

# The Americans with Disabilities Act

## Transition Plan

### City of Belmont 2018



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## A. INTRODUCTION: DEVELOPMENT OF ADA TRANSITION PLAN

The Americans with Disabilities Act (ADA) of 1990 provides comprehensive civil rights protections to qualified individuals with disabilities in the areas of employment, public accommodations, State and local government services, and telecommunications. A primary goal of the ADA is to ensure equal participation in public life for all Americans with disabilities. Title II of the Act covers programs, services and activities of public entities, such as the City of Belmont.

The ADA defines "disability" as:

- a. a physical or mental impairment that substantially limits one or more major life activity;
- b. having a record of such an impairment; or
- c. being regarded as having such an impairment.

If an individual meets any one of these tests, he or she is considered to be an individual with a disability for purposes of the ADA.

Under Title II, a public entity may not deny the benefits of its programs, services, and/or activities to individuals with disabilities by maintaining inaccessible facilities, which house these programs, services and activities. The City's programs, services, and activities, when viewed in their entirety, must be made accessible to and usable by individuals with disabilities, except where to do so would result in a fundamental alteration in the nature of the program; result in undue financial and administrative burdens or threaten or destroy the historic significance of a historic property.

Section §35.150 requires that each program, service or activity conducted by a City, when viewed in its entirety, be readily accessible to and usable by individuals with disabilities. The regulation makes clear, however, that a City is not required to make each of its existing facilities accessible (§35.150(a)(1)). Unlike Title III of the ADA, which requires public accommodations to remove architectural barriers where such removal is "readily achievable," or to provide goods and services through alternative methods, where those methods are "readily achievable," Title II requires a City to make its programs accessible in all cases, except where to do so would result in a fundamental alteration in the nature of the program or in undue financial and administrative burdens. The US Congress intended the "undue burden" standard in Title II to be significantly higher than the "readily achievable" standard in Title III. Thus, although Title II may not require removal of barriers in some cases where removal would be required under Title III, the program access requirement of Title II should enable individuals with disabilities to participate in and benefit from the programs, services or activities of cities in all but the most unusual cases.

To comply with the Title II requirements for accessibility to City *programs, services and activities*, this Transition Plan:

- Evaluates existing policies, procedures and practices as they pertain to the City's programs, services and activities;
- Provides findings and recommendations with regard to policies, procedures and practices;

- Identifies physical obstacles in the public entity's facilities that limit the accessibility of its programs or activities to individuals with disabilities;
- Assesses the extent of architectural barriers to program accessibility in the public rights-of-way and within the buildings, parks and other facilities operated by the City;
- Describes in detail the methods that will be used to make the facilities accessible;
- Estimates costs for mitigation solutions;
- Specifies the steps necessary to achieve compliance;
- Provides a schedule for barrier removal/mitigation;
- Sets priorities for barrier elimination; and
- Indicates the official responsible for implementation of the plan.

Per 28 Code of Federal Regulations, Part 35; Subpart D – Program Accessibility; §35.150 – Existing Facilities; (d) Transition Plan (1): The City shall provide an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the development of the transition plan by submitting comments.

In order to satisfy this requirement and to gain the perspective of persons with disabilities, a public meeting was held on December 13, 2017 at 6:00PM where members of the public were invited to comment on the City's Draft ADA Transition Plan.

## B. OVERVIEW: SELF-EVALUATION OF POLICIES, PROCEDURES AND PRACTICES

In addition to identifying and modifying physical barriers, Title 28 CFR Part 35, ***Non Discrimination on the Basis of Disability in State and Local Government Services***, requires that a public entity evaluate its policies, procedures and practices. The following outlines the City's Self-Evaluation:

- Evaluate City policies, procedures, and practices as they pertain to its programs, services and activities; and make the necessary modifications to those policies and practices that do not meet the programmatic requirements of Title II of the ADA
- Provide an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the Self-Evaluation process by submitting comments
- Maintain, file and make available for public inspection a list of interested persons consulted, a description of areas examined and any problems identified, and a description of any modifications made

It is recommended that the City periodically evaluate such policies, procedures and practices pertaining to communication, auxiliary aides and services, emergency response, publications, determination for undue burden, public activities, employment, and new construction of facilities, in addition to physical accessibility to City facilities.

