

CITY OF EVANS, COLORADO

RESOLUTION NO. 15-2016

A RESOLUTION REGARDING NON-DISCRIMINATION ON THE BASIS OF DISABILITY

WHEREAS, the Congress of the United State has passed Section 504 of the Rehabilitation Act of 1973, which requires that “no otherwise qualified individual with a disability shall, solely on the basis of his or her disability, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program, services, or activities receiving federal assistance”; and

WHEREAS, the City of Evans has applied for/received Federal funds and is required to comply with Section 504 of the Rehabilitation Act of 1973; and

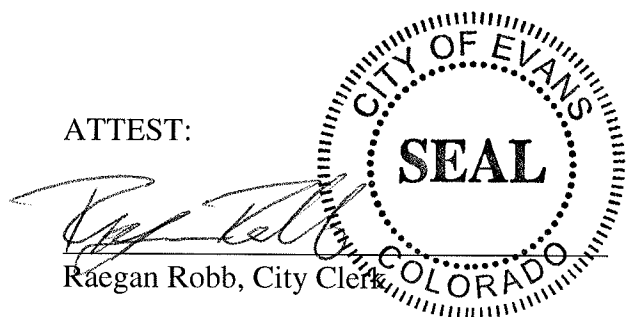
WHEREAS, the failure to comply with the terms and conditions of Section 504 of the Rehabilitation Act may cause the City/Parish/Organization to lose its grant or eligibility for future grants;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EVANS, COLORADO AS FOLLOWS:

1. The City Council of the City of Evans adopts a policy of non-discrimination (as detailed in Attachment A of this resolution).
2. The City Council of the City of Evans adopts a grievance policy for those who feel they have been discriminated against based on disability (as detailed in Attachment B of this resolution).

PASSED AND ADOPTED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF EVANS ON THIS 1ST DAY OF MARCH, 2016.

ATTEST:

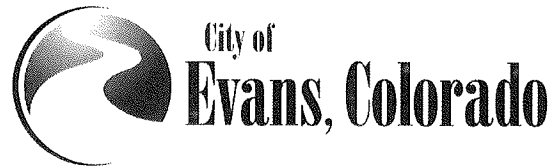


Raegan Robb, City Clerk

CITY OF EVANS, COLORADO

BY:


John Morris, Mayor



NOTICE OF NONDISCRIMINATION POLICY

Adopted by Resolution 15-2016 on March 1, 2016 by the Evans City Council.

As required by Section 504 of the Rehabilitation Act (as amended) and the Americans with Disabilities Act (ADA), the City of Evans has adopted by resolution this policy regarding "Nondiscrimination on the Basis of Disability."

In concordance with Section 504, the City of Evans seeks to ensure that no otherwise qualified individual with a disability shall be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program, services, or activities receiving federal assistance, solely on the basis of his or her disability.

It is the policy of the City of Evans that all programs and activities shall be accessible to, and usable by, qualified persons with disabilities. Qualified individuals who need accessible communication aids and/or other services or accommodations in order to participate in programs and activities are invited to make their needs and preferences known to the 504/ADA coordinator. It is the City's intent that communications with applicants, participants, and members of the public with disabilities are as effective as communication with others. Persons requesting assistance need to provide three to five business day's advance notice so we can adequately meet their needs.

Furthermore, the City of Evans will, where structural modifications are required, develop and implement a Transition Plan for eliminating barriers in a timely manner in accordance with Section 504 and the ADA. The City will review this plan periodically to ensure that the needs of disabled persons are being met.

An internal grievance procedure is available to resolve complaints. Questions, concerns, or requests for additional information regarding 504/ADA should be forwarded to the 504/ADA Coordinator.

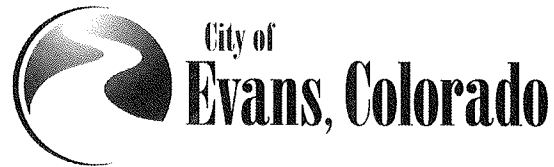
City of Evans 504/ADA Coordinator

Address: 1100 37th Street,
Evans, CO 80630

Phone Number: 970-475-1170

TDD: (711) 970-475-1170

Days and Hours Available: 8:00 AM to 5:00 PM, Monday – Friday



GRIEVANCE PROCEEDURE FOR PERSONS WITH DISABILITIES

Adopted by Resolution 15-2016 on March 1, 2016 by the Evans City Council.

The following grievance procedure is established to meet the requirements of Section 504 of the Rehabilitation Act as amended and the Americans with Disabilities Act of 1990 (ADA).

According to these laws, the City of Evans certifies that all citizens shall have the right to submit a grievance on the basis of disability in policies or practices regarding employment, services, activities, facilities, or benefits provided by the City of Evans.

When filing a grievance, citizens must provide detailed information to allow an investigation, including the date, location and description of the problem. The grievance must be in writing and must include the name, address, and telephone number of the complainant. Upon request, alternative means of filing complaints, such as personal interviews or a tape recording, will be made available for individuals with disabilities upon request. The complaint should be submitted by the complainant or his/her designee as soon as possible, but no later than 90 days after the alleged violation. Complaints must be signed and sent to the City of Evans' 504/ADA Coordinator:

City of Evans 504/ADA Coordinator
1100 37th Street,
Evans, CO 80630
970-475-1170
TDD: (711) 970-475-1170

Within 15 calendar days after receiving the complaint, the Coordinator will meet with the complainant to discuss the complaint and possible resolution. Within 15 calendar days after the meeting the Coordinator will respond in writing. Where appropriate, the response shall be in a format accessible to the complainant (such as large print or audio tape). The response will explain the position of the Coordinator and offer options for resolving the complaint.

If the response by the 504/ADA Coordinator does not satisfactorily resolve the issue, the complainant or his/her designee may appeal the response of the 504/ADA Coordinator. Appeals must be made within 15 calendar days after receipt of the response. Appeals must be directed to the City Manager or his or her designee.

Within 15 calendar days after receiving the appeal, the City Manager or his or her designee will meet with the complainant to discuss the complaint and to discuss possible resolutions. Within 15 calendar days after the meeting, the City Manager or his or her designee will provide a response in writing. Where appropriate, the response shall be in a format accessible to the complainant. The response shall be accompanied by a final resolution of the complaint. The 504/ADA Coordinator shall maintain the files and records of the City of Evans at the Community Complex pertaining to the complaints filed for a period of five years.

Resolution No 15-2016: Attachment B

The City will work with local and state authorities in order to address difficulties with accommodating persons with disabilities and shall take the necessary steps to make changes internally to existing policies to better address the needs of persons with disabilities.

The City will also take steps to notify the public on an annual basis regarding its grievance policy procedures.