

RESOLUTION NO. 913.94

**RESOLUTION NO. 913.94 OF THE TOWN COUNCIL
OF THE TOWN OF GOLDEN BEACH, FLORIDA
PROHIBITING DISCRIMINATION ON THE BASIS OF
DISABILITY; APPOINTING A TOWN EMPLOYEE
RESPONSIBLE FOR THE IMPLEMENTATION OF THE
AMERICANS WITH DISABILITIES ACT (ADA) OF
1990; AS MAY BE AMENDED; ADOPTING A GRIEVANCE
PROCEDURE FOR INDIVIDUALS FILING COMPLAINTS
UNDER THE PROVISIONS OF THE ADA; AND
PROVIDING AN EFFECTIVE DATE**

WHEREAS, the Town Council of Golden Beach recognizes that TITLE I provides that it is unlawful for a covered employer to discriminate on the basis of a disability against a qualified individual with a disability with regard to hiring, promotion or other employment opportunities, and

WHEREAS, the Town Council further recognizes that TITLE II provides 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 or activities sponsored by the public entity, and

WHEREAS, the Town Council wishes to comply with ADA requirements, adopt a grievance procedure, and appoint an employee responsible for implementation;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF GOLDEN BEACH, FLORIDA:

Section 1. That the Town Council prohibits discrimination on the basis of disability and hereby adopts a policy which will provide equal access and equal opportunity in employment and services and does not discriminate on the basis of handicap.

Section 2. That the Town Council adopts an internal grievance procedure, Exhibit A attached hereto, providing for prompt and equitable resolution of complaints alleging any action prohibited by TITLE I and TITLE II of the Americans with Disabilities Act (ADA).

Section 3. That the Town Council appoints the Building Official as the ADA Coordinator for the Town of Golden Beach.

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Section 4. Effective Date. That this Resolution shall become effective upon approval of the Town Council.

The Motion to adopt the foregoing Resolution was offered by VICE MAYOR ROSENTHAL, seconded by COUNCILMAN ADDICOTT, and on roll call the following vote ensued:

Mayor Nelson	AYE
Vice Mayor Rosenthal	AYE
Councilman Duffner	ABSENT
Councilman Mena	ABSENT
Councilman Addicott	AYE

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Golden Beach, Florida, this 18th day of October, 1994.



MAYOR



TOWN CLERK/DEPUTY TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY



JON M. HENNING
TOWN ATTORNEY

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TOWN OF GOLDEN BEACH
ADA GRIEVANCE PROCEDURE

Golden Beach 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. 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 or activities sponsored by a public entity.

Complaints should be addressed to Mr. Jaime A. Mitrani, Director of Building, Zoning and Engineering, Town Hall One Golden Beach Drive, Golden Beach, FL 33160, (305) 932-0744 (ext. 20) who has been designated to coordinate ADA compliance efforts ("the ADA Coordinator").

1. 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.
2. A complaint should be filed within ten (10) 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 complaint. The investigation shall be conducted by the ADA Coordinator or his designee. The investigation shall be conducted by thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.
4. A written determination as to the validity of the complaint and a description of the resolution, if any, shall be issued by the ADA Coordinator and a copy forwarded to the complainant no later than thirty (30) days after its filing unless an extension is stipulated between the parties.
5. The ADA Coordinator shall maintain the files and records of Golden Beach 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 shall be made within ten (10) days of the resolution to the Town Manager or ADA Coordinator and shall contain the specific grounds

upon which reconsideration is requested.

7. 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. Use of this grievance procedure is not prerequisite to the pursuit of other remedies.

8. This rule shall be construed to protect the substantive rights of interested persons to meet appropriate due process standards and to ensure that the Town of Golden Beach complies with the ADA and implementing resolutions.

Exhibit A to Resolution No. 913.94
Adopted October 18, 1994