It is also recommended that for program barrier mitigation, a detailed outline of administrative requirements and detailed requirements of needed policies be included. The policy outline would serve as a guideline upon which the City's future policies may be built.

**[An ADA-Self-Evaluation Report of City services, policies, and practices was completed in 2017. Please contact the City ADA Coordinator for further information regarding the "2017 City of Belmont ADA Self-Evaluation Report".](#)**

## C. OVERVIEW: ACCESS COMPLIANCE SURVEYS OF FACILITIES AND PARKS

The ADA Transition Plan is used to document physical accessibility barriers to the City's programs, services, and activities and to outline a schedule / plan (or the basis to produce one) for which the City shall follow to transition from a state of noncompliance to compliance.

The access compliance surveys of City facilities fulfill a portion of the first two requirements of an ADA Transition Plan by identifying existing building conditions that deviate from current State and Federal standards for new construction and providing detailed description of proposed solutions for barrier mitigation. For each barrier, the surveys outline the code deviations and requirements from the Americans with Disabilities Act Accessibility Guidelines (ADAAG) and the Accessibility Standards in the California Building Standards Code (CBC).

The City facilities that were assessed are shown in the table below:

Fac. No.	Facility Name	Address
101	BARRETT COMMUNITY CENTER	1835 Belburn Street, Belmont, CA 94002
102	Belmont - San Carlos FIRE STATION 14	911 Granada St.
103	Belmont FIRE STATION 15	2701 Cipriani Blvd
104	Belmont TRAIN STATION ELEVATOR	995 El Camino Real
105	CITY HALL	One Twin Pines Lane, Belmont, CA 94002
106	CORPORATION YARD	110 Sem lane, Belmont, CA 94002
	CORPORATION YARD RESTROOMS	N/A
107	LIBRARY	1110 Alameda de las Pulgas, Belmont, CA 94002
108	MANOR HOUSE	10 Twin Pines Lane, Belmont, CA 94002
109	PARKS & RECREATION OFFICE	30 Twin Pines Lane, Belmont, CA 94002
110	SPORTS COMPLEX	550 Island Parkway, Belmont, CA 94002
	SPORTS COMPLEX RESTROOMS (2)	N/A
	SPORTS COMPLEX BUILDING - KIOSK	N/A
	SPORTS COMPLEX CONCESSIONS	N/A
	SPORTS COMPLEX SCOREBOOTHS (3)	N/A
111	TWIN PINES / COTTAGE	7 Cottage Lane, Belmont, CA 94002
112	TWIN PINES / CRKSIDE STUDIO	3 Cottage Lane, Belmont, CA 94002
	Twin Pines BUILDING #2 (RESTROOM)	Buckeye Picnic Area
	Twin Pines BUILDING #2 (RESTROOM)	Redwood Picnic Area
113	TWIN PINES LODGE	40 Twin Pines Lane, Belmont, CA 94002
114	TWIN PINES SENIOR AND COMMUNITY CENTER	20 Twin Pines Lane, Belmont, CA 94002
115	Parking Lot #1	Corner of 6th and Emmett Avenue
116	Parking Lot #2	1300 block of 5th Ave
201	Alexander Park	411 Yorkshire Way
202	Barrett Community Ctr Park	1835 Belburn /1870 Ralston

203	Belameda Park	1110 Alameda de las Pulgas
204	Belmont Sports Complex	550 Island Parkway
207	Cipriani Park/Dog Park	2525 Buena Vista
208	College View Park	1 College View Way
209	Davey Glen Park	Block of 500 Davey Glen
211	Hallmark Park	2599 Hallmark Dr
212	Hastings Tot Lot	2400 Hastings Dr
213	Hidden Canyon Park	End of Carlmont Dr
214	McDougal Park	1405 Solana Dr
216	O'Donnell Park	400 Block of Ralston
217	Patricia Wharton Park Notre	Dame Ave/ Middle Rd
219	Ralston Ranch Park	Block of 1 Ralston Ranch
220	San Juan Canyon	4122 Marsten Ave/3500 Bartlett Way
221	Semeria Park	2322 Casa Bona Ave
222	Twin Pines Park	30 Twin Pines Lane
223	Wakefield Park	Wakefield Dr and Elder Dr
224	Water Dog Lake	Across from 2839 Hallmark

