

COUNCIL POLICY			
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REQUESTS FOR REMOTE PARTICIPATION ACCOMMODATION FOR LEGISLATIVE BODY MEMBERS WITH DISABILITIES	XXX-XX		1 of 2

1. BACKGROUND:

Senate Bill 707 (2025) clarified that the Raph M. Brown Act ("Brown Act") allows a member of a legislative body with a disability to participate remotely in any meeting of the legislative body as a reasonable accommodation pursuant to applicable law.

2. PURPOSE:

The Brown Act requires a remote participation accommodation be given to any legislative body member who is unable to participate in meetings of the legislative body in-person due to a qualifying disability ("Remote Participation Accommodation") when required under applicable state and federal law. The purpose of this policy is to outline the process for legislative body members with a qualifying disability to request a Remote Participation Accommodation and for the City to evaluate and grant requests when reasonably required pursuant to applicable law.

3. POLICY:

The City of Santa Rosa will process requests made by members of legislative bodies for a Remote Participation Accommodation in a prompt, fair, and efficient manner.

3.1. PROCESS FOR REQUESTING A REMOTE PARTICIPATION ACCOMMODATION

A city council member or board/commission member who has a disability and requires a Remote Participation Accommodation should make that request by contacting the City Clerk's Office at 707-543-3015 (TTY Relay at 711) or cityclerk@srcity.org. The e-mail subject line should read "ADA Remote Participation Accommodation Request" and the e-mail should include the following information:

1. Council or Board/Commission Member's Name and Telephone Number.
2. Legislative Body upon which the Member serves and for which the Remote Participation Accommodation is requested.
3. Term-end date of the Member.
4. A self-attestation that the Remote Participation Accommodation is needed as a result of a disability and a general description of why it is needed.
 - a. A general description ordinarily need not exceed 20 words and shall not require the member to submit medical documentation or disclose any specific medical diagnosis or disability.
5. Estimated duration of the disability-based need for the Remote Participation Accommodation.

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The City Clerk's Office shall forward the request to ada@srcity.org with a copy to the Director of Human Resources or designee. Please also allow at least two business days for a response to your request before following up with the City Clerk's office. The Director of Human Resources or designee may request written verification of the need for a Remote Participation Accommodation from a medical provider for any request which exceeds thirty (30) or more days in a twelve (12) month period.

The Director of Human Resources or designee is authorized to make final decisions to grant or deny reasonable Remote Participation Accommodation requests made by members of city council or boards/commissions consistent with all applicable laws related to Remote Participation Accommodation requests.

The Director of Human Resources or designee shall determine, based on an individualized, case-by-case factual analysis and applicable laws, whether the city council member or board/commission member's request for a Remote Participation Accommodation is a reasonable accommodation under applicable laws. The member is not required to publicly disclose any diagnosis or medical information. To the extent the Remote Participation Accommodation request is granted, the Director of Human Resources, or designee, shall, after consultation with the City Attorney's Office, provide the member in writing with the then-current Brown Act requirements that apply when using a Remote Participation Accommodation.

Individuals may be granted a Remote Participation Accommodation on a permanent basis or on a temporary basis. The duration of any accommodation will be determined in accordance with the individual's disability-related needs. There is no limit on the number of meetings an individual may participate in using the Remote Participation Accommodation; the individual may attend remotely for the duration permitted by their approved accommodation.

3.2. CONFIDENTIALITY

Disability-related medical information provided to the City by a city council member or board/commission member shall be treated as confidential to the same extent as confidential personnel information and is not a disclosable public record under the California Public Records Act. (See Gov't. Code § 7927.700.) The Director of Human Resources or designee shall advise the City Manager, City Clerk, City Attorney, and staff liaison for the legislative body, of any approved Remote Participation Accommodation.