



St. Bernard Parish Council

8201 West Judge Perez Drive Chalmette, Louisiana, 70043
(504) 278-4228 Fax (504) 278-4209
www.sbpq.net

#15

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, OCTOBER 4, 2016 AT SEVEN O'CLOCK P.M.

On motion of Mr. Gorbaty, seconded by Mr. Lewis, it was moved to **adopt** the following resolution:

RESOLUTION SBPC #1644-10-16

A RESOLUTION ADOPTING AN INTERNAL GRIEVANCE PROCEDURE PROVIDING FOR PROMPT AND EQUITABLE RESOLUTION OF COMPLAINTS ALLEGING ANY ACTION RESTRICTING HANDICAP ACCESS AS PROHIBITED BY THE REGULATION OF THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, 24 CFR PART 8, IMPLEMENTING SECTION 504 OF THE REHABILITATION ACT OF 1973 , AMENDED (PUBLIC LAW 93-112).

WHEREAS, St. Bernard Parish Government has been afforded the opportunity to participate in the Louisiana Community Development Block Grant Program (LCDBG) as administered by the Louisiana Division of Administration; and,

WHEREAS, the LCDBG program requires all grant recipients to adopt by resolution an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the regulation of the U.S. Department of Housing and Urban Development, 24 CFR Part 8, implementing Section 504 of the Rehabilitation Act of 1973, as amended (Public Law 93-112); and

WHEREAS, Section 504 states, in part: No otherwise qualified handicapped individual...shall, solely by reason of his handicap be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance" and

NOW THEREFORE BE IT RESOLVED the St. Bernard Parish Council, the governing authority of St. Bernard Parish Government, does hereby adopt the attached internal grievance procedure for the LCDBG program.

Kerri Callais
*Councilmember
at Large*

Richard "Richie" Lewis
*Councilmember
at Large*

Gillis McCloskey
*Councilmember
District A*

Nathan Gorbaty
*Councilmember
District B*

Howard Luna
*Councilmember
District C*

Wanda Alcon
*Councilmember
District D*

**Manuel "Monty"
Montelongo III**
*Councilmember
District E*

Roxanne Adams
Clerk of Council



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Kerri Callais
*Councilmember
at Large*

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October 4, 2016

Richard "Richie" Lewis
*Councilmember
at Large*

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

Gillis McCloskey
*Councilmember
District A*

YEAS: McCloskey, Gorbaty, Luna, Alcon, Montelongo, Lewis

NAYS: None

Nathan Gorbaty
*Councilmember
District B*

ABSENT: None

The Council Chair, Ms. Callais, cast her vote as **YEA**.

Howard Luna
*Councilmember
District C*

And the motion was declared **adopted** on the 4th day of October, 2016.

Wanda Alcon
*Councilmember
District D*

**Manuel "Monty"
Montelongo III**
*Councilmember
District E*

Roxanne Adams
Clerk of Council

CERTIFICATE

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, October 4, 2016.

Witness my hand and the seal
of the Parish of St. Bernard on
this 4th day of October, 2016.

ROXANNE ADAMS
CLERK OF COUNCIL

**INTERNAL GRIEVANCE PROCEDURE PROVIDING FOR IMPLEMENTING SECTION 504 OF
THE REHABILITATION ACT OF 1973
(PUBLIC LAW 93-112)**

The St. Bernard Parish Government has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the regulation of the U.S. Department of Housing and Urban Development, 24 CFR Part B, implementing Section 504 of the Rehabilitation Act of 1973, as amended (Public Law 93-112). Section 504 states in part in part: No otherwise qualified handicapped individual...shall, solely by reason of his handicap be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance". To further assist those who may have a grievance concerning Section 504 compliance, the Chief Administrative Officer, has been designated to coordinate the efforts of St. Bernard Parish Government to comply with requirements of Section 504 and its implementing regulation 24 CFR Part B.

1. A complaint should be in writing, contain the name and address of the person filing it, and briefly describe the action alleged to be prohibited by the regulation.
2. A complaint should be filed at the Chief Administrators Office (who will serve as the compliance coordinator) within a reasonable time after the person filing the complaint became aware of the action alleged to be prohibited by the regulation.
3. The CAO/compliance coordinator shall meet with the complainant within 15 days after receipt of the complaint to discuss the complaint and any possible resolution(s)
4. The CAO/compliance coordinator and/or his designee shall conduct such investigation of the complaint as may be appropriate to determine its validity. These rules contemplate internal but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to the complaint.
5. The CAO/compliance coordinator shall issue a written decision determining the validity of the complaint no later than thirty (30) days after its filing. The response will offer options for resolution of the complaint. The St. Bernard Parish Government shall be advised of any decision or resolution regarding the complaint.
6. If the decision of the CAO/compliance coordinator does not resolve the issue, the complainant may appeal the decision of the CAO/compliance coordinator within fifteen (15) days after receipt of the response to the St. Bernard Parish Council or their designee.
7. The St. Bernard Parish Council or their designee shall meet with the complainant within 15 days after receipt of the appeal to discuss the complaint and any possible resolution, within fifteen (15) days after the meeting the St. Bernard Parish Council or their designee will respond in writing, with a final resolution of the complaint.
8. The CAO/compliance coordinator shall maintain the files and records of St. Bernard Parish Government relating to the complaints filed hereunder.
9. The right of a person to 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 Department of Housing and Urban Development or other federal or State agencies. Utilization of this grievance procedure is not a prerequisite to the pursuit of other remedies. Complaints may be forwarded for disposition to the:
Office of Fair Housing and Equal Opportunity Department of Housing and Urban Development,
Washington, D.C. 20410

Complaints may also be files at any Regional or Field Office of the Department such as:
Department of Housing and Urban Development
Regional Office
Fair Housing and Equal Opportunity Division
P.O Box 2905
Fort Worth, TX 76113-2905

10. Determination made under these procedures shall be liberally constructed to protect the substantial rights of interested persons, to meet appropriate due process standards and to assure the compliance of the St Bernard Parish Government with Section 504 and its implementing regulation