



APPROVED
BY THE CITY COUNCIL
JUN 3 1997
OFFICE OF THE
CITY CLERK

43

DEPARTMENT OF
PUBLIC WORKS

ARCHITECTURE &
ENGINEERING DIVISION

CITY OF SACRAMENTO
CALIFORNIA

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SUITE 100
SACRAMENTO, CA
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May 27, 1997

City Council
Sacramento, California

Honorable Members in Session

SUBJECT: STAFF REPORT ON THE STATUS OF THE AMERICANS WITH DISABILITIES
ACT FACILITY MODIFICATIONS (VARIOUS CIP'S)

LOCATION AND COUNCIL DISTRICT

Various locations throughout the City - All Districts

RECOMMENDATION

It is recommended that the City Council adopt the attached resolution approving 1) the merging of all Americans with Disabilities Act (ADA) funding into two resource pools to address the City's highest priority ADA improvements and 2) Amending the 1996-2001 CIP by defunding Convention Center Fund contribution for FY 97-98.

CONTACT PERSON: Bob Williamson, 264-8430

FOR THE COUNCIL MEETING OF: June 3, 1997

SUMMARY

This report summarizes the following:

- 1) Chronology of ADA activities and accomplishments referencing the Act (Exhibit A), and 12/91 Council Resolution detailing City's approach to compliance (Exhibit B)
- 2) Methodology used in identifying ADA Building Priorities (Exhibit C)
- 3) Funding history to support compliance with ADA (Exhibit D)
- 4) Staff Recommendation to merge funding sources to better address City Council identified Priorities.
- 5) List of approved building priority (top 20) (Exhibit E)

BACKGROUND

A Brief chronology of actions related to ADA projects includes:

CITY COUNCIL

RE: STAFF REPORT ON THE STATUS OF THE AMERICANS WITH DISABILITIES ACT FACILITY MODIFICATIONS
(VARIOUS CIP'S)

Date: June 03, 1997

- 7/90 The federal law, the **Americans with Disabilities Act** was signed by President Bush. (Exhibit A)
- 12/91 Council Adopted Resolution for "Endorsing Quick and Efficient Implementation of the Americans with Disabilities Act". (Exhibit B)
- 2/92 ~ 7/92 356 City Buildings (5.2 million ± square feet) were surveyed to identify ADA deficiencies. This information was used to complete the Transition Plan before the deadline of 7/26/92.
- 9/92 Two public hearings were held on 9/2/92 & 9/9/92 for presentation of city's ADA Transition Plan and to receive public testimony.
- 1/93 ~ 1/94 Scott Harger, High Rise Interiors, was contracted to consult on the city's ADA Facility Survey and assist in prioritization of these City owned and leased Facilities. Prioritized projects were approved by council on 1/25/94. (Exhibit C)
- 1/26/95 ADA Compliance Deadline. A "Good Faith Progress" approach for ADA compliance was initiated since neither funds nor resources were available to accomplish total compliance within the mandated deadline. Funding has been at the rate of approximately \$1 million per fiscal year with 50% from the general fund and the remaining 50% from other funding sources.
- 1/94 - 3/97 The "Good Faith Progress" includes completion of:
 - Facility ADA surveys of all City Buildings
 - Required Transition Plan for ADA modifications
 - Selected high priority ADA corrections in 20 different facilities (Doors/closers/handles/thresholds)
 - City Hall Elevator and Ramp Access
 - Convention Center Exhibit Hall modifications
 - Convention Center Activity Building modifications
 - Landpark Golf Course Pro Shop And Restaurant ADA modifications
 - Phase 1 top priority Central Library corrections
 - 5 of 9 Rental space modifications in Lot H
 - Phasing program coordination with ADA committee for Community Center Theater
 - Martin Luther King Library Modifications (partially grant funded)
 - Formation and chartering of ADA/Historic Advisory Committee.
- 3/97 ~ 9/97 Currently, work is underway to complete the Central Library, Coloma Community Center and 1231 I Office building ADA modifications.

