

RESOLUTION NO. 10-08

A RESOLUTION OF THE CITY COUNCIL OF PORT ANGELES,
WASHINGTON, ADOPTING A POLICY AND NOTICE
REGARDING THE AMERICANS WITH DISABILITIES ACT.

WHEREAS, the Congress of the United States adopted the Americans with Disabilities Act of 1990 (ADA) to prohibit discrimination against individuals with disabilities; and

WHEREAS, Community Development Block Grant (CDBG) applications require compliance with the ADA; and

WHEREAS, the City of Port Angeles has received Community Development Block Grant funds and is required to comply with the Title II of the Americans with Disabilities Act of 1990; and

WHEREAS, the failure to adopt and implement such policy may cause the City to lose its grant or eligibility for future federal grants;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Port Angeles, Washington:

1. That the policy and notice attached hereto as Exhibit A is hereby adopted as an official policy of the City.

PASSED by the City Council of the City of Port Angeles at a regular meeting of said Council held on the 5th day of August, 2008.


MAYOR

ATTEST:


Becky J. Upton, City Clerk

APPROVED AS TO FORM:

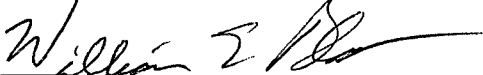

William E. Bloor, City Attorney

Exhibit "A"

CITY OF PORT ANGELES AMERICANS WITH DISABILITIES ACT POLICY AND NOTICE

Policy:

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990, the City of Port Angeles does not discriminate against qualified individuals with disabilities on the basis of disability in the City's services, programs, or activities.

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990, the City of Port Angeles does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the Equal Employment Opportunity Commission under Title I of the Americans with Disabilities Act (ADA).

Effective Communication: The City of Port Angeles will, upon request, attempt to provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City's programs, services, and activities. We strive to make information and communication accessible to people who have speech, hearing, or vision impairments.

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

Anyone who requires an auxiliary aid or service for effective communication or modification of policies or procedures to participate in a City program, service or activity, should contact the person or department who scheduled the event as soon as possible but no later than 72 hours before the scheduled event. If you are not sure who you should contact, you may contact the ADA Coordinator identified in this notice.

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

The City will not place a surcharge on a particular individual with a disability or group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy.

ADA Questions and Complaints: The City of Port Angeles has an ADA Coordinator and a grievance procedure. Those are intended to ensure that complaints are handled promptly. Equitable resolution is strived for through the review process. Please contact the ADA Coordinator with questions or complaints about the ADA compliance efforts.

Exhibit "A"

ADA Coordinator:

Bob Coons
321 E 5th St
PO Box 1150
Port Angeles, WA 98362

Phone: (360) 417-4511 Voice
(360) 417-4645 TTY
Email: bcoons@cityofpa.us

City of Port Angeles's Grievance Procedure:

It is the intent of the City to expediently and equitably resolve issues concerning barriers to persons with disability or alleged discrimination toward persons with disability, in employment practice or in the provision of services provided by the City.

- **City Manager.** The City Manager is responsible to hear and/or cause investigation of any question or concern by a member of the public or employee regarding discriminatory practices in the provision of services, barriers to accessibility to services or employment practices. A decision of the City Manager will be rendered within 15 working days of receipt of the complaint.
- **Review Board.** The City Manager may, at his/her discretion, request a review board to be convened, for the purpose of hearing and investigating any issue of accessibility or discriminatory practices filed with the City Manager. The City Manager will determine on a case-by-case basis when the ADA Review Board will be convened, and shall forward the issue to the Board for their investigation and recommendation.

The ADA Review Board will consist of two Department Directors, the City Attorney and the Human Resources Manager. The members will be appointed by the City Manager, with the exception of the standing appointment of the City Attorney and Human Resources Director. The investigation and written recommendation of the Review Board will be completed within 15 days of receipt of the complaint by the City Manager.

- **Alternative Remedies.** The individual's right to prompt and equitable resolution of the complaint is not to be impaired by his/her pursuit of other remedies, such as the filing of a complaint with the U.S. Department of Justice or other appropriate federal or state agency. Furthermore, the filing of a lawsuit in state or federal district court can occur at any time. The use of this complaint resolution procedure is not a prerequisite to the pursuit of other remedies.
- **Recordkeeping and Public Proceedings.** A record of action taken on each request or complaint will be maintained as part of the record or minutes at each level of the investigation and resolution process. Hearings for the purposes of investigation of the facts of the complaint shall be conducted in accordance with all applicable public meeting requirements, including reasonable notice to the complainant of the date, time and location of the hearing.