

RESOLUTION NO. 9-17-19-F

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLEVELAND,
TEXAS DESIGNATING THE CITY SECRETARY AS THE ADA COORDINATOR
AND ESTABLISHING A GRIEVANCE POLICY AS REQUIRED BY TITLE II OF
THE AMERICANS WITH DISABILITIES ACT AND 28 CFR PART 35 –
NONDISCRIMINATION ON THE BASIS OF DISABILITY IN STATE AND LOCAL
GOVERNMENT SERVICES

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WHEREAS, the Title II of the Americans with Disabilities Act and 28 CFR Part 35 requires that a city with 50 or more employees designate an American Disability Act (ADA) Coordinator and a Grievance Policy for those who wish to file a complaint alleging discrimination on the basis of disability.

WHEREAS, the City Secretary position will be designed as the ADA Coordinator for the City of Cleveland. It is currently filled by Angela Smith, TRMC and her contact information is asmith@clevelandtexas.com, phone number is 281-592-2667 and mailing address is City of Cleveland 907 E Houston, Cleveland, Texas 77327;

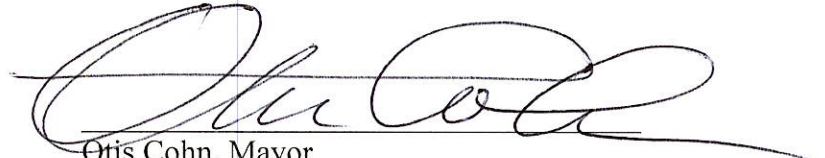
WHEREAS, the City wishes to establish a Grievance Policy (shown as Exhibit A) that details out the procedure for complainant and provides a timeline of the City's response and levels of appeals; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLEVELAND,
TEXAS:

Section 1. That the City Secretary's position be, and she is hereby, authorized to be the ADA Coordinator for the City of Cleveland; and

Section 2. That the City's Grievance Policy (shown as Exhibit A) for the ADA is established and provides for timelines, contact information and appeal levels.

PASSED AND APPROVED this 17th day of September, 2019



Otis Cohn, Mayor

ATTEST.



Angela Smith, City Secretary



City of Cleveland Grievance Procedure 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, programs, or benefits by the **City of Cleveland**. 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, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

Angela Smith
ADA Coordinator/City Secretary/HR Manager
City of Cleveland, 907 E Houston, Cleveland TX 77327

Within 15 calendar days after receipt of the complaint, **City Secretary** or her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, **City Secretary** or her designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the **City of Cleveland** and offer options for substantive resolution of the complaint.

If the response by **City Secretary** or her designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the **City Manager** or *her* designee.

Within 15 calendar days after receipt of the appeal, the **City Manager** or *her* designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the **City Manager** or *her* designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by **City Secretary** or her designee, appeals to the **City Manager** or *her* designee, and responses from these two offices will be retained by the City of Cleveland for at least three years.

