010 ADAS and 2010 CBC.
23	The slope at the aisle behind the accessible seating and companion seat locations exceeds 1:48	Measured up to 3.2%	403.3	1133B.7.1.3	4.3.7	9879 thru 9882	
24	At exterior door to the lift to accessible seating the door opening force exceeds the maximum allowable 5 lb. for exterior doors	Measured up to 8.5lb.	NA	1133B.2.5, Item 1	NA	9917 thru 9920	
East	Brocade Club Accessible Field Level So	uth Seating				•	
25	The slope at accessible seating locations shall not exceed 1:48.	Measured up to 3.3%	802.1.1	1104B.3.4	4.33.4	9845 & 9846	The 1991 ADAAG and the 2010 CBC do not specifically state the max slope at a wheelchair seating location shall be limited to 1:48. The Division of the State Architect recommended this change in its comparative analysis between the 2010 ADAS and 2010 CBC.
26	The slope at the aisle behind the accessible seating and companion seat locations exceeds 1:48	Measured up to 3.2%	403.3	1133B.7.1.3	4.3.7	9847 & 9848	
27	The width of a single accessible wheelchair viewing position is 36" is not provided at seat position 2.	Measured at 33"	802.1.2	1104B.3.6	4.33.2	9849 thru 9852	The size of a single wheelchair space is not specified in the 2010 CBC. The 2010 ADAS is the more restrictive standard.

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## **Access Compliance Evaluation Survey Barrier Report**

Item	Description of Identified Barrier	As-Built	2010 ADAS	2010 CBC	ADAAG	Photos	Discussion
28	At exterior door to the lift to accessible seating the door opening force exceeds the maximum allowable 5 lb. for exterior doors	Measured up to 8.5lb.	NA	1133B.2.5, Item 1	NA	9889, 9893 & 9894	
Acce	ssible Seating – Sections 146 – 102 Rov	w 1W					
Ram	p to Seating						
29	The bottom landing of the ramp is required to be a clear space the width of the ramp x 72" in the direction of travel. There is a concrete filled bollard in the bottom landing of the ramp 36" from the end of the ramp slope.	36" Bottom Landing in Direction of Travel	405.7.3	1133B.5.4.2	4.8.4(2)	9442 thru 9448	The 2010 CBC is more restrictive than the 2010 ADAS or 1991 ADAAG
30	The ramp slope exceeds 1:12.	Measured up to 9.0%	405.2	1133B.5.3	4.8.2	0169, 0172 & 0173	
Acce	ssible Seating						
31	The width of a single accessible wheelchair viewing position is 36" is not provided.	Measured at 33"	802.1.2	1104B.3.6	4.33.2	9452 thru 9455	The size of a single wheelchair space is not specified in the 2010 CBC. The 2010 ADAS is the more restrictive standard.
32	The slope at accessible seating locations shall not exceed 1:48.	Measured up to 2.6%	802.1.1	1104B.3.4	4.33.4	9928 thru 9930	The 1991 ADAAG and the 2010 CBC do not specifically state the max slope at a wheelchair seating location shall be limited to 1:48. The Division of the State Architect recommended this change in its comparative analysis between the 2010 ADAS and 2010 CBC.
Acce	ssible Seating – Sections 144 – 142 Roy	w 1W	1			1	7.05.10 31.14 20.10 020.
	p to Seating						
33	At stairs and ramps handrail extensions must extend horizontally the full required length in the direction of travel. The ramp handrails as constructed do not extend the full length before starting the return.	Approx. 8" extensions	505.10.2 & .3	1133B.4.2.2	4.9.4(2)	9456 thru 9462	
34	The ramp slope exceeds 1:12.	Measured up to 8.9%	405.2	1133B.5.3	4.8.2	0162 thru 0164	
35	The width of the ramp is less than 48"	Measured at 47" wide	405.5	1133B.5.2	4.8.3	0165 thru 0167	The 2010 CBC is more restrictive than the 2010 ADAS or 1991 ADAAG

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## **Access Compliance Evaluation Survey Barrier Report**

Item	Description of Identified Barrier	As-Built	2010 ADAS	2010 CBC	ADAAG	Photos	Discussion
Acce	ssible Seating						
36	The slope at accessible seating locations shall not exceed 1:48.	Measured up to 3.1%	802.1.1	1104B.3.4	4.33.4	9931& 9932; 9938 & 9930	The 1991 ADAAG and the 2010 CBC do not specifically state the max slope at a wheelchair seating location shall be limited to 1:48. The Division of the State Architect recommended this change in its comparative analysis between the 2010 ADAS and 2010 CBC.
37	The slope at the aisle behind the accessible seating and companion seat locations exceeds 1:48	Measured up to 3.2%	403.3	1133B.7.1.3	4.3.7	9933 thru 9937; 9940 thru 9943	
38	An accessible route of travel a minimum 36" wide is required to serve the accessible seating and companion seating. Stairs to seating levels above encroach into the clear accessible route when wheelchair users are in place at adjacent accessible seating locations.	See Photos	403.5.1	1133B.6.1.2	4.3.3	9464 & 9472	
West	Brocade Club Accessible Field Level So	outh Seating					
39	The slope at accessible seating locations shall not exceed 1:48.	Measured up to 3.8%	802.1.1	1104B.3.4	4.33.4	9906 & 9907	The 1991 ADAAG and the 2010 CBC do not specifically state the max slope at a wheelchair seating location shall be limited to 1:48. The Division of the State Architect recommended this change in its comparative analysis between the 2010 ADAS and 2010 CBC.
40	The slope at the aisle behind the accessible seating and companion seat locations exceeds 1:48	Measured up to 3.2%	403.3	1133B.7.1.3	4.3.7	9903 thru 9905	
501 (	Club – South Seating 400 Level						
41	The width of a single accessible wheelchair viewing position is 36" is not provided.	Measured at 33"	802.1.2	1104B.3.6	4.33.2	9376, 9379 thru 9385	The size of a single wheelchair space is not specified in the 2010 CBC. The 2010 ADAS is the more restrictive standard.
42	The slope at accessible seating locations shall not exceed 1:48.	Measured up to 3.6%	802.1.1	1104B.3.4	4.33.4	0187 thru 0196	The 1991 ADAAG and the 2010 CBC do not specifically state the max slope at a wheelchair seating location shall be limited

## Levi's Stadium

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## **Access Compliance Evaluation Survey Barrier Report**

Item	Description of Identified Barrier	As-Built	2010 ADAS	2010 CBC	ADAAG	Photos	Discussion
							to 1:48. The Division of the State Architect recommended this change in its comparative analysis between the 2010 ADAS and 2010 CBC.
43	The slope at the aisle behind the accessible seating and companion seat locations exceeds 1:48	Measured up to 3.0%	403.3	1133B.7.1.3	4.3.7	0185 & 0186; 0197 & 0199	
501 (	Club – South Seating 400 Level – Seatin	g Accessed b	y Ramp		•	•	
44	The slope of the ramp leading to this accessible seating area exceeds 1:12.	Measured at 8.7%	405.2	1133B.5.3	4.8.2	0774 thru 0777	
501 (	Club – North Seating 400 Level		l			•	
45	The slope at the aisle behind the accessible seating and companion seat locations exceeds 1:48	Measured up to 3.0%	403.3	1133B.7.1.3	4.3.7	0204 thru 0214	
501 (	Club – North Seating 400 Level – Seatin	g Accessed b	y Ramp		_	_	
46	The slope of the ramp leading to this accessible seating area exceeds 1:12.	Measured at 8.8%	405.2	1133B.5.3	4.8.2	0761, 0769 & 0770	
47	The slope at accessible seating locations shall not exceed 1:48.	Measured up to 3.2%	802.1.1	1104B.3.4	4.33.4	0760 thru 0762	The 1991 ADAAG and the 2010 CBC do not specifically state the max slope at a wheelchair seating location shall be limited to 1:48. The Division of the State Architect recommended this change in its comparative analysis between the 2010 ADAS and 2010 CBC.
48	The slope at the aisle behind the accessible seating and companion seat locations exceeds 1:48	Measured up to 5.0%	403.3	1133B.7.1.3	4.3.7	0761, 0763 & 0764	
Bay N	Mellon Club East						
49	The bar is standing only and does not provide a section at not more than 34" AFF.	Measured at 42"	226.1	1104B.5, Item 4	5.1	0374 thru 0378	
Broca	ade Club East – Both sides of Bay Mello	on Club					

## Levi's Stadium

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## **Access Compliance Evaluation Survey Barrier Report**

Item	Description of Identified Barrier	As-Built	2010 ADAS	2010 CBC	ADAAG	Photos	Discussion
50	The bar does not have a counter section at 34" max. above the floor that is integrated with the bar as a whole. The lowered section is at the end of an "L" shaped bar that is visually disconnected from the rest of the bar. Also, the accessible height counter is not the same depth as the rest of the bar	Accessible section 12" deep vs. 20" at the rest of the bar	226	1104B.5	5.2 & 5.4	0395 thru 0405; 0414 thru 0422	
Audit	torium 01.97.09						
51	At the left door leaf (viewed from the push side of the door) the door opening force exceeds the maximum allowable 15 lb. for interior fire doors.	17lb	404.2.9	1133B.2.5.1	4.13.11(1)	0672 thru 0679	
52	The stage is elevated from the adjacent floor and an accessible route to the stage is not provided.	See Photos	206.2.6	1104B.3.11	4.33.5	0652 thru 0654	
53	At the auditorium there are a total of 126 fixed seats. A minimum of 4 accessible seat locations with an adjacent companion seat and integrated into the seating plan are required. No accessible seating locations with an adjacent companion seat are provided.	No Accessible seat locations provided.	221.2 & 221.3	1104B.3.4 & .5	4.1.3(19)(a) & 4.33.3	0658 thru 0671	
NRG	Solar Terrace						
54	Bars at 2-locations do not have a counter section at 34" max. above the floor that is integrated with the bar as a whole. The lowered section is at the end of a straight bar that is visually disconnected from the rest of the bar. Also, the location of the accessible height counter does not provide a view of the TV's visible from the rest of the bar, further separating the disabled fan from the game experience.	See Photos	226	1104B.5	5.2 & 5.4	0725 thru 0739	
55	There are no accessible viewing locations with companion seats at the NRG Terrace.	See Photos	28 CFR Part 36.308 201.1 221.2.1.1 & 221.3	1101B.1 1104B.3.4 & .5	28 CFR Part 36.308 4.1.3(19)(a) 4.33.2, .3. & .4	0701 thru 0710; 0740 thru 0749	

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#### **Access Compliance Evaluation Survey Barrier Report**

Survey Dates: January 24, 25 & 26, 2018 Report Date: April 6, 2018

Iten	Description of Identified Barrier	As-Built	2010 ADAS	2010 CBC	ADAAG	Photos	Discussion
56	The ground surface at the NRG Solar Terrace is 24" sq. pavers on a elevated support system. The pavers move when walked on and in some cases the movement creates changes in level between pavers that exceeds 1/4" vertically.	Measured up to 5/8" vertical change in level	303.2	1124B.2	4.3.8	0684 thru 0696	

## **Vertical Circulation & Wayfinding**

One of the primary problems encountered by class members attempting to use Levi's Stadium is wayfinding, in particular finding the appropriate elevator to their seat location and/or other facilities and amenities available to them at the stadium. Wayfinding is an essential element of facility access. The 2010 ADAS requires that information be provided to persons with disabilities regarding the existence and location of accessible services, activities and facilities. The 2010 CBC, in fact, has an entire accessible path of travel requirement. Essentially, the 2010 CBC requires that information is provided along the entire accessible route of travel through a facility specifically identifying decision points and deviations from the general circulation path.

