

CITY COUNCIL MEETING
NOVEMBER 7, 1984

CC 6
CC 34

HANDICAP
REGULATIONS
TRANSITION
PLAN ADOPTED

Following the introduction of the matter by Staff, Council, on motion of Council Member Reid, Pinkerton second, Council adopted the City of Lodi Handicap Regulations Transition Plan dated October 17, 1984.

CC 394

CITY OF LODI

HANDICAP REGULATIONS

TRANSITION PLAN

OCTOBER 17, 1984

BACKGROUND

Section 504 of the Federal Rehabilitation Act of 1973 requires that recipients of federal funds provide equal opportunity and access in programs, activities, and employment to mentally and physically handicapped persons.

The Office of Revenue Sharing published a final set of regulations in the Federal Register on January 5, 1981. After postponements and delays, final rules were issued on October 17, 1983.

Specifically, the Act states: "No otherwise qualified handicapped individual in the United States ... shall solely by reason of his handicap be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance." Very simply, the law requires that adequate adjustments or accommodations may be necessary in order to achieve equal opportunity.

PROGRAM GUIDELINES

The major emphasis and concern toward the handicapped is equal opportunity to participate in all city programs and services. This as opposed to equal treatment.

In order to meet the individual needs of handicapped persons to the same extent as the non-handicapped, adjustments to regular programs may be necessary. In these terms, we should administer programs and services in the most integrated setting as possible.

SELF EVALUATION

The City has conducted an evaluation of its programs, practices and procedures with an eye toward assuring equal opportunity for all of its citizens to participate in and receive services.

RESPONSIBLE PERSON

On January 4, 1984, the Lodi City Council designated Jerry L. Glenn, Assistant City Manager, to coordinate compliance with these regulations. A certified copy of the minutes of that meeting are attached hereto as Exhibit "A".

EMPLOYMENT OPPORTUNITIES

The city is an Equal Opportunity Employer and welcomes application from the handicapped. The city will make reasonable accommodations to the handicapped in providing appropriate employment. All physical requirements of a job are content valid.

PROGRAM ACCESSIBILITY

The city provides a full range of city programs to its citizens and makes efforts to assist handicapped participation to the best of their ability in any program offered. It is fully recognized that the city will have to make structural changes to provide full access to the full range of the city's programs. Until these changes are made, we will increase efforts to assure access to programs and services.

The city has noted the following conditions which may affect the handicapped:

Vision Impaired

- Employment opportunities are available by a direct in-dial telephone.
- City Council meetings are fully telecast.
- The city switchboard is open during business hours and is available to answer all questions relative to city functions.

Hearing Impaired

- Local newspaper covers all City Council meetings, plus articles on city programs.
- Written brochures are available, giving information of full range of recreation programs.
- We have one full-time employee who can sign. The City will make additional arrangements to provide this assistance during times this employee is not available.
- A TTD is on order to be placed in the Emergency Dispatch Center which will provide the ability to communicate with the city 24 hours per day.

Physically Handicapped

Exhibit "B" attached hereto lists all of the city facilities and the required action to make those facilities accessible to the physically handicapped. Notice is made that the City Hall has very difficult accessibility for the physically handicapped. Department Heads have been instructed to make necessary accommodations to assure the equal opportunity of all to receive city services.

Persons and Advocates Contacted

Carol Reidinger - 420 East Vine Street, Lodi, California
William Slauson - 416 Palm Avenue, Lodi, California
Charlotte Humphreys - Social Services Agency of San Joaquin County

Grievance Procedure

A grievance procedure for processing complaints of the handicapped was adopted by the Lodi City Council on October 3, 1984. This grievance procedure is shown as Exhibit "C" attached hereto.

Schedule of Structural Changes

City Hall

The city has hired an architect who is developing plans to make the City Hall accessible to the handicapped. The physical structures will be programmed to be completed no later than October 17, 1986.

In the interim, the city staff will do whatever is necessary to assure its citizens that they can avail themselves of all its services. This may mean providing services to them in their car.

1984

- o Change swing of rest room doors at Public Safety Building.
- o Designate handicap parking stalls at facilities which are accessible to the handicapped.
- o Prune all trees overhanging walks at City facilities to six feet six inches.

- Notify telephone company to modify phone installations at public facilities where necessary to meet requirements.

1985

- Install all necessary concrete walks in parks.
- Install at least one handicap drinking fountain at each facility.
- Install proper identification at public facility restrooms.
- Modify rest rooms at Lodi Lake Park.
- Modify rest rooms at Stadium.
- Modify rest room at Softball Complex.
- Modify rest room at Legion Park.

