

Grievance Procedure Under the Americans With Disabilities Act

The City of Fresno has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the U.S. Department of Justice regulations implementing Title II of the Americans with Disabilities Act ("ADA"). Title II states, in part, that "no otherwise qualified disabled individual shall, solely by reason of such disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination in programs, services or activities sponsored by a public entity".

Complaints concerning the accessibility of the City of Fresno's programs, services or activities should be addressed to:

Shannon M. Simonelli
ADA Coordinator
Department of Public Works
2600 Fresno Street 4th Floor
Fresno, California 93721
Phone: 559- 621-8716
Fax: 559-488-1045
Shannon.Simonelli@fresno.gov

A complaint may be communicated verbally, in writing, or by email and must include the name, address and telephone number of the complaining party, and briefly describe the alleged violation and the remedy sought.

A complaint should be filed within 90 days after the complaining party becomes aware of the alleged violation.

Following the filing of the complaint, the ADA Coordinator shall determine whether, and to what extent, an investigation of the complaint is warranted. Any resulting investigation shall be conducted by the ADA Coordinator or his/her designee. These rules contemplate an informal but thorough investigation, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.

Written confirmation (written may also mean email if on-line form used) of the receipt of the complaint and a description of the

resolution, if any, shall be issued by the ADA Coordinator, or his/her designee, and a copy forwarded to the complaining party. It is the City's intent to attempt to provide a written response to the complaining party within thirty (30) days of receipt of any complaint.

The ADA Coordinator shall maintain the files and records of the City of Fresno relating to complaints filed under this procedure.

The complaining party can request reconsideration of the complaint in instances where he or she is dissatisfied with the City's response or proposed resolution. The request for reconsideration should be made within ten (10) days to:

Mark Scott
City Manager
Fresno City Hall
2600 Fresno Street Second Floor
Fresno, CA 93721
Phone: 559-621-7770
Fax: 559-621-7776
citymanager@fresno.gov

The right of a person to prompt and equitable resolution of any complaint filed under this policy shall not be impaired by the person's pursuit of other remedies such as the filing of an ADA complaint with the responsible federal or state agency.

These rules shall be construed to protect the substantive rights of the interest persons to provide timely notice of any impediment to access City programs, services or activities, and to assure that the City of Fresno complies with the ADA.