

**RESOLUTION No. 2012-86
CITY OF SHOREACRES**

A RESOLUTION BY THE CITY OF SHOREACRES, TEXAS ADOPTING AN INTERNAL GRIEVANCE PROCEDURE PROVIDING FOR PROMPT AND EQUITABLE RESOLUTION ALLEGING ANY ACTION PROHIBITED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT REGULATIONS (24 CFR SUBPART A SEC. 8.4(a)) IMPLEMENTING SECTION 504 OF THE REHABILITATION ACT OF 1973 AS AMENDED (29 USC 794). SECTION 504 STATES, IN PART, "NO OTHERWISE QUALIFIED HANDICAPPED INDIVIDUAL SHALL, SOLELY BY REASON OF HIS HANDICAP, BE EXCLUDED FROM PARTICIPATION IN, DENIED THE BENEFITS OF, OR BE SUBJECT TO DISCRIMINATION UNDER ANY PROGRAM OR ACTIVITY RECEIVING FEDERAL ASSISTANCE...".

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WHEREAS, complaints should be addressed to David K. Stall, City Administrator, 601 Shore Acres Blvd, Shoreacres, TX 77571, (281) 471-2244, who has been designated to coordinate Section 504 compliance efforts; and,

WHEREAS, a complaint should be filed in writing or verbally, contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations; and,

WHEREAS, a complaint should be filed within ten (10) working 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); and,

WHEREAS, an investigation, as may be appropriate, shall follow a filing of a complaint. The investigation will be conducted by David K. Stall, City Administrator. 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; and,

WHEREAS, a written determination as to the validity of the complaint and description of resolution, if any, shall be issued by David K. Stall, City Administrator, and a copy forwarded to the complainant no later than ten (10) working days after its filing; and,

WHEREAS, the Section 504 Coordinator shall maintain the files and records of the City of Shoreacres relating to the complaints files; and,

WHEREAS, 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 ten working days to the City of Shoreacres; and,

WHEREAS, 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 U.S. Department of Housing and Urban Development. Utilization of this grievance procedure is not a prerequisite to the pursuit of other remedies;

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

THAT these rules shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards and assure that the City of Shoreacres complies with Section 504 and HUD regulations.

The City Council officially finds, determines, recites, and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this resolution and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

PASSED AND APPROVED, this 9th day of April, 2012.



ATTEST:

David K. Stall, CEM, City Secretary

CITY OF SHOREACRES

By: *Dolly V. Arons*
Dolly Arons, Mayor