

RESOLUTION NO. 85-09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIDGECREST, CALIFORNIA, INITIATING PROCEEDINGS TO INSURE THAT HANDICAP DISCRIMINATION DOES NOT TAKE PLACE WITH RESPECT TO CITY POLICIES AND PRACTICES

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIDGECREST as follows:

Section 1. Purpose and Scope.

Part 51 of the Code of Federal Register requires agencies receiving monies under the Revenue Sharing Act to evaluate their policies and practices and, if necessary, modify such policies and practices in order to eliminate handicap discrimination. This resolution adopts interim regulations concerning handicap discrimination, calls for the evaluation of policies and practices, and anticipates the adoption of final City regulations based upon such evaluation.

The City policies and practices affected by this resolution include policies and practices affecting: employment; program and activity access; service discrimination; and contractual matters.

Section 2. Interim Regulations.

Notwithstanding any other City policy or practice to the contrary, the following interim regulations shall be implemented by the City pending completion of the evaluation of the City's policies and practices described herein:

(a) The City Administrator is hereby designated to coordinate efforts to comply with Federal regulations concerning handicap discrimination and to implement the provisions of this resolution.

(b) The Personnel Officer shall notify the designated representatives of recognized employee organizations that the City intends to allow employee grievance procedures to be utilized to resolve claims of handicap discrimination. The Personnel Officer shall solicit the comments of the designated representative. If the designated representative fails to reply within 30 days of the date of the notice, then the grievance procedure shall be deemed so modified. If the designated representative objects to the proposed modification, then the Personnel Officer shall recommend whether the Council should nonetheless approve the modification of the grievance procedure in light of the objection.

(c) The City Clerk shall insure that all notices to participants and beneficiaries of City programs, applicants for City employment, employees, unions and professional organizations dealing with the City, prospective bidders and contractors that the City does not discriminate on the basis of handicap status in admission or access to, or treatment or employment

in, its programs and activities. Such notice shall identify the City Administrator as the responsible employee designated to insure compliance. Such notice shall be in such a form as to insure effectiveness with respect to persons of impaired vision or hearing.

(d) The Building Official shall inspect all City-owned public facilities within 30 days of the date of this resolution to determine whether facilities for handicapped access are adequate and properly maintained. If the Building Official determines that such facilities are not adequate, he shall recommend the appropriate structural changes to the City Administrator. The Building Official shall thereafter routinely inspect such handicap access facilities to insure that they are properly maintained and effective.

Section 3. Evaluation of Policies and Practices.

(a) The City Administrator shall solicit comments concerning the City's current policies and practices from all service organizations located within the City and any person or organization known to be concerned about handicap discrimination within the City. Such solicitation shall request the parties contacted to comment upon the matters to be considered at a public hearing for such purpose and shall request the parties contacted to participate in such public hearing.

(b) The City Administrator shall file a report with recommendations concerning the results of the solicitation for comments with the City Council and with each organization which has provided comments. The report with recommendations shall be filed within 30 days of the date of this resolution.

(c) Within 60 days from the date of this resolution, the City Council shall conduct a duly noticed public hearing to consider the City Administrator's report and recommendations and to receive further comments.

Section 4. Final Regulations.

(a) At the conclusion of the hearing described hereinabove, the Council shall adopt necessary changes to the City's Municipal Code, personnel manual, or ordinances, resolutions or regulations as are necessary to implement changes in policies and practices necessary to eliminate handicap discrimination and remedy the impact of prior handicap discrimination, if any. The final regulations shall require the removal of non-structural handicap barriers within one year from the date of adoption and the removal of structural handicap barriers within three years from the date of adoption.

(b) The City Clerk shall maintain on file and make available for public inspection a list of interested individuals consulted during the evaluation process, a description of the policies and practices examined and the problems identified and a description of the modifications made and remedial steps undertaken. This report shall be maintained on file for at least three years following completion of the evaluation described herein.

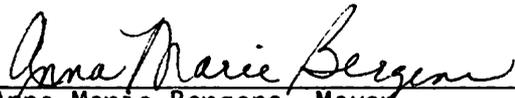
APPROVED AND ADOPTED this 20th day of March, 1985, by the following vote:

AYES: Mayor Bergens, Councilmembers Mower, Condos, Pearson, and Wiknich

NOES: None

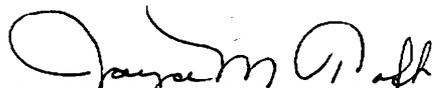
ABSENT: None

ABSTAIN: None



Anna Marie Bergens, Mayor

ATTEST:



Joyce M. Taft, City Clerk