57	There are 9 elevator locations throughout the stadium. Elevator locations are typically through doors that are not clearly identified as leading to an elevator or only identified once you reach the door.	See photos and attached elevator plan	35.163(a) of 28 CFR Part 35 35.151(a)(1) of 28 CFR Part 35	1117B.5.8.1.2	35.163(a) of 28 CFR Part 35 35.151(a)(1) of 28 CFR Part 35	8995 thru 9001;9002 thru 9009; 9016 thru 9018; 9021 thru 9025; 9042 thru 9045; 9079 thru 9083; 9094 thru 9097	The 2010 ADAS include provisions in the referenced sections of the CFR that, when considered in the context of a facility as a whole, require information to be provide regarding the usability of the facility including signage indicating the accessible route of travel and the location of elevators.  The 2010 CBC specifically requires informational signage at decision points along the entire route of travel. This would require informational signage indicating locations of elevators where they are behind doors or in relation to other non-accessible vertical circulation, such as ramps, stairs and escalators.
58	At major vertical circulation elements in the stadium such as ramps and stairs, signage indicating the location of corresponding elevators is not adequately provided	See photos and attached elevator plan	35.163(a) of 28 CFR Part 35 35.151(a)(1) of 28 CFR Part 35	1117B.5.8.1.2	35.163(a) of 28 CFR Part 35 35.151(a)(1) of 28 CFR Part 35	9010 thru 9015; 9021 thru 9025; 9058 thru 9066; 9084 thru 9090	See above
59	The freight elevator is incorrectly identified as an accessible elevator.	See Photos	NA	1116B.1	NA	9341 & 9342, 9344 thru 9348	See above

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## **Access Compliance Evaluation Survey Barrier Report**

Item	Description of Identified Barrier	As-Built	2010 ADAS	2010 CBC	ADAAG	Photos	Discussion
60	At the approach to the escalator at the 700 level south east concourse there is not a sign indicating the elevator location at the south west concourse.	See photos and attached elevator plan	35.163(a) of 28 CFR Part 35 35.151(a)(1) of 28 CFR Part 35	1117B.5.8.1.2	35.163(a) of 28 CFR Part 35 35.151(a)(1) of 28 CFR Part 35	9349 thru 9352; 9364 thru 9375	See above
Restr	ooms Serving Field Level Seating Nort	h West	1				
Men	's Restroom						
61	The Men's restroom is not Identified as accessible by a sign including the International Symbol of Accessibility	See Photo	NA	1115B.6 1117B.5.1	NA	9949	
62	The baby changing station, does not provide a 27" high knee clearance for a forward approach.	Measured at 26-1/2"	306.3	1122B.3	4.32.3	9958 thru 9963	
63	At the wheelchair accessible toilet stall two hands are required to close and latch the stall door.  Door hardware is required to operate with one hand.	See photos	404.2.7	1133B,2,5,2	4.13.9	9990 thru 9992	
64	At the ambulatory accessible toilet stall two hands are required to close and latch the stall door.  Door hardware is required to operate with one hand.	See photos	404.2.7	1133B,2,5,2	4.13.9	9979 thru 9981	
Wom	nen's Restroom						
65	The Women's restroom is not Identified as accessible by a sign including the International Symbol of Accessibility	See Photo	NA	1115B.6 1117B.5.1	NA	0020& 0021	
66	The baby changing station, does not provide a 27" high knee clearance for a forward approach.	Measured at 25-5/8"	306.3	1122B.3	4.32.3	0084 thru 0090	
67	At the wheelchair accessible toilet stall two hands are required to close and latch the stall door.  Door hardware is required to operate with one hand.	See photos	404.2.7	1133B,2,5,2	4.13.9	0051 thru 0056	
68	At the ambulatory accessible toilet stall two hands are required to close and latch the stall door.  Door hardware is required to operate with one hand.	See photos	404.2.7	1133B,2,5,2	4.13.9	0042 thru 0044	

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## **Access Compliance Evaluation Survey Barrier Report**

Item	Description of Identified Barrier	As-Built	2010 ADAS	2010 CBC	ADAAG	Photos	Discussion
69	A side by side double roll toilet paper dispenser is used. This does not allow both rolls to be located in an accessible location 7" to 9" from the front of the toilet to the centerline of the dispenser.	Side by side single roll dispenser	604.9.6	1115B.8.4	4.17.3 & Fig. 30	0077 thru 0083	The 2010 CBC required the dispenser to be a maximum 12" from the front of the toilet to the far end of the dispenser.
70	At the wheelchair accessible stall the door opening is more than 4" maximum from the side wall farthest from the toilet	Measured at 5-1/8"	604.8.1.2	1115B.3.1.4, Item 4.3	4.17.5 & Fig. 30	0051, 0057 & 0058	
Rest	rooms Serving Field Level Seating Nort	h East					
Men	's Restroom						
71	The Men's restroom is not Identified as accessible by a sign including the International Symbol of Accessibility	See Photo	NA	1115B.6 1117B.5.1	NA	0144 & 0145	
72	The baby changing station, does not provide a 27" high knee clearance for a forward approach.	Measured at 25-1/2"	306.3	1122B.3	4.32.3	0151 thru 0157	
73	At the wheelchair accessible toilet stall two hands are required to close and latch the stall door. Door hardware is required to operate with one hand.	See photos	404.2.7	1133B,2,5,2	4.13.9	0238 thru 0241	
74	At the ambulatory accessible toilet stall two hands are required to close and latch the stall door.  Door hardware is required to operate with one hand.	See photos	404.2.7	1133B,2,5,2	4.13.9	0238 thru 0241	
75	The floor slope at the wheelchair accessible toilet stall exceeds 1:48.	Measured up to 6.6%	305.1	NA	NA	0260 thru 0263	
Won	nen's Restroom		•		•		
76	The Women's restroom is not Identified as accessible by a sign including the International Symbol of Accessibility	See Photo	NA	1115B.6 1117B.5.1	NA	0264	
77	The baby changing station, does not provide a 27" high knee clearance for a forward approach.	Measured at 25-5/8"	306.3	1122B.3	4.32.3	0284 thru 0287	
78	At the wheelchair accessible toilet stall two hands are required to close and latch the stall door. Door hardware is required to operate with one hand.	See photos	404.2.7	1133B,2,5,2	4.13.9	0298 thru 0300	
79	At the ambulatory accessible toilet stall two hands	See photos	404.2.7	1133B,2,5,2	4.13.9	0298 thru 0300	

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## **Access Compliance Evaluation Survey Barrier Report**

Item	Description of Identified Barrier	As-Built	2010 ADAS	2010 CBC	ADAAG	Photos	Discussion		
	are required to close and latch the stall door. Door hardware is required to operate with one hand.								
80	A side by side double roll toilet paper dispenser is used. This does not allow both rolls to be located in an accessible location 7" to 9" from the front of the toilet to the centerline of the dispenser.	Side by side single roll dispenser	604.9.6	1115B.8.4	4.17.3 & Fig. 30	0319 thru 326	The 2010 CBC required the dispenser to be a maximum 12" from the front of the toilet to the far end of the dispenser.		
81	The floor slope at the wheelchair accessible toilet stall exceeds 1:48.	Measured up to 7.3%	305.1	NA	NA	0312, 0335 & 0336			
Restr	Restrooms at Brocade South								
Men's Restroom									
82	The Men's restroom is not Identified as accessible by a sign including the International Symbol of Accessibility	See Photo	NA	1115B.6 1117B.5.1	NA	0423			
83	At the wheelchair accessible stall the door opening is more than 4" maximum from the side wall farthest from the toilet	Measured at 4-7/8"	604.8.1.2	1115B.3.1.4, Item 4.3	4.17.5 & Fig. 30	0438 thru 0440			
84	A side by side double roll toilet paper dispenser is used. This does not allow both rolls to be located in an accessible location 7" to 9" from the front of the toilet to the centerline of the dispenser.	Side by side single roll dispenser	604.9.6	1115B.8.4	4.17.3 & Fig. 30	0438, 0455 thru 0459	The 2010 CBC required the dispenser to be a maximum 12" from the front of the toilet to the far end of the dispenser.		
85	The baby changing station, when left in the open position prevents entry into the wheelchair accessible stall. The open table encroaches into the required pull side door clearance	See Photos	404.2.4 Table 404.2.4.1	1133B.2.4.2	4.13.6	0437 & 0438	The 2016 CBC now specifically prohibits locating a baby changing table in the wheelchair accessible stall.		
Women's Restroom									
86	The Women's restroom is not Identified as accessible by a sign including the International Symbol of Accessibility	See Photo	NA	1115B.6 1117B.5.1	NA	0423			
87	A side by side double roll toilet paper dispenser is used. This does not allow both rolls to be located in an accessible location 7" to 9" from the front of the toilet to the centerline of the dispenser.	Side by side single roll dispenser	604.9.6	1115B.8.4	4.17.3 & Fig. 30	0518 thru 0522	The 2010 CBC required the dispenser to be a maximum 12" from the front of the toilet to the far end of the dispenser.		
88	The baby changing station, when left in the open position prevents entry into the wheelchair accessible stall. The open table encroaches into	See Photos	404.2.4 Table 404.2.4.1	1133B.2.4.2	4.13.6	0497 & 0498	The 2016 CBC now specifically prohibits locating a baby changing table in the wheelchair accessible stall.		

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## Levi's Stadium

4900 Marie P. DeBartolo Way, Santa Clara, CA 95054

## **Access Compliance Evaluation Survey Barrier Report**

Item	Description of Identified Barrier	As-Built	2010 ADAS	2010 CBC	ADAAG	Photos	Discussion					
	the required pull side door clearance											
Rest	Restrooms at Brocade North											
Men's Restroom												
89	The Men's restroom is not Identified as accessible by a sign including the International Symbol of Accessibility	See Photo	NA	1115B.6 1117B.5.1	NA	0535 & 0537						
90	At the wheelchair accessible stall the door opening is more than 4" maximum from the side wall farthest from the toilet	Measured at 5"	604.8.1.2	1115B.3.1.4, Item 4.3	4.17.5 & Fig. 30	0570, 0574 & 0575						
91	A side by side double roll toilet paper dispenser is used. This does not allow both rolls to be located in an accessible location 7" to 9" from the front of the toilet to the centerline of the dispenser.	Side by side single roll dispenser	604.9.6	1115B.8.4	4.17.3 & Fig. 30	0572, 0584 & 0585	The 2010 CBC required the dispenser to be a maximum 12" from the front of the toilet to the far end of the dispenser.					
92	The baby changing station, when left in the open position prevents entry into the wheelchair accessible stall. The open table encroaches into the required pull side door clearance	See Photos	404.2.4 Table 404.2.4.1	1133B.2.4.2	4.13.6	0572 & 0573	The 2016 CBC now specifically prohibits locating a baby changing table in the wheelchair accessible stall.					
Women's Restroom												
93	The Women's restroom is not Identified as accessible by a sign including the International Symbol of Accessibility	See Photo	NA	1115B.6 1117B.5.1	NA	0535 & 0537						
94	A side by side double roll toilet paper dispenser is used. This does not allow both rolls to be located in an accessible location 7" to 9" from the front of the toilet to the centerline of the dispenser.	Side by side single roll dispenser	604.9.6	1115B.8.4	4.17.3 & Fig. 30	0612, 0623 & 0624	The 2010 CBC required the dispenser to be a maximum 12" from the front of the toilet to the far end of the dispenser.					
95	The baby changing station, when left in the open position prevents entry into the wheelchair accessible stall. The open table encroaches into the required pull side door clearance	See Photos	404.2.4 Table 404.2.4.1	1133B.2.4.2	4.13.6	0612 & 0613	The 2016 CBC now specifically prohibits locating a baby changing table in the wheelchair accessible stall.					

