

**RESOLUTION NO. \_\_\_\_\_ (N.C.S.)**

**A RESOLUTION ADOPTING THE AMERICAN WITH DISABILITIES ACT (ADA)  
TRANSITION PLAN**

**WHEREAS**, the City of Salinas originally produced a 1995 Facilities Transition Plan which focused solely on the access compliance of City facilities as prepared by consultant HBFL; and

**WHEREAS**, Section 504 of the Rehabilitation Act of 1973 and 28 CFR §35.150.4(d) requires that public entities that employ fifty (50) or more persons shall develop a transition plan that sets the steps necessary to achieve ADA compliance in the public right of way and where services are provided to the public.

**WHEREAS**, on January 6, 2015, City Council approved Resolution 20685 approving the Professional Services agreement between the City of Salinas and Sally Swanson Architects, Inc. to provide services to update the 1995 ADA Transition Plan and identify existing accessibility barriers within City public rights-of-way, City facilities, reviewing current policies and procedures relating to ADA Title II compliance, and meeting with interested community citizens to review and comment on the ADA Transition Plan and self-evaluation; and

**WHEREAS**, the City Council established an ADA Advisory committee on June 23, 2015 to provide the staff with input and guidance on the implementation of the ADA Transition Plan and Self Evaluation

**WHEREAS**, ADA Title II: 28CFR §35.105(b) and §35.106 requires that the City provide opportunity to individuals with disabilities and organizations representing individuals with disabilities to participate and comment on the ADA Transition Plan and self-evaluation; and

**WHEREAS**, on June 22, 2021 City Council approved Resolution 22135 to adopt an ADA Grievance Procedure and ADA Non-discrimination Policy; and

**WHEREAS**, on July 22, 2021 the City made the final draft ADA Transition Plan available to the public for a 30-day public review period. Said document was available at the three public libraries, City Hall, online on the City of Salinas website and a public notice was advertised in the Monterey Herald. The ADA Ad Hoc committee was also provided a link to view and comment;

**WHEREAS**, on August 23, 2021, the City did not receive public comments on the final draft ADA transition plan.

**NOW, THEREFORE, BE IT RESOLVED** that the proposed ADA Transition Plan be adopted as the City of Salinas ADA Transition Plan; and

**BE IT FURTHER RESOLVED**, that the ADA Coordinator is hereby authorized to approve policies and practices necessary to meet Title II of the ADA and update the ADA transition plan as necessary to carry out the intent of the ADA.

**PASSED AND APPROVED** this 21<sup>st</sup> day of September 2021, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

**APPROVED:**

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Kimbley Craig, Mayor

**ATTEST:**

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Patricia M. Barajas, City Clerk