



City of Highland

Penny Lilburn, Mayor
District 3

Jimmy Saldana, Mayor Pro Tem
District 2

Gregory Hogan, Councilmember
District 1

Larry McCallon, Councilmember
District 5

John P. Timmer, Councilmember
District 4

City Council Adjourned Regular Meeting Agenda

May 26, 2026 at 6:00 PM
City Hall Donahue Council Chambers
27215 Base Line, Highland, CA 92346

Staff

Carlos Zamano, City Manager
Lawrence Mainez, Community Development Director
Leticia Nava-Cruz, Director of Administrative Services/City Treasurer
Octavio Duran Jr., Public Works Director/City Engineer
Maricela Marroquin, City Attorney
Alondra Muñoz, City Clerk

Mission Statement

Highland is dedicated to the betterment of the individual, the family, the neighborhood and the community. The City Council and the staff of Highland are dedicated to providing the quality of public facilities and services that its citizens are willing to fund and will do so as efficiently as possible.

In compliance with the Brown Act, any writings or documents provided to a majority of the legislative body regarding any item on this agenda, that are not exempt from disclosure under the California Public Records Act, will be made available for public inspection at City Hall, 27215 Base Line Highland, CA 92346, during normal business hours. Such documents will also be made available on the City's website at www.highlandca.gov.

In compliance with the Americans with Disabilities Act (ADA), if you need special assistance, please contact the City Clerk's office at (909) 864-6861, ext. 226, at least 72 hours prior to the meeting for any requests for reasonable accommodations, including interpreters.

Levine Act: Pursuant to Government Code Section 84308, any party to a City proceeding must disclose on the record any campaign contributions made to a member of the City Council (or commission) in excess of \$500 in the past 12 months. This disclosure requirement includes contributions by the party's agent and aggregated contributions from persons or entities related to the party. Please make the disclosure as soon as possible, but no later than the beginning of the proceeding.

Call to Order

Roll Call

Public Comment

To address the City Council, please complete a speaker form located at the entrance and give it to the City Clerk prior to the beginning of the meeting. Your name will be called when it is your turn to speak. State Law prohibits the City Council from acting on any item not on the agenda. Individual speakers are limited to 3 minutes each. For those wishing to make public comments by email, please submit your comments by 5:00 p.m. on May 26, 2026, to publiccomment@highlandca.gov. If you are submitting a public comment pertaining to an item on the agenda, please identify the agenda item number. Members of the public may submit comments on public hearing items at any time before the meeting, as well as during the meeting up until the close of the public hearing for the respective item.

City Council Consent Calendar

1. Waive the Reading of All Ordinances

Waive the reading of all ordinances in their entirety and read by title only.

2. San Bernardino County Sheriff's Department Schedule A Amendment for FY 2026/2027 and Amendment No. 6 to the Reimbursement Agreement Between the City of Highland & East Valley Water District (EVWD) for Law Enforcement Services for FY 2026/2027

1. The Finance/Personnel Subcommittee recommends the City Council authorize the Mayor to execute the amended Schedule A contract (FY 2026/2027) for Law Enforcement Services with the San Bernardino County Sheriff's Department, including the addition of two deputy positions, for a new not to exceed amount of \$16,648,903;
2. Approve a budget adjustment for Fiscal Year 2026/2027 in the amount of \$1,219,748, transferring funds from Account No. 001.2520 (Continuing Appropriation Fund Balance) to Account No. 001.2000.4560; and
3. Approve Amendment No. 6 to the Reimbursement Agreement between the City of Highland and East Valley Water District (EVWD) for Law Enforcement Services (FY 2026/2027) in the amount of \$365,066 and authorize the Mayor to execute said agreement.

City Council Legislative

3. Contract Amendment with the California Department of Forestry and Fire Protection – (Cal-Fire) for the Period of July 1, 2025 – June 30, 2030
 1. Approve the proposed Cal-Fire contract amendment for the period of July 1, 2025 – June 30, 2030, at an amount not to exceed \$46,934,092;
 2. Authorize the Mayor to sign the contract amendment; and
 3. Adopt the attached Resolution approving the proposed contract amendment.

4. Adoption of Resolution No. 2026-_____ Repealing Resolution No. 2022-001 Relating to City Council Meeting Procedures and Incorporating Senate Bill 707 Requirements and Adopting Reasonable Accommodation, Technology Disruption and Meeting Disruption Policies

Adopt Resolution No. _____, repealing Resolution No. 2022-001 establishing revised City Council Meeting Procedures to incorporate the requirements of Senate Bill 707 relating to teleconferencing, remote public participation, meeting accessibility, and technological disruption procedures.

5. City Manager Report and Comments (Work Program, Regional/Legislative/ Development Issues, Subcommittees, etc.)

Discussion and possible action.

6. Councilmember Comments (Agency/Committee/AB 1234 Reports, District Updates, etc.)

Discussion and possible action.

Announcements**Closed Session****CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

Government Code Section 54956.9(d)(2)

A point has been reached, where, based on the opinion of the City Council, based on existing facts and circumstances, there is significant exposure to litigation against the City.

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Government Code Section 54956.9(d)(1)

Orian v. City of Highland, United States District Court Case Number 5:25-cv-02841-JGB-AGR

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Government Code Section 54956.9(d)(1)

Name of case: City of Highland v. Pathak, et. al, San Bernardino County Court Case Number CIVSB2521254

Adjourn

Regular Meetings

Effective March 1, 2022, pursuant to Resolution No. 2022-001, the regular City Council meetings will be held once a month on the second Tuesday of each month. The next regular meeting of the City Council is scheduled for June 9, 2026.

Certification

I, Alondra Muñoz, City Clerk, or my designee, hereby certify that the foregoing agenda was posted on our website at www.highlandca.gov and in the following designated areas: Highland Branch Library (7863 Central Avenue), Fire Station No. 1 (26974 Base Line), and City Hall (27215 Base Line) at least seventy-two (72) hours prior to the meeting per Government Code Section 54954.2.



Staff Report

to the City Council

Agenda
Item
No.1.

Date: May 26, 2026
From: Carlos Zamano, City Manager
Reviewed By: Alondra Muñoz, City Clerk
Prepared By: Lissette Nock, Deputy City Clerk
Subject: Waive the Reading of All Ordinances

Recommendation:

Wave the reading of all ordinances in their entirety and read by title only.

Fiscal Impact:

None

Public Notice:

The agenda for this item was posted at the three locations per Resolution No. 2011-047 and on the City's website.

Background:

Under California Government Code Section 36934, before adopting an ordinance, the title of the ordinance must be read in full or by title only. Government Code Section 36933 further allows the legislative body to waive the reading of the ordinance in full, provided that the ordinance has been made available to the public and the Council by title and in writing. Copies of all proposed ordinances are included in the City Council agenda packet, made available to the public in advance, and posted on the City's website.

Attachments:

None



Staff Report

to the City Council

Agenda
Item
No.2.

Date: May 26, 2026
From: Carlos Zamano, City Manager
Reviewed By: Carlos Zamano, City Manager
Maricela Marroquin, City Attorney
Prepared By: Tish Nava-Cruz, Director of Administrative Services/City Treasurer
Subject: San Bernardino County Sheriff's Department Schedule A Amendment for FY 2026/2027 and Amendment No. 6 to the Reimbursement Agreement Between the City of Highland & East Valley Water District (EVWD) for Law Enforcement Services for FY 2026/2027

Recommendation:

1. The Finance/Personnel Subcommittee recommends the City Council authorize the Mayor to execute the amended Schedule A contract (FY 2026/2027) for Law Enforcement Services with the San Bernardino County Sheriff's Department, including the addition of two deputy positions, for a new not to exceed amount of \$16,648,903;
2. Approve a budget adjustment for Fiscal Year 2026/2027 in the amount of \$1,219,748, transferring funds from Account No. 001.2520 (Continuing Appropriation Fund Balance) to Account No. 001.2000.4560; and
3. Approve Amendment No. 6 to the Reimbursement Agreement between the City of Highland and East Valley Water District (EVWD) for Law Enforcement Services (FY 2026/2027) in the amount of \$365,066 and authorize the Mayor to execute said agreement.

Fiscal Impact:

The fiscal impact of the amended Schedule A for FY 2026/2027 is \$16,648,903, of which \$365,066 will be reimbursed by EVWD. There are not sufficient funds in the FY 2026/2027 budget and a budget adjustment of \$1,219,748 from 001.2520 (Continuing Appropriation Fund Balance) to be expended from 001.2000.4560 is being requested.

Public Notice:

The agenda for this item was posted at the three locations per Resolution No. 2011-047 and on the City's website.

Background:

The proposed FY 2026/2027 Schedule A reflects an overall increase of \$1,914,007 (from \$14,734,896 to \$16,648,903) compared to the FY 2025/2026 amended Schedule A. This increase includes enhancements to service levels, specifically the addition of two deputy

positions and one additional patrol vehicle.

A detailed breakdown of the \$1,914,007 increase by line item is provided in Attachment 3. A primary driver of the increase is higher costs associated with Personnel Liability and Bonding, as well as Vehicle Insurance. Recognizing the significant impact of these rising premiums, the Sheriff's and the County Administrative Office presented an item to the County Board of Supervisors on May 5 requesting approval of a one-time \$5 million subsidy to offset liability insurance increases for FY 2026/2027. This subsidy was approved and is reflected in the current proposed agreement.

The cost of the deputy assigned to East Valley Water District (EVWD) is \$365,066. EVWD has been notified of this amount and is expected to remit payment to the City on or around July 1, 2026. This cost includes salary and benefits, a marked patrol unit, equipment, and all associated insurance, including personal liability and vehicle coverage. EVWD will provide a workspace for the deputy; however, command and control will remain under the direction of the Highland Police Department Command Staff.

The assigned deputy will continue to support EVWD operations by providing security at all EVWD facilities, conducting investigations involving EVWD property, assisting personnel with customer-related conflicts, and providing standby support during certain water shutoff operations.

Additional Budget Context:

The City originally budgeted \$15,429,155 for the FY 2026/2027 Sheriff's contract. However, because the increase is significantly higher than anticipated, a budget adjustment is required. At fiscal year-end 2024/2025, and at the direction of the City Manager, \$500,000 was added to reserves for continuing appropriations in anticipation of rising costs. Additionally, East Valley Water District will fund one deputy position in the amount of \$365,066, reducing the net impact on the City. After accounting for these offsets and the one-time subsidy from San Bernardino County, the remaining funding gap is \$354,682. Any realized surplus at fiscal year-end 2025/2026, if not needed for other priorities, will be placed into continuing appropriations to help offset this difference.

This item was presented to the Finance/Personnel Subcommittee on May 19, 2026, and they have recommended approval. An executed Schedule A Amendment is due to the Sheriff's Bureau of Administration by June 4, 2026.

Attachments:

1. FY 2026-27 Schedule A (Proposed) 44th amendment
2. FY 2025-2026 Schedule A (actual) 43rd amendment
3. Comparison of FY 2025-2026 Schedule A (actual) to FY 2026-2027 Schedule A (proposed)
4. FY 2026-2027 Amendment No. 6 to the Reimbursement Agreement Between the City of Highland & East Valley Water District for Law Enforcement Services

Attachment 1

FY 2026-2027 Schedule A (proposed) 44th amendment



Contract Number

94-522 A-44

SAP Number

N/A

Sheriff/Coroner/Public Administrator

Department Contract Representative	Carolina Mendoza, Chief Deputy Director of Sheriff's Administration
Telephone Number	(909) 387-0640
Contractor	City of Highland
Contractor Representative	Penny Lilburn, Mayor
Telephone Number	(909) 864-6861
Contract Term	07/01/2026 through 06/30/2027
Original Contract Amount	\$ 16,648,903
Amendment Amount	-----
Total Contract Amount	\$ 16,648,903
Cost Center	4413161000

IT IS HEREBY AGREED AS FOLLOWS:

AMENDMENT No. 44

Effective July 1, 2026, Contract No. 94-522 to provide law enforcement services to the City of Highland is hereby amended by replacing the Schedule A referred to in Section II. CONSIDERATION with the new Schedule A that is attached hereto and incorporated herein by this reference.

Except as amended, all other terms and conditions of this Contract remain as stated therein.

[With the exception of signatures, this page is intentionally left blank].

SAN BERNARDINO COUNTY

►

Dawn Rowe, Chair, Board of Supervisors

Dated: _____
SIGNED AND CERTIFIED THAT A COPY OF THIS
DOCUMENT HAS BEEN DELIVERED TO THE
CHAIRMAN OF THE BOARD

Lynna Monell
Clerk of the Board of Supervisors
San Bernardino County

By _____
Deputy

City of Highland

(Print or type name of corporation, company, contractor, etc.)