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Levi's Stadium

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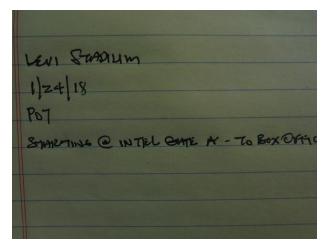
**Access Compliance Evaluation Survey Barrier Report** 

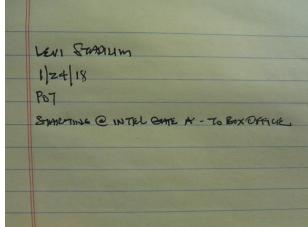
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Report Date: April 6, 2018

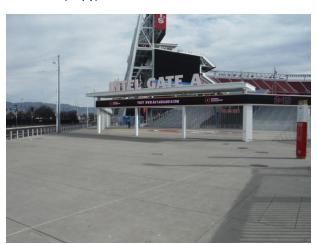
Gary Waters, CASp-065

April 6, 2018





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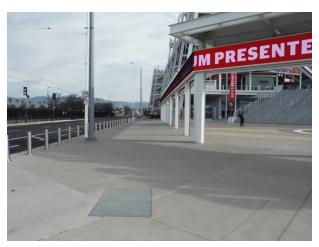
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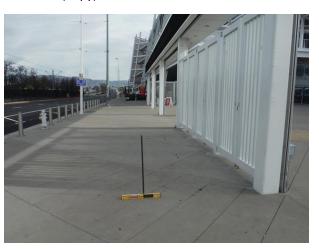




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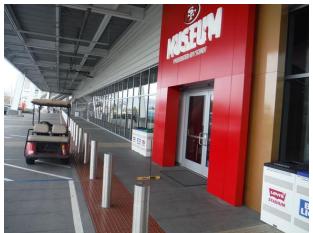




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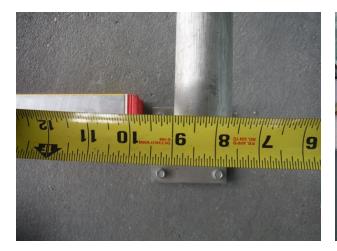


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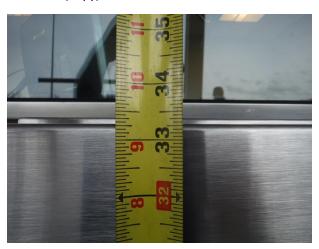
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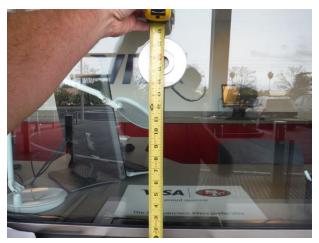




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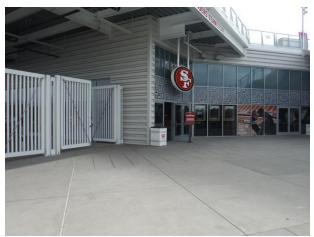
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## **Levi's Stadium Access Inspection**

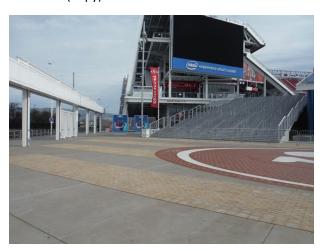




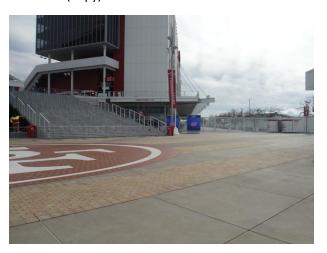
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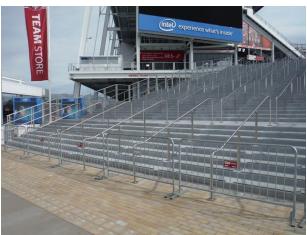
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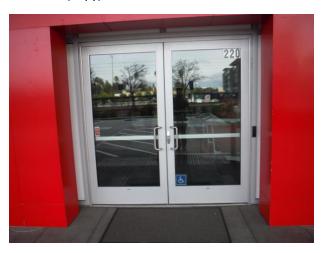
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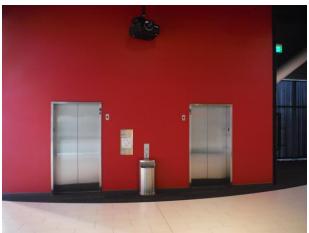
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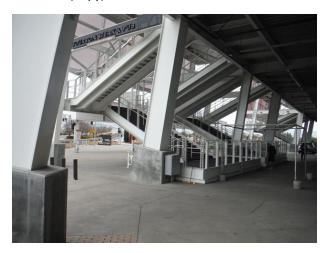
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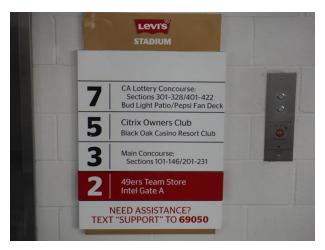


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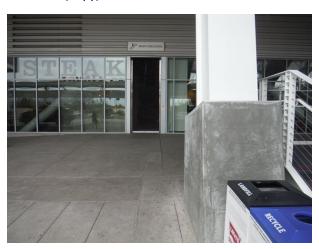
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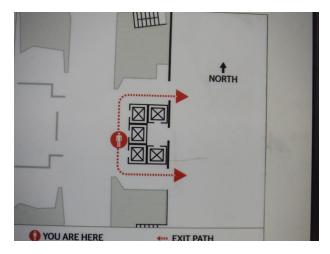


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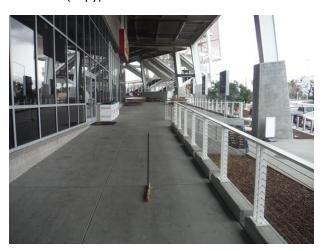




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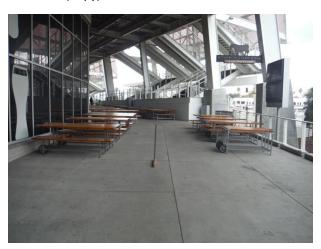
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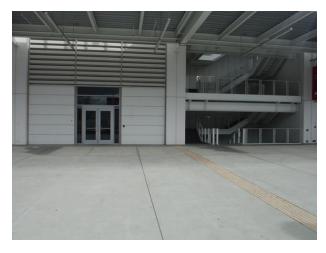
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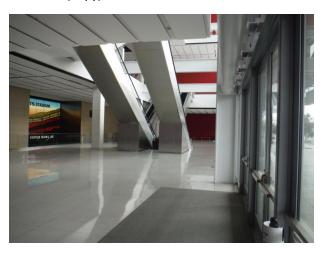
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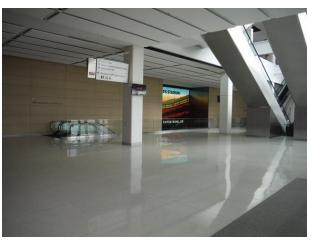




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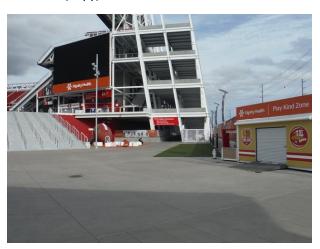
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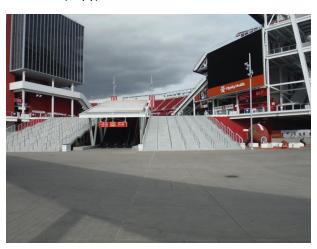




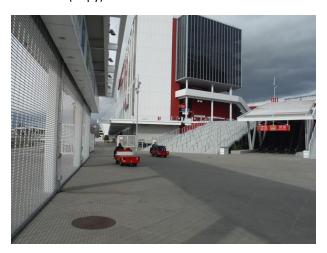
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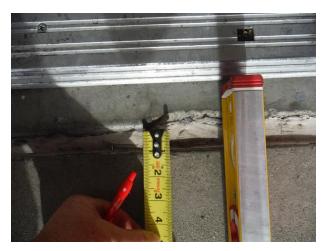
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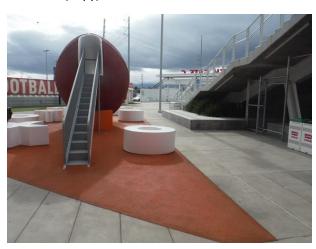
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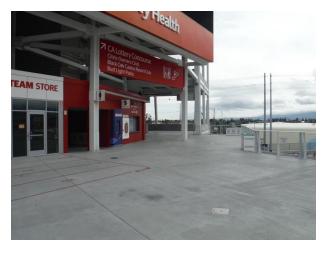
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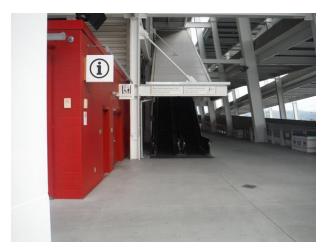


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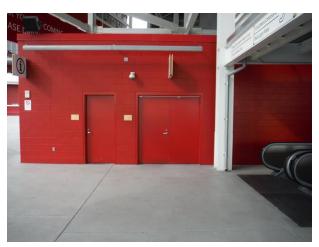
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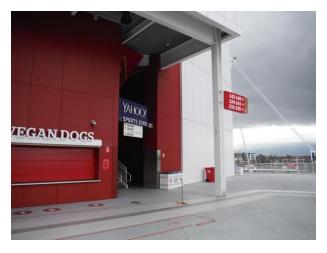
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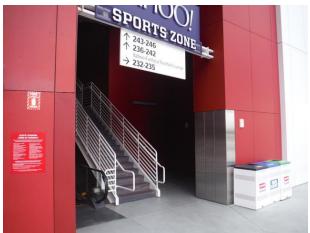
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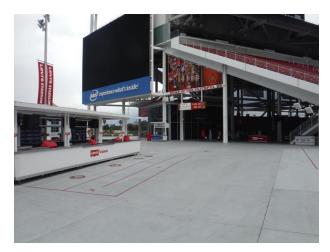


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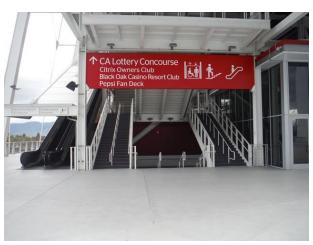
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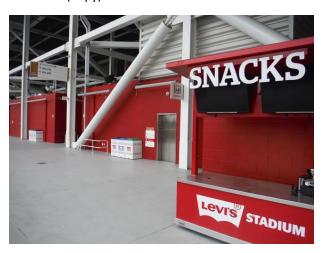
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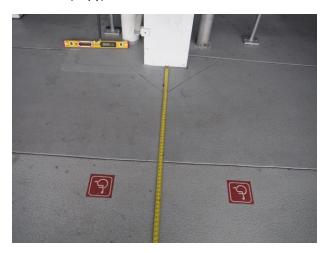
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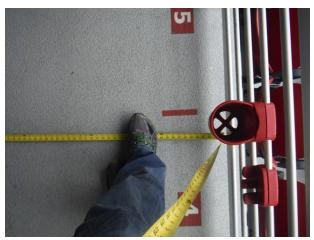




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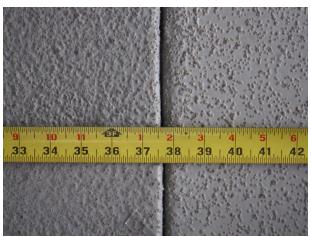
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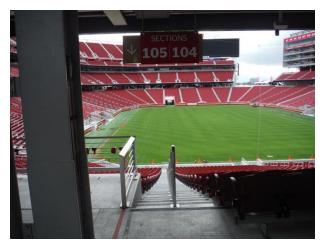


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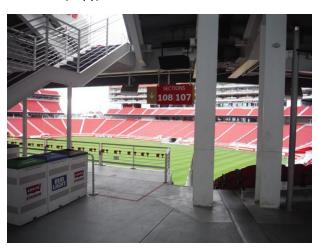


