

CITY OF SAN MATEO
RESOLUTION NO. ____ (2023)

PUBLIC MEETING REASONABLE ACCOMODATION POLICY

WHEREAS, Government Code Section 54953(g) mandates that the legislative body of local agencies shall have and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation 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; and

WHEREAS, the City of San Mateo is committed to providing equal access and opportunity to all individuals, including those with disabilities; and

WHEREAS, the Americans with Disabilities Act (ADA) requires that public entities make reasonable accommodations to ensure that individuals with disabilities have access to programs, services, and activities.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN MATEO, CALIFORNIA, HEREBY RESOLVES that:

1. This policy adoption is not a project subject to CEQA, because it is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. (CEQA Guidelines Section 15378(b)(5).)

2. The Public Meeting Reasonable Accommodation Policy attached as Exhibit A to this resolution is approved and the City Manager is authorized to make non-substantive changes.



Staff Policies Manual

<i>Title:</i>	Public Meeting Reasonable Accommodation Policy		
<i>Policy #:</i>	###		
<i>Sponsored by:</i>	City Clerk's Office		
<i>Approved by:</i>	City Council		
<i>Date:</i>	Issued: ###/###/####	Amended:	__ / __ / __

Purpose

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.

Policy

It is the policy of the City that requests for reasonable accommodation may be made by any individual that attends or participates in a public meeting of a legislative body of the City of San Mateo.

Scope

This policy shall apply to all any person who participates in or attends a public meeting regarding the business of the City of San Mateo in any capacity. This policy shall apply to all public meetings of legislative bodies or ad hoc committees of the City of San Mateo.

If there is a conflict between the requirements of this policy or the procedures implementing the policy and a department's policy, the more restrictive shall apply, unless compliance with the more restrictive requirement would conflict with state or federal law.

Definitions

1. Public Meeting – Any meeting of a majority of the members of a legislative body at the same time and place to hear, discuss or deliberate on any item that is within the subject matter jurisdiction of the legislative body.
2. Reasonable Accommodation - Individuals with disabilities may request accommodations other than those readily available. 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.

Readily Available Accommodations

Any of the following accommodations can be provided for a public meeting included within the scope of this policy:

1. **Agendas and staff reports:** Upon request, any agenda or staff report 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.
2. **For individuals with hearing impairment:** Qualified interpreters (e.g., sign language interpreters) can be provided, if the City is notified of this request at least 48 hours before a meeting. Assisted listening devices are also available for use upon request.
3. **For individuals with visual impairments:** Audio recordings of public meetings included within the scope of this policy are available on the City's website. Additionally, public meetings are streamed on the Internet, by Zoom, and on the City's public access channel.
4. **For individuals with mobility impairments:** The City has ADA accessible facilities to access Council Chambers. Individuals can access meetings via television broadcast, Zoom video, and through telephone access via Zoom.

Additional Accommodations (Upon Request)

Individuals with disabilities may also request reasonable accommodations other than those readily available using the process outlined below. Accommodations should be requested as early as possible because additional time may be required 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 may offer an alternative accommodation that is reasonable.

Process to Request an Additional Accommodation:

1. Submitting a Request for Reasonable Accommodation:
 - a. For an additional accommodation not identified above, individuals should request an accommodation as soon as possible, preferably before the meeting they wish to attend, or at the start of the meeting itself if necessary. The sooner the request is made, the more likely it is that the City can provide the accommodation or an alternative.
 - b. Requests can be made orally or in writing and should be submitted to the City Clerk's Office so as to avoid delay in reviewing and processing the request. Requests can be made by contacting the City Clerk's Office at (650) 522-7040, via email to clerk@cityofsanmateo.org, or by mailing a request to the City Clerk's Office located at 330 W. 20th Avenue, San Mateo, CA 94403.

- c. Requests for an accommodation must provide the following information:
 - i. Meeting type, location and time: the individual submitting the request must state the name of the agency holding the meeting, as well as the location and time of the meeting.
 - ii. Accommodation being requested: the individual submitting the request may state how their participation within the public meeting will be limited without further accommodation. Individuals are not required to disclose a disability, a general statement of explanation will suffice.
 - iii. Contact information: In order to respond to the inquiry in a timely manner, the requestor must provide contact information, such as email address, telephone number. A mailing address may be provided, however this may impact a timely response to the request.

Procedures for City Staff

- 1. Receiving a Request for Reasonable Accommodation:
 - 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 City Clerk.
 - 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.
- 2. Responding to a Request for Reasonable Accommodation:
 - a. 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 otherwise be provided orally.
 - b. 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 requests and responses provided orally.
 - c. Staff will make reasonable efforts to communicate with requestors to obtain clarifications or to discuss whether alternative accommodations will be viable.

Policy History

- 1. This policy, titled "Public Meeting Reasonable Accommodation Policy" (Policy ###), was originally created in #, 2023 and was approved by the City Council on # ##, 2023.

Contact for this Policy

City Clerk

Approval

This policy was issued on **# ##, 2023** and approved by the City Council: