

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF MERCED, CALIFORNIA, ADOPTING
ADMINISTRATIVE POLICY AND
PROCEDURE C-9, LEGISLATIVE BODY
REASONABLE ACCOMMODATION POLICY
FOR REMOTE PARTICIPATION AT
MEETINGS SUBJECT TO THE BROWN ACT**

WHEREAS, the California Legislature passed Senate Bill 707 (“SB 707”), which enacted an extensive update and reorganization of the Ralph M. Brown Act (California Government Code Section 54950 et seq.) in many respects; and,

WHEREAS, in light of these changes, the City of Merced must adopt certain policies to remain in compliance; and,

WHEREAS, the City of Merced wishes to enable participation of in legislative body meetings that are subject to the Brown Act through remote participation for a qualifying member of a legislative body whose disability precludes their in-person attendance; and,

WHEREAS, the City of Merced wishes to memorialize its continued adherence to California Attorney General Opinion No. 23-1002, which addressed the applicability of the Americans with Disabilities Act (“ADA”) to meetings subject to the Brown Act; and,

WHEREAS, the opinion stated that not every disability necessitates remote participation, because not every disability precludes in-person attendance, and therefore, a fact intensive, individualized, case-by-case inquiry is required when considering remote participation as a reasonable accommodation; and,

WHEREAS, the City of Merced wishes to formally adopt a written procedure for receiving and swiftly resolving reasonable accommodation requests for members of the City of Merced legislative bodies, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Section 12132) and resolve any doubt in favor of accessibility.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MERCED DOES HEREBY RESOLVE, DETERMINE, FIND, AND ORDER AS FOLLOWS:

SECTION 1. That Administrative Policy and Procedure C-9, Legislative Body Reasonable Accommodation Policy for Remote Participation at Meetings Subject to the Brown Act is adopted and effective immediately.

PASSED AND ADOPTED by the City Council of the City of Merced at a regular meeting held on the ____ day of _____, 2026, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:
MATTHEW SERRATTO, MAYOR

Mayor

ATTEST:

D. SCOTT MCBRIDE, CITY CLERK

BY: _____
Assistant / Deputy City Clerk

(SEAL)

APPROVED AS TO FORM:


CRAIG J. CORNWELL, City Attorney