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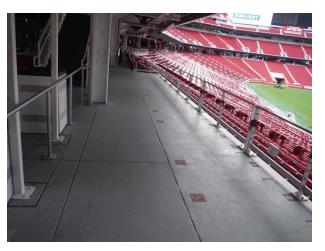
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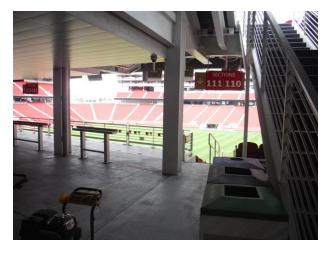
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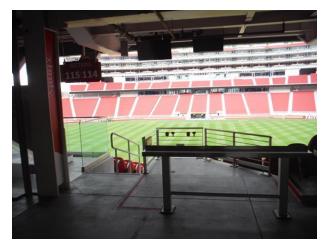


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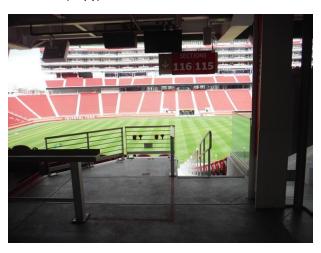
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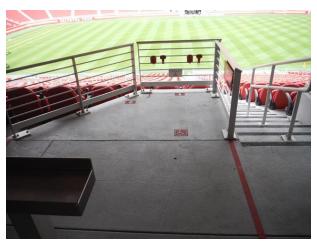




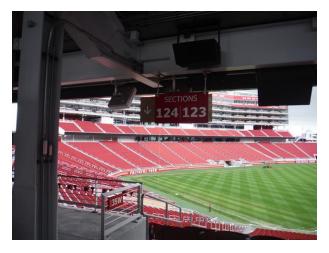
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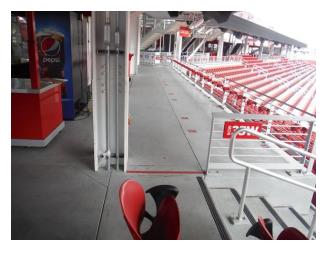
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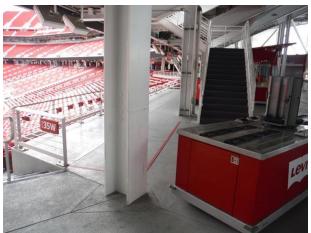
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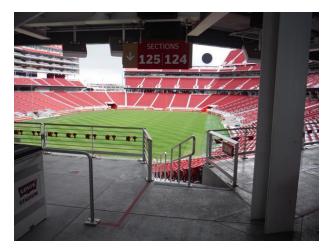


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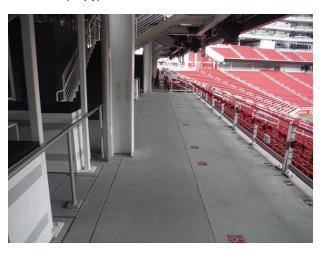
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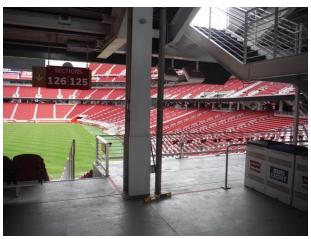




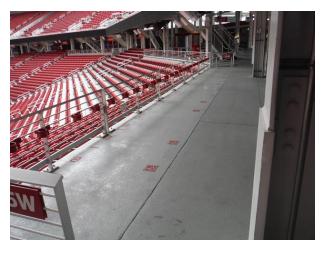
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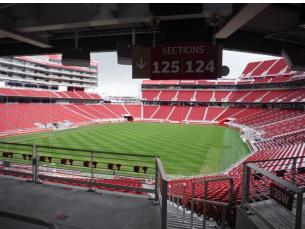
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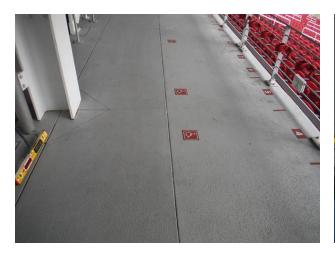


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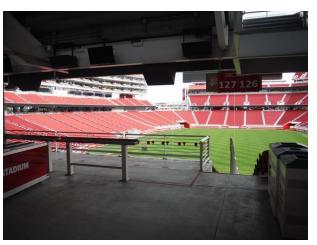
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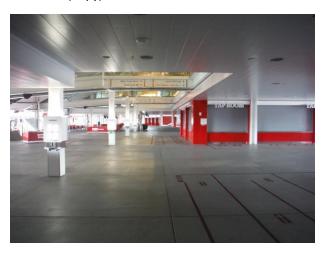


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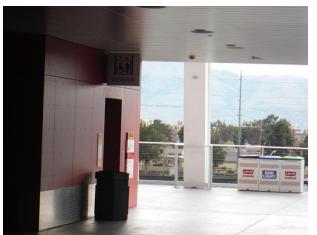
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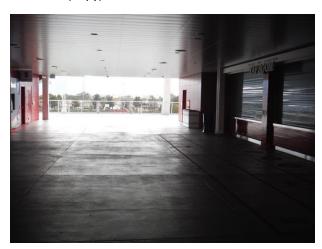
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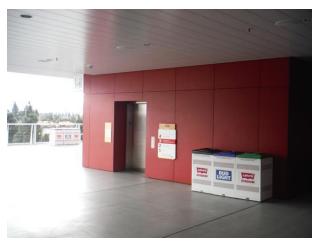




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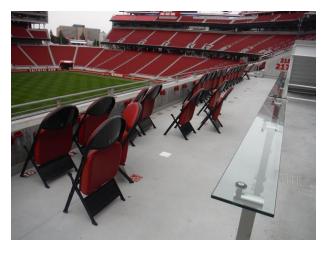
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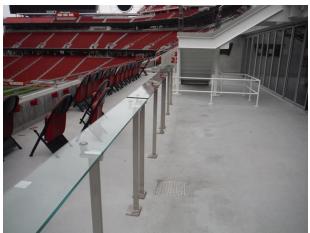
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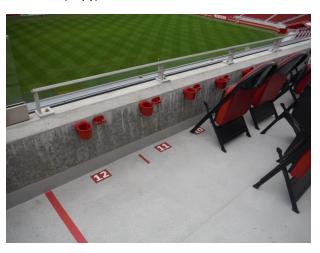
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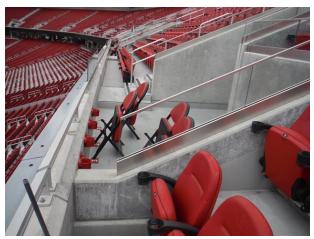




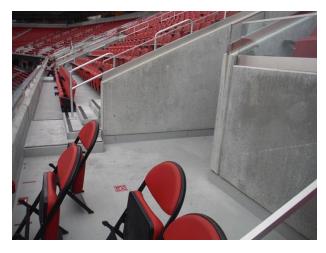
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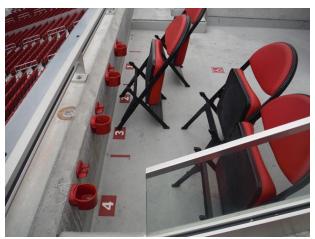
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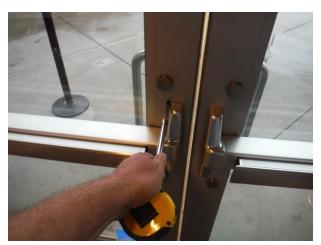




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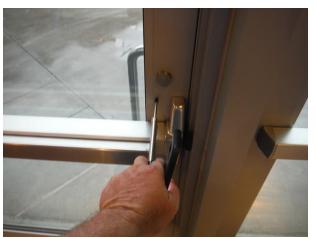
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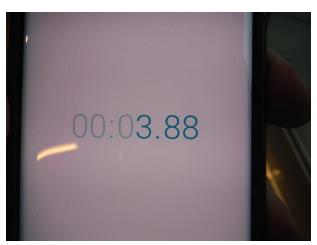
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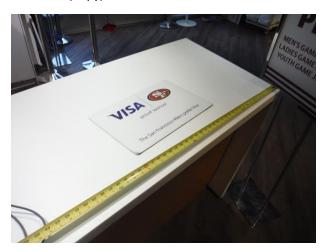
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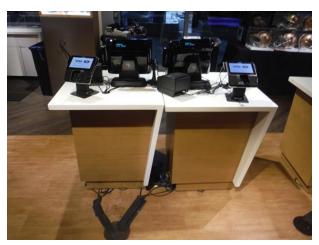
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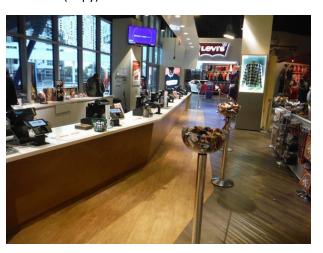
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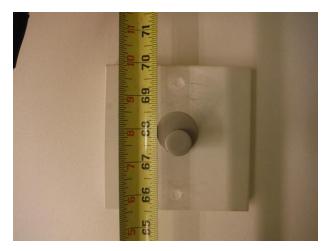


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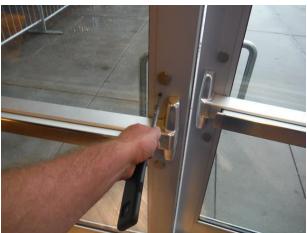
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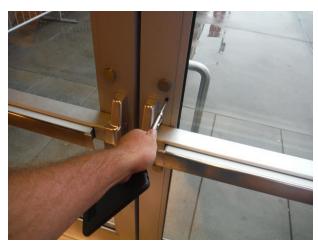
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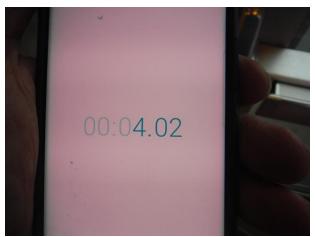
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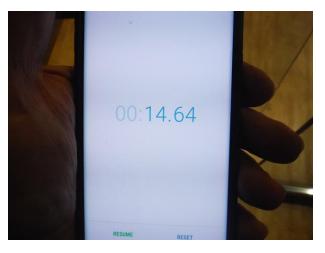
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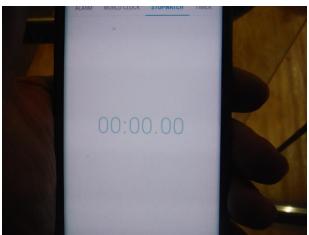
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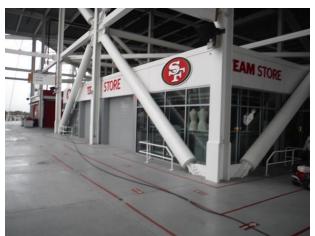


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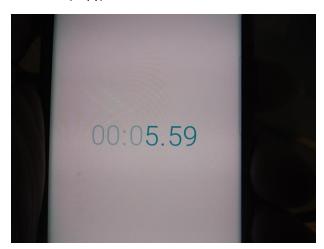
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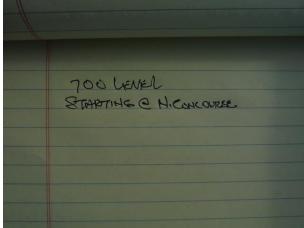
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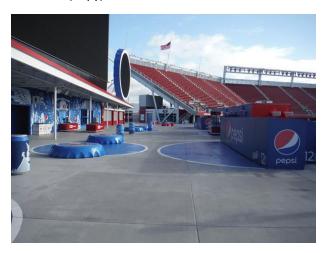
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# **Levi's Stadium Access Inspection**

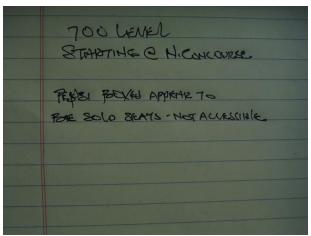


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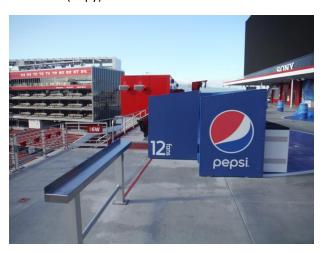
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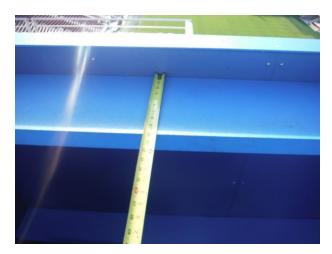