## REPORT PRODUCTION

The following information contains the minimum data included in the Transition Plan-Survey Reports:

- Item number of barrier and/or room numbers, corresponding to schematic site and floor plans
- Area/location of the barrier; for example, room name or number
- Description of the barrier (as-built situation)
- As-is measurement/dimension
- Method of mitigation (e.g. physical alteration, purchase, program modification, equivalent facilitation, etc.)
- Detailed description of proposed solution and, if applicable, an alternative or interim solution
- Code citations, specifying the applicable sections in the State accessibility regulations, and in the federal standards
- Severity of individual barriers (four levels: 1=severe, 2=moderate, 3=mild 4=minor)
- Unit and estimated unit price
- Total estimated cost for barrier removal
- Special site conditions (if applicable)

The information obtained from the surveys of the City facilities is maintained on an Microsoft Excel spreadsheet database.

[SEE Appendix A: Access Compliance Survey Report of City Facilities](#)

## **PRIORITIZATION CRITERIA FOR BARRIER MITIGATION – CITY FACILITIES**

The survey of City facilities fulfills the first requirement for the Transition Plan, by identifying physical obstacles limiting the accessibility of the City's programs and activities to individuals with disabilities.

The relative importance of each barrier, according to its impact upon the disabled population was taken into account when developing the prioritization criteria for barrier mitigation.

Overall Prioritization Criteria according to programmatic functions:

- Importance of the program function
- Frequency of Use
- Program location and relation to other programmatic functions
- Future Projects

Since persons with disabilities utilize certain facilities with greater frequency than other facilities, the impact of barriers identified at those facilities was deemed to be greater. Upon compilation of the survey results, prioritization criteria were determined for barriers identified in the survey and additional information was obtained to determine a final level of prioritization.

Prioritization Criteria according to barrier location:

Priority can be further divided within any one facility depending on the function of the area within the facility being assessed. Typically, these areas are divided into 4 general priorities as shown below:

- Priority 1. Basic public access and hazardous conditions (i.e. entrances and public lobbies)
- Priority 2. Access to program function areas (i.e. exits, conference rooms, classrooms)
- Priority 3. Access to public common areas that support program function areas. (such as restrooms, drinking fountains, public telephones, etc.). Provision of visual/audible signal devices connected to the existing fire alarm system
- Priority 4. Staff and areas not generally used by the public

The prioritization of barrier-mitigation within the City buildings and parks followed a 3-step process:

1. Priorities 1 through 4 were assigned to each record or barrier identified (as described above)
2. Severity Numbers were assigned to each barrier based on the deviation from the max. or min. dimension required by code, 1 through 4 with 1 being the most severe.



3. Facility Priority Numbers were assigned to each of the City facilities surveyed based on frequency of use, programs and services provided and the condition of the facility as shown previously.

The above prioritization criteria can be used to sort the access barriers identified in the surveys and create a schedule that order barrier mitigation work starting from barriers of highest importance to barriers of least importance.

Note that the prioritization criteria serve only as one methodology for the City to create a schedule. Other criteria can be used (and is encouraged) as the basis for forming a schedule including: 1) barriers identified by constituents through an ADA grievance, 2) barriers that overlap with a City project already in the pipelines, 3) barriers that can be resolved internally with the City’s maintenance staff, 4) etc. The City shall document all methodology used in justifying a barrier mitigation schedule.

Additional Consideration: Age of the Facility

The age of the facility can also determine the City’s obligations to meet ADA compliance. Facilities built before September 15, 2010 are obligated to be in compliance with the 1991 ADAAG, barring that the building has not gone through major reconstruction or alteration henceforth that date. The facility will also be required to comply with the applicable California Building Codes (CBC) at the time of construction.

If a facility was constructed or altered between the transition period of September 15, 2010 through March 15, 2012, an option of choosing either the 1991 ADA or 2010 ADA Standards were allowed.

Facilities built after March 15, 2012 are required to meet the updated 2010 ADA Standards as well as the California Building Code (CBC) at time of construction.

The caveat being that crucial program functions and services must be provided in accessible locations.

