

RESOLUTION NUMBER: 6510-2023

City of Sebastopol Resolution Approving a City of Sebastopol

REASONABLE ACCOMMODATIONS POLICY FOR CITY OF SEBASTOPOL BROWN ACT MEETINGS

Effective January 1, 2023, Government Code Section 54953(g) requires that all public agencies have and implement a procedure for receiving and swiftly resolving reasonable accommodation requests for individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132) and resolving any doubt in favor of accessibility. Requests may be made by any individual that participates or conducts the meeting, such as members of the public, staff, and members of the legislative body. This policy shall apply to all meetings of the City's legislative bodies and meetings open to the public, including, without limitation, the City Council, Planning Commission, Design Review Board, Public Arts Committee Climate Action Committee, and any City Meetings not listed open to the public.

It is the intention of the City to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at a meeting, needs special assistance beyond what is normally provided, the City will attempt to accommodate an attendee or participant at a meeting in every reasonable manner. It is requested that the City is notified of this request at least 72 hours before a meeting so that the City can make arrangements.

Readily Available Accommodations

Any of the following accommodations can be provided for a publicly noticed City meeting or meetings open to the public:

- Agendas and staff reports: Upon request, any agendas or staff reports can be made available in appropriate alternative formats to persons with a disability, including hyperlinks where appropriate so that the user can access the linked information.
- For individuals with hearing loss: Qualified interpreters (e.g., sign language interpreters) can be utilized, provided that the City is notified of this request at least 72 hours before a meeting so that the City can make arrangements.
- For individuals with visual impairments: Audio recordings of City Council, Planning Commission, Design Review Board, Public Arts Committee, Climate Action Committee, and any City Meetings not listed open to the public are available on the City's website. Additionally, City Council and Planning Commission, Design Review Board, Public Arts Committee, and Climate Action Committee meetings are streamed on the Internet (Either by Zoom, you tube, or Live Stream depending on meeting).
- For individuals with mobility impairments: ADA accessible facilities to access City Council, Planning Commission, Design Review Board, Public Arts Committee, Climate Action Committee, and any City Meetings not listed open to the public; closed circuit broadcast/Zoom/telephone access via Zoom.

Additional Accommodations (Upon Request)

Individuals who are deaf or hard of hearing, who are blind or have low vision, have mobility impairments, or have any other disability, may also request accommodation other than those readily available using the process outlined below. Accommodation should be requested as early as possible as additional time may be required in order to provide the requested accommodation. Note that an accommodation will be considered to be unreasonable and will not be provided if it imposes undue financial or administrative burdens on the City or requires a fundamental alteration in the nature of a program. If a particular accommodation is unreasonable, the City will offer an alternative accommodation that is reasonable.

Process to request an additional accommodation:

1. If you have any additional accommodation that is not identified above, please request any accommodation as soon as you can, preferably before the meeting you wish to attend, or at the meeting itself if necessary. The sooner the request is made, the more likely it is that the City can provide accommodation or an alternative. You can make this request yourself, or someone can make it on your behalf with your permission.

2. Your request can be made orally or in writing, and you should submit it to the ADA Coordinator by email: building@cityofsebastopol.org or to the City Clerk's Office so as to avoid delay in reviewing and processing the request. Requests can be made by contacting the ADA Coordinator's Office at (707) 823-8597, via email at building@cityofsebastopol.org or by mailing such a request to the ADA Coordinator's Office located at 7425 Bodega Avenue, Sebastopol, CA. Note that if you contact the ADA Coordinators Office, via mail, you need to make the request early enough that a response can be timely provided.

3. Your request for an accommodation must provide the following information:

(a) *What accommodation?* We need to know the type of accommodation you are seeking, and/or how the accommodation will allow you to access and participate in the meeting. You are not required to disclose the particular disability, instead a general statement of explanation will suffice. You may, but are not required to, submit a letter from a physician to the effect that the requested accommodation is required for you to access and participate in the meeting.

(b) *Contact information.* You must give staff current contact information so they can respond in a timely manner. This can be a mailing address, an email address, or telephone number, for example. Note that if only a mailing address is provided, you need to make the request early enough that a mailed response can be timely provided.

(c) *Which meeting or meetings?* Please specify if the accommodation is requested for a specific meeting, or for all or a series of meetings before a particular body.

Procedures for City Staff:

A. Any staff member who receives, or believes they may have received, an accommodation request, will promptly relay the request and the requestor's contact information to the ADA Coordinator, and City Clerk, City Manager, or City Attorney.

B. The City Attorney may be requested to assist in the review of requests and assist staff in providing a response to the requestor as soon as practicable.

C. All reasonable accommodation request responses shall be provided in writing, when such written response can be transmitted in a timely manner prior to the start of the specific meeting. Otherwise, the response will be provided orally. Responses will identify whether the accommodation is granted or granted in the alternative, and any instructions necessary to access the accommodation. If denied the response will identify the grounds for denial. City staff will document in writing requests and responses provided orally.

D. The law requires that all doubt be resolved in favor of accommodations. Staff will make reasonable efforts to communicate with requestors to obtain clarifications or to discuss whether alternative accommodation will be viable.

PASSED AND ADOPTED, by the CITY COUNCIL of THE CITY OF SEBASTOPOL, COUNTY OF SONOMA, of STATE OF CALIFORNIA on this 21st day of February, 2023.

I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the City of Sebastopol City Council by the following vote:

VOTE:

Ayes: Councilmembers Maurer, McLewis, Zollman, Vice Mayor Rich and Mayor Hinton

Noes: None

Absent: None

Abstain: None

APPROVED: 
Mayor Neysa Hinton

ATTEST: 
Mary Gourley, Assistant City Manager/City Clerk, MMC

APPROVED AS TO FORM: 
Larry McLaughlin, City Attorney