

**CITY OF GAUTIER  
MEMORANDUM**

**To:** Samantha Abell, City Manager  
**From:** Jason D. Pugh, HR Director  
**Date:** August 28, 2012  
**Subject:** Designation of ADA Coordinator

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**REQUEST:**

The Human Resources Department requests City Council to designate Venice Barnett, HR Generalist as the ADA Coordinator.

**BACKGROUND:**

Venice Barnett has been designated as the ADA Coordinator since May 17, 2011 and attends training courses related to the Americans with Disabilities Act of 1990 (ADA) and completes and submits all documentation related to the ADA and Title VI Assessments as required by Federal and State agencies.

**DISCUSSION:**

MDOT is required by Federal regulations to perform annual reviews of the programs and activities of its sub-recipients to ensure nondiscrimination in the expenditure of awarded federal funds. The City of Gautier must designate an ADA Coordinator to develop a policy statement and draft a complaint procedure. Once these items are complete the ADA Coordinator must conduct a self-evaluation of City of Gautier public buildings followed by a transition plan with timelines for completion or planned implementation by December each year. Failure to comply with these requirements would result in no additional federal funding.

**RECOMMENDATION:**

The Human Resources Department recommends that City Council approve the designation of Venice Barnett, HR Generalist as the ADA Coordinator.

The City Council may:

1. Approve the designation;
2. Approve the designation with changes; or
3. Disapprove the designation

**ATTACHMENT(S):**

Notice Under Americans with Disabilities Act  
Grievance Procedure under Americans with Disabilities Act of 1990



## **CITY OF GAUTIER**

### **Grievance Procedure under Americans with Disabilities Act of 1990**

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 (“ADA”). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of a disability in the provision of services, activities, programs, or benefits by the City of Gautier. The City of Gautier’s Personnel Handbook governs employment-related complaints of disability discrimination.

All complaints should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 180 calendar days after the alleged violation to:

**Veneice A. Barnett**  
**ADA/Section 504 Coordinator / HR Generalist**  
**P.O. Box 670**  
**Gautier, MS 39553-0670**

Within 15 calendar days after receipt of the complaint, the ADA/Section 504 Coordinator or her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, the ADA/Section 504 Coordinator or her designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, interpreter, or audio tape. The response will explain the position of the City of Gautier and offer options for substantive resolution of the complaint.

If the response by the ADA/Section 504 Coordinator or her designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to Samantha D. Abell, City Manager.

Within 15 calendar days after receipt of the appeal, the City Manager will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the City Manager will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by the ADA/Section 504 Coordinator, appeals to the City Manager, and responses from these two offices will be retained by the City of Gautier for at least three (3) years.

Individuals also have the right to file a complaint alleging discrimination with any federal agency providing financial assistance to the City of Gautier. An informational handout is available upon request for individuals wishing to pursue this avenue of complaint.



## NOTICE UNDER AMERICANS WITH DISABILITIES ACT

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

### *Employment*

The City of Gautier does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of the ADA and Section 504 of the Rehabilitation Act of 1973.

### *Effective Communication*

The City of Gautier will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City of Gautier programs, services, and activities, including qualified sign language interpreters, documents in large print, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

### *Modifications to Policies and Procedures*

The City of Gautier will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in City of Gautier offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the City of Gautier, should contact the office of the ADA/Section 504 Coordinator at (228) 497-2539 or the Gautier City Hall at 3330 Highway 90, Gautier, MS, as soon as possible but no later than 72 hours before the scheduled event.

The ADA does not require the City of Gautier to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

Complaints that a program, service, or activity of the City of Gautier is not accessible to persons with disabilities should be directed to the ADA/Section 504 Coordinator, Venice A. Barnett at (228) 497-2539 or the Gautier City Hall at 3330 Highway 90, Gautier, MS 39553.

The City of Gautier will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.