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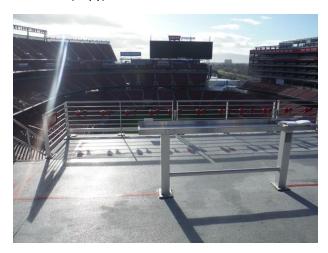
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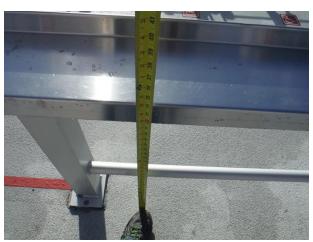




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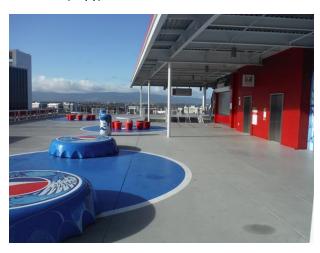
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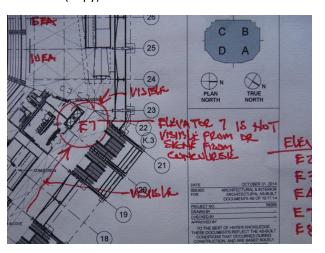


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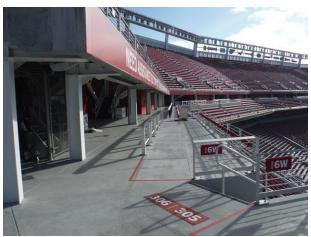
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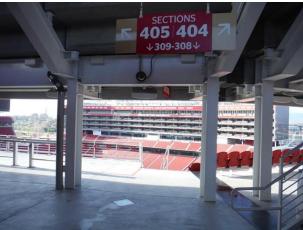
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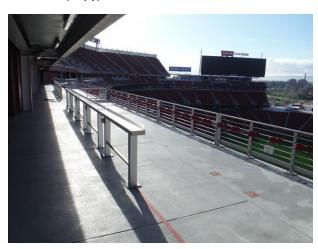
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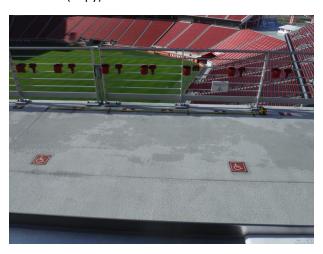




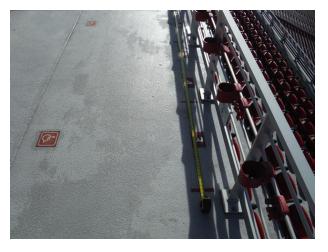
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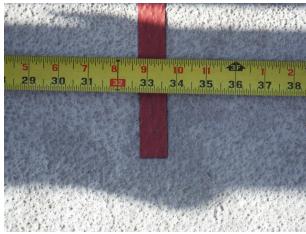
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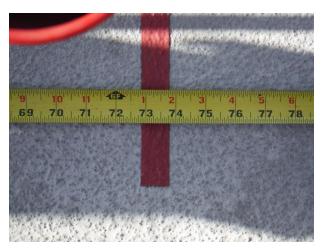
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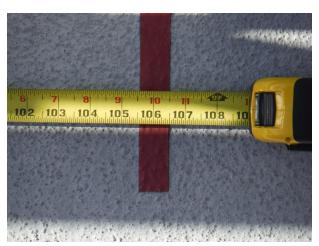




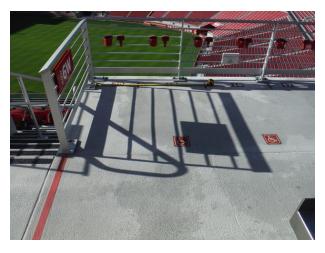
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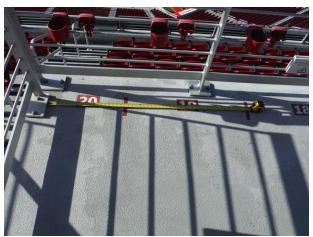
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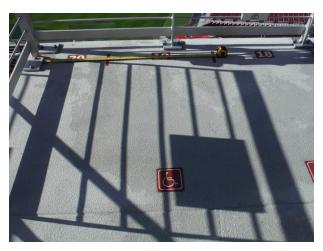
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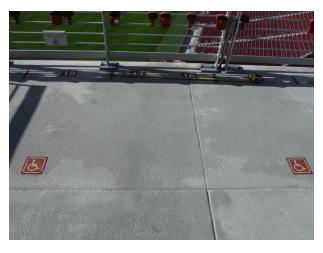
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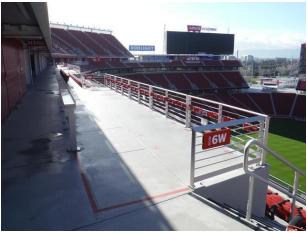




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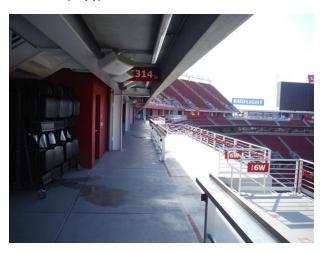
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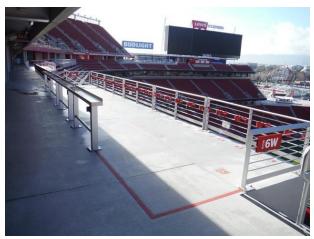




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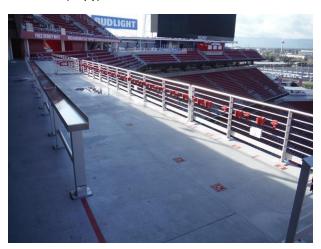
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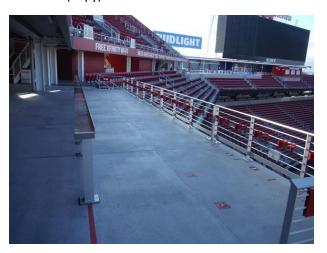
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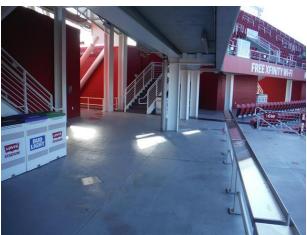
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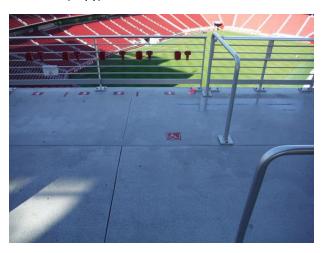
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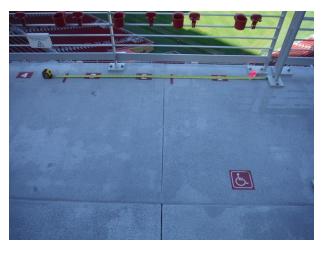
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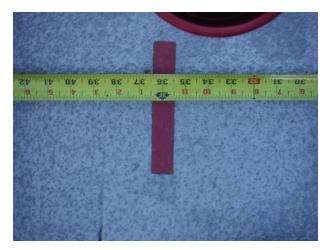


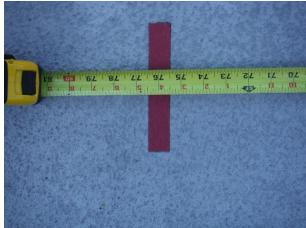
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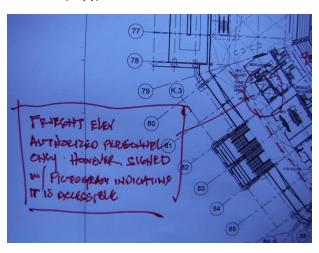
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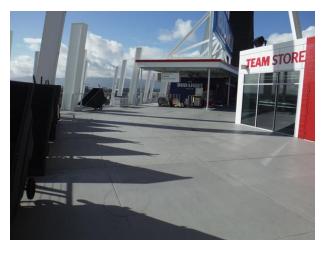
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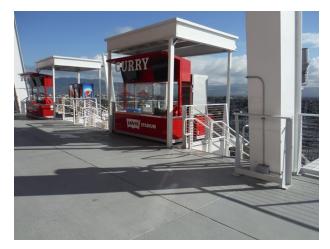


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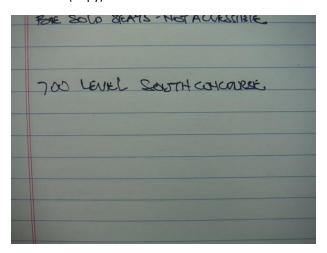
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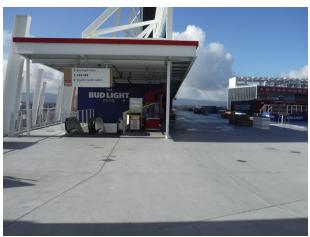
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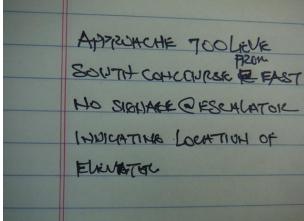
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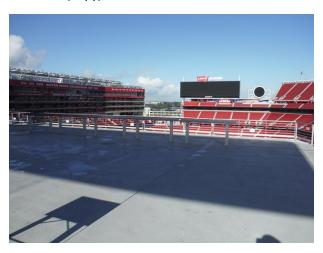
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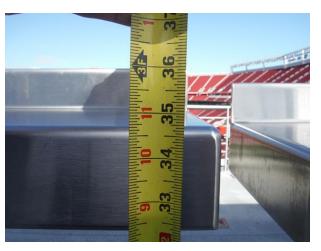




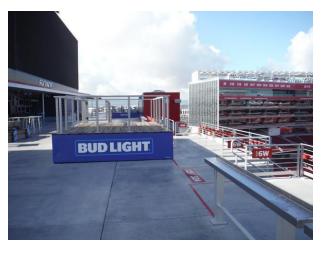
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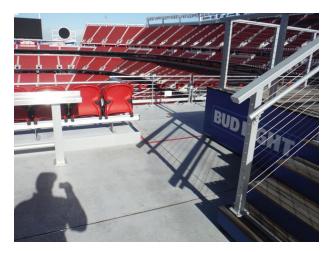


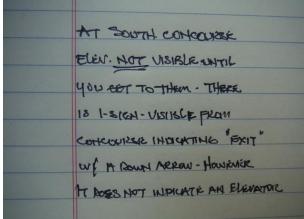
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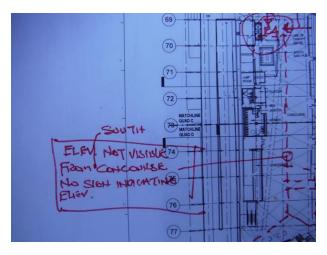
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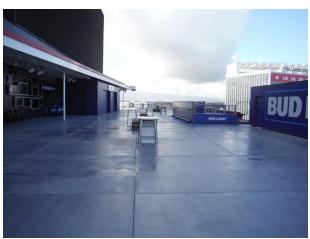




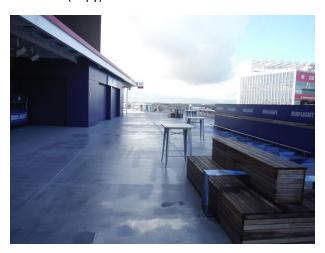
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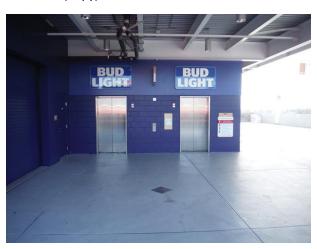
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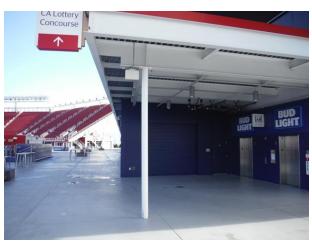
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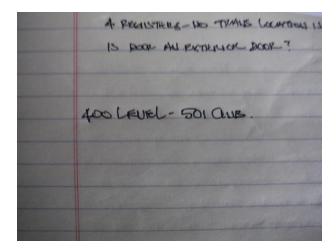


