

**ADA Title II
Transition Plan
Schedule for Streets, Roadways and Curbs
Designation of ADA Title II Contact**

City of Belmont, California

The City of Belmont, California is required by the Americans with Disabilities Act (ADA) Title II to make services available on a non discriminatory basis to all individuals with disabilities. Compliance with Title II entails the development of a transition plan for achieving that requirement. Title II requires that a transition plan identify what structural changes will be necessary for compliance with the Act.

Transition Plan for the City of Belmont

Title II of the Americans with Disabilities Act requires that a public entity develop a self evaluation plan. The City of Belmont has completed and on file two such efforts, one for our physical facilities and one for our Park areas: Titled "Americans with Disabilities Act Title II Evaluation Report for the City of Belmont" August 1993 and, "Accessibility and Safety Guidelines for Parks and Playgrounds" July 1994. As a result of the conclusions of the Evaluation Report, the City has been making continuous efforts to increase accessibility to our facilities to reach compliance. The most significant measures that have been taken in this area include the following:

I. Civic Facilities

The City is in the process of signing lease agreements to move our operations to a building that is in compliance with the provisions of the Americans with Disabilities Act. We will be constructing a new facility for our Police operations as well and as with all new projects, ADA compliance is automatically factored into the design and layout of the facility. Any structural issues remaining from the Evaluation Plan after our move to the new facility will be factored into future planning and budget documents within our existing capital improvements program.

II. Transportation Corridor and the Downtown

The City of Belmont is also in the middle of our largest infrastructure project in the history of the City as we construct two grade separations for rail transit through our City. All construction areas that involve streets, roads, walkways, sidewalks, etc. have been designed with ADA access in mind. We have incorporated such facilities as elevators and appropriate curb cuts into this project to address the fact that this area will involve a high level of pedestrian traffic.

III. Streets, Roads, Walkways and Curbs

The City of Belmont currently makes provisions for complying with the ADA for all public streets, roads and curb cuts. The identification of curb ramps to facilitate access for persons with disabilities to public accommodations is an ongoing process. The geography of the community and the rural flavor of the residential area is such that this City does not have a network of sidewalks throughout the community. The City is characterized by many hills and canyons, though there is also a significant area of town that is on level ground where some sidewalk systems can be found. Consistent with the ADA, ramp locations serving transportation and public accommodations will have priority over ramp locations serving other purposes. In the near term, within the next 120 days, the City of Belmont will have a schedule for the plans to fill in any areas in the level areas that have public sidewalks, roads and curbs where curb cuts have not yet been completed.

IV. Historic Areas and New Construction:

In addition, the City of Belmont is aware that the Department of Justice has issued two rules by which cities must comply under Title II provisions: that alterations to historic properties comply to the maximum extent feasible; and, that newly constructed or altered streets, roads and highways must contain curb cuts and ramps at intersections having curbs or other barriers. These conditions are currently being met as part of the normal business practices of the City of Belmont.

V. Designation of Individual to oversee Title II Compliance

The City Manager for the City of Belmont is the official Title II compliance contact for purposes of the ADA.

VI. Grievance Procedure

The City of Belmont has instituted the attached Grievance and complaint procedure for purposes of compliance with the Americans with Disabilities Act.

**City of Belmont
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:

1. All complaints regarding access problems or alleged discrimination must be submitted in writing to the City's ADA Coordinator (see name and address below) not later than ten working days from the time you became aware or should have been aware of the occurrence of the alleged discrimination. A

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.

2. Your complaint will be forwarded to the Assistant City Manager for review. The Assistant City Manager will contact the Department Head responsible for the program or service in which the discrimination allegedly occurred to provide the Department Head with an opportunity to investigate and respond to your complaint. The Department Head must respond to the Assistant City Manager within fifteen working days after such contact. The Department Head's response must include a preliminary determination of whether discrimination occurred and, if so, what remedies the Department recommends to resolve your complaint.
3. Upon receipt of a response from the Department Head, the Assistant City Manager shall review your complaint along with the Department Head's response. Upon completion of this review, the Assistant City Manager will determine whether discrimination has occurred. If the Assistant City Manager determines that discrimination has occurred, he or she will resolve the problem by reasonable accommodation if he or she can do so with the scope of his or her authority. You and the Department Head will be notified in writing of the decision of the Assistant City Manager within twenty-five days of receipt of your complaint. If you are unable to read, the Assistant City Manager will make every reasonable effort to communicate the decision in an alternative method which you can understand.
4. If the complaint cannot be resolved to your satisfaction by the Assistant City Manager, you or your authorized representative may request the ADA Coordinator to arrange a hearing before the City Manager. You must make any such request within ten working days after receiving the response of the Assistant City Manager. Your request must at least state why you are appealing the Assistant City Manager'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.
5. 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.

ADA Coordinator:

City Manager
City of Belmont
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Belmont, CA 94002
(650) 595-7408