



AGENCY: City Council  
MEETING DATE: May 8, 2023  
DEPARTMENT: Administration  
PRESENTED BY: P. Ducey  
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## AGENDA ITEM SUMMARY

### **TITLE:**

**Receive Report and Consider Adopting the City Council Americans with Disabilities Act (“ADA”) Accommodation Request Policy for Meetings Subject to the Brown Act.**

### **ISSUE:**

The Americans with Disabilities Act imposes requirements relating to accommodation requests made by those with disabilities. The crux of this requirement is that accessibility and meaningful participation in public meetings is assured for all people. Current ADA provisions require cities to adopt a stated policy, outlining procedures to receive and act on reasonable ADA accommodation requests for accessibility to public meetings.

### **ANALYSIS:**

Accessible meetings create a level playing field for participants with disabilities. For public meetings to be successful, everyone involved must have an equal opportunity to contribute to the legislative discussion.

Three components are key in providing accessible meetings to people with disabilities:

- Where the meeting is held;
- How the meeting room furniture is arranged;
- How the meeting information is communicated.

### **Accessible Meeting Location**

Accessible meeting locations are of primary importance to people with mobility and visual disabilities. Minimum requirements for public meetings include easily located parking, an identifiable route to the building entrances, accessible and electronic building entrances, and an open route to the meeting room and restrooms. The City of Fort Bragg holds City Council, Planning Commission, and Council Committee meetings in its Town Hall, which is fully accessible to all participants.

### **Accessible Room Set-Up**

The meeting room arrangement must have an accessible floor plan where people using mobility devices (e.g., wheelchairs, scooters, walkers, crutches, canes) can maneuver easily and use amenities independently. Fort Bragg Town Hall is set up with wide aisles on both sides of the room and down the middle, all of which easily accommodate mobility devices.

### **Accessible Presentation of Meeting Content**

ADA requires that local governments communicate effectively with people with communication disabilities, with the ultimate goal that information provided to people with disabilities is equally effective as communication for people without disabilities. These

effective ADA communication rules ensure that people with vision, hearing, or speech disabilities can communicate with, receive information from, and convey information to the legislative body. Accessible meetings' presentations permit all participants equal access to the meetings content. Auxiliary aids and services bridge communication between people who are deaf or have hearing loss or have visual challenges.

The City of Fort Bragg hosts their public meetings in a hybrid fashion which is very effective in providing a variety of ways for the public to participate. These public meetings are televised via the City's local cable channel and through ZOOM and permit anyone to watch meetings from other locations besides Town Hall. These broadcasts have real-time closed captioning and participants may provide oral public comments during meeting discussions, either by phone or via Zoom. Public comments may also be submitted in writing before or during the meeting via the City Clerk.

When choosing an aid or service, government entities shall consider the aid or service requested by the person with a communication disability. Local government must honor the person's requested accommodation unless it can demonstrate that another equally effective means of communication is available or that the use of the means chosen would result in a fundamental alteration in the meeting process. In those instances, the public agency shall provide an alternative aid or service that provides effective communication.

Based upon the foregoing, the attached Resolution and Policy will provide direction to staff to address disability accommodations and still be able to consider legal limitations to requests. The attached Resolution adopts an ADA Accommodation Request Policy and directs City staff to make modifications to the City's agenda templates (including City Council, Planning Commission, and Council Committees) in a manner consistent with the ADA Accommodation Request Policy.

**RECOMMENDED ACTION:**

Adopt Resolution to approve the City of Fort Bragg Americans with Disabilities Act ("ADA") Accommodation Request Policy for Meetings Subject to the Brown Act.

**ALTERNATIVE ACTION(S):**

Provide alternative direction to staff regarding Policy and/or Resolution.

**FISCAL IMPACT:**

Depends on the nature of the ADA requests.

**GREENHOUSE GAS EMISSIONS IMPACT:**

None.

**CONSISTENCY:**

None.

**IMPLEMENTATION/TIMEFRAMES:**

None.

**ATTACHMENTS:**

1. ADA Implementation Resolution
2. Reasonable Accommodation Policy

**NOTIFICATION:**

“Notify Me” subscriber list.