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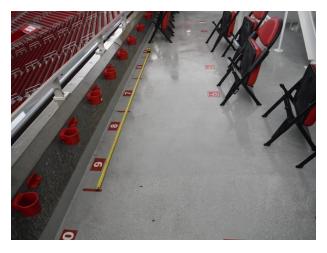
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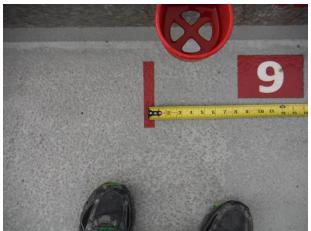
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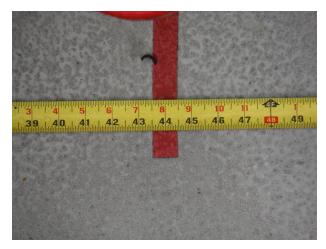


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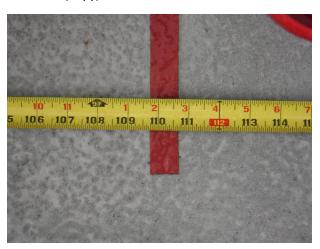
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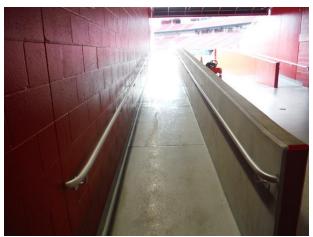
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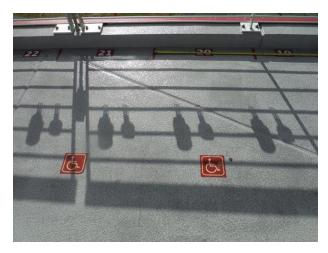


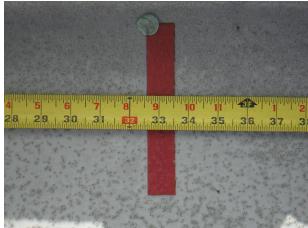
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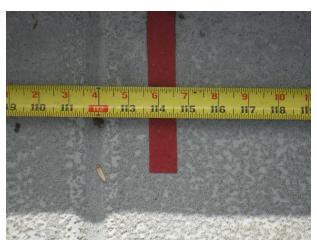




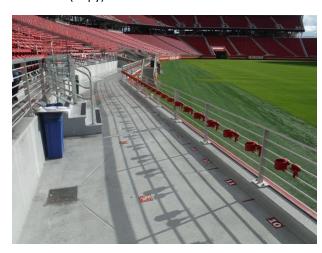
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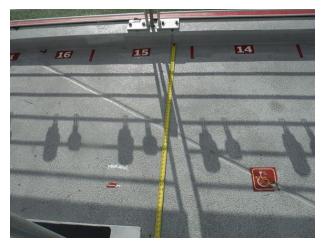


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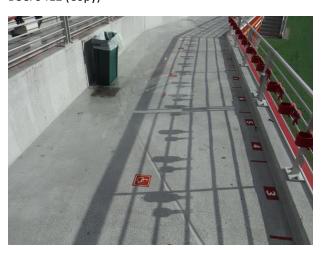
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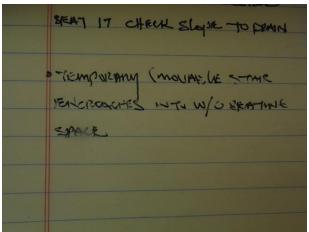




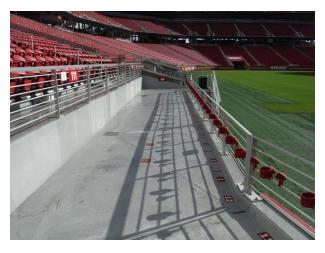
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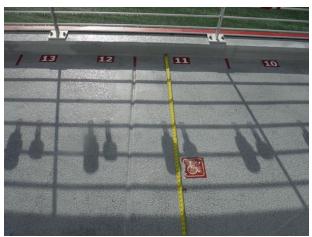
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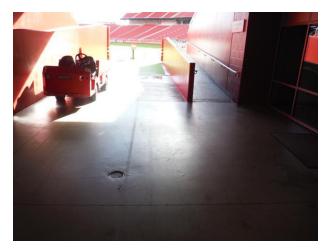
4900 Marie P DeBartolo Way, Santa Clara, California 95954 Survey Dates: January 24, 25 & 26, 2018





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**NOT USED** 

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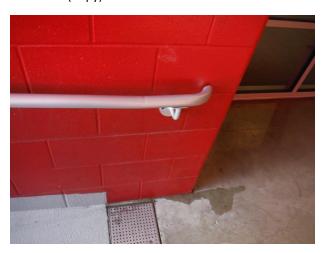
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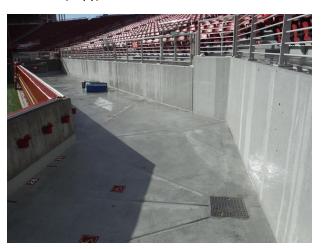
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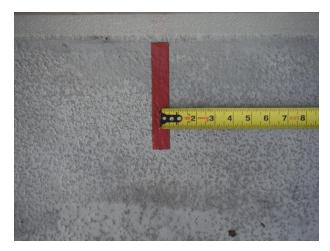


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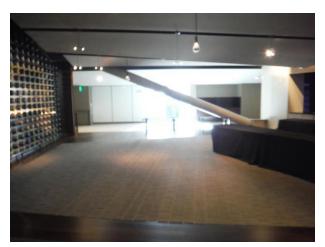
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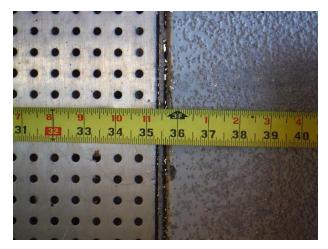


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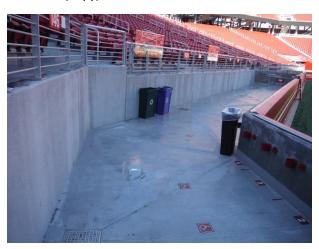
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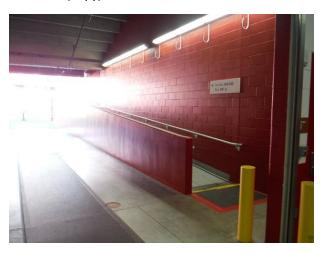
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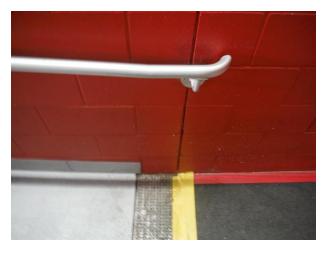
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DSCF9461 (Copy)



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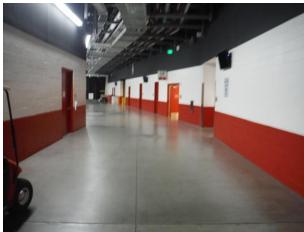
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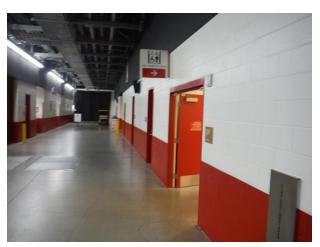
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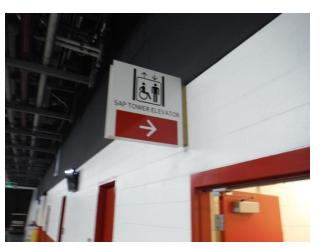




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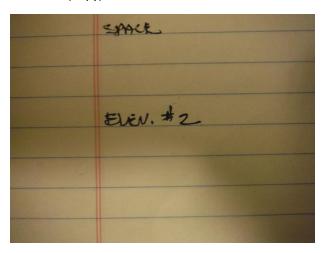
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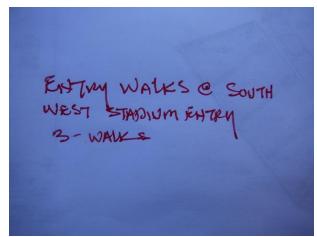
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ELEVATOR \$1 -	FLOORS 2, 8 \$ 4
ELEVATOR #2.	Floors 1- THRU 8
ELEVATOR #3.	Floors 1 THRU 8
ELEVATOR #3A	Floors   THEW 9 - LARGER EL
ELENATOR #4	Moors 1,2,3,547
ELEVATOR #5	Floors 1,344
ELEVATOR: # 6	Theores 1, 2, 4\$5
PLENATOR #7	Floors 1,2,3,5 \$7.
ELEVATOR # 8	FLOORS 2,3,5 \$7

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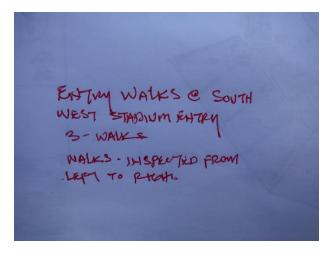


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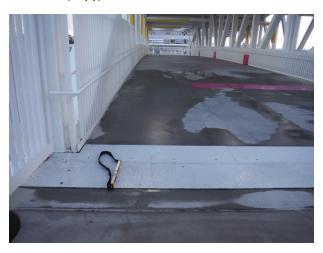
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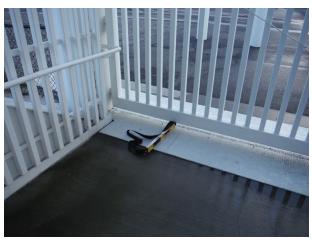
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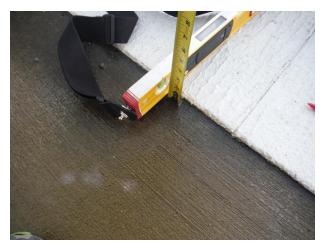


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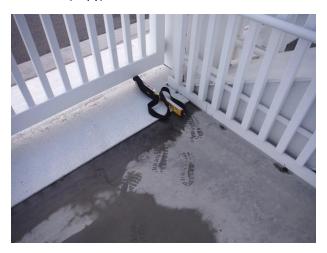
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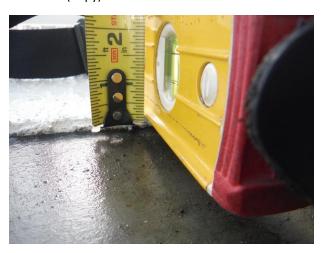
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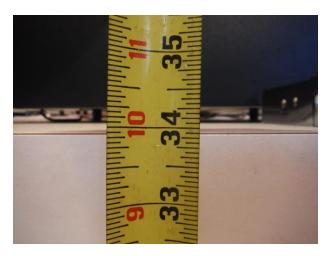


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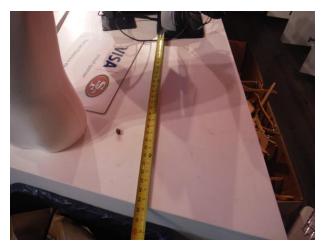
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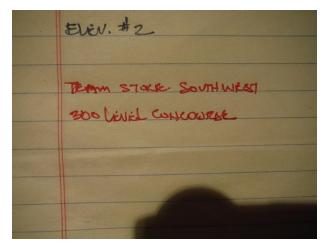
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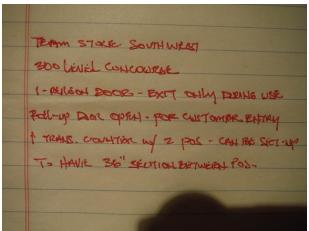
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DSCF9509 (Copy)