By ► _____
(Authorized signature - sign in blue ink)

Name Penny Lilburn

(Print or type name of person signing contract)

Title Mayor

(Print or Type)

Dated: _____

Address 27215 Base Line

Highland, CA 92346

FOR COUNTY USE ONLY

Approved as to Legal Form

►

Grace B. Parsons, Deputy County Counsel

Date _____

Reviewed for Contract Compliance

►

Date _____

Reviewed/Approved by Department

►

Carolina Mendoza, Chief Deputy Director of
Sheriff's Administration

Date _____

SCHEDULE A
Law Enforcement Services Contract
City of Highland
2026-27

Add 2 Deputy Sheriff & 1 Marked Unit

<u>LEVEL OF SERVICE</u>	<u>FY 2026-27</u>
	<u>COST</u>
1.00 - Captain	\$ 595,439 ¹
1.00 - Lieutenant	445,093 ¹
6.00 - Sergeant	2,170,278 ¹
3.00 - Detective/Corporal	930,933 ¹
30.00 - Deputy Sheriff	7,910,220 ¹
4.00 - Sheriff's Service Specialist	419,652 ¹
1.00 - Administrative Assistant	102,422 ¹
5.00 - Law & Justice Office Specialist	522,370 ¹
16.00 - Marked Unit	367,764 ²
1.00 - Marked 4x4 Chevrolet Silverado	24,421 ²
7.00 - Unmarked Unit	79,768 ²
1.00 - Mini-Van	10,478 ²
2.00 - Command Staff Vehicle	32,299 ²
2.00 - Pickup truck	23,114 ²
2.00 - Citizen Patrol Truck	19,394 ²
1.00 - Citizen Patrol Donated SUV (Equip & Comm Only)	2,530 ³
Dispatch Services	803,220 ¹
66.00 - HTs (Amortization, Access & Maintenance)	137,412
4.00 - Additional MDCs	3,881
Administrative Support	66,310
Office Automation	162,902
Axon Contract	99,391
Vehicle Insurance	258,177
Personnel Liability & Bonding	1,224,493
Workers' Comp Experience Modification	26,547
County Administrative Cost	201,241
Startup Cost	9,154
Cost for FY2026-27	\$ 16,648,903 ¹⁻⁵

Monthly Payment Schedule

1 st payment due July 15, 2026:	\$1,387,404
2 nd through 12 th payments due the 5 th of each month:	\$1,387,409

-
- ¹ Personnel costs include salary and benefits and are subject to change by Board of Supervisors' action. Changes in salary and benefit costs will be billed to the City on a quarterly invoice.
- ² Vehicle costs do not include fuel and maintenance. The City is responsible for fuel, repair and maintenance of all contract vehicles, including collision damage. All fuel, repair and maintenance costs incurred by the County will be billed to the City on a quarterly invoice.
- ³ No replacement cost is included for grant funded or donated vehicles.
- ⁴ Services and supplies will be billed to the City on a quarterly invoice.
- ⁵ Grant funded, donated and non-replaceable vehicles will incur a vehicle insurance and equipment connection cost for the period the vehicle is in use.

SCHEDULE A
Law Enforcement Services Contract
City of Highland
2026-27

Additional Costs Billed Quarterly:

The City will be billed on a quarterly basis for the following items:

- Increase to salaries and benefits resulting from Board of Supervisors-approved changes to Memoranda of Understanding with the County's various employee organizations.
- Actual overtime costs.
- Actual on-call costs.
- Actual costs of vehicle fuel, repair and maintenance, including the costs of collision repair.
- Actual costs for services and supplies.

LEVEL OF SERVICE SUMMARY

SAFETY:

Captain	-	1.00
Lieutenant	-	1.00
Sergeant	-	6.00
Detective/Corporal	-	3.00
Deputy Sheriff	-	30.00
		41.00

GENERAL:

Sheriff's Service Specialist	-	4.00
Administrative Assistant	-	1.00
Law & Justice Office Specialist	-	5.00
Dispatchers	-	4.89
		14.89

VEHICLES:

Marked Patrol Units	-	17.00
Safety Unmarked Units	-	7.00
Command Staff Units	-	2.00
Unmarked Units Non-code (Van)	-	1.00
Pickup Trucks	-	2.00
Citizen Patrol	-	2.00
Donated Vehicles-Ins Only	-	9.00 *
		40.00

DONATED VEHICLES LIST:

Citizen Patrol SUV	-	1.00 *
Command Post	-	1.00 *
Light Tower Trailer	-	2.00 *
Utility Trailer-Smart	-	1.00 *
Utility Trailer-Zieman	-	1.00 *
Utility Trailer-Mighty Mover	-	1.00 *
Kawasaki UTV	-	1.00 *
Polaris Ranger	-	1.00 *
		9.00 *

* (Included for insurance costs only)

Attachment 2

FY 2025-2026 Schedule A (actual) 43rd amendment

THE INFORMATION IN THIS BOX IS NOT A PART OF THE CONTRACT AND IS FOR COUNTY USE ONLY



Contract Number

94-522 A-43

SAP Number

N/A

Sheriff/Coroner/Public Administrator

Department Contract Representative	<u>Carolina Mendoza, Chief Deputy Director of Sheriff's Administration</u>
Telephone Number	<u>(909) 387-0640</u>
Contractor	<u>City of Highland</u>
Contractor Representative	<u>Penny Lilburn, Mayor</u>
Telephone Number	<u>(909) 864-6861</u>
Contract Term	<u>07/01/2025 through 06/30/2026</u>
Original Contract Amount	<u>\$13,866,585</u>
Amendment Amount	<u>\$868,312</u>
Total Contract Amount	<u>\$14,734,897</u>
Cost Center	<u>4413161000</u>

IT IS HEREBY AGREED AS FOLLOWS:

AMENDMENT No. 43

Effective October 4, 2025, Contract No. 94-522 to provide law enforcement service to the City of Highland is hereby amended by replacing Schedule A referred to in Section II. CONSIDERATION, with the Schedule A attached hereto and incorporated herein by this reference.

Except as amended, all other terms and conditions of this Contract remain as stated therein.

[With the exception of signatures, this page is intentionally left blank].

SAN BERNARDINO COUNTY

Joe Baca, Jr.

Joe Baca, Jr. Vice Chair,

Dated: DEC 16 2025

SIGNED AND CERTIFIED THAT A COPY OF THIS DOCUMENT HAS BEEN DELIVERED TO THE CHAIRMAN OF THE BOARD

Lynna Monell
Clerk of the Board of Supervisors
San Bernardino County

By Deputy



City of Highland

(Print or type name of corporation, company, contractor, etc.)

By

Penny Lilburn

(Authorized signature - sign in blue ink)

Name Penny Lilburn

(Print or type name of person signing contract)

Title Mayor

(Print or Type)

Dated:

Address 27215 Base Line

Highland, CA 92346

FOR COUNTY USE ONLY

Approved as to Legal Form

Grace B. Parsons
Grace B Parsons, Deputy County Counsel

Date 12/03/2025

Reviewed for Contract Compliance

Date

Reviewed/Approved by Department

Carolina Mendoza
Carolina Mendoza, Chief Deputy Director of Sheriff's Administration

Date 12/3/2025

**SCHEDULE A
Law Enforcement Services Contract
City of Highland
2025-26**

<u>LEVEL OF SERVICE</u>	<u>COST</u>	<u>MOU INCREASES (EFF. 10/4/25)</u>	<u>TOTAL NEW CONTRACT AMOUNT (EFF. 10/4/25)</u>
1.00 Captain	\$ 577,765 ¹	\$ -	\$ 577,765 ¹
1.00 Lieutenant	396,969 ¹	34,093 ¹	431,062 ¹
6.00 Sergeant	1,949,112 ¹	154,914 ¹	2,104,026 ¹
3.00 Detective/Corporal	827,292 ¹	75,681 ¹	902,973 ¹
28.00 Deputy Sheriff	6,430,116 ¹	603,624 ¹	7,033,740 ¹
4.00 Sheriff's Service Specialist	382,172 ¹		382,172 ¹
1.00 Administrative Assistant	96,898 ¹		96,898 ¹
5.00 Office Specialist	495,340 ¹		495,340 ¹
15.00 Marked Unit	339,879 ²		339,879 ²
1.00 Marked 4x4 Chevrolet Silverado	25,846 ²		25,846 ²
7.00 Unmarked Unit	79,768 ²		79,768 ²
1.00 Mini Van	10,478 ²		10,478 ²
2.00 Command Staff Vehicle	32,814 ²		32,814 ²
2.00 Pickup truck	21,965 ²		21,965 ²
2.00 Citizen Patrol Truck	17,526 ²		17,526 ²
1.00 Citizen Patrol Donated SUV (Equip & Comm Only)	2,530 ³		2,530 ³
Dispatch Services	656,991 ¹		656,991 ¹
64.00 HTs (Amortization, Access & Maintenance)	102,528		102,528
2.00 Additional MDCs	2,349		2,349
37.00 Taser Replacement (Amortized over 5-years)	38,170		38,170
Administrative Support	62,047		62,047
Office Automation	152,671		152,671
Body Worn Cameras	50,315		50,315
Vehicle Insurance	96,779		96,779
Personnel Liability & Bonding	857,740		857,740
Workers' Comp Experience Modification	(43,462)		(43,462)
County Administrative Cost	190,777		190,777
Startup Cost	13,209		13,209
Cost for FY2025-26	\$ 13,866,585 ¹⁻⁵	\$ 868,312 ¹	\$ 14,734,897 ¹⁻⁵

Monthly Payment Schedule

1st payment due July 15, 2025:	\$1,155,546
2nd through 3rd payments due the 5th of each month:	\$1,155,549
4th payment due October 5, 2025:	\$1,252,029
5th through 12th payments due the 5th of each month:	\$1,252,028

-
- ¹ Personnel costs include salary and benefits and are subject to change by Board of Supervisors' action. Changes in salary and benefit costs will be billed to the City on a quarterly invoice.
- ² Vehicle costs do not include fuel and maintenance. The City is responsible for fuel, repair and maintenance of all contract vehicles, including collision damage. All fuel, repair and maintenance costs incurred by the County will be billed to the City on a quarterly invoice.
- ³ No replacement cost is included for grant funded or donated vehicles.
- ⁴ Services and supplies will be billed to the City on a quarterly invoice.
- ⁵ Grant funded, donated and non-replaceable vehicles will incur a vehicle insurance and equipment connection cost for the period the vehicle is in use.

**SCHEDULE A
Law Enforcement Services Contract
City of Highland
2025-26**

Additional Costs Billed Quarterly:

The City will be billed on a quarterly basis for the following items:

- Increase to salaries and benefits resulting from Board of Supervisors-approved changes to Memoranda of Understanding with the County's various employee organizations.
- Actual overtime costs.
- Actual on-call costs.
- Actual costs of vehicle fuel, repair and maintenance, including the costs of collision repair.
- Actual costs for services and supplies.

LEVEL OF SERVICE SUMMARY

SAFETY:

Captain	-	1.00
Lieutenant	-	1.00
Sergeant	-	6.00
Detective/Corporal	-	3.00
Deputy Sheriff	-	28.00
		<u>39.00</u>

GENERAL:

Sheriff's Service Specialist	-	4.00
Administrative Assistant	-	1.00
Office Specialist	-	5.00
Dispatchers	-	4.59
		<u>14.59</u>

VEHICLES:

Marked Patrol Units	-	16.00
Safety Unmarked Units	-	7.00
Command Staff Units	-	2.00
Unmarked Units Non-code (Van)	-	1.00
Pickup Trucks	-	2.00
Citizen Patrol	-	2.00
Donated Vehicles-Ins Only	-	9.00 *
		<u>39.00</u>

DONATED VEHICLES LIST:

Citizen Patrol SUV	-	1.00 *
Command Post	-	1.00 *
Light Tower Trailer	-	2.00 *
Utility Trailer-Smart	-	1.00 *
Utility Trailer-Zieman	-	1.00 *
Utility Trailer-Mighty Mover	-	1.00 *
Kawasaki UTV	-	1.00 *
Polaris Ranger	-	1.00 *
		<u>9.00 *</u>

* (Included for insurance costs only)

Attachment 3

Comparison of FY 2025-2026 Schedule A (actual) to FY 2026-2027 Schedule A
(proposed).