A Brief history of the funding for ADA includes:

- In 1994 the City Council approved an annual project funding of \$1 million a year from various funding sources to work toward compliance.
- Again in the 1996-2001 Capital Improvement Program, the City Council reaffirmed commitment to this annual funding (Exhibit D)

CITY COUNCIL

RE: STAFF REPORT ON THE STATUS OF THE AMERICANS WITH DISABILITIES ACT FACILITY MODIFICATIONS
(VARIOUS CIP'S)

Date: June 03, 1997

- Currently all modification work is charged against specific funds relating to the use of each type of building. The costs of some modifications are such that several years accumulations are necessary prior to start of construction work. 19 of the top 20 priorities are either General or Convention Center funded and the City has completed many of the most critical items on 8 of the top 10 priority projects (Exhibit E).
- Current projects will consume all FY96-97 available ADA General Fund by **September 97**.

| Fund Source | Current Budget | Obligations | In-Progress Projects | Balance |
|--------------|----------------|-------------|----------------------|-----------|
| General Fund | \$2,083,532 | \$1,389,008 | \$702,225 | (\$7,701) |

- ADA projects fall into two basic categories:
 - Public Use building category that includes buildings that require high access by the public such as community centers
 - City Use building category that includes buildings that are primarily used by City employees such as Corporation yard buildings.

| Category | Funds | | | |
|------------|---------|---------|-------------|---------------|
| Public Use | General | Parking | Golf | Community Ctr |
| City Use | Water | Sewer | Solid Waste | Fleet |

- Due to economic hardship, the Convention Center has **defunded** its 95-97 ADA contribution and is unable to provide 97-98 funding. This action eliminates funding available to proceed with work on the City's number 1 priority, the Community Center Theater. The work for this building must be phased so that it can remain in use and the first phase of approximately \$638,134 cannot currently proceed. Without an alternative approach, the City's "Good Faith Progress" on our number 1 priority will be halted.

To address this defunding staff recommends formally merging all ADA funds into the two categories, noted earlier. These two pools will allow greater flexibility during this economic hardship (Exhibit F)

The focus of the merged funds in FY 97-98 will be the Convention Center Theater for the Public Use Funding Pool and the Utility Department Buildings for the City Use Funding Pool.

Tracking of spending for specific buildings will be maintained so that reconciliation of funds can be accomplished at a future date.

FINANCIAL CONSIDERATIONS

The current budget for all ADA related projects is \$3,802,452. The unobligated fund balance after current defunding of Convention Center for ADA projects is \$1,453,898. Current work will obligate \$702,225 in the next several months resulting in a carryover balance of \$751,673 which is distributed \$271,985 into the Public Use Funding Pool and \$479,688 into the City Use Funding Pool. There is insufficient funding to continue with the identified priorities.

CITY COUNCIL

RE: STAFF REPORT ON THE STATUS OF THE AMERICANS WITH DISABILITIES ACT FACILITY MODIFICATIONS
(VARIOUS CIP'S)

Date: June 03, 1997

With the addition of FY 97-98 funds, the focus of the merged funds will be the Convention Center Theater, Phase I, for the Public Use Pool and the Utility Department Buildings for the City Use Pool (exhibit F).

ENVIRONMENTAL CONSIDERATIONS

Applicable environmental documentation for each project will be filed by the City's Environmental Services Coordinator with the County Clerk at the appropriate time(s).