DSCF9510 (Copy)



DSCF9511 (Copy)

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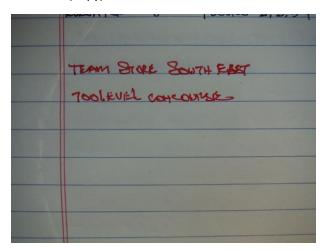
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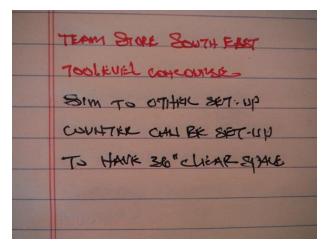


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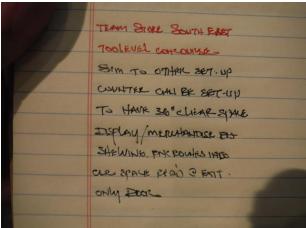




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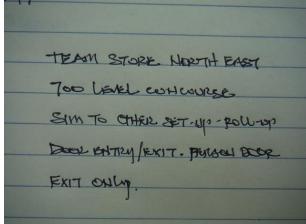
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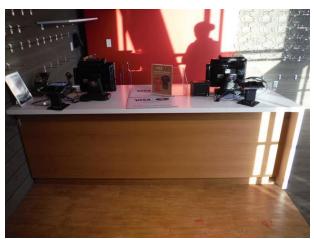




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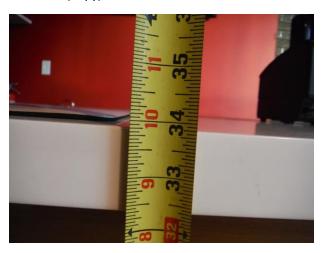
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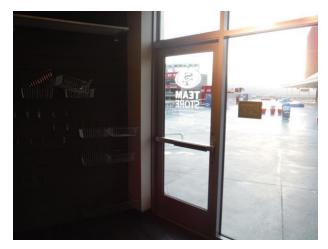


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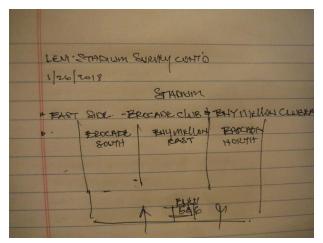


Service Stranger

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DSCF9559 (Copy)



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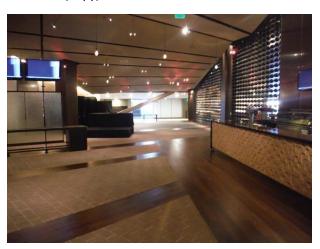
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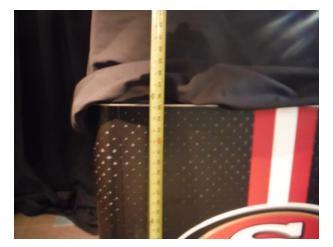


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34,35,36,3

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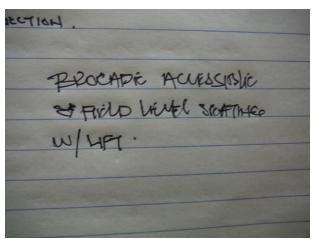




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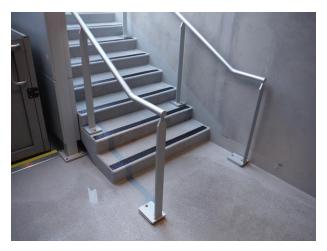


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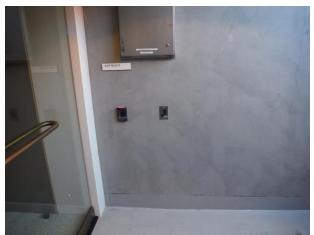
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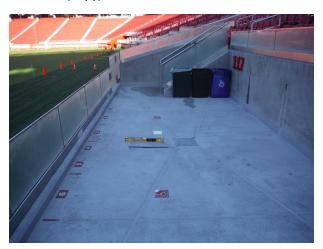
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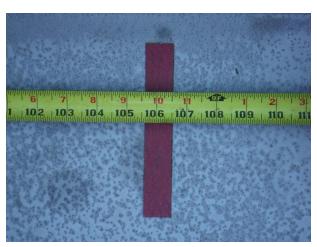
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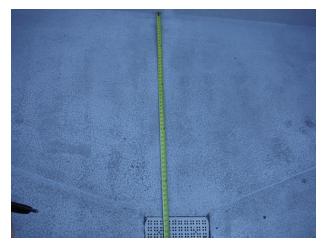


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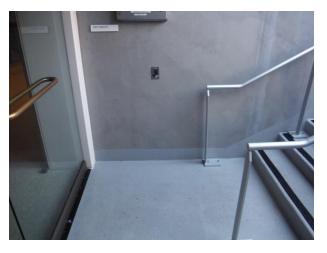
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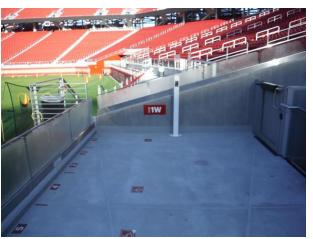
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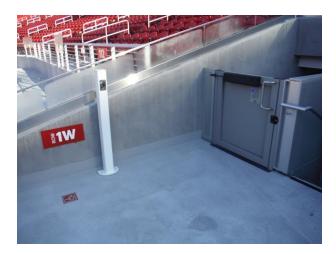


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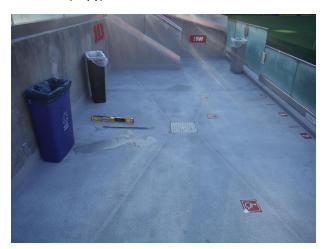
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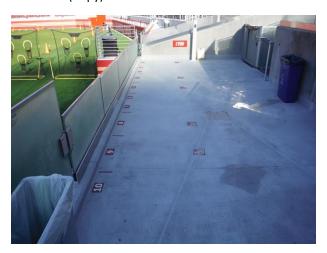
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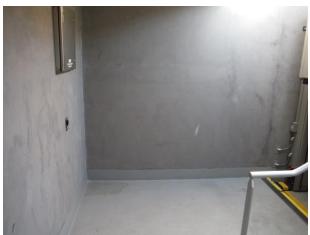
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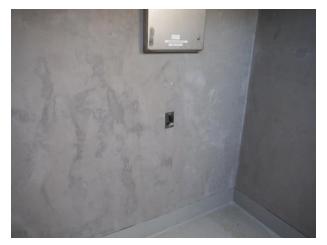


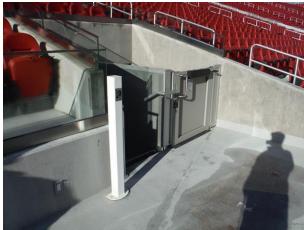
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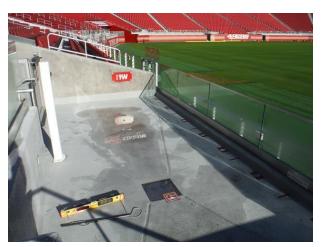
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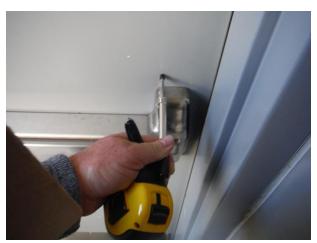
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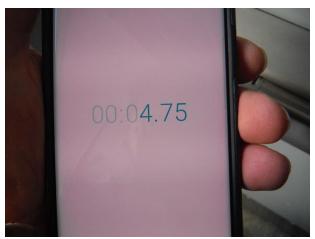
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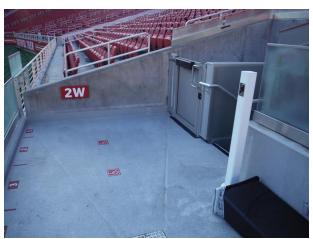




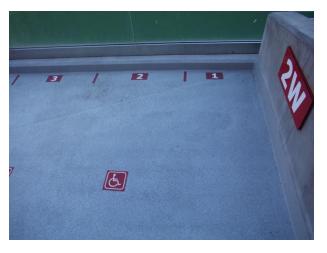
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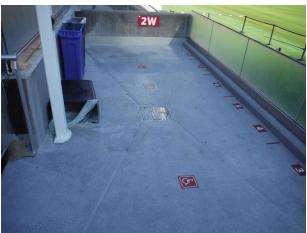
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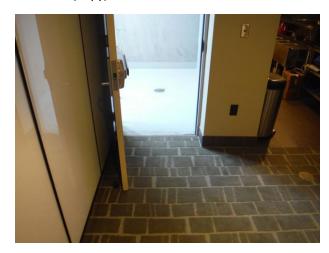
## **Levi's Stadium Access Inspection**





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**NOT USED** 

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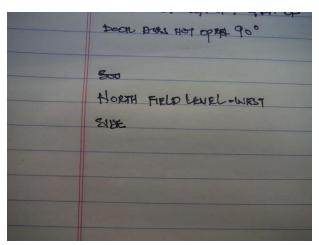
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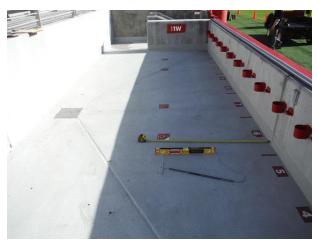




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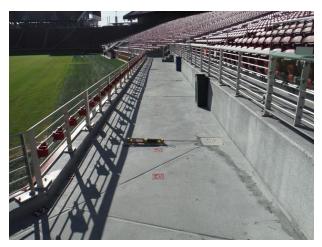




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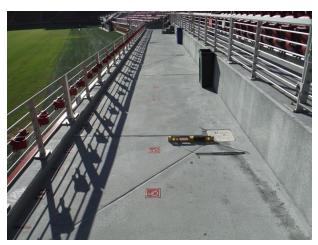
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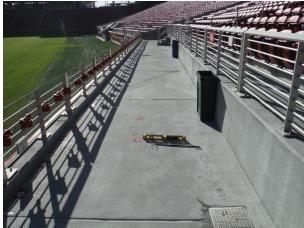
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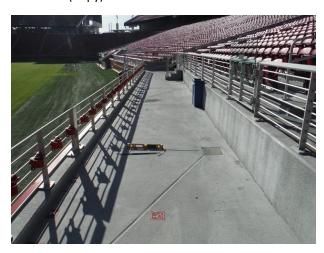
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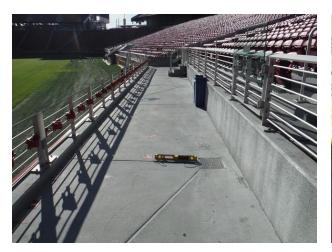


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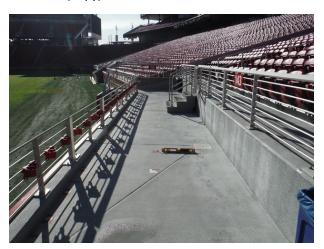


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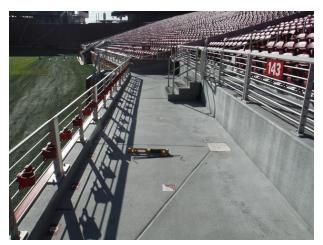
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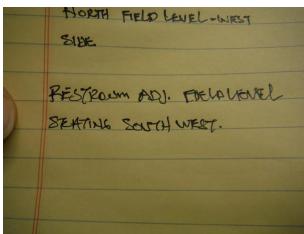
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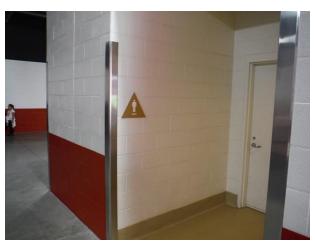