<b>Compliance Date for New Construction or Alterations</b>	<b>Applicable Standards</b>
Before September 15, 2010	1991 Standards or UFAS
On or after September 15, 2010, and before March 15, 2012	1991 Standards, UFAS, or 2010 Standards
On or after March 15, 2012	2010 Standards

For barriers identified on City property, a 3-pronged approach to implementation is recommended. Parks and Recreation would identify for remediation:

1. Damaged pathways or trees/shrubs that impede pedestrian access routes either horizontally or vertically;
2. Items readily achievable by the maintenance division, such as relocating, removing accessories, dispensers, furniture, etc. that may reduce access and/or create barriers impeding the use of an area or space;
3. Barriers significant enough in nature as to require additional analysis or budgetary measures.

## D. OVERVIEW: ACCESS COMPLIANCE SURVEYS OF THE PUBLIC RIGHTS-OF-WAY

In the rights-of-way, where the City has either sole or shared responsibility/authority over streets, roads and walkways, the ADA Transition Plan references the Public Works/Engineering schedule for providing curb ramps or mitigating barriers in pedestrian sidewalks, giving priority to pedestrian routes serving public entities, including State and local government offices and facilities, transportation, places of public accommodation, and employers, followed by walkways serving other areas.

Pedestrian signal devices and curb ramps serving intersections were assessed using a data collection checklist, based on ADA and DOT requirements as well as PROWAG recommendations. Traditional measuring and smart-level equipment were used to collect measurements for the surveys.

Surveys included pedestrian signal devices and curb ramps serving intersections that may share maintenance responsibility between another jurisdiction such as the County of San Mateo and CA DOT (Caltrans).

Sidewalks were assessed using sidewalk profilers that were developed for the Federal Highway Administration (FHWA) and adapted for sidewalk ADA surveys. The device captures information on slopes, and surface variations and identifies deviations from the required ADA standards and other applicable requirement codes.

The information obtained from the surveys of the PROW is maintained on a geographic information system (GIS) database.

[SEE Appendix B: Access Compliance Survey Report of City Sidewalks](#)

[SEE Appendix C: Access Compliance Survey Report of City Curb Ramps](#)

[SEE Appendix D: Access Compliance Survey Report of City Pedestrian Signals](#)

### PRIORITIZATION CRITERIA FOR BARRIER MITIGATION – PUBLIC RIGHT-OF-WAY

The relative importance of each barrier, according to its impact upon the disabled population was taken into account when developing the prioritization criteria for barrier mitigation.

Overall Prioritization Criteria according to programmatic functions:

- Importance of the program function
- Frequency of Use
- Program location and relation to other programmatic functions

Since persons with disabilities utilize certain facilities with greater frequency than other facilities, the impact of barriers identified at those facilities was deemed to be greater. Upon compilation of the survey results, prioritization criteria was determined for barriers identified in the survey and additional information was obtained to determine a final level of prioritization.

Prioritization Criteria for PROW according to barrier location:

- Government Services
- City Attractors (City Owned Buildings, Downtown)
- Schools
- Parks
- Transit Stops/Centers
- Population Density
- Elderly Population Density
- Streets (Arterials, Collectors)

For barriers within the public rights-of-way, a 3-pronged approach to implementation is recommended:

1. The City has an adopted Comprehensive Pedestrian & Bicycle Plan that has identified Priority Pedestrian Routes and has proposed implementation schedule for improvements. Removal of any identified barriers would be included in these improvements.
2. Public Works/Engineering would identify street sections being resurfaced over the next few years and identify curb ramps that are not compliant with current ADA standards. These identified curb ramps will be scheduled for upgrade to applicable standards when part of a major roadway rehabilitation project involving pavement overlays, cape seal and/or reconstruction; or signal upgrades.
3. Public Works/Engineering would identify damaged pathways and trees/shrubs overgrowth into pathway/sidewalks to maintain clearances both horizontally and vertically for pedestrian access routes.
4. Public Works will continue to budget \$35,000 annually to address service requests for ADA improvements in the right of way.
5. Identify other agency facilities that create barriers in the right of way (utility cabinets, fire hydrants, utility poles, etc.) and work with the respective agencies to relocate the facilities.