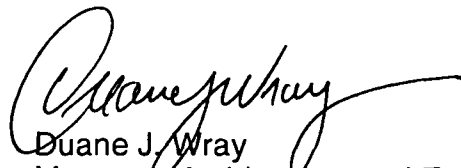
POLICY CONSIDERATIONS

- Special Resolution - Endorsing Quick And Efficient Implementation Of The Americans With Disabilities Act, Issued December 17, 1991 (Exhibit B)
- The city's Affirmative Action Program strategy is one of inclusiveness. Whereby, efforts or considerations once viewed as special programs are incorporated into our day-to-day processes and decisions. Resulting in a product that ultimately benefits all citizens of our city. Providing equal access to City facilities reflects that goal.
- City Policy- City Manager's Policy Statement on Disability Discrimination (Exhibit G)
- The attached Resolution allows creation of two merged funding pools for completion of ADA modifications. This merging allows greater flexibility and continued "Good Faith Progress" in compliance with ADA during a temporary period of economic hardship. Tracking of spending for specific buildings will be maintained so that reconciliation of funds can be accomplished at a future date.

MBE/WBE EFFORTS

City policy will be adhered to in selecting consultants and contractors for these ADA projects if work is not done by City staff.

Respectfully submitted,



Duane J. Wray
Manager, Architecture and Engineering

RECOMMENDATION APPROVED:

APPROVED:



WILLIAM H. EDGAR
City Manager



Michael Kashiwagi,
Director of Public Works, Technical Services

ADA Implementation History

ADA was introduced to the 101st Congress in May 1989. After completing numerous public hearings and congressional debates the final language was approved by the Senate on July 13, 1990 and signed by President Bush on July 26, 1990. On July 26, 1991 the Department of Justice issued the "Final Rule" establishing formal guidelines for implementation of the American with Disabilities Act ("ADA"). The guidelines provided direction for meeting Title I - Employment Requirements, Title II - Access to Public Services & Programs, Title III - Public Accommodations, Title IV - Telecommunications & Title V - Misc. Provisions.

Under the ADA all public entities were required to perform a self-evaluation by January 26, 1993 to determine if the services, programs and activities they provide were accessible to the public. Staff completed a survey of city facilities and reported conditions to the Council on July 27, 1993. Staff prepared an implementation plan identifying changes necessary to provide public access to all facilities maintained by General Services. The implementation plan included prioritization of city facilities and preliminary construction estimates to complete the work.. The implementation plan was presented to the City Council on January 25, 1994. The survey included 356 structures. The city's implementation plan is consistent with requirements set forth in the ADA establishing a "good faith effort to comply with requirements of Section 36.104". The city's implementation plan is also consistent with ADA requirements that a detailed implementation plan must be in place if compliance would require more than one year to complete.

Under Title II all government agencies were required to complete all structural changes to existing facilities no later than January 26, 1995. While the city exceeded this deadline the city complies under the "good faith effort" clause.

It should be noted that ADA does not require immediate compliance of all facilities provided all services, programs and activities are accessible to the public; however, Title III requires us to maintain a list of all facilities that do not fully comply with access standards and the city is required to review these facilities on an annual basis to determine if changes in use or technology will allow them to be brought into compliance. (i.e. this is an on-going project that will never be completed until all facilities are brought into total compliance).



Resolution

of the City Council

ENDORISING QUICK AND EFFICIENT IMPLEMENTATION OF THE AMERICANS WITH DISABILITIES ACT

WHEREAS, the City Council of Sacramento recognizes the Americans With Disabilities Act (ADA) as a landmark civil rights law which will, when fully implemented, strengthen the democratic traditions of the United States of America; and

WHEREAS, the City Council recognizes that a fully accessible community will enhance the quality of life of all citizens; and

WHEREAS, the City Council looks forward to the opportunities afforded this community by the challenges of the ADA;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Council of the City of Sacramento that

I. City services and facilities will be reviewed to ensure that the spirit, intent and letter of the ADA are implemented as quickly and efficiently as possible and all reasonable and productive efforts be made to involve the broadest cross section of citizens in this process; and


II. The Council will view the challenges of the ADA as opportunities that will enhance the quality and quantity of citizen participation in the social, political and economic life of this community; and

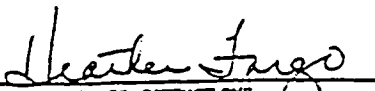
III. While the implementation of the ADA will result in costs, these costs are a necessary part of making services accessible to all members of our community; and

IV. The Council encourages the private sector to embrace this approach and sees full implementation of the ADA as a necessary and important step in achieving our vision of Sacramento; and

V. The Council congratulates and thanks the people with disabilities, whose perseverance and vision has moved us all a step closer to that state of humanness possible only in fellowship, in community, and in peace.