Comparison of FY 2025/2026 and 2026/2027 Schedule A

	Proposed 2026/2027	Actual 2025/2026	Increase/ (Decrease) \$	Increase/ (Decrease) %
Captain	595,439	577,765	17,674	3.06%
Lieutenant	445,093	431,062	14,031	3.25%
Sergeants	2,170,278	2,104,026	66,252	3.15%
Detectives	930,933	902,973	27,960	3.10%
Deputies	7,910,220	7,033,740	876,480	12.46%
Sheriff Service Specialists	419,652	382,172	37,480	9.81%
Secretary	102,422	96,898	5,524	5.70%
Office Specialists	522,370	495,340	27,030	5.46%
Marked Units	367,764	339,879	27,885	8.20%
Unmarked Units	79,768	79,768	-	0.00%
Marked 4x4 Chevy	24,421	25,846	(1,425)	-5.51%
Mini Van	10,478	10,478	-	0.00%
Command Staff Vehicles	32,299	32,814	(515)	-1.57%
Pickup Truck	23,114	21,965	1,149	5.23%
Citizen Patrol Vehicles	21,924	20,056	1,868	9.31%
Dispatch Services	803,220	656,991	146,229	22.26%
HTs	137,412	102,528	34,884	34.02%
Additional MDCs	3,881	2,349	1,532	65.22%
Tasers	-	38,170	(38,170)	-100.00%
Admin Support	66,310	62,047	4,263	6.87%
Office Automation	162,902	152,671	10,231	6.70%
Body Work Cameras	99,391	50,315	49,076	97.54%
Vehicle Insurance	258,177	96,779	161,398	166.77%
Personnel Liability & Bonding	1,224,493	857,740	366,753	42.76%
Workers Comp Exp Modification	26,547	(43,462)	70,009	-161.08%
Startup Cost	9,154	13,209	(4,055)	-30.70%
COWCAP	201,241	190,777	10,464	5.48%
	16,648,903	14,734,896	1,914,007	12.99%

Attachment 4

FY 2026-2027 Amendment No. 6 to the Reimbursement Agreement Between the City of Highland & East Valley Water District for Law Enforcement Services (proposed).

**AMENDMENT NO. 6
REIMBURSEMENT AGREEMENT
BETWEEN THE CITY OF HIGHLAND AND EAST VALLEY WATER DISTRICT FOR
LAW ENFORCEMENT SERVICES**

This Amendment No. 6 Reimbursement Agreement Between the City of Highland and East Valley Water District for Law Enforcement Services (“Amendment No. 6”) is made and entered into this 26th day of May 2026 by and between the CITY OF HIGHLAND, a municipal corporation (“City”) and EAST VALLEY WATER DISTRICT, a California special district (“EVWD”). The City and EVWD may be collectively referred to as “the Parties”.

1. RECITALS

A. On September 28, 2021, the City and EVWD entered into a Reimbursement Agreement for law enforcement services (“Agreement”). Pursuant to the Agreement, beginning January 1, 2022, the City, through its Contract with the County, will provide one Sheriff’s deputy to patrol EVWD’s Sterling Natural Resource Center and provide law enforcement services to EVWD’s 41 sites. EVWD was then responsible for reimbursing the City for the full cost of the Sheriff’s deputy.

B. On May 10, 2022, the Parties entered into Amendment No. 1 to the Agreement to provide that the payment under the Agreement would be \$285,356.00. The cost subsequently increased by \$5,408.00, and the increase was paid by EVWD to the City, for a total of \$290,764.00 for Fiscal Year 2022-2023.

C. On May 9, 2023, the Parties entered into Amendment No. 2 to provide that payment under the Agreement for one (1) Deputy would be \$304,254.00 for Fiscal Year 2023-2024.

D. On May 14, 2024, the Parties entered into Amendment No. 3 to provide that payment under the Agreement for one (1) Deputy would be \$312,785.00 for Fiscal Year 2024-2025.

E. On May 13, 2025, the Parties entered into Amendment No. 4 to provide that payment under the Agreement for one (1) Deputy would be \$310,625.00 for Fiscal Year 2025-2026

F. On November 12, 2025, the Parties entered into Amendment No. 5 to provide that payment under the Agreement for one (1) Deputy would be \$332,183.00 for Fiscal Year 2025-2026.

G. The Parties now seek to enter into this Amendment No. 6 to address the amended contract amount for Fiscal Year 2026-2027. According to the San Bernardino County Sheriff’s Department, the full cost of one (1) Deputy for Fiscal Year 2026-2027 is \$365,066

2. SIXTH AMENDMENT

A. Section 3, Payment of the Agreement is hereby amended to read as follows:

3. Payment. On or before July 1, 2026, EVWD shall pay to the City Three Hundred Sixty Five Thousand Sixty-Six Dollars (\$365,066) for the full cost of the Sheriff's deputy. The cost breakdown is attached hereto as Exhibit "B". Thereafter, on or before July 1st of each subsequent year, EVWD shall pay to the City the full cost of the Sheriff's deputy based on the revised schedule of payment. The parties acknowledge that the cost of the Sheriff's deputy may change each year and that the full cost that the City pays the County for the Sheriff's deputy shall be passed through to EVWD.

The City's Contract with the County provides that personnel costs include salary and benefits are subject to change by Board of Supervisor action. The Contract further provides that changes in salary and benefit costs will be billed to the City on a quarterly basis. If the cost for the Sheriff's deputy increases in any year after payment has been made by EVWD to the City, the City shall promptly notify EVWD of the additional cost and EVWD shall pay the City the additional cost within thirty days of receipt of the City's notice.

B. Exhibit "B" of "Amendment No. 6" shall replace Exhibit "B" of "Amendment No. 5" dated November 12, 2025.

C. All other Exhibits and provisions of the Agreement shall remain in full force and effect.

3. SEVERABILITY

If any provision of "Amendment No. 6" shall be adjudged to be invalid, void, or illegal, it shall in no way affect, impair or invalidate any other provision(s) hereof, the parties hereby agreeing that they would have entered into the remaining portion of "Amendment No. 6" notwithstanding the omission of the portion or portions adjudged invalid, void, or illegal.

4. COUNTERPARTS

"Amendment No. 6" may be executed in any number of counterparts, each of which, when executed and delivered, shall be deemed to be an original, and all of which, taken together, shall be deemed to be one and the same instrument.

IN WITNESS WHEREOF, the parties hereto have executed "Amendment No. 6" on the date and year first above written.

CITY OF HIGHLAND

EAST VALLEY WATER DISTRICT

Penny Lilburn, Mayor

Michael Moore, General Manager/CEO

ATTEST:

Alondra Muñoz, City Clerk

APPROVED AS TO FORM:

Maricela Marroquin, City Attorney

Exhibit "B"
Payment Schedule
FY 2026-2027 (July 1, 2026 - June 30, 2027)

Deputy Sheriff: **\$263,674**

Marked Patrol Unit: **\$22,985**

Plus, other costs such as: HT radio and taser, Dispatch Services, Administrative support, Vehicle and Personnel Liability and Insurance is approximately **\$78,407**.

Total Cost for the above deputy and equipment in FY 2026-2027 (July 1, 2026 - June 30, 2027) is **\$365,066**.

**SCHEDULE A
LAW ENFORCEMENT SERVICES CONTRACT
CITY OF HIGHLAND
FY 2026-27**

Cost of 1-Deputy Sheriff for Water Company Assignment

<u>LEVEL OF SERVICE</u>	<u>FY 2026-27 COST</u>
1.00 - Deputy Sheriff	263,674 ¹
1.00 - Marked Unit	22,985 ²
Dispatch Services	23,600 ¹
1.00 - HTs (Amortization, Access & Maintenance)	2,082
Administrative Support	1,353
Office Automation	3,325
Axon Contract	3,333
Vehicle Insurance	8,739
Personnel Liability & Bonding	31,195
Workers' Comp Experience Modification	557
County Administrative Cost	4,223
Cost for FY2026-27	\$ 365,066 ¹⁻⁵

Monthly Payment Schedule

1 st payment due July 15, 2026:	\$30,424
2 nd through 12 th payments due the 5 th of each month:	\$30,422

¹ Personnel costs include salary and benefits and are subject to change by Board of Supervisors' action. Changes in salary and benefit costs will be billed to the City on a quarterly invoice.

² Vehicle costs do not include fuel and maintenance. The City is responsible for fuel, repair and maintenance of all contract vehicles, including collision damage. All fuel, repair and maintenance costs incurred by the County will be billed to the City on a quarterly invoice.

³ No replacement cost is included for grant funded or donated vehicles.

⁴ Services and supplies will be billed to the City on a quarterly invoice.

⁵ Grant funded, donated and non-replaceable vehicles will incur a vehicle insurance and equipment connection cost for the period the vehicle is in use.



Staff Report

to the City Council

Agenda
Item
No.3.

Date: May 26, 2026
From: Carlos Zamano, City Manager
Reviewed By: Maricela Marroquin, City Attorney
Carlos Zamano, City Manager
Prepared By: Tish Nava-Cruz, Director of Administrative Services/City Treasurer
Subject: Contract Amendment with the California Department of Forestry and Fire Protection – (Cal-Fire) for the Period of July 1, 2025 – June 30, 2030

Recommendation:

1. Approve the proposed Cal-Fire contract amendment for the period of July 1, 2025 – June 30, 2030, at an amount not to exceed \$46,934,092;
2. Authorize the Mayor to sign the contract amendment; and
3. Adopt the attached Resolution approving the proposed contract amendment.

Fiscal Impact:

Not to exceed the amount of \$46,934,092 over the 5-year contract for Fire Prevention and Paramedic services. This amendment increases the previously approved contract of \$46,437,819 by \$496,273.

Public Notice:

The agenda for this item was posted at the three locations per Resolution No. 2011-047 and on the City's website.

Background:

Following the City Council's approval of the five-year agreement on June 24, 2025, staff has identified an administrative omission within the cost schedule. Specifically, one line item under Service Location 37260 for the Firefighter II Paramedic classification, related to paramedic recruitment and retention, did not have values applied. Upon correction of this omission, the total cost of the agreement increases by \$496,273 over the five-year term.

Staff is therefore returning to the City Council to request approval of a contract amendment reflecting this correction. This adjustment ensures that all personnel cost components are accurately captured and aligned with the intended scope of services under the agreement.

No budget adjustment is being requested at this time. Personnel costs are budgeted at the maximum contract amount; however, the City is invoiced based on actual costs. Based on

current projections, expenditures for this fiscal year remain on track to come in under budget despite the corrected contract amount.

Attachments:

1. Proposed Amended Resolution with Exhibit A "Proposed Amended Contract July 1, 2025 - June 30, 2030

Attachment 1

Proposed Amended Resolution with Exhibit A “Proposed Amended Contract
July 1, 2025 – June 30, 2030”

RESOLUTION NO. 2026 -

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA,
APPROVING AN AMENDMENT TO THE DEPARTMENT OF FORESTRY AND FIRE PROTECTION
(CAL FIRE) AGREEMENT FOR SERVICES FROM JULY 1, 2025 TO JUNE 30, 2030**

BE IT RESOLVED, by the City Council of the City of Highland, that said City Council does hereby approve the attached amended agreement (Exhibit A) with the California Department of Forestry and Fire Protection (CAL FIRE) dated May 12, 2026. This agreement provides Fire Protection and Paramedic Services from July 1, 2025 to June 30, 2030.

NOW THEREFORE, BE IT RESOLVED that the Mayor of the City Council of the City of Highland, is authorized to sign and execute said agreement on behalf of the City of Highland.

APPROVED AND ADOPTED this 12th day of May, 2026.

Penny Lilburn, Mayor

ATTEST:

Alondra Muñoz, City Clerk

Exhibit A

Proposed Amended Contract July 1, 2025 – June 30, 2030

**COOPERATIVE FIRE PROGRAMS
FIRE PROTECTION REIMBURSEMENT AGREEMENT AMENDMENT**

AGREEMENT
NUMBER

AMENDMENT
NUMBER

LG-1A REV. 1/2024

CHECK HERE IF ADDITIONAL PAGES ARE ATTACHED 3 Pages

3CA07223

1

1. This Agreement is entered into between the State Agency and the Local Agency named below:

STATE AGENCY'S NAME

California Department of Forestry and Fire Protection – (CAL FIRE)

LOCAL AGENCY'S NAME

City of Highland

2. The term of this Agreement is: July 1, 2025 through June 30, 2030

3. The maximum amount of this Agreement is: \$ 46,934,092.00
Forty six million, nine hundred thirty four thousand, ninety two dollars and zero cents

4. The parties agree to comply with the terms and conditions of the following exhibits which are by this reference made a part of the Agreement.

