



## **ADA REQUEST AND COMPLAINT PROCESS**

It is the policy of the City of Yuba City that no member of the public shall be favored or in any way discriminated against because of mental or physical disability or medical condition.

In coordination with this policy and to achieve compliance with Title II requirements, the City of Yuba City has an established complaint procedure developed from prior Transition Plans. This existing procedure is adopted into this document and reads as follows:

### **Complaint Procedure:**

#### **A. Purpose**

To provide an internal procedure for the 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 or Section 504 of the Rehabilitation Act.

#### **B. Who May File a Request/Complaint**

An individual who believes that he or she has been subjected to discrimination or a specific class of individuals who believe they have been subjected to discrimination on the basis of disability by the City may, by himself or herself or by an authorized representative, file a complaint under this procedure.

#### **C. Procedure**

1. Complainants are encouraged to first contact the Compliance Coordinator Designee in an attempt to informally resolve the complaint. If this step does not yield a satisfactory resolution, then a formal complaint may be filed.
2. A formal complaint should be addressed to the City Clerk, City of Yuba City, 1201 Civic Center Blvd., Yuba City, 95993 who has been designated to coordinate compliance efforts. The City Clerk may be reached by telephone at (530) 822-4609.
3. The complaint should be filed in writing or verbally and shall contain the following information:
  - a) The full name, address, and telephone number of the person filing the complaint, and the full name, address, and telephone number of the individual affected by the alleged violation;
  - b) When and where the alleged violation took place, including as much background information as possible;
  - c) The names, addresses, and telephone numbers of any witnesses;
  - d) The remedy requested.
4. The complaint should be filed within 30 calendar days after the complainant becomes aware of the alleged violation.

5. A written determination as to the validity of the complaint and a description of the resolution, if any, shall be issued by the Compliance Coordinator and a copy forwarded to the complainant no later than 20 calendar days after its filing.
6. The Compliance Coordinator shall maintain the files and records of the City of Yuba City relating to the complaint's files.
7. The complainant can request a reconsideration of the complaint in instances where he or she is dissatisfied with the resolution or if a written determination has not been issued within the established time lines. The request for reconsideration must be made within 14 calendar days of the issuance of the written determination to the City Administrator, 1201 Civic Center Blvd., Yuba City, CA, 95993. The City Administrator shall issue a written determination within 30 calendar days of the receipt of the complaint.
8. The right of a person to a prompt and equitable resolution of a complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with responsible federal departments or agencies. Use of the complaint procedure is not a prerequisite to the pursuit of other remedies.
9. 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 Yuba City complies with the ADA and Section 504 of the Rehabilitation Act.

**D. Non-Retaliation**

No person who files a complaint shall be subjected to retaliation for filing a complaint. The City shall take reasonable steps to protect the complainant from retaliatory actions.

Once adopted, the Public Accommodation Policy should be widely distributed to City employees and the public at large. Department Heads should receive special training to perform their roles as ADA Compliance Coordinators for their own Departments. Employees having contact with the public, particularly those involving programs, services, and activities should be sensitive to the needs of the disabled and know how to handle citizens and employee ADA grievances.

**ADA COORDINATOR AND DESIGNEES**

As established in prior Transition Plans, the City of Yuba City has designated as ADA Coordinator, the City Clerk. The City Clerk is located at City Hall, 1201 Civic Center Blvd., Yuba City, CA, 95993, (530) 822-4610. Each Department Head is the Compliance Coordinator Designee for their respective department. These Department Heads are listed below:

<b>Department</b>	<b>Designee</b>	<b>Address</b>	<b>Phone Number</b>
City Administration	City Manager	1201 Civic Center Blvd.	(530) 822-4602
Parks & Recreation	Director	1201 Civic Center Blvd.	(530) 822-4650
Development Services	Director	1201 Civic Center Blvd.	(530) 822-5135
Human Resources	Administrator	1201 Civic Center Blvd.	(530) 822-4610
City Clerk	Administrator	1201 Civic Center Blvd.	(530) 822-4609
Public Works	Director	1201 Civic Center Blvd.	(530) 822-4626
Police Department	Chief of Police	1545 Poole Blvd.	(530) 822-4660
Fire Department	Fire Chief	824 Clark Avenue	(530) 822-4687

Redevelopment

City Manager

1201 Civic Center Blvd.

(530) 822-4602

It is the responsibility of the ADA Coordinator and each Designee to ensure compliance with this report and the applicable provisions of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act.