CITY OF PARKER
AGENDA ITEM SUMMARY

1. *DEPARTMENT MAKING REQUEST/NAME OF PRESENTER:*	2. *MEETING DATE:*
Anchor/Council	**December 17, 2024**

3. *REQUESTED MOTION/ACTION:*

Approve Resolution 2024-403

4. *IS THIS ITEM BUDGETED (IF APPLICABLE)*

YES ☐ NO ☐ N/A ☒

5. *BACKGROUND:* *(PROVIDE HISTORY; WHY THE ACTION IS NEEDED; WHAT GOAL WILL BE ACHIEVED FOR THE CITY)*

CBDG MANHOLE LINING GRANT REQUIRES A RESOLUTION FOR THE CITY OF PARKER, FLORIDA CERTIFYING THE CITY'S COMMITMENT TO THE AMERICANS WITH DISABILITY ACT; PROVIDING FOR SEVERABILITY, CORRECTION OF SCRIVENOR'S ERRORS AND CONSTRUCTION; REPEALING RESOLUTIONS IN CONFLICT HEREWITH; AND ESTABLISHING AN EFFECTIVE DATE.

AGENDA ITEM # 2

RESOLUTION NO. 2024-403

A RESOLUTION FOR THE CITY OF PARKER, FLORIDA CERTIFYING THE CITY'S COMMITMENT TO THE AMERICANS WITH DISABILITY ACT; PROVIDING FOR SEVERABILITY, CORRECTION OF SCRIVENOR' S ERRORS AND CONSTRUCTION; REPEALING RESOLUTIONS IN CONFLICT HEREWITH; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Parker ("Parker") has been awarded funding through Community Development Block Grant program;

WHEREAS, the City Council of the City desires to adopt a certification of the City's commitment to the "Americans with Disabilities Act" in its community, to ensure compliance under the Community Development Block Grant program;

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

WHEREAS, the City 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 Americans with Disabilities Act ("ADA");

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

WHEREAS, the City will make reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all City programs, services and activities, including individuals with service animals being welcome in City offices, where pets are generally prohibited;

WHEREAS, the Americans with Disabilities Act does not require the City to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden; and

WHEREAS, the City 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; and

WHEREAS, City will establish certain grievance procedures for ADA complaints.

NOW, THEREFORE BE IT RESOLVED BY THAT THE CITY COUNCIL OF CITY OF PARKER, FLORIDA as follows:

Section 1. It is the policy of the City to reaffirm its commitment and adoption of the foregoing policies and procedures regarding the Americans with Disabilities Act.

Section 2. The City Clerk is hereby designated as the City ADA Coordinator and is the authorized representative to provide any further assurances and commitments required by grant in connection with this Resolution. Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a City program, service or activity, should contact the City ADA Coordinator. Complaints that any City program, service or activity is not accessible to persons with disabilities should be directed to the City Clerk, City ADA Coordinator at 850-871-4104.

Section 3. The City reaffirms, re-establishes and adopts the following ADA grievance procedures:

1. The complaint 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.

2. The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to the City ADA Coordinator at 850-871-4104.

3. Within fifteen (15) calendar days after receipt of the complaint, the City ADA Coordinator or his or her designee

will meet with the complainant to discuss the complaint and the possible resolutions. Within fifteen (15) calendar days of the meeting, the City ADA Coordinator or his or her designee will respond in writing, and where appropriate, in a format 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.

4. If the response by the City ADA Coordinator or his or her designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within fifteen (15) calendar days after receipt of the response to the Mayor or his or her designee.

5. Within fifteen (15) calendar days after receipt of the appeal, the Mayor or his or her designee will meet with the complainant to discuss the complaint and possible resolutions. Within fifteen (15) calendar days after the meeting the Mayor or his or her designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

6. All written complaints received by the City ADA Coordinator or his or her designee and/or appeals to the Mayor or his or her designee, and responses from these two offices will be retained by the City for at least three (3) years.

Section 4. If any section, subsection, sentence, clause, phrase, word or provision of this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Resolution.

Section 5. The correction of typographical errors which do not affect the intent of the Resolution may be authorized by the City Clerk or the Clerk's designee without public hearing.

Section 6. This Resolution shall be liberally construed in order to effectively carry out the purposes hereof which are deemed not to adversely affect public health, safety, or welfare.

Section 7. All resolutions or parts of resolutions of the City, in conflict with the provisions of this Resolution, are hereby repealed to the extent of such conflict.

Section 8. If any section, paragraph, sentence, or clause hereof or any provision of this Resolution is declared to be invalid or unconstitutional, the remaining provisions of this Resolution shall be unaffected thereby and shall remain in full force and effect.

Section 9. This Resolution shall be liberally construed to affect the purposes hereof and shall become effective immediately upon adoption.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Parker, Florida as of this ____ day of December, 2024.

CITY OF PARKER

_____
ANDREW KELLY, MAYOR

ATTEST:

_____
INGRID BUNDY, CITY CLERK

Examined and approved by me as of this ____ day of December, 2024.

CITY OF PARKER

_____
ANDREW KELLY, MAYOR