This amendment increases the total of this five year agreement from \$46,437,819 to \$46,934,092, an increase of \$496,273. This new maximum amount is due to paramedic differential (Pay Differential 247) not being included in the 37260 Service Location in the original agreement for the Fire Fighter II (Paramedic) classification (see attached Exhibit D). The term will remain from July 1, 2025 through June 30, 2030 and the new maximum amount total for this agreement will be \$46,934,092.

All other terms and conditions shall remain the same.

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.



LOCAL AGENCY		California Department of General Services Use Only
LOCAL AGENCY'S NAME City of Highland		
BY (Authorized Signature) 	DATE SIGNED(Do not type)	
PRINTED NAME AND TITLE OF PERSON SIGNING Penny Lilburn, Mayor		
ADDRESS 27215 Baseline Rd. Highland, CA 92346		
STATE OF CALIFORNIA		
AGENCY NAME California Department of Forestry and Fire Protection		
BY (Authorized Signature) 	DATE SIGNED(Do not type)	
PRINTED NAME AND TITLE OF PERSON SIGNING Matthew Sully, Deputy Director, Cooperative Fire Protection		
ADDRESS P.O. Box 944246, Sacramento, CA 94244-2460		

EXHIBIT D, SCHEDULE A

Contractor: City of Highland

Contract No: 3CA07223-A1

Page No:

Highland 2025-2030 LG-1 Contract

Non-Municipal Staffing (2026 Revise)

	25/26	26/27	27/28	28/29	29/30
Fire PS	\$ 5,555,228	\$ 5,832,989	\$ 6,124,639	\$ 6,430,871	\$ 6,752,414
Fire OE	\$ 67,649	\$ 67,649	\$ 67,649	\$ 67,649	\$ 67,649
Medic PS	\$ 2,854,352	\$ 2,997,070	\$ 3,146,923	\$ 3,304,269	\$ 3,469,382
Medic OE	\$ 25,542	\$ 25,542	\$ 25,542	\$ 25,542	\$ 25,542
Total	\$ 8,502,771	\$ 8,923,250	\$ 9,364,753	\$ 9,828,331	\$ 10,314,987

Agreement Total **\$ 46,934,092**

Fiscal Year: 2025
 Index: 3600
 PCA: 37260
 PRC: 4142

Unit: BDU

Sub Total	\$2,576,828
Admin	\$277,524
Total	\$2,854,352

Contract Name: CITY OF HIGHLAND
 Contract No.: 3CA07223-A1
 Page No.: 1

Comments: Medic Non-Municipal Staffing

Overtime Total: \$205,297

This is a Schedule A - 4142 of the Cooperative Agreement, dated July 1, 2025 between City of Highland and The California Department of Forestry and Fire Protection (CAL FIRE)

CAL FIRE Unit Chief	SHANE LITTLEFIELD
CAL FIRE Region Chief	MIKE VAN LOBEN SELS
Staff Benefit Rate as of 7/1/25 for POF Classifications	93.92%
Staff Benefit Rate as of 7/1/25 for SAF Classifications	63.33%
Staff Benefit Rate as of 7/1/25 for MIS Classifications	77.98%

Number of Positions	Classification/ad-ons (Pick From List)	RET.	Period	Salary Months	Salary Rate	Total Salary	EDWC Rate	EDWC Periods	Total EDWC	Salary Benefits	FFI UI	EDWC Benefits	Total Salary & EDWC	Total Position Cost
1	Fire Captain (Paramedic)	POF		12	\$8,234	\$98,806	\$3,544	12	\$42,528	\$92,799	\$0	\$24,483	\$258,616	\$306,906
1	Longevity Pay Differential - 7%	POF		12	\$0	\$6,916			\$0	\$6,496		\$0	\$13,412	
1	Education Incentive Pay Differential	POF		12	\$150	\$1,800			\$0	\$1,691		\$0	\$3,491	
1	Paramedic Recruitment and Retention - 500	POF		12	\$500	\$6,000			\$0	\$3,011		\$0	\$9,011	
	Overtime	POF			\$0	\$0			\$0	\$0		\$0	\$0	
	Overtime	POF	5 SHIFTS			\$22,057			\$0	\$320		\$0	\$22,377	
9	Fire Fighter II (Paramedic)	POF		12	\$6,613	\$714,236	\$2,894	12	\$312,552	\$670,811	\$0	\$179,936	\$1,877,535	\$2,269,921
9	Longevity Pay Differential - 7%	POF		12	\$0	\$49,997			\$0	\$46,957		\$0	\$96,953	
9	Education Incentive Pay Differential	POF		12	\$150	\$16,200			\$0	\$15,215		\$0	\$31,415	
9	Paramedic Recruitment and Retention - 500	POF		12	\$500	\$54,000			\$0	\$27,097		\$0	\$81,097	
	Overtime	POF			\$0	\$0			\$0	\$0		\$0	\$0	
	Overtime	POF	5 SHIFTS X 9			\$180,306			\$0	\$2,614		\$0	\$182,920	
					\$0	\$0	\$0	0	\$0	\$0	\$0	\$0	\$0	\$0
					\$0	\$0	\$0	0	\$0	\$0	\$0	\$0	\$0	\$0
					\$0	\$0	\$0	0	\$0	\$0	\$0	\$0	\$0	\$0
					\$0	\$0	\$0	0	\$0	\$0	\$0	\$0	\$0	\$0
	Overtime				\$0	\$0	\$0	0	\$0	\$0	\$0	\$0	\$0	\$0
					\$0	\$0	\$0	0	\$0	\$0	\$0	\$0	\$0	\$0
					\$0	\$0	\$0	0	\$0	\$0	\$0	\$0	\$0	\$0
					\$0	\$0	\$0	0	\$0	\$0	\$0	\$0	\$0	\$0
	Overtime				\$0	\$0	\$0	0	\$0	\$0	\$0	\$0	\$0	\$0
					\$0	\$0	\$0	0	\$0	\$0	\$0	\$0	\$0	\$0
					\$0	\$0	\$0	0	\$0	\$0	\$0	\$0	\$0	\$0
					\$0	\$0	\$0	0	\$0	\$0	\$0	\$0	\$0	\$0
	Overtime				\$0	\$0	\$0	0	\$0	\$0	\$0	\$0	\$0	\$0



Staff Report

to the City Council

Agenda
Item
No.4.

Date: May 26, 2026

From: Carlos Zamano, City Manager

Reviewed By: Carlos Zamano, City Manager
Maricela Marroquin, City Attorney

Prepared By: Alondra Muñoz, City Clerk

Subject: Adoption of Resolution No. 2026-___ Repealing Resolution No. 2022-001 Relating to City Council Meeting Procedures and Incorporating Senate Bill 707 Requirements and Adopting Reasonable Accommodation, Technology Disruption and Meeting Disruption Policies

Recommendation:

Adopt Resolution No. ____, repealing Resolution No. 2022-001 establishing revised City Council Meeting Procedures to incorporate the requirements of Senate Bill 707 relating to teleconferencing, remote public participation, meeting accessibility, and technological disruption procedures.

Fiscal Impact:

Funding in the amount of \$15,000 was expended for the purchase and installation of audiovisual equipment necessary to support implementation of Senate Bill 707 meeting accessibility and remote participation requirements. Future costs may arise related to Americans with Disabilities Act (ADA) accommodations when requested.

Public Notice:

The agenda for this item was posted at the three locations per Resolution No. 2011-047 and on the City's website.

Background:

On October 3, 2025, Governor Gavin Newsom signed Senate Bill 707 (SB 707) into law. SB 707 amended provisions of the Ralph M. Brown Act establishing updated requirements related to remote participation, meeting accessibility, and technological standards applicable to meetings conducted by eligible legislative bodies. Beginning July 1, 2026, eligible legislative bodies will be subject to the new public meeting requirements. The legislation defines an "eligible legislative body" as a City Council in a city with a population of 30,000 or more in a county with a population exceeding 600,000.

The City currently maintains City Council meeting procedures through Resolution No. 2022-001. In order to maintain compliance with State law and incorporate the requirements mandated by SB 707, staff is recommending repeal of Resolution No. 2022-001 and adoption

of an updated resolution establishing revised City Council meeting procedures.

The updated procedures incorporate Government Code requirements related to remote participation, technological disruptions, meeting accessibility, and other public meeting administration provisions applicable to eligible legislative bodies.

The proposed amendments include, but are not limited to the following:

- Establishing procedures for remote public participation and two-way telephonic access to meetings;
- Incorporating procedures addressing technological disruptions during meetings;
- Updating public comment and decorum procedures to reflect both in-person and virtual participation;
- Updating accessibility and public access provisions consistent with current Brown Act requirements;
- Establishing procedures for translation of meeting agendas into applicable language(s); and
- Making administrative, organizational, and formatting revisions for clarity and consistency.

The City will utilize Zoom and YouTube platforms for live streaming and remote public participation during City Council meetings. Event Design Lab provided and installed the equipment and technology needed to support the updated meeting requirements.

Staff recommends adopting the updated Resolution to reflect the recent legislative changes under SB 707, which will take effect July 1, 2026.

Attachments:

1. Draft Resolution (Tracked Changes)
2. Draft Resolution (Clean Version)
3. SB 707 Legislation

Attachment 1: Draft Resolution (Tracked Changes)

RESOLUTION NO. 2026- XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA, REPEALING RESOLUTION ~~2022001-00112~~, AND SETTING THE DATE AND TIME FOR REGULAR CITY COUNCIL MEETINGS, AND READOPTING RULES OF PROCEDURE FOR COUNCIL MEETINGS AND RELATED FUNCTIONS AND ACTIVITIES, AND ADOPTING REASONABLE ACCOMMODATION, TECHNOLOGY DISRUPTION AND MEETING DISRUPTION POLICIES

THE CITY COUNCIL OF THE CITY OF HIGHLAND DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The City Council hereby repeals Resolution No. 20~~2201-00112~~.

SECTION 2. The City Council hereby sets the day and time of regular City Council meetings and adopts the following rules and procedures for the conduct of City Council meetings ~~including certain provisions related to Senate Bill 707 that shall become effective on July 1, 2026.~~

PURPOSE: The purpose and intent of the City Council in adopting these rules is to conduct meetings in compliance with State law and provide guidelines relating to the conduct of public business by or on behalf of the City Council, and in the event of any non-compliance with, or violation of, any provision herein, such will not be deemed to affect the validity of any action taken, unless otherwise specifically provided by law.

1. CITY COUNCIL MEETINGS

All meetings of the City Council shall be held within the corporate limits of the City unless otherwise permitted by State Law.

1.1 REGULAR MEETINGS

The City Council of the City of Highland shall hold regular meetings in the place specified in Ordinance No. 452, at the Donahue Council Chambers, 27215 Base Line, Highland, CA 92346. The regular City Council meetings will be held on the second Tuesday of each month at 6:00 p.m. If the day for a regular meeting of the City Council falls on a legal holiday, no meeting shall be held on such holiday, but a regular meeting shall be held at the same hour on the next succeeding business day thereafter that is not a holiday.

1.2 ADJOURNED MEETINGS

Any meeting may be adjourned to a time, place and date certain, but not beyond the next regular meeting. Once adjourned, the meeting may not be reconvened.

1.3 SPECIAL MEETINGS

Special Meetings may be called by the Mayor or majority of Council Members on at least 24-hour notice, as set forth in Section 54956 of the Government Code of the State of California. Only matters contained in the notice may be considered and no ordinances (other than urgency ordinances) may be adopted, although an ordinance may be introduced at a special meeting.

1.4 STUDY SESSIONS

Members of the City Council may meet in Study Session as deemed necessary (See Section 10.1).

1.5 NOTICE OF MEETINGS

Notice to the City Council of Regular Meetings is not required. Mailed or personally delivered notice is required of Special Meetings and Study Sessions, unless otherwise waived. Mailed and posted notice is required of meetings adjourned by the City Clerk. Posted notice is required of all other adjourned meetings (Government Code Section 54956).

1.6 QUORUM

Unless otherwise required by law or provided for by Resolution, a majority of the City Council shall be sufficient to do business and motions may be passed 2-1 if only 3 attend. However, the following matters require three affirmative votes:

- a) Adoption of Ordinances;
- b) Resolutions granting franchises; and
- c) Orders for payment of money.

1.6.1 LEGALLY REQUIRED PARTICIPATION

If a majority of the City Council shall be disqualified to vote on a matter by reason of actual or apparent conflicts of interest, the City Council shall select by lot or other means of random selection, or by such other impartial and equitable means as the City Council shall determine in consultation with the City Attorney, that number of its disqualified members which, when added to the members eligible to vote, shall constitute a quorum, with a sufficient number of members to act on the matter.