## E. OFFICIAL(S) RESPONSIBLE

The ADA requires that an official be identified as responsible for the implementation of the Entity's plan.

It is the US DOJ's view that compliance with 28 CFR 35.150(a), like compliance with the corresponding provisions of the section 504 regulations for public programs, would in most cases not result in undue financial and administrative burdens on a typical City. In determining undue financial and administrative burdens, all City resources available for use in the funding and operation of City services, programs and activities would need to be considered.

The burden of proving that compliance with paragraph (a) of 28 CFR 35.150 would either fundamentally alter the nature of a service, program, or activity OR would result in undue financial and administrative burdens rests with the City. The decision that compliance would result in such alteration and/or burden must be made by the head of the public entity or his or her designee and must be accompanied by a written statement of the reasons for reaching that conclusion.

While the US DOJ has acknowledged the difficulty/complexity of not only making such a determination, but also identifying the official responsible to make this decision/determination, the department's intention is clear in that the determination must be made by a high level official, no lower than a Department head, having budgetary authority and responsibility for making spending decisions.

The Official Responsible for the implementation should be able to seek/acquire funding for ADA barrier removal work over the City's Transition Planning period. In most cities, it is the City Manager who can effectively control the City's budget line item – "ADA Transition Planning budget". As such, The City of Belmont will designate the City Manager as the Official Responsible for the implementation of its ADA Transition Plan. He can be contacted as follows.

City Manager  
ADA Coordinator  
City of Belmont

Typically, the responsibility of making any particular City program, service or activity accessible to all persons, regardless of ability, rests with the official who controls the operating funds for that particular program, service or activity. To this end, the task of seeking/getting approval for funds from the governing body to make the said program accessible lies with the official responsible for the program.

Indication of the official(s) responsible for implementation of the plan fulfills the final requirement of a Transition Plan.

## F. PUBLIC INPUT

### Vetting of Transition Plan Results

The City is committed to the vetting of these results with stakeholders as required by law and developing an implementation plan designed to implement necessary changes and track good-faith compliance efforts.

#### Vetting Activity

##### City's Report Concerning the Transition Plan Vetting

**Date:** December 13, 2017

**Time:** 6:00PM

**Location:** Senior & Community Center at Twin Pines Park

20 Twin Pines Ln, Belmont, CA 94002

#### **Attendees:**

Inkang Kim at *inkang@kinsrekr*

John Violet at *jrviolen@pacbell.net*

Marie Violet at *marie.violet@dignityhealth.org*

#### **Input Received During Vetting**

Mr. Kim had concerns about his daily travel route from his home nearby Davey Glenn Road to destinations that are located nearby Alameda de las Pulgas. Many of the existing streets only have shoulders which forces Mr. Kim to share to street with vehicles. Mr. Kim often experiences the lack of curb ramps to allow for transitions between the street to areas where there are limited segments of sidewalk.

Mr. Violet, the City Treasurer had concerns about the available and possible funding opportunities for the implementation plan of non-compliant findings related to the Public Rights-of-Way and facilities.

Mrs. Violet shared the concerns about the existing barriers along sidewalks and intersections that are potentially tripping hazards discussed between participants of the Fall Prevention Coalition. She was unaware that the City was developing a ADA Transition Plan to identify these multiple barriers and was very excited to share this information with her group.

## Notice of Outreach Meeting to Obtain Input



# CITY OF BELMONT PUBLIC MEETING ANNOUNCEMENT

PLEASE JOIN US!

Help the City of Belmont with its ADA Self-Evaluation and Transition Plan

In order to provide accessibility for all residents and visitors, the City of Belmont is preparing its Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan. The City is in the process of evaluating the accessibility of its facilities, programs, and services and would like to hear from you.

At this public meeting you will learn about the evaluation process. You will have a chance to express your concerns regarding the accessibility of City services and facilities.

For additional information or to request accommodations to participate in this meeting contact (650) 595-7465 or California Relay 711 or email [pworks@belmont.gov](mailto:pworks@belmont.gov). Meeting materials in alternative formats can be made available upon request. Notification 72 hours prior to the meeting will allow the City to make reasonable arrangements to ensure accessibility to this meeting.

