COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION
"Creating Community Through People, Parks and Programs"
Russ Guiney, Director

May 10, 2007

TO: Each Supervisor

FROM: Russ Guiney
Director

SUBJECT: ADA ACCESSIBLE GOLF CARTS

This is to advise you that the Department recently received inquiries regarding opportunities for persons with mobility impairments to play golf on LA County Courses, both from a nonprofit advocate of golf for the mobility impaired and from a vendor of accessible golf carts. Attached are those letters and the Department's responses, which were reviewed by County Counsel and Office of Affirmative Action Compliance. Contrary to statements in these inquiries, the County has a history of ensuring access to the County golf courses for golfers with disabilities, including but not limited to, arranging for accessible golf carts. We are committed to continuing these efforts as detailed in our responses.

If you have any questions or wish to discuss this further, please feel free to contact me at (213) 738-2951, or your staff may contact Ms. Faith Parducho, Golf Operations Manager at (626) 445-7141 or Ms. Patrice Sanders, ADA Coordinator at (213) 738-2970.

Attachments

c: Norma Garcia, First Supervisorial District
Doris La Cour, Second Supervisorial District
Maria Chong-Castillo, Third Supervisorial District
Erin Stibal, Fourth Supervisorial District
Sussy Nemer, Fifth Supervisorial District
David E. Janssen, Chief Executive Officer
Raymond G. Fortner, Jr., County Counsel
Dennis A. Tafoya, Office of Affirmative Action Compliance

COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION
"Creating Community Through People, Parks and Programs"
Russ Guiney, Director

May 10, 2007

Mr. Thomas Durbin, Vice President
SoloRider Management, LLC
7315 South Revere Parkway, Suite 604
Centennial, CO 80112

Dear Mr. Durbin:

ACCESSIBILITY FOR MOBILITY IMPAIRED GOLFERS ON LOS ANGELES COUNTY'S GOLF COURSES

Thank you for your April 4, 2007 letter to Supervisor Yaroslavsky regarding accessibility at the County golf courses for mobility impaired golfers. Supervisor Yaroslavsky has requested that I respond directly to your letter.

Let me begin by affirming the commitment of the Department of Parks and Recreation (hereinafter referred to as "Parks") to non-discrimination on the basis of disability. In that capacity, Parks is dedicated to effectively implementing the Americans with Disabilities Act (ADA) and to fulfilling the spirit of the ADA.

Parks, in partnership with the operators of our golf courses, has a long history of ensuring that persons with disabilities have access to the amenities of our golf courses, including the opportunity to golf. Parks has maintained an accessible golf cart which has been readily available for use within the LA County golf course system. The County has also relied upon its ability to rent an accessible golf cart, as an option, for the Parks Department to ensure people with disabilities have equal access to golf facilities in times of higher demand for these carts at its golf courses. All our golf courses allow people with disabilities to drive golf carts on the tee box. When necessary, Parks will reasonably modify policy to allow a person with a disability to drive a golf cart onto the green. In an effort to provide outreach to people with disabilities, Parks' website has an ADA section with information on how to request accommodations and how to access our facilities (www.lacountyparks.org).

Although our efforts to ensure non-discrimination of persons with disabilities have been successful, we are always open to new ideas and suggestions. Therefore, I have directed my staff to expand opportunities for people with disabilities by purchasing two additional accessible carts for use throughout our golf course system. These procurements are conducted by the Internal Services Department, and information for prospective vendors on bidding can be obtained at www.isd.co.la.ca.us. Based on my directive, my staff has identified additional sources where accessible carts can be borrowed and rented for our system to meet the need should the demand increase for such carts. To improve outreach, accommodation information has been added to the golf portion of our website, in addition, to the information already provided in our ADA section.

Parks will continue to provide accessible recreation for people with disabilities and to provide accommodations as necessary to ensure equal opportunity. If you require additional information, please feel free to call me at (213) 738-2951, Ms. Faith Parducho, Golf Operations Manager at (626) 445-7141 or Patrice Sanders, ADA Coordinator at (213) 738-2970.

Sincerely,

Russ Guiney
Director

c: Faith Parducho, Parks and Recreation
Patrice Sanders, Parks and Recreation

"America's Leading Single Rider Golf Car"

April 4, 2007

Mr. Zev Yaroslavsky, Chairman
Board of Directors, Los Angeles County
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Mr. Yaroslavsky:

I am writing to you because I know the County of Los Angeles has a mission to create accessibility at its facilities. We commend the County for its mission and commitment to people with disabilities.