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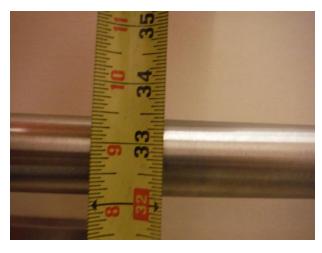
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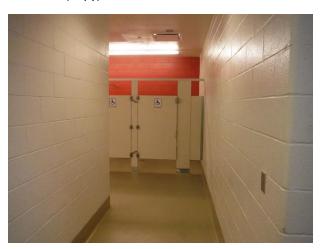
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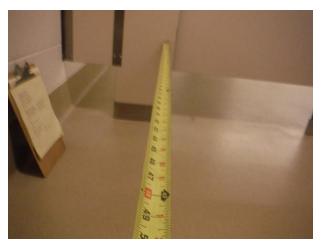
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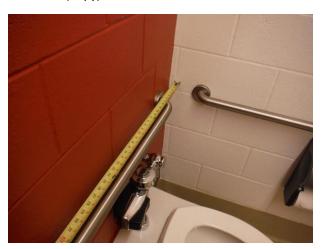
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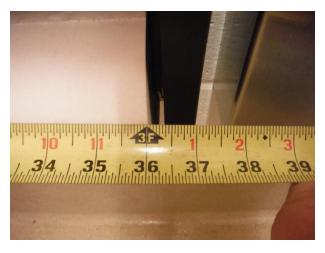
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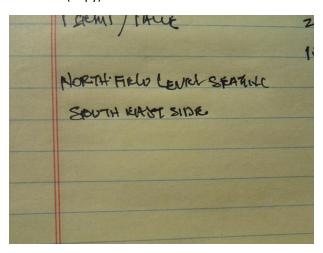
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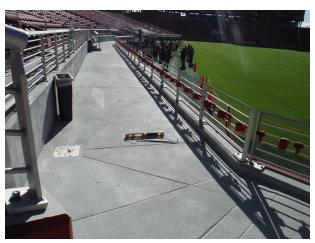
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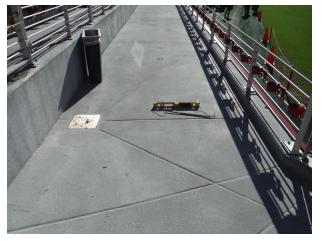


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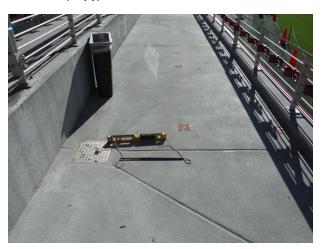
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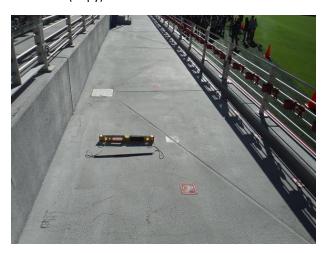
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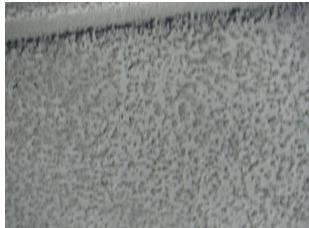
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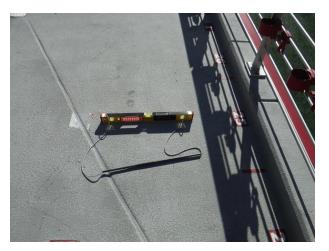
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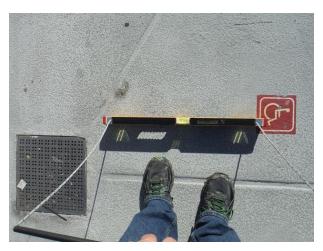
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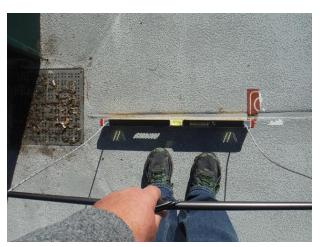
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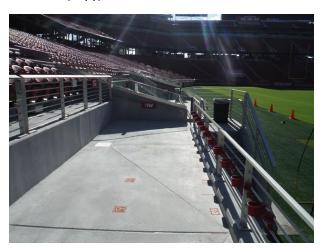


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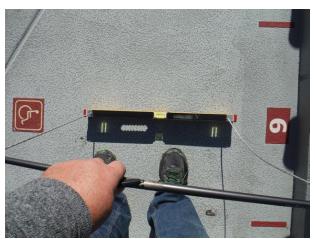
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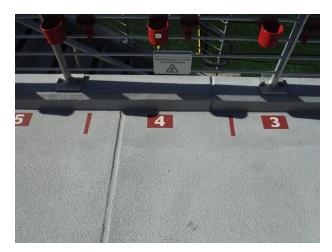


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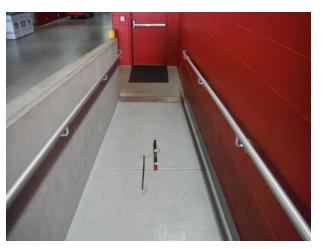
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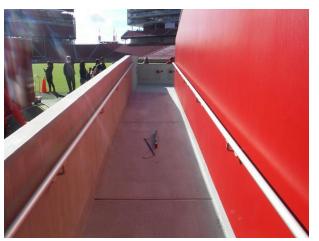
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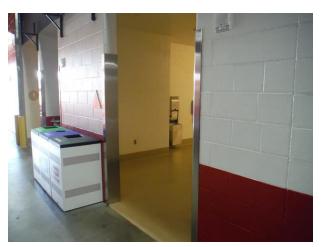
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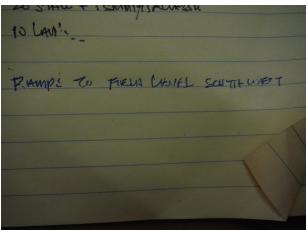
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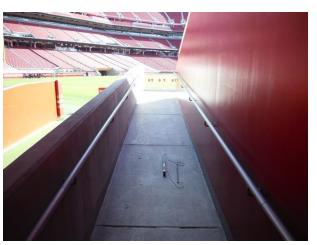




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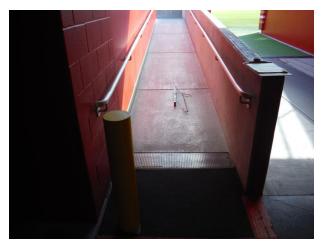


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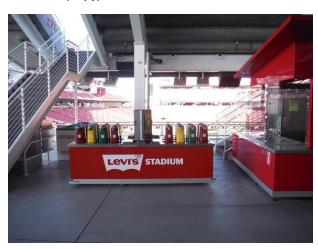
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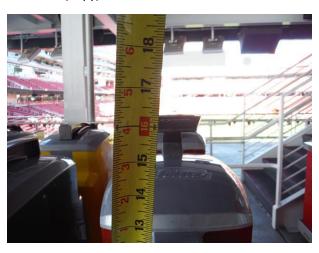


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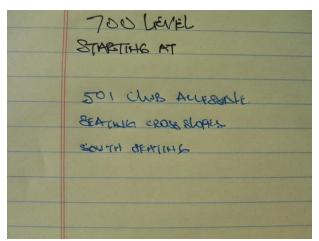
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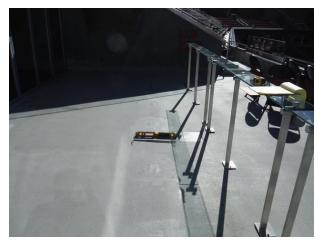
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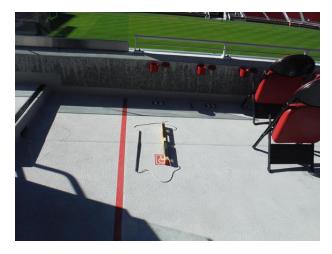


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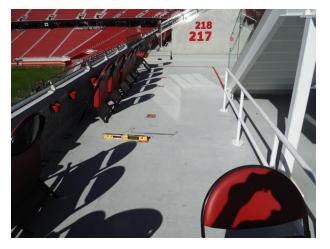
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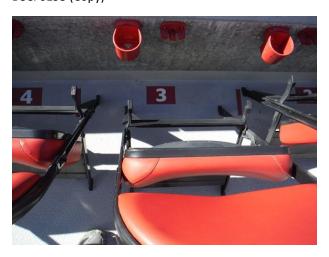
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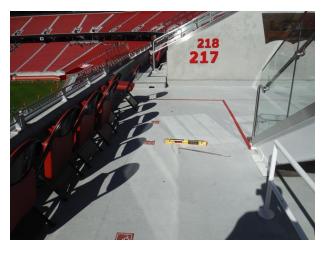
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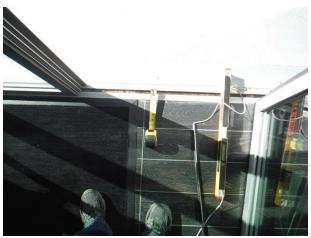




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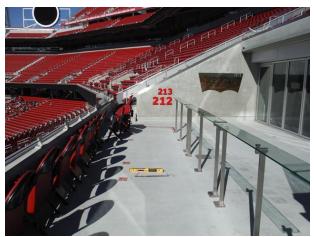
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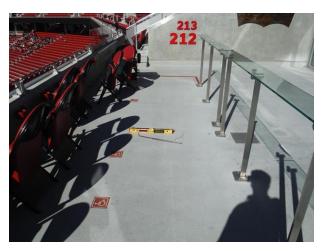
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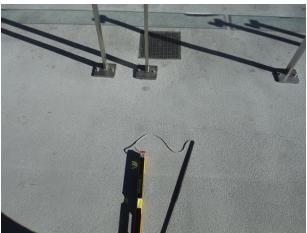




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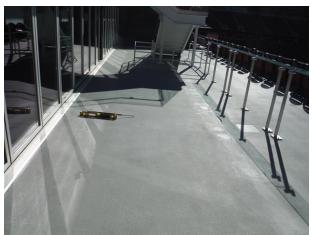
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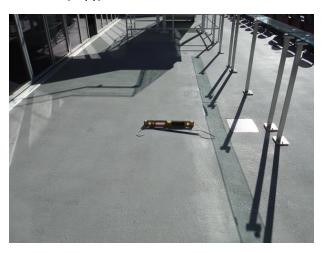
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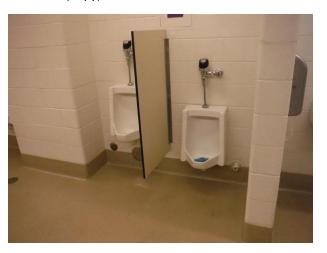




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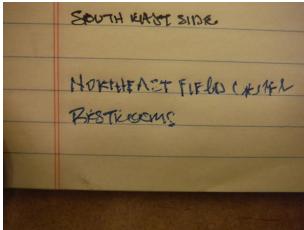
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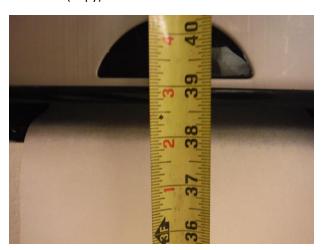




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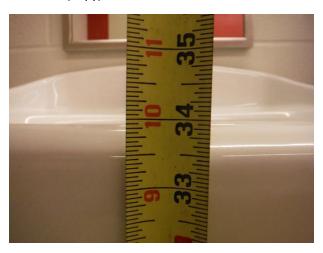
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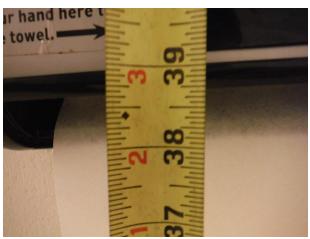
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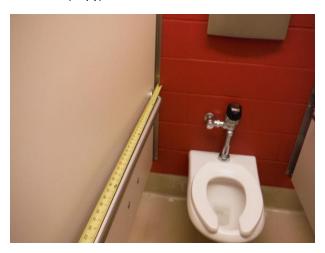
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