ISSUED: This 17th Day of December, 1991.

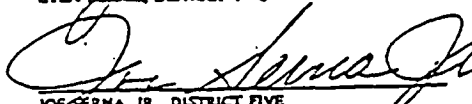

ANNE RUDIN, MAYOR


HEATHER FARGO, DISTRICT ONE



LYLA FERRIS, DISTRICT TWO


JOSH PAINE, DISTRICT THREE


TOM CHINN, DISTRICT FOUR


JOE PERINA, JR., DISTRICT FIVE


KIM MUELLER, DISTRICT SIX


TERRY KASTANIS, DISTRICT SEVEN


LYNN ROBIE, DISTRICT EIGHT


VALRIE BURROWS, CITY CLERK

ADA PRIORITIES

(From EXHIBIT B, 1/25/84 City Council Report)

GENERAL COMMENTS

It should be noted, the main emphasis of the ADA is not only for public areas that are used by the public, but to enhance employment of persons with disabilities. Title 24 emphasized a primary building access, and a path of travel to major facilities used by the public. The ADA requires equal access to all portions of facilities.

This change is taken into account in the facility surveys. It does skew the facility surveys. Facilities that were inaccessible in the original report, and were modified to Title 24 standards, now are in violation of ADA.

It should be noted that the two survey teams used different formats. In the 1984 surveys minor deviations from the code were not cited. In the ADA survey all violations of the code were cited.

BUILDING PRIORITY VALUE

The building priority value was established as follows:

The city during creation of their database assessed an ADA PRIORITY NUMBER. A 1 is a high priority and a 10 is low priority.

Adhering to guidelines of previous reports, a NEEDS SCORE was assigned based on Public use, Uniform Building Code occupancy (i.e. office, assembly, warehouse), and number of employees. A 10 is a high need, a 1 is a low need.

The COUNT SUMMARY is the total deviations from ADA for each facility.

The Formula for the BUILDING PRIORITY VALUE is as follows.