Unfortunately, accessibility at the County golf courses does not exist for mobility impaired golfers. Sadly, there seems to be confusion about the issue among those in the County who are apparently charged with enforcing contracts that call for accessibility, and there is disregard for accessibility generally by the golf course operators who have signed contracts with the County.

For some time, our Regional Manager, Pat Goehner, has visited the County golf facilities and called on County officials. Last week, he and I attempted to see Faith Parducho, Golf Operations Manager, who would not return our phone calls. With one or two exceptions, the golf course operators had no confidence in Faith and/or simply did not feel responsible for creating accessibility. Faith told me last November that the operator contracts required the operators to provide accessibility. In fact, both the operators and the County are responsible and liable. While the County appears to be so involved in accessibility, the golf courses per se are simply inaccessible. The County offers a program of standard golf cars, and Title II requires the County to offer a program of adaptive golf cars. If the operators cannot be made to offer these vehicles, then the County must do so.

SoloRider offers the safest solution to accessibility through single rider golf cars. These vehicles are the only single rider on the market that has stand up seats which were required in the Indianapolis settlement agreement with Department of Justice.

Since we cannot find someone in the County operations who will take responsibility, we ask that you look into those steps needed to create accessibility at your golf courses. Until course accessibility is created, through single rider adaptive golf cars and other steps, the County is at risk. The application of single riders is clearly a reasonable

SoloRider Management, LLC
7315 S. Revere Parkway Suite 604 • Centennial, CO 80112
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www.SoloRider.com

modification and not an undue burden. If there is anything else you want us to do at this time, please let me know. We would appreciate hearing from you on this matter.

Sincerely,

Thomas A. Durbin, Vice President

COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION
"Creating Community Through People, Parks and Programs"
Russ Guiney, Director

May 10, 2007

Mr. Richard Thesing
Managing Director
Mobility Golf
64 Alejandra Avenue
Atherton, CA 94207

Mobility Golf Correspondence on
Los Angeles County's Golf Courses

Dear Mr. Thesing:

Thank you for forwarding letters to me on March 17, 2007 and April 12, 2007 to express your interest in increasing opportunities for persons with mobility impairments to play golf at Los Angeles County courses. I appreciate your inquiry into this matter, and I am writing in response to the issues you have raised.

Let me begin by affirming the commitment of the Department of Parks and Recreation (hereinafter referred to as "Parks") to non-discrimination on the basis of disability. In that capacity, Parks is dedicated to effectively implementing the Americans with Disabilities Act (ADA) and to fulfilling the spirit of the ADA.

Parks, in partnership with the operators of our golf courses, has a long history of ensuring that persons with disabilities have access to the amenities of our golf courses, including the opportunity to golf. Parks has maintained an accessible golf cart, which has been readily available for use within the LA County golf course system. The County has also relied upon its ability to rent an accessible golf cart as an option for the Parks Department to ensure people with disabilities have equal access to golf facilities in times of higher demand for these carts at its golf courses. All our golf courses allow people with disabilities to drive golf carts on the tee box. When necessary, Parks will reasonably modify policy to allow a person with a disability to drive a golf cart onto the green. In an effort to provide outreach to people with disabilities, Parks' website has an ADA section with information on how to request accommodations and how to access our facilities (www.lacountyparks.org).

Although our efforts to ensure non-discrimination of persons with disabilities have been successful, we are always open to new ideas and suggestions. Therefore, after reviewing your letters, I have directed my staff to expand opportunities for people with disabilities by purchasing two additional accessible carts for use throughout our golf course system. Based on my directive, my staff has identified additional sources where accessible carts can be borrowed and rented for our system to meet the need should the demand increase for such carts. To improve outreach, accommodation information will be added to the golf portion of our website in addition to the information already provided in our ADA section.

Parks will continue to provide accessible recreation for people with disabilities and to provide accommodations as necessary to ensure equal opportunity. If you require additional information, please feel free to call me at (213) 738-2951, Ms. Faith Parducho, Golf Operations Manager, at (626) 445-7141, or Ms. Patrice Sanders, ADA Coordinator, at (213) 738-2970.

Sincerely,

Russ Guiney
Director

RG:FP:gp
RFA\Golf\Accessiblecart

c: Raymond G. Fortner, Jr., County Counsel
Dennis A. Tafoya, Office of Affirmative Action Compliance
Faith Parducho, Parks and Recreation
Patrice Sanders, Parks and Recreation

MobilityGolf℠
www.mobilitygolf.com

64 Alejandra Avenue
Atherton, CA 94027
info@mobilitygolf.com
650 325-8021

March 17, 2007

Russ Guiney, Director
Department of Parks and Recreation
433 S. Vermont
Los Angeles, CA 90020

Dear Mr. Guiney:

Mobility Golf is a non-profit corporation that seeks to increase opportunities for the mobility impaired to play golf. I am writing on behalf of those with mobility disabilities who would like to play golf at the County's golf courses but cannot do so because of the absence of an accessible golf cart.

