

RESOLUTION NO. 2023-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA, IMPLEMENTING A PROCEDURE FOR RECEIVING AND RESOLVING REASONABLE ACCOMMODATIONS FOR INDIVIDUALS WITH DISABILITIES FOR BROWN ACT MEETINGS

RECITALS

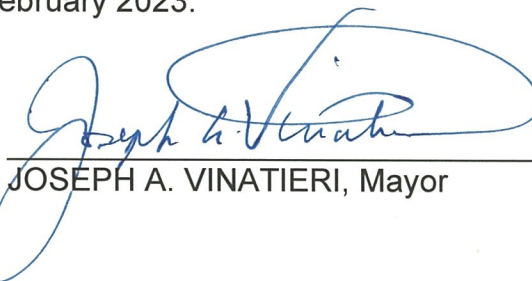
- A. Effective January 1, 2023, Government Code Section 54953(g) requires that all public agencies have and implement a procedure for receiving and swiftly resolving reasonable accommodation requests for individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and resolving any doubt in favor of accessibility.

THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA, DOES RESOLVE AS FOLLOWS:

SECTION 1. The City of Whittier adopts the following Reasonable Accommodation Policy for Brown Act Meetings as provided in Exhibit A.

SECTION 2. The City Clerk shall certify to passage and adoption thereof.

APPROVED AND ADOPTED this 28th day of February 2023.



JOSEPH A. VINATIERI, Mayor

ATTEST:



RIGOBERTO GARCIA JR., City Clerk
(seal)

Exhibit A - Reasonable Accommodation Policy for Brown Act Meetings

I CERTIFY THAT THE FOREGOING RESOLUTION NO. 2023-22 was passed and adopted by the City Council of the City of Whittier at the regular meeting held on the 28th day of February 2023, by the following vote:

AYES: 5 Council Members: Vinatieri, J. Martinez, Dutra, Warner, O. Martinez
NOES: 0
ABSTAIN: 0
ABSENT: 0



RIGOBERTO GARCIA JR., City Clerk
(seal)

REASONABLE ACCOMMODATIONS POLICY FOR CITY OF WHITTIER 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 and advisory bodies.

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 and font sizes 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 48 hours before a meeting so that the City can make arrangements.
- For individuals with visual impairments: Audio recordings of City Council and Planning Commissions are available on the City's website. Additionally, City Council and Planning Commission meetings are streamed on the City's website and on the City's public access channel.
- For individuals with mobility impairments: ADA accessible facilities to access council chambers and closed circuit broadcast in the City Hall lobby.

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 accommodations other than those readily available using the process outlined below. Accommodations 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 meeting. 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 an additional accommodation that is not identified above, please request an 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 the 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 should be submitted to the City Clerk's Office. Requests can be made by contacting the City Clerk's Office at (562) 567-9850, via email to ccd@cityofwhittier.org, or by mailing such a request to the City Clerk's Office located in Whittier City Hall (13230 Penn Street, Whittier CA 90602).

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. 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 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.

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 otherwise 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 and the grounds for denial. City staff will document 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 accommodations will be viable.

