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To: Lemoore City Council
From: JP Prichard, Administrative Analyst
Date: March 26, 2008
**Subject: Resolution 2008-21 Adopting Notice and
Grievance Procedure under the ADA**

ITEM # 12

STAFF REPORT

Background:

During the February 5, 2008 City Council meeting, Resolution 2008-03 was adopted reaffirming the City's intention to comply with ADA requirements, and commit the City to aggressively pursuing the adoption of a Transition Plan for all City facilities. The Resolution directed staff as follows:

"City staff is directed to establish a formal grievance procedure relating to ADA matters within 60 days of the effective date of this resolution. The intent of the grievance procedure is to resolve questions and complaints that may arise in a prompt and fair manner. The grievance procedure together with the name and contact information of the City's ADA Coordinator shall be filed and available to members of the public in the City Clerk's Office. It shall also be posted on the City's website."

The U.S. Department of Justice, the federal agency charged with enforcing the provisions of the ADA, has provided a sample grievance procedure that served as a template for the procedure submitted here. As many people are unaware of the rights and responsibilities outlined in Title II of the ADA, a sample notice has also been offered to provide the public such information. Both of these notices would be adopted by the City by Resolution 2008-21.

As the City Clerk's office is located in a portion of City Hall that may not be accessible to persons with mobility-related disabilities, the Resolution instead directs the City Clerk to "permanently post both [notices] in a well-traveled location within City Hall accessible to persons with disabilities." They will be placed on the City website as well. Additionally, in an effort to accommodate staffing changes without the need to resubmit for Council approval, contact information for the City's ADA Coordinator leaves out the name of the staff member currently assigned the duties.

Budget Impact:

The budget impact related to posting these notices is insignificant.

Recommendation:

It is recommended that the City Council adopt Resolution 2008-21 in accordance with Council's stated intention to aggressively pursue ADA compliance.