1.7 MEETINGS TO BE PUBLIC AND ACCESSIBLE

All Study Sessions and all Regular, Adjourned, or Special Meetings of the City Council shall be open to the public, except as otherwise authorized by Government Code Section 54957 et seq. Consistent with Government Code Section 54953.84 (as added by SB 707), all meetings shall be conducted in a hybrid format, which includes:

- A physical meeting location within the City;
- Live webcasting of the meeting; and
- An opportunity for the public to participate remotely via two-way telephonic access.

Remote participation shall allow members of the public to observe and provide real-time public comment. ~~Study Sessions and all Regular, Adjourned or Special Meetings of the City Council shall be open to the public, provided however, the Council may hold Closed~~

~~Sessions from which the public may be excluded for the consideration of any matter as allowed by Government Code Section 54957 et seq.~~

1.8 MEETING TIME LIMITATION

Any public agenda item(s) which have not been initiated by 11:00 p.m. will be continued either to a Special Meeting, Adjourned Meeting, or the next regularly scheduled City Council meeting. Any item initiated before 11:00 p.m. on which a conclusion has not been reached by 11:30 p.m. will be continued to the next regularly scheduled meeting, Special Meeting or Adjourned Meeting. ~~The time limitation can be extended by a unanimous vote of the City Council~~ members that are present.

2. ORDER OF BUSINESS

2.1 AGENDA

(a) All agendas shall include instructions for public participation, including remote access information and procedures for submitting public comments.

(b) The order of business of each meeting shall be as contained in the agenda prepared by the City Clerk. The agenda shall be a listing by topic of the subjects which shall be taken up for consideration in substantially the following order unless prior to the posting of the agenda, ~~otherwise determined by~~ the City Manager determines it to be in the interest of orderly conduct of the City's business to use a different order:

Call to Order
Invocation
Pledge of Allegiance
Roll Call
~~Report from Closed Session~~
Special Presentations
Public Comment
Consent Calendar
Public Hearings
Legislative
Announcements
Closed Session
Report from Closed Session
Adjournment

(c) Except with majority consent of the Council, items may not be taken out of the order listed on the agenda.

(d) Except as specifically noticed for a different time, the first public hearing on the agenda at a Regular Meeting of the City Council shall commence at 6:00 p.m., or as soon thereafter as the City Council may conveniently hear the matter.

(e) No matters other than those listed on the agenda and briefly

described in accordance with Government Code Section 54954.2 shall be finally acted upon by the Council, provided however that the Council may take action on items of business which do not appear on the posted agenda under any of the following conditions or circumstances:

(1) Upon a determination by a majority vote of the City Council that an emergency situation exists, as defined in Section 54956.5 of the California Government Code.

(2) Upon a determination by a two-thirds vote of the Council, or if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the City subsequent to the agenda being posted as specified in subdivision (a) of Government Code Section 54954.2.

(3) The item was posted pursuant to Government Code Section 54954.2(a) for a prior meeting of the Council occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

2.2 ROLL CALL

Before proceeding with the business of the City Council, the City Clerk shall call the roll of the Council Members. The order of roll call shall be in alphabetical order by last name. -The Minutes shall reflect the presence of Council Members participating in person or remotely. If a Council Member is participating remotely pursuant to Government Code Section 54953.8, the Minutes shall include the statutory basis for such remote participation.

2.3 APPROVAL OF MINUTES

Unless requested by a majority of the City Council, Minutes of the previous meeting may be approved without public reading if the City Clerk has previously furnished each Council Member with a copy thereof.

2.4 PUBLIC HEARINGS

Generally, public hearings, other than those of a quasi-judicial nature, shall be conducted in the following order:

- Hearing Opened by Mayor
- Staff Review
- Questions of Staff by Council
- Applicant or Representative Presentation
- Questions of Applicant or Representative by Council
- Speakers in Favor of Proposal
- Speakers in Opposition to Proposal
- Applicant or Representative Rebuttal
- Hearing Closed by Mayor to Public Testimony
- Discussion by Council
- Action by Council

(a) Comments from the public shall be limited to the subject under consideration and shall be limited to three (3) minutes per individual. Depending upon the extent of the agenda, and the number of persons desiring to speak on an issue, the Presiding Officer may, at the beginning of the hearing, limit testimony to less than three (3) minutes per individual. -Any person may speak for a longer period of time, upon approval of the City Council, when this is deemed necessary in such cases as when a person is speaking as a representative of a group or has graphics or slide presentations requiring more time.

(b) An applicant's initial presentation shall be limited to 15 minutes, including any presentation by a consultant.- An applicant's rebuttal presentation, including any rebuttal by an applicant's consultant, shall be limited to 10 minutes. In the case of an appeal of a Planning Commission decision, the applicant and the appellant's presentations shall be limited to 15 minutes each, including any consultant presentation.

(c) Quasi-judicial hearings shall be conducted in accordance with the principles of due process, and the City Attorney shall advise the City Council in this regard.

(d) In any hearings before the City Council, notice of which is to be published or posted, if the City Council, or any member thereof, or a proponent or opponent of the matter requests any or all participants in the proceedings testify under oath or affirmation, the making of such request shall be set forth in the notice of hearing. Additionally, the notice of hearing shall state the giving of testimony under oath or affirmation shall be voluntary as to each person wishing to be heard in the matter, and any person who has a question or concern regarding the giving of testimony under oath or affirmation should consult an attorney of his or her own choosing and at his or her own expense. -Each person testifying under oath or affirmation in any such proceeding shall, before testifying, state on the record he or she agrees to testify under oath or affirmation in the matter and has had an opportunity to consult with an attorney of his or her own choosing in respect thereto.

2.5 PUBLIC COMMENT

(a) Any person may address the City Council on any subject pertaining to City business which is not listed on the agenda during the Public Comment portion of each meeting. Such comments shall be limited to not more than three (3) minutes per individual (See Section 5.2). -This limitation will be extended to six (6) minutes for a speaker who utilizes a translator to ensure that non-English speaker receive the same opportunity to directly address the City Council. Depending upon the extent of the agenda, and the number of persons desiring to speak on an issue, the Presiding Officer may, at the beginning of the public comment section of the agenda, limit testimony to less than three (3) minutes per individual.

(b) Members of the public may participate remotely and shall be provided the opportunity to provide public comment in real time. Remote speakers shall be subject to the same time limits and rules of decorum as in-person speakers.

(c) The City Clerk shall manage both in-person and remote speakers

and may alternate between speakers attending in person and those attending remotely to ensure equitable participation.

(d) The City Clerk shall advise members of the public that the City Council may only take action on items listed on the agenda and on items that- are within the subject matter jurisdiction of the City Council.

2.6 CONSENT CALENDAR

Items of routine nature, and non-controversial, shall be placed on the consent calendar. All items may be approved by one blanket motion upon majority roll call vote. -Any Council Member may request any item be withdrawn from the consent calendar for separate consideration by providing notice to the City Clerk or City Manager prior to the commencement of the meeting. However, any Council Member may abstain from voting or vote "No" on any consent calendar item without requesting its removal from ~~the~~ consent calendar, and the City Clerk shall be instructed to record such abstentions or negative votes in the minutes.

2.7 PROCLAMATIONS

(a) Upon receipt of a request by City Officials or staff from an outside organization or person(s) for a Proclamation, the request shall be submitted to the Mayor, City Manager and/or City Clerk, in writing, for inclusion in the agenda of the next regular Council meeting.

(b) If the request cannot be placed on a regular City Council agenda in a timely manner, the request shall be forwarded ~~In the event of a scheduling problem, the request shall be forwarded~~ to the Mayor, City Manager and/or City Clerk, who will immediately provide copies to the City Council. Unless any Council Member requests within 72 hours that the matter be agendized for consideration by the City Council, the Mayor will act on behalf of the City Council.

(c) Depending upon the request, the Proclamation may be presented to the recipient at the next Regular City Council meeting, or mailed to the requestor, or presented by a Council Member at a specified function only if it is specified that way within the request or within the presentation to the City Council, consistent with the circumstances stated in the request.

2.8 ADJOURNMENT IN MEMORY

(a) -The City Council may adjourn a meeting in memory or honor of an individual as a ceremonial recognition of that person's contributions to the community or in acknowledgment of their passing.

(b) -Requests for adjournment in memory or honor may be submitted by members of the City Council or by members of the public through the City Clerk's Office, and, whenever possible, should be submitted in advance of the meeting to allow for appropriate review and coordination.

(c) -The Mayor, in consultation with the City Manager and/or City Clerk, shall determine whether a request is appropriate for inclusion on a meeting agenda or recognition at a meeting. Upon approval, the City Clerk's Office shall prepare a certificate of recognition, to be signed by all Council Members, and coordinate its delivery to the appropriate family member or designated recipient.

3. PRESIDING OFFICER AND SELECTION OF MAYOR AND MAYOR PRO TEM

3.1 PRESIDING OFFICER

(a) The Mayor shall be the Presiding Officer at all meetings of the Council. In the absence of the Mayor, the Mayor Pro Tem shall preside. -In the absence of both the Mayor and Mayor Pro Tem, the Council shall elect a temporary Presiding Officer to serve until the arrival of the Mayor or the Mayor Pro Tem or until adjournment, whichever first occurs.

(b) The Council shall meet annually to choose one of its member as Mayor and another of its member as Mayor Pro Tem. -In the years in which a General Municipal Election is scheduled, such meeting shall be held as soon as possible after the official canvass is received from the County following the election. -In the years in which no General Municipal Election is scheduled, such meeting shall be held on the second Tuesday of the month which falls twelve months after the most recent General Municipal Election.

(c) Selection of the Mayor and Mayor Pro Tem shall occur at any Regular, Special or Adjourned Meeting of the Council. -The City Clerk shall preside at the portion of the Council meeting which is concerned with the nomination for and selection of the Mayor.

(d) Nominations for the office of Mayor or Mayor Pro Tem may be made by any member of the City Council and need not be seconded in order to be effective. Each selection shall be by three or more affirmative votes.- In the event no person receives three or more votes in the selection process for one or both offices, the selection process shall be repeated immediately provided, however, the two persons receiving the highest number of votes in the preceding selection process shall be the only nominees for the office to be filled. -If, upon repeating the selection process for Mayor or Mayor Pro Tem, no person has yet received three affirmative votes for such office, the Council may either repeat the selection process until the officer has been duly selected or may continue the selection to the next regular meeting of the Council.

(e) The Mayor and Mayor Pro Tem selected pursuant hereto shall serve until the next meeting scheduled for selection of Mayor and Mayor Pro Tem pursuant to Section (b) of this Section 3.1, and thereafter until their successors have been duly selected.

(f) The offices of Mayor and Mayor Pro Tem shall be deemed vacant upon the happening of any of the following:

- 1) The death of the holder of such office;
- 2) The loss or resignation from membership on the City Council by the holder of such office;
- 3) The acceptance by the City Council of the resignation from such office by the holder thereof.

(g) At its first regular meeting after the occurrence of a vacancy created by any of the foregoing events, the City Council shall select a successor to such office pursuant to the selection procedures established by this Section 3.1.

3.2 PARTICIPATION OF PRESIDING OFFICER

The Presiding Officer may move, second, and debate from the Chair, subject only to such limitations of debate as are imposed on all Council Members, and he/she shall not be deprived of any of the rights and privileges of a Council Member by reason of his/her acting as a Presiding Officer. -However, the Presiding Officer is primarily responsible for the conduct of the meeting. -If he/she desires to personally engage in extended debate on questions before the City Council, he/she should consider turning the Chair over to another member.

3.3 QUESTION OR MOTION TO BE RESTATED

The Presiding Officer shall verbally restate, or request the City Clerk to restate, each question or motion immediately prior to calling for the vote, as needed. Following the vote, the Presiding Officer shall verbally announce whether the question was carried or defeated. -The Presiding Officer may also publicly state the effect of the vote for the benefit of the audience before proceeding to the next item of business.

3.4 SIGNING OF DOCUMENTS

The Mayor, or Mayor Pro Tem in the absence of the Mayor, shall sign all documents and/or correspondence which he/she has been instructed to sign or that has been adopted by the City Council. -The City Clerk or Deputy City Clerk shall attest to the signature of the Mayor or Mayor Pro Tem.

3.5 MAINTENANCE OF ORDER

The Presiding Officer is responsible for the maintenance of order and decorum at all times. -No person is allowed to speak who has not first been recognized by the Presiding Officer. -All questions and remarks shall be addressed to the Presiding Officer.

4. RULES, DECORUM, AND ORDER

4.1 POINTS OF ORDER

The Presiding Officer shall determine all Points of Order subject to the right of any member to appeal to the Council. - If any appeal is taken, the question shall be, "Shall the decision of the Presiding Officer be sustained?" in which event a majority vote shall govern and conclusively determine such question of order.