The COUNT SUMMARY x NEED SCORE = BUILDING PRIORITY VALUE

ADA Facility Summary

| Facility Number | Facility/Site Name | Count Summary | Immediate | Priority Summary | | | ADAPriority / Need Score | Building Priority Value |
|-----------------|--|---------------|-----------|------------------|--------|-----|--------------------------|-------------------------|
| | | | | High | Medium | Low | | |
| 9.00 | COMMUNITY CENTER THEATER 1100 14TH STREET Community Convention Center : | 481 | 25 | 396 | 55 | 5 | 1 / 10 | 4,810 |
| 182.00 | CENTRAL LIBRARY 828 I STREET Library : | 563 | 12 | 494 | 49 | 8 | 1 / 8 | 4,504 |
| 8.00 | COMMUNITY CENTER ACTIVITY BUILDING 1100 14TH STREET Community Convention Center : | 364 | 24 | 280 | 52 | 8 | 1 / 10 | 3,640 |
| 432.00 | COLOMA COMMUNITY CENTER 4623 T STREET Parks & Com. Serv. : Recreation South | 278 | 13 | 212 | 44 | 9 | 1 / 10 | 2,780 |
| 1.00 | CITY HALL 915 I STREET General Services : | 263 | 4 | 232 | 22 | 5 | 1 / 10 | 2,630 |
| 851.00 | SACRAMENTO THEATER CO. 1419 H ST. Community Convention Center : | 260 | 18 | 186 | 51 | 5 | 1 / 10 | 2,600 |
| 431.01 | 13TH & I BUILDING 1231 I STREET General Services : | 234 | 1 | 194 | 30 | 7 | 1 / 10 | 2,340 |
| 301.01 | LOT H 11 RENTALS 11TH & L STREETS Public Works : Engineering | 256 | 9 | 204 | 43 | 0 | 3 / 9 | 2,304 |
| 8.01 | COMMUNITY CENTER EXHIBIT HALL 1100 14TH STREET Community Convention Center : | 216 | 11 | 152 | 48 | 5 | 1 / 10 | 2,160 |
| 5.00 | HALL OF JUSTICE 813 6TH STREET Police : | 227 | 3 | 191 | 26 | 7 | 1 / 9 | 2,043 |
| 964.00 | FINANCIAL BUILDING 927 10th STREET Public Works : Engineering | 214 | 3 | 183 | 20 | 8 | 2 / 9 | 1,926 |
| 299.01 | LOT E 8 RENTALS 13TH & J STREETS Public Works : Engineering | 220 | 9 | 186 | 23 | 2 | 3 / 8 | 1,760 |
| 166.00 | GARDEN & ARTS 3316 MCKINLEY BL. Parks & Com. Serv. : Recreation North | 161 | 12 | 126 | 16 | 7 | 1 / 10 | 1,610 |
| 349.00 | CROCKER ART HEROLD WING 216 O Street Parks & Com. Serv. : Museum & History | 158 | 10 | 121 | 22 | 5 | 1 / 10 | 1,580 |
| 963.00 | COOLEGE COMMUNITY CENTER 5699 SO. LAND PARK DR. Parks & Com. Serv. : Recreation South | 174 | 7 | 122 | 35 | 10 | 1 / 9 | 1,566 |
| 446.00 | SACRAMENTO HISTORY CENTER 101 I STREET Parks & Com. Serv. : Museum & History | 155 | 4 | 116 | 29 | 6 | 1 / 10 | 1,550 |
| 452.00 | SACTO. SCIENCE CENTER & JR. MUSEUM 3615 AUBURN BLVD. Parks & Com. Serv. : Museum & History | 149 | 5 | 108 | 29 | 7 | 1 / 10 | 1,490 |
| 968.00 | BALDWIN & HOWELL BLDG. 1023 J STREET Public Works : Parking | 166 | 2 | 150 | 11 | 3 | 2 / 8 | 1,328 |
| 12.00 | CROCKER ART MUSEUM 216 O Street Parks & Com. Serv. : Museum & History | 131 | 3 | 102 | 22 | 4 | 1 / 10 | 1,310 |
| 1028.00 | Plaza Building 921 10th Street General Services : Facility Management | 134 | 8 | 107 | 14 | 5 | 2 / 9 | 1,206 |

Friday, May 14, 1993

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City of Sacramento, Facility Development

5730 24th Street, Bldg One

Sacramento, CA 95822

916/433-6221

8
EXHIBIT C

AMERICANS WITH DISABILITIES ACT MODIFICATIONS

Project Description

Survey, classify, prioritize conditions in City facilities which do not comply with the Americans with Disabilities Act (ADA). Design and build the needed corrections.

Project #: CC01

FY Initiated: 92/93

Location:
Various

Council District: Various

Neighborhood Area:
Various

Planning Area:
N/A

Date Amended: 12/31/99

Project Objectives

Comply with Federal Civil Rights Law.

Eliminate physical barriers which cause discrimination to Americans with disabilities.

Existing Situation

The federal ADA was signed into law in July 1990. The ADA has far reaching implications for both public and private employers. The purpose of the ADA is to provide a clear and comprehensive national mandate with enforceable standards for the elimination of discrimination against the estimated 43.6 million Americans with disabilities.

The City owns a variety of buildings. More than 200 may need improvements. The age, use, and size of these buildings means that a variety of violations were inevitable. The survey team has already identified approximately 12,800 violations. The City has continued to make handicapped access improvements to public facilities for many years. Over the last five years, the City Council has approved more than \$2.5 million for handicapped access improvements of City facilities with the cost of corrections varying from under \$1000 to more than \$300,000.

