

CITY OF HEALDSBURG

RESOLUTION NO. 49-2017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HEALDSBURG AUTHORIZING AND APPROVING THE CITY OF HEALDSBURG: 1) NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT; 2) GRIEVANCE PROCEDURE UNDER THE AMERICANS WITH DISABILITIES ACT; AND 3) DESIGNATION OF THE ASSISTANT CITY MANAGER AS THE AMERICANS WITH DISABILITIES ACT (“ADA”) COORDINATOR

WHEREAS, the Americans with Disabilities Act of 1990 in Title II prohibits discrimination by state and local governments against qualified individual with disabilities on the basis of disability in its programs, services or activities; and

WHEREAS, pursuant to the administrative requirements of Title II of the ADA the City is required to adopt and distribute a public notice about the relevant provisions of the ADA, develop and publish grievance procedures, and designate at least one employee responsible for coordinating compliance with the ADA and investigating ADA complaints; and

WHEREAS, Staff recommends that the City Council adopt the City of Healdsburg Notice and Grievance Procedure in compliance with Title II of the ADA attached as Exhibit “A” and designate the Assistant City Manager as the ADA Coordinator.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Healdsburg hereby authorizes and approves the City of Healdsburg Notice under the Americans with Disabilities Act and Grievance Procedure under the Americans with Disabilities Act attached hereto as Exhibit “A” and incorporated by this reference and designates the Assistant City Manager as the ADA Coordinator.

PASSED, APPROVED, AND ADOPTED this 5th day of June 2017 by the following vote:

AYES: Councilmembers: (5) Hagele, Mansell, Naujokas, Plass and Mayor McCaffery

NOES: Councilmembers: (0) None

ABSENT: Councilmembers: (0) None

ABSTAINING: Councilmembers: (0) None

SO ORDERED:

ATTEST:


Shaun F. McCaffery, Mayor


Maria Curiel, City Clerk

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I, MARIA CURIEL, City Clerk of the City of Healdsburg, do hereby certify that the foregoing is a full, true, and correct copy of Resolution No. 49-2017 adopted by the City Council of the City of Healdsburg on the 5th day of June, 2017.



Maria Curiel, City Clerk





NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (“ADA”), the City of Healdsburg will not discriminate against qualified individuals with disabilities on the basis of disability in its programs, services or activities.

Employment: The City of Healdsburg does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of the ADA.

Effective Communications: The City of Healdsburg will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City of Healdsburg’s programs, services and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing or vision impairments.

Modifications to Policies and Procedures: The City of Healdsburg will make all reasonable modifications to policies and procedures to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services and activities. For example, individuals with service animals are welcomed in the City of Healdsburg offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to ensure that people with disabilities have an equal opportunity to participate in a program, service, or activity of the City of Healdsburg, should contact the City’s ADA Coordinator at 707-431-3319 or ADAcoordinator@ci.healdsburg.ca.us as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the City of Healdsburg to take any action what would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

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Complaints that a program, service or activity of the City of Healdsburg is not accessible to persons with disabilities should be directed to the ADA Coordinator at 707-431-3319 or ADAcoordinator@ci.healdsburg.ca.us.

The City of Healdsburg will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use a wheelchair.

City of Healdsburg Grievance Procedures under The Americans with Disabilities Act

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 (“ADA”). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, program or benefits by the City of Healdsburg. The City’s Personnel Policy governs employment-related complaints of disability discrimination.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, telephone number of the complainant; and the location, date, and a complete description of the problem. Alternative means of filing complaints, such as personal interview or a tape recording of the complaint; will be made available for persons with disabilities upon request.

The Complaint should be submitted by the complainant or his/her designee as soon as possible but not later than 60 calendar days after the alleged violation or discriminatory act to:

Heather Ippoliti
ADA Coordinator and Assistant City Manager
401 Grove Street
Healdsburg, CA 95448
707-431-3319
ADAcoordinator@ci.healdsburg.ca.us

If a complaint is regarding building or facility inaccessibility, within five business days, the ADA Coordinator will forward the complaint to the City of Healdsburg Building Division for investigation and will formally acknowledge receipt of the complaint to the complainant.

For all other complaints or grievances, within ten business days after receipt of the complaint, the ADA Coordinator or designee will contact the complainant to discuss the complaint and the possible resolutions. Within 30 days of the contact, the ADA Coordinator or designee will respond in writing and, where appropriate, in an alternative format accessible to the complainant. The response will explain the position of the City of Healdsburg and offer options for substantive and reasonable resolution of the complaint or grievance.

If the response by the ADA Coordinator does not satisfactorily resolve the issue, the decision may be appealed to the City Manager or his/her designee within 30 calendar days following receipt of the response.

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Within ten business days after receipt of an appeal, the City Manager or his/her designee will contact the complainant to discuss the complaint or grievance and possible resolutions. Within 15 business days of this contact, the City Manager will respond in writing and, where appropriate, in a reasonable format accessible to the complainant, with a final resolution of the complaint or grievance.

Every reasonable attempt will be made by the City of Healdsburg to remedy the disability complaints or grievances in a timely manner subject to staff and budget constraints.

If any Title 24 Building Code or ADA complaint or grievance resides under the jurisdiction of another public entity, the complainant will be notified that the City of Healdsburg lack jurisdiction and will be referred to the appropriate jurisdiction.