4.2 DECORUM AND ORDER - COUNCIL MEMBERS

(a) Any Council Member desiring to speak shall address the Presiding Officer and, upon recognition by the Presiding Officer, shall confine him/herself to the question under debate.

(b) A Council Member may ask questions of staff, and in appropriate cases, staff may direct the questions to the City Manager or the City Attorney to address.

(c) A Council Member, once recognized, shall not be interrupted while speaking unless:

- 1) Called to order by the Presiding Officer;
- 2) A Point of Order is raised by another Council Member; or
- 3) The speaker chooses to yield to questions from another Council Member.

(d) Any Council Member called to order while he/she is speaking shall cease speaking immediately until the question of order is determined. -If ruled to be in order, he/she shall be permitted to proceed. If ruled to be not in order, he/she shall remain silent or shall alter his/her remarks so as to comply with the rules of the City Council.

(e) Council Members shall accord the utmost courtesy to each other, to City employees, and to the public appearing before the City Council and shall refrain at all times from rude and derogatory remarks, reflections as to integrity, abusive comments and statements as to motives and personalities.

(f) Any Council Member may move to require the Presiding Officer to enforce the rules and the affirmative vote of a majority of the City Council shall require him/her to so act.

(g) The City Council shall not prohibit criticism of the policies, procedures, programs, or services of the agency or the acts or omissions of the legislative body or staff.- Nothing in this subdivision shall confer any privilege or protection for expression beyond that otherwise provided by law.

4.3 DECORUM AND ORDER - EMPLOYEES

Members of the administrative staff and employees of the City shall observe the same rules of procedure and decorum applicable to members of the Council. The City Manager shall ensure all City employees observe such decorum. Any staff members, including the City Manager, desiring to address the City Council or members of the public shall first be recognized by the Presiding Officer. -All remarks shall be addressed to the Presiding Officer and not to any one individual Council Member or member of the public.

4.4 DECORUM AND ORDER - PUBLIC

(a) The provisions of this Section apply to all individuals participating in meetings, whether in person or remotely. Disruptive conduct shall be addressed pursuant to these rules regardless of the mode of participation. Technological disruptions affecting remote access or broadcast capabilities are governed by Section 13 of this Resolution (Technological Disruption Policy) of this Resolution.

(b) Members of the public attending City Council meetings shall observe the same rules of order and decorum applicable to the City Council. Willful conduct that is disruptive, including but not limited to, unauthorized remarks from the audience, stamping of feet, whistles, yells and similar demonstrations shall be prohibited by the

~~Presiding Officer. Any person who Any person making impertinent and slanderous remarks or who becomes willfully disruptive while addressing the City Council or while attending the City Council meeting may be ordered to leave the room if the Sheriff's Deputy is so directed by the Presiding Officer, and such person may be barred from the audience. Unauthorized remarks, stamping of feet, whistles, yells and similar disruptive demonstrations shall not be permitted by the Presiding Officer, who may direct the Sheriff's Deputy to remove such offenders from the room.~~ Aggravated cases shall be prosecuted on appropriate complaint signed by the Presiding Officer.

~~(c) For individuals participating remotely, the Presiding Officer may, after a warning when feasible, direct staff to mute a disruptive the participant's audio to prevent further disruption. In aggravated cases, the individual may be automatically muted and be issued a warning to cease the disruptive behavior. If the disruptive conduct continues or is of a serious nature, the Presiding Officer may direct staff to remove the participant from the remote meeting platform. Aggravated cases shall be prosecuted on appropriate complaint signed by the Presiding Officer.~~

4.5 ENFORCEMENT OF DECORUM

~~The rules of decorum for meetings listed in Section 4.4 apply equally to City Council meetings held in-person, remotely via a two-way telephonic or audiovisual platform, or held using a hybrid of the two. Upon violation of the rules of decorum described above in this Section 4.4, the procedure to enforce the rules shall be as follows set forth in this Section.:~~

4.5.1

~~**In person attendance.** The following procedure shall be followed for disruptive persons who are attending the City Council meeting in person:~~

~~(a) **Warning.** The Presiding Officer shall first request that a person who is violating the rules cease such conduct.~~

~~(b) **Recess.** If, after receiving a request from the Presiding Officer, the person persists in violating the rules, the Presiding Officer shall order a recess. Any representative of law enforcement present may be authorized to advise the individual that their conduct is in violation of the rules and must cease.~~

~~(c) **Removal of Disruptive Person.** If upon resumption of the meeting the violation persists so as to disturb, disrupt, or otherwise impede the orderly conduct of the meeting, the Presiding Officer shall have the authority to direct law enforcement personnel to remove the person from the meeting room; if upon resumption of the meeting the violation persists so as to disturb, disrupt, or otherwise impede the orderly conduct of the meeting, the Mayor shall have the authority to ask the law enforcement personnel to remove the person from the meeting.~~

~~(d) **Motion to Enforce.** If the Presiding Officer fails to enforce the rules of decorum set forth herein, any Council Member may move to require the Presiding Officer to do so, and an affirmative vote of three members of the Council shall require the Presiding Officer to do so.~~

(e) **Clearing the Room.** Pursuant to Government Code Section 54957.9, in the event that any meeting is willfully interrupted by a person or group of persons so as to disrupt, disturb or otherwise impede the orderly conduct of such meeting and order cannot be restored by the removal of the individuals who are willfully interrupting the meeting, the City Council may order that the meeting room be cleared and the meeting shall continue in session. The motion to clear the room shall be by a vote of not less than three members of the City Council in favor. Only matters appearing on the agenda may be considered in such a session. Representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to Government Code Section 54957.9.

(f) **Violation of the California Penal Code.** A person or persons who substantially impairs the conduct of a City Council meeting by knowingly and intentionally violating these rules of decorum may be prosecuted under Penal Code Section 403 for disturbing a public meeting. Every person who violates Penal Code Section 403 is guilty of a misdemeanor.

4.5.2 Remote Participation. The following procedure shall be followed for disruptive persons who are attending the City Council meeting remotely:

(a) **Warning.** Any person who disturbs, disrupts, or otherwise impedes the conduct of the meeting through a two-way telephonic platform is out of order and the Presiding Officer shall request that such person be orderly and comply with the applicable rules. If, after receiving a warning from the Presiding Officer, a person persists in disturbing, disrupting, or otherwise impeding the meeting, the Presiding Officer shall order that person's telephonic input to be muted for the duration of the meeting if the person is using the audio function to disturb the meeting, unless the conduct is so disruptive that the person must be immediately muted and then issued a warning that if the conduct persists, they will be removed from the meeting.

(b) **Removal.** Staff responsible for monitoring and operating the two-way telephonic platform for the meeting will carry out all lawful orders and instructions given by the Presiding Officer for the purpose of maintaining order and decorum at the meeting. Upon instruction of the Presiding Officer, it is the duty of the staff responsible for telephonic platform at the meeting to remove from the telephonic platform used for the Council meeting any person who is disturbing, disrupting, or otherwise impeding the proceedings of the Council.

(c) **Returning Disturbances.** Any person who leaves a meeting and re-logs in or calls in to the two-way telephonic platform to continue to disturb the meeting under a new username or phone number may be immediately removed from the meeting platform by the responsible staff person and may be prosecuted pursuant to Penal Code Section 403.

4.6 PERSONAL PRIVILEGE

The right of a member to address the City Council on a question of personal privilege shall be limited to cases in which his/her integrity, character, or motives are assailed, questioned or impugned.

4.7 CONFLICT OF INTEREST

~~Government Code All Council Members are subject to the provisions of California Law, such as Chapter 7, Title 9, of the California Government Code, relative to conflicts of interest, and to conflict of interest codes adopted by the Council. Any Council Member prevented from voting because of a conflict of interest shall refrain from debate and voting. Such Council Member shall leave the Council Chambers during debate and voting on the issue. Section 87105 describes the procedure to be followed if an official has a conflict of interest on a matter and cannot participate in a decision. -The City Council Member must publicly identify the financial interest, recuse himself or herself from voting, and leave the room until after the discussion, vote and other disposition of the matter is concluded. If the matter is on the Consent Calendar, the official need not leave the room, but must still make the required disclosure on the record and abstain from voting. -The City Council Member also may speak on the issue as a member of the general public, during the public comment period on that matter, solely to represent himself or herself on a matter related to his or her personal interest.~~

~~-The announcement of the conflict of interest must be declared prior to the initiation of City Council consideration of the agenda item for which the conflict of interest exists.~~

4.8 LIMITATION OF DEBATE

No Council Member should speak more than once upon one subject until every other member choosing to speak thereon has spoken. -No Council Member shall speak for a longer time than five (5) minutes each time he/she has the floor, without the approval of a majority vote of the Council.

4.9 DISSENTS, PROTESTS AND COMMENTS

Any Council Member shall have the right to express dissent from or protest to or comment upon any action of the Council and have the reason entered in the minutes. If such dissent, protest or comment is desired to be entered in the minutes, this should be made clear by language such as, "I would like the minutes to show that I am opposed to this action for the following reasons..."

4.10 RULINGS OF PRESIDING OFFICER FINAL UNLESS OVERRULED

In presiding over Council meetings, the Presiding Officer shall decide all questions of interpretation of these rules, points of order or other questions of procedure requiring rulings. -Any such decision or ruling shall be final unless overridden or suspended by majority vote of the Council Members present and voting and shall be binding and legally effective for purposes of the matter under consideration.

5. ADDRESSING THE COUNCIL

5.1 MANNER OF ADDRESSING THE COUNCIL

(a) Any member of the public desiring to address the Council shall proceed to the podium and wait to be recognized by the Presiding Officer. After being recognized, he/she shall be asked to state his/her name and address for the record.

(b) All remarks and questions shall be addressed to the Presiding Officer and not to any individual Council Member, staff member or other person. During a public hearing all remarks shall be limited to the subject under consideration. -No person shall enter into any discussion without being recognized by the Presiding Officer.

(c) Any member of the Council who has been recognized by the Presiding Officer of the Council for such purpose may address or respond to a member of the public who has addressed the Council pursuant hereto. -Such address or response shall be exercised only once for each member of the public, shall not exceed three (3) minutes in length and shall be deemed to express the individual position or opinion of the Council Member offering the same and shall not be construed to bind the Council or the City in any manner. -Unless otherwise directed by the Council, the restrictions imposed by this Subsection (a) shall apply only to those portions of the Council agenda during which members of the public are permitted to make oral communications to the Council.

5.2 TIME ALLOCATION

Except as set forth herein, any member of the public desiring to address the Council shall limit his/her statement to three (3) minutes unless further time has been granted by the Presiding Officer in the individual case, or in accordance with Section 2.5. The three (3) minute limitation will be extended to six (6) minutes for a speaker who utilizes a translator to ensure that non-English speakers receive the same opportunity to directly address the City Council.

5.3 ADDRESSING THE COUNCIL AFTER MOTION IS MADE

After a motion has been made, or after a public hearing has been closed, no member of the public shall address the Council without first securing permission by the Presiding Officer.

5.4 LIMITATIONS REGARDING PUBLIC COMMENTS AND REPORTS

The making of oral communications to the Council by any member of the public during the "Public Comment" portion of the agenda shall be subject to the requirements set forth in Section 5.2 and be subject to the following limitations:

5.4.1 At any time, before or after the oral communication is commenced, the Presiding Officer may if he/she deems it preferable, direct the communication be made instead either to the City Manager or other appropriate staff member during regular business hours, or in writing for subsequent submittal to Council Members.

5.4.2 No speaker shall be permitted to address the Council on a topic -which_ is currently before or about to be submitted for consideration by a City Commission, Board or other agency before which the speaker should make his/her presentation, until that latter body has completed its deliberations and taken its final action._—In case the speaker should have followed an otherwise available appeal procedure, the Presiding Officer shall not allow oral communications to the Council outside that procedure.

5.4.3 No oral communications shall be allowed by the City Council to include charges or complaints against any employee of the City, regardless of whether

such employee is identified in the presentation by name or by any other reference which tends to identify him/her. -All charges or complaints against employees shall be submitted to the City Manager for appropriate action; and may also be submitted to members of the Council by written communication.

5.5 WRITTEN CORRESPONDENCE

(a) The City Manager is authorized to receive and open all mail addressed to the City Council as a whole and give it immediate attention to the end that all administrative business referred to in said communications, and not necessarily requiring City Council action, may be disposed of between City Council meetings. -A copy of such communication shall be provided to each Council Member marked "Information Only".