Operating Budget Impact

None.

| Fund Source | Budget through 6/96 | Estimated Balance 6/96 | Five Year Funding | | | | |
|------------------|---------------------|------------------------|-------------------|----------------|----------------|----------------|----------------|
| | | | 1996-97 | 1997-98 | 1998-99 | 1999-00 | 2000-01 |
| General Fund | 1,401,000 | 475,000 | 500,000 | 500,000 | 500,000 | 500,000 | 500,000 |
| Parking | 166,000 | 160,000 | 78,000 | 78,000 | 78,000 | 78,000 | 78,000 |
| Water | 236,000 | 220,000 | 100,000 | 100,000 | 100,000 | 100,000 | 100,000 |
| Sewer | 12,000 | 11,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 |
| Solid Waste | 32,000 | 32,000 | 11,000 | 11,000 | 11,000 | 11,000 | 11,000 |
| Golf | 84,000 | 79,000 | 42,000 | 42,000 | 42,000 | 42,000 | 42,000 |
| Community Center | 507,000 | 450,000 | 210,000 | 210,000 | 210,000 | 210,000 | 210,000 |
| Fleet | 67,000 | 67,000 | 28,000 | 28,000 | 28,000 | 28,000 | 28,000 |
| Drainage | 12,000 | 12,000 | 0 | 0 | 0 | 0 | 0 |
| Zoo | 61,000 | 60,000 | 24,000 | 24,000 | 24,000 | 24,000 | 24,000 |
| TOTAL | 2,578,000 | 1,566,000 | 997,000 | 997,000 | 997,000 | 997,000 | 997,000 |



1996-2001 CAPITAL IMPROVEMENT PROGRAM

Ranking - Top 20 City Buildings

| <u>Building / Location</u> | <u>Fund Source</u> |
|--------------------------------------|--------------------|
| 1. Community Center Theater | Conv & Vis Ctr |
| • 2. Central Library | General |
| • 3. Community Center Activity Bldg. | Conv & Vis Ctr |
| • 4. Coloma Community Center | General |
| • 5. City Hall (a) | General |
| • 6. Sacramento Theater Company | General |
| • 7. 13th & I Street Office Building | General |
| • 8. Lot H , 11 Rentals | Parking |
| • 9. Community Center Exhibit Hall | Conv & Vis Ctr |
| 10. Hall of Justice (for sale) | General |

(a) Some deficiencies may qualify for a Historic Building Exemption.

Ranking - Top 20 City Buildings (Continued)

| <u>Building / Location</u> | <u>Fund Source</u> |
|---|--------------------|
| 11. Financial Building - 927 10th St. | General |
| 12. Lot E, 8 Rentals | Parking |
| 13. Garden & Arts | General |
| 14. Crocker Art - Herold Wing | General |
| 15. Cooledge Community Center | General |
| 16. Sacramento History Center | General |
| 17. Sac. Science Center & Jr. Museum | General |
| 18. Baldwin & Howell Bldg. - 1023 J St. | General |
| 19. Crocker Art Museum (1) | General |
| 20. Plaza Building | Waste/General |

1. Some deficiencies may qualify for a Historic Building Exemption.

Public Use Funding Pool

| Fund Source | Current Budget | Obligations | FY 97-98 | FY 98-99 | FY 99-00 | FY 2000-01 |
|--|--------------------------|--------------------|------------------|------------------|------------------|------------------|
| General Fund | \$2,083,532 | \$1,389,008 | \$500,000 | \$500,000 | \$500,000 | \$500,000 |
| Parking Fund | \$254,727 | \$78,074 | \$78,000 | \$78,000 | \$78,000 | \$78,000 |
| Golf Fund | \$144,083 | \$63,270 | \$42,000 | \$42,000 | \$42,000 | \$42,000 |
| Community Center Conv Ctr Defunding | \$773,426 (\$694,406) | \$79,019 | \$0 | \$210,000 | \$210,000 | \$210,000 |
| Grants | \$46,095 | \$23,876 | \$0 | \$0 | \$0 | \$0 |
| Current Projects | | \$702,225 | | | | |
| Total | \$2,607,457 | \$2,335,472 | \$620,000 | \$830,000 | \$830,000 | \$830,000 |
| FY 96-97 Remainder | | \$271,985 | | | | |
| FY 97-98 Pool | | | \$891,985 | | | |

