



CITY OF TOM BEAN

RESOLUTION NO.2008-12

A RESOLUTION ESTABLISHING CITY POLICY REGARDING A SECTION 504 WRITTEN CITIZEN GRIEVANCE PROCEDURE.

BE IT RESOLVED by the City of Tom Bean, Texas as follows:

1. The City of Tom Bean has adopted an internal grievance procedure providing for prompt an equitable resolution of complaints alleging any action prohibited by the U.S. Department of Housing and Urban Development regulations (24 CFR Subpart A Sec. 8.4(a) implementing Section 504 of the Rehabilitation Act of 1973 as amended (29 USC 794). Section 504 states, in part that "No otherwise qualified handicapped individual shall, solely by reason of his handicap, be excluded from the participation in, denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance..."
2. Complaints should be addressed to the 504 Coordinator: Post Office Box 659, Tom Bean, Texas, 75489, (903) 546-6321, who has been designated to coordinate Section 504 compliance efforts. A complaint should be filed in writing or verbally, contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations. A complaint should be filed within ten (10) working days after the complainant becomes aware of the alleged violation. (Processing of allegations of discrimination occurring before this grievance procedure was in place will be considered on a case-by-case basis).
3. An investigation, as may be appropriate, shall follow a filing of a complaint. The investigation will be conducted by the 504 coordinator. These rules contemplate informal but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.

4. A written determination as to the validity of the complaint and description of resolution, if any, shall be issued by the 504 coordinator, and a copy forwarded to the complainant no later than ten (10) working days after its filing. The Section 504 coordinator shall maintain the files and records of the City of Tom Bean relating to the complaints files.

5. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the resolution. The request for reconsideration should be made within ten working days to the City of Tom Bean.

6. The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of a Section 504 complaint with the U.S. Department of Housing and Urban Development. Utilization of this grievance procedure is not a prerequisite to the pursuit of other remedies.

7. These rules shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards and assure that the City of Tom Bean complies with Section 504 and HUD regulations.

**Duly passed and adopted by the City Council of the City of Tom Bean,
Texas on this 13th day of October, 2008.**

Mayor, Sherry Howard

Attest:

City Secretary, Cathy Pugh