It is my understanding that each of the County golf courses has a fleet of standard golf carts but none of them have an accessible golf cart that would permit those with mobility disabilities to use the courses. An accessible golf cart is one that:

- Can be driven on tees and greens without damage to the turf.
- Has hand controls in order that someone who does not have the use of their legs can drive it.
- Has a swivel seat that permits those who cannot stand to swing from a seated position.
- Has a mechanism to tilt the seat so that those who have some leg function can swing from a normal, standing position, while leaning against the seat for support.

Such accessible golf carts are commercially available and are used at approximately 400 golf course across the country including some of the most famous public and private courses such as:

- Pebble Beach
- Spyglass
- Poppy Hills
- Torrey Pines
- Bethpage Black

We believe that the "program access" requirements of Title II of the ADA require the County to make its golf courses accessible to the mobility impaired by providing accessible golf carts. We also believe that this is a requirement of the Los Angles County ADA Policy on Non-Discrimination of the Basis of Disability, which states that the County "... does not discriminate on the basis of disability in ... access to its services, programs or activities." I also note that the Department of Parks and Recreation Mission Statement is: "To provide accessible recreation for the people with disabilities of the County of Los Angeles. If you, or your counsel, have any doubt about the legal requirement to provide accessibility to the mobility disabled to your golf courses, I would be happy to supply you with a memorandum on this issue.

I understand that some, or all, of the County golf courses are operated by management companies. If that is correct, it is still a county program and the Title II program access requirements still apply. The only difference a management agreement makes with regard to the ADA is that the management company would be jointly responsible under Title III.

The provision of accessible golf carts should not be seen as an unfunded mandate. Rather they can result in a win-win solution. The carts should be viewed as revenue generators. They can be rented for the same fee as standard carts. Disabled golfers and those that play with them will generate additional revenue as well. Also, the accessible carts can be put in the fleet and used by able-bodied golfers when not used by disabled golfers.

If I can be of any assistance, please contact me. I have played over 300 rounds of golf from accessible golf carts and have used all that are on the market. I do not represent any vendor but would be happy to share my opinion as a player and an advocate for accessible golf.

I hope that you will take this opportunity to voluntarily make your courses accessible. I would appreciate a response within 30 days. You may contact me by cell at 650-269-6889 or by email at jrthesing@yahoo.com.

Very truly yours,

Richard Thesing
Managing Director

Cc:
Raymond G. Fortner, Jr.
Office of the County Counsel
648 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dennis A. Tafoya, Director
L.A. County Office of Affirmative Action Compliance
780 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Juan Benitez
ADA Coordinator
Department of Parks and Recreation
433 S. Vermont Ave
Los Angeles, CA 90020

Patrice Sanders
ADA Coordinator
Department of Parks and Recreation
433 S. Vermont Ave
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Tracy Franklin
ADA Coordinator
Department of Parks and Recreation
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www.mobilitygolf.com

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EXECUTIVE OFFICE

April 12, 2007

Russ Guiney, Director
Department of Parks and Recreation
433 S. Vermont
Los Angeles, CA 90020

Dear Mr. Guiney:

This is a follow-up to my letter of March 17, 2007 requesting that the County make its golf courses accessible to those with mobility disabilities. I have recently received a copy of a letter from the United States Department of the Interior (DOI) to the city of Columbus, Ohio. In that letter, the DOI stated that Title II of the ADA requires municipal golf courses that provide standard golf carts to also provide specialized golf carts for individual players with disabilities. I am enclosing a copy of the letter.

This letter is significant because, under the Title II regulations, DOI is the federal agency responsible for implementation of Title II for State and local government park and recreation activities—including golf courses. See 28 CFR 35.190(b)(5) which is also enclosed.

In sum, the federal agency with the authority to interpret the program access provisions of Title II of the ADA has already determined that municipal golf courses with standard golf carts are required to provide accessible golf carts.

I look forward to hearing from you on the steps the County intends to take to make its courses accessible.

Very truly yours,

Richard Thesing

Richard Thesing
Managing Director

cc. Raymond G. Fortner, Jr.
Office of the County Counsel
648 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dennis A. Tafoya, Director
L.A. County Office of Affirmative Action Compliance
780 Kenneth Hahn Hall of Administration
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Patrice Sanders
ADA Coordinator
Department of Parks and Recreation
433 S. Vermont Ave
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