

CITY OF HOMER
HOMER, ALASKA

RESOLUTION 84-100

A RESOLUTION OF THE CITY OF HOMER TO ADOPT
A GRIEVANCE PROCEDURE FOR HANDICAPPED ACCESS
TO PUBLIC FACILITIES OWNED BY THE CITY OF HOMER.

WHEREAS, the Federal Government has requested the City of Homer to adopt a grievance procedure for access by handicapped individuals; and,

WHEREAS, the City of Homer must have a grievance procedure for handicapped access to qualify for Federal Shared Revenue funds;

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Homer, Alaska that the City hereby adopts an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by Federal Revenue Sharing regulations implementing Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794). Section 504 states, in part, 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 program or activity receiving federal financing assistance..."

BE IT FURTHER RESOLVED that the grievance procedure outlined below be adopted by the Common Council of the City of Homer:

Complaints should be filed with the City Manager of the City of Homer, 3670 Lake Street, Homer, Alaska 99603, (907) 235-8121.

1. A complaint should be filed in writing or verbally, containing the name and address of the person filing it, and briefly describing the alleged violation of the regulations.
2. A complaint should be filed within 30 days after the complainant becomes aware of the alleged violation. (Processing of allegations of discrimination which occurred 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 shall be conducted by the appropriate department head. 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. The results of the investigation shall be presented to the City Manager.

Under the Federal Revenue Sharing regulation, the City of Homer need not process complaints from applicants for employment or from applicants for admission to post-secondary educational institutions.

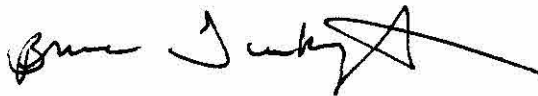
4. A written determination as to the validity of the complaint and a description of the resolution, if any, shall be issued by the City

Manager and a copy forwarded to the complainant no later than 30 days after its filing.

5. The City Manager shall maintain the files and records 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 20 days to the City Council.
7. The right of a person to 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 responsible federal department or agency. 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 Homer complies with Section 504 and implementing regulations.

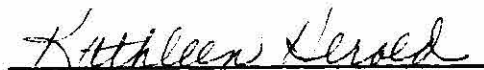
DATED this 8th day of October, 1984, at Homer, Alaska.

CITY OF HOMER



Erle Cooper, Mayor

ATTEST:


Kathleen Herold, City Clerk