(b) Any communication relating to a matter pending, or to be brought before the City Council shall be included in the agenda packet for the meeting at which such item is to be considered.

(c) Letters of appeal from administrative or commission decisions shall be processed under applicable provisions of the Municipal Code or other Ordinances.

(d) Copies of all other communications sent to the City Council will be transmitted to them.

5.6 PERSONS AUTHORIZED TO BE WITHIN PLATFORM

No person except City officials shall be permitted within the area in front of the City Council dais without the invitation or consent of the Presiding Officer.

6. MOTIONS

6.1 PROCESSING OF MOTIONS

When a motion is made and seconded, it shall be stated by the Presiding Officer before debate. A motion so stated shall not be withdrawn by the mover without the consent of the person seconding it.

6.2 MOTIONS OUT OF ORDER

The Presiding Officer may at any time, by majority consent of the Council, permit a member to introduce an Ordinance, Resolution, or motion out of the regular agenda order.

6.3 DIVISION OF QUESTION

If the question contains two or more divisional propositions, the Presiding Officer may, and upon request of a Council Member shall, divide the subject matter of a motion so that Council Members can vote separately on each part.

6.4 PRECEDENCE OF MOTIONS

When a motion is before the Council, no motion shall be entertained except the following, which shall have precedence in the following order:

- 1) Adjourn
- 2) Fix Hour of Adjournment

- 3) Table
- 4) Limit or Terminate Discussion
- 5) Amend
- 6) Postpone

6.5 MOTION TO ADJOURN (Not Debatable)

A motion to adjourn shall be in order at any time, except as follows:

- 1) When repeated without intervening business or discussion;
- 2) When made as an interruption of a member while speaking;
- 3) When discussion has been ended, and vote and motion is pending;
and
- 4) While a vote is being taken.

A motion to adjourn “to another time” shall be debatable only as to the time to which the meeting is adjourned.

6.6 MOTION TO FIX HOUR OF ADJOURNMENT

Such a motion shall be to set a definite time at which to adjourn and shall be undebatable and shall be unamendable except by unanimous vote.

6.7 MOTION TO TABLE

A motion to table shall be used to temporarily by-pass the subject. A motion to table shall be undebatable and shall preclude all amendments or debate of the subject under consideration. If the motion prevails, the matter may be “taken from the table” at any time prior to the end of the next regular meeting.

6.8 MOTION TO LIMIT OR TERMINATE DISCUSSION

Such a motion shall be used to limit or close debate on, or further amendment to, the main motion and shall be undebatable. If the motion fails, debate shall be reopened; if the motion passes, a vote shall be taken on the main motion.

6.9 MOTION TO AMEND

A motion to amend shall be debatable only as to the amendment. A motion to amend requires a second, unless the Council Member who made the original motion agrees to the amendment. If the Council Member who made the original motion does not agree to the amendment, then a majority vote is needed to decide whether the amendment is accepted.

6.10 MOTION TO CONTINUE

Motions to continue to a definite time shall be amendable and debatable as to propriety of postponement and time set.

7. VOTING PROCEDURE

7.1 VOTING PROCEDURE

In acting upon every motion, the vote shall be taken by voice or roll call or any other method by which the vote of each Council Member present can be clearly ascertained. The vote on each motion shall then be entered in full upon the record. The order of voting shall be in alphabetical by last name. The City Clerk shall call the names of members seated when a roll call vote is ordered or required. Members shall respond "yes", "no" or "abstain", provided that when a vote is collectively taken by voice or when a method of voting other than by voice or roll call is used, any Council Member not audibly and clearly responding "no" or "abstain" or otherwise registering an objection shall have his/her vote recorded as "yes".

7.2 ROLL CALL VOTING

Every Ordinance (other than urgency Ordinances) and any Resolutions or orders for franchises or payments of money require three (3) affirmative votes. Urgency Ordinances require four (4) affirmative votes. A roll call vote shall be used for:

- 1) Urgency Ordinances;
- 2) Other action requiring a 4/5 vote (some franchise-type actions, override on a protest, etc.); or
- 3) Consent calendar.

Any other question before the Council shall not require a roll call vote unless demanded by any member, or as otherwise required by State law. It shall not be in order for Council Members to explain their vote during roll call. Any Council Member may change his/her vote before the next order of business.

7.3 FAILURE TO VOTE

Every Council Member should vote unless disqualified for cause. -A Council Member who does not participate on a particular item due to a conflict of interest abstains shall, for purpose of the item under consideration, be considered as if absent.

7.4 RECONSIDERATION

Any Council Member who voted with the majority may move for a reconsideration of any action at the same meeting. After a motion for reconsideration has once been acted upon, no other motion for a reconsideration thereof shall be made without unanimous consent of the Council.

7.5 TIE VOTES

Tie votes shall be lost motions. When all Council Members are present, a tie vote on whether to grant an appeal from official action shall be considered a denial of such appeal unless the Council takes other action to further consider the matter. If a tie vote results at a time when less than all members of the Council are present, the matter shall automatically be continued to the agenda of the next regular meeting of the Council, unless otherwise ordered by the Council.

7.6 REMOTE PARTICIPATION VOTING

When any Council Member participates remotely, all votes shall be taken by roll call.

8. RESOLUTIONS

8.1 DEFINITIONS

As a rule of thumb, legislative acts of the City Council (usually a rule of public conduct for long-term application) are taken by Ordinance, whereas more routine business and administrative matters (usually more temporary and transitory in nature) are accomplished by Resolutions. The term "Resolution" in its general sense will denote any action taken affirmatively via a vote of the Council, other than one taken by Ordinance. As used in this City, however, three terms are in general used to denote such (non-Ordinance) actions: "Resolution", "minute order", and "motion" (thereafter recorded by minute entry). -Technically, all three are equally as legally effective and binding, but these actions vary in the formality of respective memorialization. The most formal is referred to locally as a "Resolution". In addition to being referenced in the minutes, Resolutions will be recorded by a separate document, numbered in sequence and preserved in a separate set of books. Such "Resolutions" are used in this City for various reasons, such as when specifically required by law, when needed as a separate document to be transmitted to another governmental agency, or where the frequency of future reference back to its contents warrants a separate document (with the additional "whereas" explanatory material it often recites) to facilitate such future reference and research.

A "minute order" as used locally denotes a separate document which is also maintained in a separate set of books, under a system of sequential numbering, and is referenced in the minutes; however the "minute order" is drafted far more briefly than a "Resolution" and is distinguished from a mere minute entry only by the need, in general, to have a separate document to facilitate a certain administrative process to which it pertains.

A "motion" (assuming it passed) is a Council action which is recorded simply by an item entry in the minutes of the meeting at which it was accomplished, and no separate document is made to memorialize it.

8.2 RESOLUTIONS PREPARED IN ADVANCE

Where a Resolution has been prepared in advance, the procedure shall be: motion, second, discussion, vote pursuant to methods prescribed in Section 7.1, and result declared. It shall not be necessary to read a Resolution in full or by title except to identify it. Any member may require the Resolution be read in full.

8.3 RESOLUTIONS NOT PREPARED IN ADVANCE

Where a Resolution has not been prepared in advance, the procedure shall be to instruct the City Manager or the City Attorney to prepare a Resolution for presentation at the next Council meeting.

8.4 URGENCY RESOLUTIONS

(a) In matters of urgency, a Resolution may be presented verbally in motion form together with instructions for written preparation for later execution. After the Resolution has been verbally stated, the voting procedure in 7.2 above shall be followed.

(b) Urgency Resolutions shall be avoided except when absolutely necessary; and shall be avoided entirely when Resolutions are required by law, in improvement acts, zoning matters, or force account work on public projects. Where the Resolution has been drafted in written form, either before or during the meeting, this paragraph shall not be deemed applicable.

9. ORDINANCES

9.1 INTRODUCTION AND ADOPTION OF ORDINANCES

Ordinances shall not be passed within five days of their introduction, or at any meeting other than a regular meeting or at an adjourned regular meeting. -However, an urgency Ordinance may be passed immediately upon introduction and either at a regular or special meeting. Except when, after reading the title, further reading is waived by regular motion adopted by unanimous vote of the Council Members present, all Ordinances shall be read in full either at the time of introduction or passage. When Ordinances, other than urgency Ordinances, are altered after introduction, they shall be passed only at a regular or at an adjourned meeting held at least five days after alteration.

Corrections of typographical or clerical errors are not alterations within the meaning of this section.

9.2 EFFECTIVE DATE

All ordinances, except as provided in Section 36937 of the Government Code, shall take effect 30 days after adoption, but may be made operative at such later date as may be designated in the Ordinance.

9.3 PUBLISHING

It shall be the duty of the City Clerk to post or publish all Ordinances in accordance with Section 36933 of the Government Code within 15 days after adoption.

9.4 URGENCY ORDINANCES

All urgency Ordinances must receive four (4) affirmative votes to be adopted and to become effective immediately. -If such an Ordinance fails to receive 4/5ths majority, it may thereafter be considered and passed in the same manner as regular Ordinances.

10. STUDY SESSIONS

10.1 SCHEDULE OF STUDY SESSIONS

(a) Council Members able to attend scheduled study sessions will meet for the purpose of discussion of special subjects of immediate concern and meeting and conferring with City Commission, Civic Organizations and City Officials relative to pending City business.

(b) The time for ~~Study sessions~~ Sessions will be as specified by the Council or by the Mayor on individual occasions when appropriate to the convenience of the Council Members, provided when this occurs, written notice shall be provided in accordance with the Government Code.

10.2 OPEN TO THE PUBLIC

Study Sessions shall at all times be open to the public and the news media.

10.3 PURPOSE

(a) Study Sessions ~~are not intended to~~ constitute a meeting of the City Council, but are limited to a single subject matter and they shall be carried on regardless of the number of Council Members in attendance where staff seeks to convey information to the City Council or obtain general direction from the City Council on a particular subject matter.

(b) At such Study Sessions, no formal action shall be taken, no motions shall be offered, no arguments entered into; the sole purpose of said meetings is to provide background information to members of the Council and to allow Council Members to ask questions and to express personal opinions.

(c) If an item is presented at a study session by a Council member for the purpose of placing it on the agenda of a regular Council meeting, if the majority of the Council Members concur, the item should be placed on the agenda of a Council meeting on a future date.

10.4 AGENDA

The City Manager shall be responsible for preparing an agenda, along with any available supporting information, of items for discussion at each study session. In compliance with Government Code section 54953.4(c)(1), the agenda shall be translated to Spanish or any other "applicable language" as that term is defined by Section 54953.4.

11. CITY COUNCIL MEETING PREPARATION

11.1 PLACING AN ITEM ON THE AGENDA BY A COUNCIL MEMBER

Any City Council Member may request an item be placed on a future formal meeting agenda by making a request to the City Manager. ~~If the City Manager receives two separate written requests by Council Members requesting to place an item on a future agenda, the item shall be placed on a future agenda.~~

11.2 PLACING AN ITEM ON THE AGENDA BY THE CITY COUNCIL

The City Council, by majority vote, may place any item on a future study session or formal agenda. The City Council may take such action, whether or not the potential action is identified on the City Council agenda. However, if the potential action is not identified on the City Council agenda, a vote to place the item on a future agenda must take place with no material debate or discussion.

11.3 CALLING UP AN ITEM FOR CITY COUNCIL CONSIDERATION

 The City Council may call up any item of any Board, Commission or Committee of the City where said item does not normally require consideration and action by the Council, for the purpose of requesting that said item be placed on the next available City Council agenda by serving written request of any two (2) Council Members to the City Manager. Such written request must be served within ten (10) calendar days of the action taken by the Board, Commission or Committee of the City.

11.4 DELIVERY AND DISTRIBUTION OF AGENDA PACKETS

The City Council Agenda packets are prepared by the City Clerk's Office. Barring insurmountable difficulties, the Agenda packets will be distributed to Council Members on the Thursday preceding the Tuesday Regular City Council Meeting.

11.5 BACKUP MATERIAL FOR AGENDA ITEMS

 Each agenda item shall be composed of a staff report and all support material needed for the City Council to take its action. When an agenda item will have an unusually large volume of support material, such as an environmental impact report, staff shall attempt to provide the City Council and members of the public with that material before distribution of the agenda packet and with adequate time to allow the City Council and members of the public to review the material before City Council consideration of the material.

11.6 AGENDA POSTING LOCATIONS

A complete copy of the City Council Agenda shall be posted at the following three locations; City Hall, 27215 Base Line, Highland, CA 92346; Highland Sam J. Racadio Library and Environmental Learning Center, 7863 Central Avenue, Highland, CA 92346; and Fire Station No. 1, 26974 Base Line, Highland, CA 92346.

