



# CITY OF DEL MAR

## **AMERICANS WITH DISABILITIES ACT AND SECTION 504 GRIEVANCE PROCEDURE**

The City of Del Mar (“City”) has adopted this formal Grievance Procedure (“Procedure”) to meet the requirements of the Americans with Disabilities Act of 1990 (“ADA”)/Section 504 of the Rehabilitation Act 1973 (Section 504). This procedure should be followed by anyone who seeks to file a grievance (i.e., complaint) alleging disability discrimination by the City pertaining to City services, activities, programs, or benefits. The City’s Personnel Rules & Regulations Manual governs employment-related complaints of disability discrimination.

### **PROCEDURES FOR FILING A GRIEVANCE**

1. **Grievance Form/Americans with Disabilities Act:** A grievance shall be made in writing to the ADA Coordinator, or their designee, on the City’s ADA Grievance Form (“Form”). If the claimant’s disability prevents them from filing a written grievance, alternative means of filing a grievance will be made available for persons with disabilities upon request (e.g., personal interview, tape recording, etc.). The Form can be found online at <https://www.delmar.ca.us/862/Americans-with-Disabilities-Act-ADA> or at the office of the ADA/Section 504 Coordinator:

**Sarah Krietor, ADA/Section 504 Coordinator**  
**1050 Camino del Mar, Del Mar, CA 92014**  
[skrietor@delmar.ca.us](mailto:skrietor@delmar.ca.us); (858) 375-9517

2. **Deadline for Filing a Grievance:** A grievance should be filed with the ADA Coordinator as soon as possible, but no later than sixty (60) days after claimant becomes aware of the alleged violation.
3. **Investigation Process:** Within fifteen (15) calendar days of receiving the grievance, the ADA Coordinator, or their designee, shall meet with the claimant to discuss the grievance and possible resolutions. Within fifteen (15) calendar days of the meeting, the ADA Coordinator, or their designee, will respond in writing and, where appropriate, in a format accessible to the claimant, such as Braille or tape recording. The response will explain the position of the City and offer options for substantive resolution of the grievance.

- a. If the response by the ADA Coordinator, or their designee, does not satisfactorily resolve the issue, the claimant, or their designee may appeal the decision within fifteen (15) calendar days after receipt of the response to the City Manager or their designee by timely filing a written **“Request for Review of Decision of the ADA Coordinator”** delivered to the City Manager. **“Request for Review of Decision of the ADA Coordinator”** form can be obtained online at the City’s website <https://www.delmar.ca.us/862/Americanswith-Disabilities-Act-ADA> or at the office of the ADA Coordinator.
  - b. Upon receipt of the claimant’s written **“Request for Review of the Decision of the ADA Coordinator,”** the City Manager or their designee will meet with the claimant to discuss the grievance and possible resolutions.
  - c. The City Manager, or their designee, will review all relevant information including, but not limited to, the decision of the ADA Coordinator or their designee, the **“Request for Review Decision of the ADA Coordinator”** filed by the claimant, and any additional information presented at the meeting. Within fifteen (15) calendar days after the meeting, the City Manager or their designee will respond in writing and, where appropriate, in a format accessible to the claimant, with a final resolution to the grievance.
4. **Retention of Records:** All written grievances received by the ADA Coordinator or their designee, appeals to the City Manager or their designee, and responses from these two offices will be retained by the City for at least three (3) years.
  5. **Other Remedies:** The right of a person to a prompt and equitable resolution of the grievance filed under this Procedure shall not be impaired by or preclude the person’s pursuit of other remedies, such as filing of an ADA Complaint with the responsible federal department or agency. Use of this Procedure is not a prerequisite to claimant’s pursuit of other remedies.