**The meeting begins at 6:00 p.m.**

**Meeting location:**

Wednesday, December 13, 2017  
Senior & Community Center at  
Twin Pines Park  
20 Twin Pines Ln  
Belmont, CA 94002



## G. TRANSITION PLAN IMPLEMENTATION

The document should be maintained and updated for the duration of the Transition Planning period and a copy of the Transition Plan shall be made available for public inspection.

The final product is a working document to be modified as barriers are removed, or alterations are made, open to modification throughout the transition period. The Official(s) responsible and project managers overseeing the barrier-removal projects will document all such ADA improvements/upgrades. Also as part of this process, technical infeasibility, if any, to meet necessary accessibility compliance will be documented and filed for the City's records by the Engineer-of-Record on the said project. It is also recommended to provide accessibility site audits (inspections) of on-going projects as part of the project close-out/certification. This documentation and verification of barrier-mitigation will be integrated into the City's ADA Transition Plan on a regular basis to ensure that barriers are "checked-off" and the Plan is current with a record of barrier-mitigation work. Annual reports of barrier-mitigation work may also be provided to City Council.

### Maintenance of Accessible Features

The Maintenance of accessible features is mandated by State and Federal Regulations and is an integral part of the City's plan to transition into a more accessible destination. Both, Chapter 28 Code of Federal Regulation, Part 35, Section 35.133 as well as the California Building Code section 1101B.3 – Maintenance of accessible features, state:

1. A public accommodation shall maintain in operable working condition those features of facilities and equipment that are required to be accessible to and usable by persons with disabilities.
2. This section does not prohibit isolated or temporary interruptions in service or access due to maintenance or repairs.

Both these sections provide that a public entity shall maintain in operable working condition those features of facilities and equipment that are required to be accessible to and usable by persons with disabilities. They require that, to the maximum extent feasible, facilities must be accessible to, and usable by, individuals with disabilities. These sections recognize that it is not sufficient to provide features such as accessible routes, ramps, or elevators, if those features are not maintained in a manner that enables individuals with disabilities to use them. Inoperable elevators, are neither "accessible to" nor "usable by" individuals with disabilities.

It is, of course, impossible to guarantee that mechanical devices will never fail to operate. As such, the 2nd paragraph provides that this section does not prohibit isolated or temporary interruptions in service or access due to maintenance or repairs. This paragraph is intended to clarify that temporary obstructions or isolated instances of mechanical failure would not be considered violations of the ADA or this part. However, allowing obstructions or "out of service" equipment to persist beyond a reasonable period of time would violate this part, as would repeated mechanical failures due to improper or inadequate maintenance. Failure of the public entity to arrange prompt repair of inoperable elevators or other equipment intended to provide access would also violate this part.



A City-wide formal policy specifically addressing the legal requirements (28CFR Part 35.133 & CBC1101B.3) of maintaining accessible features would be of long-term benefit to the City. When, over time, an accessible feature fails, institutionalizing organizational commitments towards protocols and maintenance ensures an appropriate action is taken.

### **Implementation Policies**

The City of Belmont proposes the following implementation policies for transition of its facilities and public right-of-way into compliance with the ADA.

- 1) The City will establish an annual General Fund to be dedicated solely to the mitigation of barriers identified in this Transition Plan.
- 2) The City will continue to seek out sources of funding beyond the accounts specified at present, including funds associated with the City's Capital Improvement Project funds and other projects already within the City's pipelines.
- 3) The City's Maintenance Division will continue to perform work on an ongoing, routine basis related to maintaining the physical built environment, so they are in good condition – while property owners are responsible for maintaining the sidewalks adjoining and/or adjacent to their properties. Many of these maintenance tasks are beneficial to the disabled population, for example, by reducing trip hazards and keeping sufficient accessible space along sidewalks. Examples of work undertaken include: trimming shrubbery; repairing or grinding sidewalks; ramping raised sidewalks; filling holes; weeding and cleanup of debris; sweeping; repairing tree grates; inspections for needed sidewalk repairs.
- 4) The Chief Building Official has the authority to grant exceptions for “unreasonable hardship” under the California Building Code, Definitions. The section on “unreasonable hardship” includes five factors to be considered:
  1. The cost of providing access.
  2. The cost of all construction contemplated.
  3. The impact of proposed improvements on financial feasibility of the project.
  4. The nature of the accessibility which would be gained or lost.
  5. The nature of the use of the facility under construction and its availability to persons with disabilities.

