

## CITY OF SEAL BEACH

### AMERICANS WITH DISABILITIES ACT GRIEVANCE PROCEDURE

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the City of Seal Beach shall not discriminate against qualified individuals with disabilities on the basis of disability in its programs, services or activities.

This Grievance Procedure is established to meet the requirement of the ADA. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the City of Seal Beach. The City has designated the Public Works Director as the ADA Coordinator.

An individual may file a complaint by contacting the ADA Coordinator.

The complaint should be submitted as soon as possible, preferably within 60 calendar days of the alleged violation, to the ADA Coordinator as follows:

Iris Lee, Director of Public Works/ADA Coordinator  
City of Seal Beach  
211 Eighth Street  
Seal Beach, CA 90740  
Phone: (562) 431-2527 ext. 1322  
email: [ilee@sealbeachca.gov](mailto:ilee@sealbeachca.gov)

The complaint should contain information about the alleged discrimination and remedy requested. The complaint should be made in writing. A form is attached for your use at the following link: <https://www.sealbeachca.gov/Departments/Public-Works/ADA>. However, alternative means of filing complaints, such as orally, by personal interviews or telephone, will be made available for persons with disabilities, upon request. The complaint should contain the following information:

#### Complainant's Information:

- o Name
- o Address
- o Telephone number
- o Email address (optional)
- o Preferred method of communication
- o Whether the person filing the complaint is the complainant, or the authorized representative of the complainant.

#### Representative's Information: (if the person filing the complaint is the representative of the complainant):

- o Name
- o Address
- o Telephone number
- o Email address (optional)
- o Preferred method of communication
- o Individual or Group upon whose behalf the complaint is being filed

#### Description of the Alleged ADA Violation:

- o Location
- o Date, Time and Location of Occurrence or Incident

- o Description of the Incident and why the complainant alleges the ADA was violated
- o Name of Department that appears to be responsible (if known)
- o Names and Titles of City Employee and Other Persons Involved (if any)
- o Names and Contact Information of Witnesses (if any)

Remedy or Relief Requested:

- o Explanation of what action you request the City to take in response to the complaint

Explanation whether a complaint has been filed with the United States Department of Justice or other federal or state civil rights agency or court, including:

- o Name of federal or state civil rights agency or court where complaint was filed
- o Date of filing
- o Name, address and telephone number of contact person with the federal or state agency where the complaint was filed (if known)

**STEP 1:**

Within **15 calendar days** after receipt of the complaint, the ADA Coordinator will meet with the complainant to discuss the complaint and the possible resolutions.

**STEP 2:**

Within **15 calendar days** of the meeting, the ADA Coordinator will respond in writing and where appropriate, in format that is accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the City and offer options for substantive resolution of the complaint.

**STEP 3:**

If the response by ADA Coordinator does not satisfactorily resolve the issue, the complainant may appeal the decision to the City Manager or his/her designee within **15 calendar days** after receipt of the ADA Coordinator's response.

**STEP 4:**

Within **15 calendar days** after receipt of the appeal, the City Manager, or his/her designee, will meet with the complainant to discuss the complaint and possible resolutions.

**STEP 5:**

Within **15 calendar days** after the meeting, the City Manager, or his/her designee, will respond in writing and where appropriate, in a format that is accessible to the complainant with a final resolution to the complaint.

If the complainant is dissatisfied with the City's handling of the complaint at any stage of the process or does not wish to file a complaint through the City's ADA Grievance Procedure, the grievant may file a complaint directly with the United States Department of Justice or other appropriate state or federal agency. Use of the City's grievance procedure is not a prerequisite to the pursuit of other remedies.

The resolution of any specific complaint will require consideration of varying circumstances, such as the specific nature of the disability; the nature of the access to the programs, services, activities, or facilities at issue and the essential eligibility requirements for participation; the health and safety of others; and the degree to which an accommodation would constitute a fundamental alteration to the program, service, activity or facility, or cause an undue hardship to the City.

Accordingly, the resolution by the City of any one complaint does not constitute a precedent upon which the City is bound or upon which other complaining parties may rely.

**File Maintenance**

The City's ADA Coordinator shall maintain ADA grievance files for a period of three (3) years from the date of notice of the complaint.

**For more information, please contact the ADA Coordinator as follows:**

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