1986

- Complete City Hall.
- Install ramps and modify rest room at Kofu Park.
- Build new rest rooms and install necessary walkways at Stadium.

EXHIBIT "A"

Continued January 4, 1984

RES. PROTEST-
ING CALIFORNIA
LAND CONSERVA-
TION CONTRACTS

City Clerk Paimche presented a letter which had been received from Joretta J. Hayde, Clerk of the Board of Supervisors giving notice that pursuant to Section 51243.5 of the Government Code that the Board of Supervisors intends to enter into California Land Conservation Contract which will include land within one mile of the exterior boundaries of the City of Lodi.

RES. NO. 84-004

Following discussion, on motion of Council Member Pinkerton, Murphy second, Council adopted Resolution No. 84-004 - Resolution protesting execution of California Land Conservation contract for Edward Pelletti and Maria Vilma Pelletti; Assessors Parcel No. 057-140-16.

RESIGNATION
RECEIVED FROM
NAOMI MC CALLUM
CAREY

Following receipt of a letter of resignation from Naomi McCallum Carey as Lodi's representative to the San Joaquin Arts Commission, Council, on motion of Council Member Pinkerton, Snider second, directed the City Clerk to make the necessary posting for this vacancy.

The Council directed the City Clerk to send a letter of appreciation and congratulation to Mrs. Carey on her recent acceptance to the Peace Corps.

CONCERN FOR THE
WELL BEING OF
OFFICER BOWLING
EXPRESSED

The City Council expressed its concerns as well as those of the community on the well being of Officer Carl Bowling, recently wounded in the line of duty and expressed appreciation to the entire Police Department on the job being done by that department.

COUNCIL EXTENDS
APPRECIATION TO
POLICE DEPART-
MENT FOR THE
JOB ITS DOING

COMMENTS BY THE
PUBLIC ON NON
AGENDA ITEMS

There were no persons wishing to speak under this segment of the agenda.

REGULAR CALENDAR

Council was apprised that the Officer of Revenue Sharing has issued as final certain deferred provisions of its January 5, 1981, Section 504 regulations prohibiting handicapped based discrimination.

RULES AND
REGULATIONS
REGARDING
REVENUE
SHARING

The final rules became effective October 17, 1983. Administrative Requirements which are now in effect were presented for Council's perusal. It is much too early to truly ascertain what this means to the City of Lodi. A seminar is scheduled in Los Angeles on February 13 which will more fully explain the requirements.

However, prior to January 17, 1984, the city must issue necessary notices and announcements that the City of Lodi does not discriminate on the basis of handicapped status and a "responsible" employee must be designated to co-ordinate compliance of the new regulations.

Following discussion, on motion of Council Member Pinkerton, Snider second, Council directed that the City issue necessary notices and announcements that the City of Lodi does not discriminate on the basis of handicapped status, designated Assistant City Manager Jerry Glenn to coordinate compliance of the new Revenue Sharing regulations; and authorized the expenditures of up to \$1,000 from Revenue Sharing Funds to cover costs of notices, training, etc., to provide for the initial steps of this program.

THE FOREGOING DOCUMENT IS CERTIFIED
TO BE A TRUE AND CORRECT COPY OF THE ORIGINAL
ON FILE IN THE CITY CLERK'S OFFICE

JUDITH PINKERTON
DEPUTY CITY CLERK, CITY OF LODI

BY *Judith Pinkerton*
DATED NOV - 2 1984

EXHIBIT "B"

CITY FACILITIES AND NEEDED MODIFICATIONS

CITY OF LODI

Beckman Park	<ol style="list-style-type: none">1. Put in ramp and handicap parking spaces.2. Concrete walk to rest room needed.3. Identification of rest room not to Federal standards.4. Install handicap drinking fountains.
Blakely Park	<ol style="list-style-type: none">1. Designate handicap parking spaces.2. Sidewalk to rest room.3. Identification of rest rooms.
Emerson Park	<ol style="list-style-type: none">1. No walks to rest room.2. Rest room is not accessible.3. Designate handicap parking.
Kofu Park	<ol style="list-style-type: none">1. Designate handicap parking.2. Ramp from parking lot to sidewalk.3. Ramp from sidewalk to buildings.4. Modify rest rooms.5. Signage at rest rooms.
Lodi Lake Park	<ol style="list-style-type: none">1. Designate handicap parking.2. Sidewalk to picnic area.3. Walkways around restroom.4. Non-structural modification of rest rooms.
Salas Park	<ol style="list-style-type: none">1. Under construction-when completed, will be fully accessible.
Twin Oaks Park	<ol style="list-style-type: none">1. Put in handicap ramps and designate handicap parking.2. Sidewalk needed to rest room.3. Rest room identification.
Lawrence Park	<ol style="list-style-type: none">1. Rest room identification.2. Handicap water fountain.3. Handicap public telephone.
Softball Complex	<ol style="list-style-type: none">1. Designate handicap parking spaces.2. Modify interior of rest room.
Stadium	<ol style="list-style-type: none">1. Rest rooms are not accessible.2. Playing field is accessible from east parking lot.3. Need walkways from parking lot to baseball diamond.

