

RESOLUTION NO. 05-18365

A RESOLUTION DESIGNATING A CITY OF BILLINGS AMERICANS WITH DISABILITIES ACT (ADA) COORDINATOR, ESTABLISHING A GRIEVANCE PROCEDURE TO BE USED BY ANYONE WHO WISHES TO FILE A COMPLAINT ALLEGING DISCRIMINATION ON THE BASIS OF DISABILITY AND REPEALING RESOLUTION NO. 98-17429

WHEREAS, the City of Billings entered into a Settlement Agreement with the US Dept. of Justice for ADA compliance that requires the City to adopt a grievance policy that complies with DOJ standards and to designate an ADA coordinator, and

WHEREAS, the City has previously adopted an ADA grievance procedure and named an ADA coordinator by adopting Resolution No. 17429, which is now outdated.

BE IT RESOLVED by the City Council of the City of Billings (the “City”), Montana, as follows:

Section 1. ADA coordinator appointment: The City of Billings Mayor and City Council hereby designate the Facilities Manager in the Dept. of Administration as the ADA coordinator for the City of Billings. The coordinator is responsible for overseeing, planning, training and implementing compliance with the ADA and the Settlement Agreement and for managing the ADA grievance procedure.

Section 2. Grievance procedure adoption: The City of Billings hereby adopts the ADA grievance procedure that is attached to this resolution as Exhibit A. The Mayor and City Council call upon the ADA coordinator and all City employees to provide equal access to services, activities, programs and facilities for all disabled persons and to support the grievance procedure as a means to address possible access shortcomings.

Section 3. Additional remedies: Nothing in this grievance process shall deprive an aggrieved person from pursuing additional remedies for alleged violations of the ADA such as filing a complaint with federal or state agencies or courts. Utilizing the grievance process is not a prerequisite for pursuing the other remedies.

Section 4. Repeal: Resolution No. 98-17429, which established an ADA coordinator and an ADA grievance process and that was adopted by the Billings City Council on December 21, 1998 is hereby repealed.

APPROVED by the City Council of the City of Billings, Montana this 11th day of October, 2005.

THE CITY OF BILLINGS:

By: _____
Charles F. Tooley, Mayor

ATTEST:

By: _____
Marita Herold, CMC/AAE City Clerk