City Use Funding Pool

| Fund Source | Current Budget | Obligations | 97-98 | 98-99 | 99-00 | 2000-01 |
|----------------------|------------------|-----------------|------------------|------------------|------------------|------------------|
| Water Fund | \$336,687 | \$11,093 | \$100,000 | \$100,000 | \$100,000 | \$100,000 |
| Solid waste | \$42,575 | \$0 | \$11,000 | \$11,000 | \$11,000 | \$11,000 |
| Fleet | \$95,455 | \$0 | \$28,000 | \$28,000 | \$28,000 | \$28,000 |
| Sewer Fund | \$16,064 | \$0 | \$4,000 | \$4,000 | \$4,000 | \$4,000 |
| Total | \$490,781 | \$11,093 | \$143,000 | \$143,000 | \$143,000 | \$143,000 |
| FY 96-97 Remainder | | \$479,688 | | | | |
| FY 97-98 Pool | | | \$622,688 | | | |

POLICY STATEMENT ON DISABILITY DISCRIMINATION

Discrimination on the basis of disability against any individual, applicant or an employee who is a qualified individual with a disability, by a supervisor, management employee or coworker is not condoned and will not be tolerated. This policy applies to the job application process and all terms and conditions of employment including, but not limited to recruitment, hiring, training, assignment, promotion, compensation, transfer, layoff, reinstatement, benefits, education, termination, and also in the provision of City programs and services.

All complaints of discrimination on the basis of disability will be promptly and objectively investigated.

Disciplinary action up to and including termination will be instituted for behavior prohibited by this policy.

Any retaliation against a person for filing a discrimination charge or making a discrimination complaint is prohibited.

Discrimination on the basis of disability means:

- to limit, segregate, or classify a job applicant or employee in a way that may adversely affect opportunities or status because of the applicant's or employee's disability;
- to participate in a contract which could subject an applicant or employee with a disability to discrimination;
- to use any standards, criteria or method of administration which could have the effect of discriminating on the basis of disability;
- to deny equal jobs or benefits because of a disability;
- to fail to make reasonable accommodations for known physical or mental limitations of an otherwise qualified individual unless it can be shown that the accommodation would impose an undue hardship;
- to use selection criteria which exclude disabled persons unless the criteria is job-related and consistent with business necessity; and,
- to fail to use employment tests in a manner that ensures that the test results accurately reflect the applicant's or employee's skills or aptitude for a particular job.

POLICY IMPLEMENTATION

Each department head is responsible for ensuring that there is no discrimination against individuals based on disability by: 1) having managers and supervisors inform all employees under their direction of this City policy; 2) ensuring that any instances or allegations of discrimination are immediately reported to the department ADA coordinator or the City Affirmative Action Officer; and, 3) posting this policy in conspicuous locations within the workplace.

COMPLAINT RESOLUTION PROCEDURE

The Affirmative Action Officer (or person designated by the Director of Personnel) will investigate and attempt resolution of complaints in accordance with the City's Discrimination Complaint Resolution Procedure. Individuals are encouraged to immediately report any act of discrimination to the Department ADA coordinator, supervisor, department head, or the Affirmative Action Officer.

Any retaliation against a person for filing a discrimination charge or making a discrimination complaint is prohibited.