Armory
Softball
Field

1. Rest rooms need modification.

Municipal
Service
Center

1. Designate handicap parking.
2. Rest rooms are not accessible.
3. Door hardware is too heavy.
4. Ramps needed from parking area into building.

Public
Safety
Center

1. Change swing of rest room doors.
2. Modify hardware to make doors easier to open.

Recreation
and Parks
Office

1. No handicap parking nor ramp.
2. Ramp into office.
3. Widen door to rest room.
4. Water fountain.

Henning Sub
Station

1. Designate handicapped parking.
2. Change threshold at rear door.

Hutchins
Street
Square

1. Cafeteria Building
 - a. Restrooms are not in conformance to regulations.

City Hall

1. No handicap access.

Vinewood
Park

1. No facilities

American
Legion
Park

1. Modify restroom.

Library

1. Fully accessible.

Old
Library

1. Not being used for City programs - use is being studied.

EXHIBIT "C"

RESOLUTION NO. 84-149

RESOLUTION ADOPTING GRIEVANCE PROCEDURES TO
REQUIREMENTS OF THE REVENUE SHARING ACT AS IT
PERTAINS TO THE FEDERAL HANDICAPPED REGULATIONS

RESOLVED that the City Council of the City of Lodi does hereby adopt Grievance Procedures to meet requirements of the Revenue Sharing Act as it pertains to the Federal Handicapped Regulations, a copy of which is attached hereto, identified as Exhibit "A", and thereby made a part hereof.

Dated: October 3, 1984

I hereby certify that Resolution No. 84-149 was passed and adopted by the City Council of the City of Lodi in a regular meeting held October 3, 1984 by the following vote:

Ayes: Council Members - Reid, Pinkerton, Olson,
Hinchman, & Snider (Mayor)
Noes: Council Members - None
Absent: Council Members - None

Alice M. Reimche
Alice M. Reimche
City Clerk

THE FOREGOING DOCUMENT IS CERTIFIED
TO BE A CORRECT COPY OF THE ORIGINAL
ON FILE IN THIS OFFICE.

JUDITH JOHNSON
DEPUTY CITY CLERK, CITY OF LODI

BY
DATED

Judith Johnson
10/9/84

GRIEVANCE PROCEDURE

The following grievance procedure is established to meet the requirements of the Revenue Sharing Act as amended. The grievance procedure should be used by an individual (except job applicants or applicants for admission to post secondary educational institutions) who wishes to file a complaint alleging discrimination on the basis of handicap in employment practices and policies or the provision of programs, services and benefits by the City of Lodi, California.

The grievance should be in written form and contain as much information as possible about the alleged discrimination. Other arrangements for submission of a grievance such as a personal interview or tape recording will be made available for the visually-impaired or those with motor impairments. It should be submitted within 30 calendar days of the alleged violation to Assistant City Manager Jerry Glenn, Address: 221 West Pine Street, Lodi, California 95240, Phone No.: (209) 333-6700, Office Hours: 8:00 to 5:00 p.m.

Within 15 working days of receipt of complaint, Assistant City Manager Jerry Glenn will respond in writing to the complainant. The response will offer a resolution or explain the position of the City of Lodi with respect to the complaint.

If the response by Assistant City Manager Jerry Glenn is not sufficient or does not satisfactorily resolve the issue, the complainant may request a hearing within 15 working days of the response before the City Council, Address: 221 West Pine Street, Lodi, CA 95240, Phone Number: (209) 333-6700, Office Hours: 8:00 to 5:00 p.m. for resolution. Within 30 calendar days of the hearing, the complainant will receive the final resolution in writing as proposed by the City Council.

All complaints received by Assistant City Manager Jerry Glenn and responses from the City Council will be kept by the City of Lodi for a period of three years. These documents may be requested by the Office of Revenue Sharing should an investigation into alleged discrimination on the basis of handicapped status be initiated.