

From: [Jacob Patterson](#)
To: [Lemos, June](#)
Cc: [Ducey, Peggy](#)
Subject: Public Comment -- 5/8/2023 CC mtg., Item No. 8D, Meeting Accommodations
Date: Monday, May 08, 2023 11:45:41 AM

City Council,

I like the proposed approach but I have a few suggested tweaks:

First, the form (like all City forms) should be available in Spanish as well as English. I would have liked to see that included in the agenda materials so people could review the translations for accuracy.

Second, the City will need to offer alternative means for people to request accommodations rather than just doing it in writing using this form. For example, someone may be visually impaired and need to submit their requests orally rather than necessarily using a written form. A note on that option should be included in the form along with the City Clerk Office's phone number.

Third, the draft administrative policy only lists closed captioning as benign available for hearing impaired meeting participants but the City also offers assisted listening devices at Town Hall for in-person participation. That should be listed in the policy too since many accommodations would apply to in-person attendance that might not apply to someone participating remotely.

Fourth, the 15-day review period is too long. The City currently asks for meeting accommodation requests to be submitted at least 48 hours in advance of the meeting. That makes sense since the agendas need to be posted 72 hours in advance and people can't know to request an accommodation for a meeting if they are not aware of the need to make that request when the meeting and its particular agenda items are not agendaized yet. These requests should be accepted and processed up until the actual meeting whenever possible and they should be processed with as much speed as is practical.

Fifth (and finally), the policy asserts that "City has the ultimate discretion to choose between effective accommodations" but I don't think that is literally accurate. The City may exercise reasonable discretion but relevant officials don't have ultimate or unchecked discretion to make those determinations. The City needs to make these determinations according to the applicable legal framework and that doesn't allow unfettered discretion. If the discretion is abused and reasonable accommodations are denied improperly, the City's determinations are subject to review and oversight by relevant state and federal agencies as well as judicial oversight. Like all things, City officials must balance the exercise of discretion with the protected rights of the parties involved in any particular matter. In this case, the rights of differently-abled members of the public to fully participate in City programs and services, which sometimes requires adjustments to the physical environment or to practices, policies, and procedures, need to be recognized and respected as City officials make these determinations about requested accommodations.

Regards,

--Jacob