**Funding Sources & Projects**

(Including but not limited to the following)

<b>Project</b>	<b>Year of Completion</b>	<b>Total Project Cost (\$)</b>
Comprehensive Pedestrian & Bicycle Master Plan Overview	2018	\$40,000
Ralston Corridor Study and Improvements	2023	\$2,213,000
Alameda de las Pulgas/San Carlos Avenue Corridor Study and Transportation Improvements	2019	\$40,000
Parks & Open Space Master Plan Update	2021	\$150,000
O'Donnell Park Playground Renovation	2020	\$100,000
Barrett Community Center Replacement	2023	\$300,000
Twin Pines Park Master Plan	2020	\$75,000

**For additional budgeting information:**

<https://www.belmont.gov/city-hall/administrative-services/finance/budget/budget-details>

## H. ADA GRIEVANCE PROCEDURE

### *City of Belmont ADA Grievance Procedure*

#### ADA COMPLAINT PROCEDURE

##### **Policy Statement**

Any individual who believes that he/she (individually or on behalf of a specific class of individuals) has been subjected to unlawful discrimination in any City of Belmont program, practice, activity or service on the basis of a disability may file a complaint by himself, herself or an authorized representative

##### **Definition of Complaint**

A complaint is an expression of dissatisfaction with an employee, policy, practice, service, program or facility provided by the City of Belmont as a result of limited access or unlawful discrimination on the basis of disability as defined in the Americans with Disabilities Act.

##### **Complaint Procedure Objectives**

The objectives of this complaint procedure are to:

- Assure that complaints are promptly acknowledged and resolved;
- Establish uniform standards and procedures for handling complaints throughout the entire City organization;
- Provide citizens with an accessible system for bringing complaints to the City's attention;
- Demonstrate the City is responsive to the concerns of its citizens; and
- Reduce or prevent the occurrence of circumstances that lead to justifiable citizen complaints.

##### **Complaint Procedure**

If you believe you have been subjected to such unlawful discrimination, you are encouraged to follow the complaint procedure outlined below. However, use of this procedure is not a prerequisite to the pursuit of other remedies:

All complaints regarding access problems or alleged discrimination must be submitted in writing to the City's ADA Coordinator (see name and address below) no later than ten working days from the time you became aware or should have been aware of the occurrence of the alleged discrimination. An ADA Complaint Procedure Written Statement should include your name and address and describe the discriminatory action in sufficient detail to inform the City of the nature, date, location of the violation and the name or position of any City employee involved. A record of all City actions taken on your complaint will be maintained by the ADA Coordinator.

Your complaint will be forwarded to the Department Head responsible for the program or service in which the discrimination allegedly occurred. The Department Head will investigate and respond to your complaint.

The Department Head will notify you in writing of the decision within twenty-five days of receipt of your complaint. The response must include a determination of whether discrimination occurred and, if so, what remedies the Department recommends resolving your complaint. If

you are unable to read, the Department Head will make every reasonable effort to communicate the decision in an alternative method which you can understand.

If the complaint cannot be resolved to your satisfaction by the Department Head, you or your authorized representative may request the Department Head arrange a hearing before the City Manager. You must make any such request within ten working days after receiving the response of the Department Head. Your request must at least state why you are appealing the Department Head's determination and any proposed remedies as well as what remedy you are seeking. A taped record of the hearing will be maintained and, if necessary, transcribed. Within fifteen working days of the hearing, the City Manager will inform you of the resolution in writing, or, if you are unable to read, in an alternative method of communication which you can understand. The decision of the City Manager will be the City's final decision on your complaint.

Your right to prompt and equitable resolution of your complaint must not be impaired by your pursuit of other remedies, such as the filing of a complaint with the Department of Justice or the Equal Employment Opportunity Commission (EEOC). Furthermore, this procedure does not preclude, nor must it precede, the filing of your complaint with the appropriate Federal agency. Complaints filed with Federal agencies must be filed in accord with their timeliness and procedures.

**If you need assistance or would like to file an ADA complaint with our office online click [here](#).**

**You can also reach us by completing the following form and submitting a hard copy to our office.**