William H. Edgar
WILLIAM H. EDGAR
City Manager

AMENDED

RESOLUTION NO. 97-300

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF JUN 03 1997

RESOLUTION AUTHORIZING MERGING OF AMERICANS WITH DISABILITIES ACT FUNDING INTO A RESOURCE POOL

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

- The City Manager is hereby authorized to consolidate relevant funds into a funding resource pool for use on Americans with Disabilities Act ADA improvement projects. The funding will be applied to the number one priority project on the ADA project improvements list, the Community Center Theater. The 1996-2001 Capital Improvement program is amended to add this subproject:

| | | |
|-------------------------|---------------------|-----------|
| Increase Appropriations | General Fund | |
| | 101-500- C731- XXXX | \$400,000 |
| | Parking Fund | |
| | 412-500-C731- XXXX | \$200,000 |
| | Golf Fund | |
| | 418-500-C731- XXXX | \$ 38,134 |
| | Total | \$638,134 |

| | | |
|-------------------------|---------------------|-------------|
| Decrease Appropriations | General Fund | |
| | 101-500- CC01- 4820 | (\$400,000) |
| | Parking Fund | |
| | 412-500-CC01- 4820 | (\$200,000) |
| | Golf Fund | |
| | 418-500-CC01- 4820 | (\$38,134) |
| | Total | (\$638,134) |

JOE SERNA, JR.

MAYOR

ATTEST:

VALERIE BURROWES

CITY CLERK

FOR CITY CLERK USE ONLY

RECEIVED
CITY CLERK OFFICE
JUN 03 1997

RESOLUTION NO.: 97-300

DATE ADOPTED: JUN 03 1997

RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

**RESOLUTION AUTHORIZING MERGING OF AMERICANS WITH DISABILITIES ACT FUNDING INTO RESOURCE POOLS AND AMENDING THE FY96 - FY2001 CIP BY DEFUNDING THE CONVENTION CENTER CONTRIBUTION FOR
FY97 - 98**

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

- 1. The City Manager is hereby authorized to consolidate relevant funds into a funding resource pools for use on Americans with Disabilities Act ADA improvement projects. The funding will be applied to the ADA priority project list. The relevant funds to be amended are as follows:

General Fund
 101-500- CC01- XXXX
 Parking Fund
 412-500-CC01-XXXX
 Golf Fund
 418-500-CC01-XXXX

- 2. Community Center Fund
 419-500-CC01-XXXX
 FY 97 - 98 contribution is amended from \$210,000 to \$0.00

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO: _____

DATE ADOPTED: _____

As Amended
RESOLUTION NO. 97-300

ADOPTED BY THE SACRAMENTO CITY COUNCIL

APPROVED
BY THE CITY COUNCIL
JUN 3 1997
OFFICE OF THE
CITY CLERK

ON DATE OF _____

RESOLUTION AUTHORIZING MERGING OF AMERICANS WITH DISABILITIES ACT FUNDING INTO RESOURCE POOLS AND AMENDING THE FY96 - FY2001 CIP BY DEFUNDING THE CONVENTION CENTER CONTRIBUTION FOR FY97 - 98

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

1. The City Manager is hereby authorized to consolidate relevant funds into a funding resource pool for use on Americans with Disabilities Act ADA improvement projects. The funding will be applied to the number one priority project on the ADA project improvements list, the Community Center Theater. The 1996-2001 Capital Improvement program is amended to add this subproject:

| | | | |
|-------------------------|---------------------|-------------|--|
| Increase Appropriations | General Fund | | |
| | 101-500- C731- XXXX | \$400,000 | |
| | Parking Fund | | |
| | 412-500-C731- XXXX | \$200,000 | |
| | Golf Fund | | |
| | 418-500-C731- XXXX | \$38,134 | |
| | Total | \$638,134 | |
| Decrease Appropriations | General Fund | | |
| | 101-500- CC01- 4820 | (\$400,000) | |
| | Parking Fund | | |
| | 412-500-CC01- 4820 | (\$200,000) | |
| | Golf Fund | | |
| | 418-500-CC01- 4820 | (\$38,134) | |
| | Total | (\$638,134) | |

2. Community Center Fund
419-500-CC01-XXXX
FY 97 - 98 contribution is amended from \$210,000 to \$0.00

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____