

City of Newport Beach, California



Americans with Disabilities Act (ADA) Coordination and Grievance Procedure

The **City of Newport Beach's goal** is to ensure that individuals with disabilities can integrate fully in our community's services, programs, and activities. The City's programs, when viewed in their entirety, should be readily accessible to and usable by individuals with disabilities in the most integrated way appropriate to their needs. We recognize that we do not necessarily have to make each of our existing facilities accessible, but that we may provide program accessibility via multiple methods including alteration of existing facilities, acquisition or construction of additional facilities, relocation of a service or program to an accessible facility, or provision of services at alternate accessible sites. To that end, we have identified Americans with Disabilities Act (ADA) Program Coordinators to (in part) assist individuals with disabilities in participating in our programs and accessing our facilities and an ADA Grievance Procedure.

Our ADA Program Coordinators are:

<p>Mr. Tony Brine ADA Coordinator for Streets, Sidewalks, Other Public Facilities Public Works Department 3300 Newport Boulevard Newport Beach, California 92660 Phone: 949-644-3311 Fax: 949-644-3318 E-Mail: tbrine@newportbeachca.gov</p>	<p>Ms. Celeste Jardine-Haug ADA Coordinator for City Programs, including Recreation and Senior Services Recreation and Senior Services Department 3300 Newport Boulevard Newport Beach, California 92660 Phone: 949-644-3151 Fax: 949-644-3155 E-Mail: chaug@newportbeachca.gov</p>
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In the event that a disabled person (or an advocate for a disabled person) believes that the City has not complied with the ADA, the City has adopted and follows this internal **ADA Grievance Procedure** in accordance with 28 CFR §35.107(b). This procedure's intent is to provide for prompt and equitable resolution of complaints alleging any action prohibited by the U.S. Department of Justice regulations implementing Title II of the ADA. 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, services or activities sponsored by a public entity".

Complaints concerning the accessibility of the City of Newport Beach's programs, services or activities should be addressed to:

<p>Mr. Tony Brine ADA Coordinator for Streets, Sidewalks, Other Public Facilities Public Works Department 3300 Newport Boulevard Newport Beach, California 92660 Phone: 949-644-3311 Fax: 949-644-3318 E-Mail: tbrine@newportbeachca.gov</p>	<p>Ms. Celeste Jardine-Haug ADA Coordinator for City Programs, including Recreation and Senior Services Recreation and Senior Services Department 3300 Newport Boulevard Newport Beach, California 92660 Phone: 949-644-3151 Fax: 949-644-3155 E-Mail: chaug@newportbeachca.gov</p>
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A complaint may be communicated verbally, in writing, or by email and must include the name, address and telephone number of the complaining party, and briefly describe the alleged violation and the remedy sought.

A complaint should be filed not more than ninety (90) days after the complaining party becomes aware of the alleged violation.

Following the filing of the complaint, the ADA Coordinator shall determine whether, and to what extent, an investigation of the complaint is warranted. Any resulting investigation shall be conducted by the ADA Coordinator or his/her designee. These rules contemplate an informal but thorough investigation, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.

Written confirmation (written may also mean email if on-line form used) of the receipt of the complaint and a description of the resolution, if any, shall be issued by the ADA Coordinator, or his/her designee, and a copy forwarded to the complaining party. It is the City's intent to attempt to provide a written response to the complaining party within thirty (30) days of receipt of any complaint.

The ADA Coordinator shall maintain the files and records relating to complaints filed under this procedure.

The complaining party can request reconsideration of the complaint in instances where he or she is dissatisfied with the ADA Coordinator's response or proposed resolution. The request for reconsideration should be made within ten (10) days to:

David A. Kiff
City Manager, City of Newport Beach
3300 Newport Boulevard
Newport Beach, California 92660
Phone: 949-644-3001
Fax: 949-644-3020
E-Mail: dkiff@newportbeachca.gov

The right of a person to prompt and equitable resolution of any complaint filed under this policy shall not be impaired by the person's pursuit of other remedies such as the filing of an ADA complaint with the responsible federal or state agency.

These rules shall be construed to protect the substantive rights of the interested persons to provide timely notice of any impediment to access City programs, services or activities, and to assure that the City of Newport Beach complies with the ADA.

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