

## RESOLUTION NO. 22-84

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, ADOPTING A POLICY AND A GRIEVANCE PROCEDURE FOR COMPLAINTS ALLEGING DISCRIMINATION AGAINST HANDICAPPED PERSONS AND PROVIDING THE EFFECTIVE DATE THEREOF.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That it is the policy of the City of Mesquite in all of its governmental and proprietary actions to assure fair and equitable treatment of handicapped persons.

SECTION 2. That the following grievance procedure is hereby adopted providing for prompt and equitable resolution of complaints alleging discrimination against handicapped persons. In accordance with Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794) the City of Mesquite hereby adopts a policy which insures that no otherwise qualified handicapped individual shall, solely by reason of his handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any programs or activities.

Complaints should be addressed to: Jon Minear, Handicapped Coordinator, City Manager's Office, P. O. Box 137, Mesquite, Texas 75149 288-7711, ext. 260.

1. A complaint should be filed in writing and contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations.
2. A complaint should be filed within ten days after the complainant becomes aware of the alleged violation. (Processing of allegations of discrimination occurring before this grievance procedure was in place will be considered on a case by case basis.)
3. An investigation, as may be appropriate, shall follow a filing of a complaint. The investigation will be conducted by the Handicapped Coordinator. These rules contemplate informal but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.
4. A written determination as to the validity of the complaint and description of resolution, if any, shall be issued by the Handicapped Coordinator, and a copy forwarded to the complainant no later than 15 days after its filing.

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5. The Handicapped Coordinator shall maintain the files and records of the City of Mesquite relating to the complaints filed.
6. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the resolution. The request for reconsideration should be made within five days to the City Manager or his designee.
7. The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of a Section 504 complaint with the Office of Revenue Sharing, U.S. Department of the Treasury. Utilization of this grievance procedure is not a prerequisite to the pursuit of other remedies.
8. These rules shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards and to assure that the City of Mesquite complies with Section 504.

SECTION 3. That this resolution take effect from and after its date of passage as the law in such cases provides.

DULY PASSED by the City Council on the 17th day of September, A.D., 1984.

  
Mrs. Brunhilde Dystrom  
Mayor

ATTEST:

  
Lynn Prugel  
City Secretary