11.7 AGENDA MATERIAL DISTRIBUTED LESS THAN 72 HOURS PRIOR TO MEETING

In the event that materials are distributed by City staff to the City Council on an agenda item less than 72 hours before the meeting, the materials shall be made available to the public concurrently at City Hall, 27215 Base Line, Highland, CA 92346.

11.8 PRESENTATION MEETING MATERIALS

(a) All individuals, including applicants, developers, or members of the public, who wish to provide a presentation to the City Council using audio, visual, or digital materials shall submit such materials to the City Clerk's Office in advance of the meeting. Materials shall be submitted no later than 12:00 p.m. (noon) on the Thursday preceding the scheduled meeting, unless otherwise approved by the City Clerk, to allow sufficient time for review, formatting, and technical preparation.

(b) Individuals requesting to participate remotely, including developers or project applicants, shall also submit all presentation materials in advance to the City Clerk's Office within the same timeframe. Remote presenters shall not be permitted to screen-share or present materials independently.

(c) All materials submitted shall become part of the administrative record.

12. USE OF CITY LETTERHEAD STATIONERY

Copies of all correspondence sent by individual Council Members on City letterhead stationery shall be prepared by City staff as designated by the City Manager, with copies of all such correspondence maintained at City Hall.

City Council Members may be provided and may use City notecards, which are not imprinted with the names or offices of any City official, for personal, informal notes involving City business.

13. TECHNOLOGY DISRUPTION POLICY

Public meetings held by the City Council are required to include an opportunity for members of the public to attend via a two-way telephonic service or a two-way audiovisual platform (such as Zoom). The only exception is if adequate telephonic or internet service is not operational at the meeting location. This policy sets forth clear procedures and expectations for addressing technological disruptions in telephonic or internet services that provide two-way remote public access to City Council meetings, as required by the Brown Act (Government Code Section 54953.4). This policy pertains to all open and public meetings of the City Council at which remote public participation is offered or required under the Brown Act.

13.1 -Designation of Responsible Person of the City's Two-Way Remote Public Access Service.: The City Manager or his or her designee shall identify a City employee or vendor who is responsible for operating the two-way telephonic service, referred to herein as the "Hybrid Platform", at noticed public meetings of the City Council ("Responsible Person"). -Typically, the Responsible Person handles the operation of the microphones, cameras and other audio visual equipment and/or telephonic or voice equipment during City Council meetings and ensures that the Hybrid Platform has connectivity so that the meeting is displayed, both visually and with audio, in the case of an audiovisual platform such as Zoom or Teams, or telephonically if a telephonic system is utilized.

13.2 Role of the City Clerk. The City Clerk is the person designated at City Council meetings for operating the Hybrid Platform to ensure the recording of the City Council meeting and for interacting with the Hybrid Platform to receive and record public comments. -The City Clerk works within the Hybrid Platform as the meeting host to queue speakers who desire to provide public comment, admit speakers into the meeting when it is their turn to speak and thereafter remove said speakers, interact with the speakers as needed, including muting and unmuting speakers, and closes the queue when the public comment period ends. If a telephonic system is used, the City Clerk conducts the same or similar activities. -The City Clerk interacts with the ~~Mayor~~Presiding Officer so that speakers who participate virtually or telephonically are called upon by the ~~Mayor~~Presiding Officer to provide their comments.

13.3 Disruption of the Hybrid Platform - Notification to the Presiding Officer. If the Responsible Person or the City Clerk determines at any time during the City Council meeting that the Hybrid Platform is experiencing technical difficulties such that there is no telephonic or internet service in order for the Hybrid Platform to be operational, or there is a disruption or other technical issue that makes two-way remote

participation not possible during the City Council meeting (for example, the City Council meeting is no longer able to be observed or heard by the public via the Hybrid Platform or the public is unable to remotely attend the City Council meeting via the Hybrid Platform), the Responsible Person or the City Clerk shall immediately inform the Presiding Officer that the Hybrid Platform has been disrupted and a recess is required in order to restore service to the Hybrid Platform.

13.4 Announcement by the Presiding Officer. The Presiding Officer shall make an announcement regarding the need to call a recess because there is a disruption or other technical issue that has rendered the Hybrid Platform non-operational preventing two-way remote participation. After such announcement, the Mayor or presiding officer shall call for a recess and inform the in-person audience that under the Brown Act, the recess may last for up to an hour or until the service is restored to the Hybrid Platform. Pursuant to the Brown Act, the City Council is required to recess the open session of the City Council meeting for at least one hour following the disruption, or until telephonic or internet service is restored, whichever is earlier.

13.5 Recordation of the Time Recess is Called. The City Clerk shall physically in writing record the time when the recess is called by the Presiding Officer.

13.6 Good Faith Attempt to Restore Service to the Hybrid Platform. During the recess, the Responsible Person and/or the City Clerk and any other member of City Staff shall make a good faith attempt to restore service to the Hybrid Platform. —This includes troubleshooting any issues impacting connectivity including but not limited to the following: internet or telephonic connectivity issues (for example, check the connection, check the connection speed, test the internet bandwidth, contact the internet or telephonic provider, etc.), or audio or video quality concerns or webcam and audio issues (check settings of equipment and/or Hybrid Platform, check connections and cables, check app permissions (if applicable), ensure webcams or other cameras not blocked, adjust camera settings, test of audio, reinstall app or program (if applicable) etc.).

13.7 Troubleshooting Hybrid Platform is Successful. If the Responsible Person, City Clerk, or any other member of City Staff is successful in restoring the service to the Hybrid Platform within one hour of when the recess was called, the City Clerk shall inform the Presiding Officer that the matter has been resolved. The Presiding Officer shall then reconvene the City Council meeting and shall inform the public that service has been restored to the Hybrid Platform. The City Clerk shall physically in writing record the time of when the City Council meeting is reconvened.

13.8 Troubleshooting Hybrid Platform is Not Successful. If the Responsible Person, City Clerk, or any other member of City Staff was not successful in restoring the service to the Hybrid Platform within one hour of when the recess was called, the City Clerk shall inform the Presiding Officer that after making a good faith attempt to restore service, service to the Hybrid Platform was unable to be restored. The City Clerk shall give a description of the efforts made to restore service. The City Clerk shall physically in writing record the time of when the City Council meeting is reconvened.

4.

13.9 Reconvening the Open Session of the City Council Meeting. The Presiding Officer shall subsequently reconvene the City Council meeting. –Upon reconvening the meeting, the Presiding Officer shall inform the City Council and the public that services to the Hybrid Platform were unable to be restored and the Presiding Officer shall request that a finding be made as follows: (i) that good faith efforts to restore the telephonic or internet service have been made in accordance with the City’s Technology Disruption Policy; and (ii) that the public interest in continuing the meeting outweighs the public interest in remote public access. –The Presiding Officer shall call for a motion, ask for a second and ask the City Clerk to take a roll call vote. If the motion making the finding is passed, the City Council may continue the City Council meeting.

13.10 Certain Meetings Exempt. The requirement set forth in Government Code Section 54953.4 that open and public meetings shall include an opportunity for members of the public to attend the City Council meeting via a two-way remote system, does not apply to the following meetings: (i) a meeting to attend a judicial or administrative proceeding to which the City is a party; (ii) a meeting to inspect real or personal property provided that the topic of the meeting is limited to items directly related to the real or personal property; (iii) a meeting with elected or appointed officials of the United States or the State of California, solely to discuss a legislative or regulatory issue affecting the city and over which the federal or state officials have jurisdiction; (iv) a meeting in or nearby a facility owned by the City, provided that the topic of the meeting is limited to items directly related to the facility; and (v) a meeting in an emergency situation pursuant to Government Code Section 54956.5.

13.11 Closed Session During a Recess. During the recess described herein, the City Council may meet in closed session during this period for items listed in the closed session agenda for that meeting.

14. REASONABLE ACCOMMODATION POLICY FOR CITY COUNCIL MEMBERS

14.1 Purpose. Government Code Section 54953 allows for members of City Council with disabilities to participate in meetings remotely as a reasonable accommodation. If such an accommodation is granted under this new provision, remote participation due to a disability will be treated as in-person attendance at the physical meeting location for all purposes, including reaching a quorum. The traditional teleconference requirements of posting the address of the teleconference location and allowing public participation from the teleconference location will not apply.

The purpose of this policy is to ensure compliance with the Brown Act and to provide a written procedure for receiving and swiftly resolving reasonable accommodation requests made by Council Members, 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 purpose is to enable participation in City Council meetings through remote participation for a qualifying individual whose disability precludes their in-person attendance at a meeting of their legislative body. As set forth in 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, the opinion stated that not

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

14.2 Procedure. A City Council Member who desires to attend meetings remotely because of a qualified disability shall make an accommodation request in writing to the City Manager. The request should include a written statement that the Council Member requires remote participation under this policy because of their disability. The Council Member is not required to disclose the particular disability. The request shall be made at least three weeks before the meeting for which the Council Member first seeks accommodation, or as soon thereafter upon becoming disabled and requiring a reasonable accommodation.

14.3 Interactive Process. The City Manager is authorized to make reasonable inquiries about the Council Member's need for accommodation, to conduct the necessary case-by-case inquiry into the request and to accommodate a qualifying disability, consistent with applicable law. The City may require additional information, such as a medical provider's certification of the existence of a qualifying disability and the need for the accommodation to attend remotely. The City may not ask the Council Member or their medical provider to disclose a specific diagnosis. The City Manager will inform the Council Member and the City Clerk of the decision on the request for reasonable accommodation in writing.

14.4 Length of Accommodation. An approved reasonable accommodation for remote access attendance at public meetings shall be in effect for the period of time that the Council Member's disabling condition continues, and the decision of the City Manager shall reflect this determination.

14.5 Confidentiality. All information regarding a Council Member's claimed disability or medical information must be kept confidential and maintained in a separate medical file by the City Manager. Such information may be disclosed in limited circumstances, such as to first aid and safety personnel, when appropriate, to government officials investigating compliance with the ADA, or to City staff trained on and entrusted with the handling of confidential medical information, if such disclosure is necessary to effectuate the reasonable accommodation.

14.6 Council Member's Responsibilities Under the Brown Act. If the accommodation for remote participation is granted, the Council Member is required to comply with the applicable provisions of Government Code Section 54953(c) as follows:

(a) The Council Member shall participate through both audio and visual technology, except that any Council Member with a disability, as defined by California Government Code Section 12926 and used in Section 12926.1, or by Section 12102 of Title 42 of the United States Code, may participate only through audio technology if a physical condition related to their disability results in a need to participate off camera.

(b) The Council Member shall disclose at the meeting before any action is taken, whether any other individuals 18 years of age or older are present in the room at

the remote location with the member, and the general nature of the Council Member's relationship with any of those individuals.

15. REASONABLE ACCOMMODATION POLICY S—FOR MEMBERS OF THE PUBLIC

Government Code Section 54953.8(b)(8) requires that all public agencies have and implement a written 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 or staff.

145.1 Readily Available Accommodations

(a) Any of the following accommodations can be provided for at a publicly noticed City Council meeting or meetings open to the public pursuant to the Brown Act, upon request:

(1) Agendas and staff reports: Upon request, any agendas or staff reports can be made available in appropriate alternative formats to persons with a disability, including hyperlinks where appropriate so that the user can access the linked information.

(2) For individuals with hearing loss: Qualified interpreters on-site; assistive listening devices; or voice and video-based telecommunications products and systems, provided the request is made at least 72 hours in advance of the meeting.

(3) For individuals with visual impairments: Qualified readers; audio recordings; or large print materials. Electronic agendas should be compatible with the screen readers that are commonly used by those who are visually impaired. City Council meetings are livestreamed on the City's website and include closed captioning. These meetings may be attended in person or remotely via Zoom. City Council meetings are replayed on the City's website and audio recordings and transcripts of the meetings are available as well.

(4) For individuals with mobility impairments: ADA-accessible facilities are available to access the Council Chambers, and remote participation is offered via Zoom with telephone access.

15.2 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. 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 program. If a particular accommodation is unreasonable, the City will offer an alternative accommodation that is reasonable.

15.3 Process to request an additional accommodation:

(a) Individuals who have an additional accommodation that is not identified above, should request such accommodation as soon practicable, but at least 72 hours prior to the meeting or time when services are needed. The sooner the request is made, the more likely it is that the City can provide the accommodation or an alternative. The individual seeking the accommodation can make this request themselves, or someone can make the request on their behalf with the individual's permission.

(b) The request for accommodation can be made orally or in writing, and must be submitted to the City Clerk's Office so as to avoid delay in reviewing and processing the request. Requests can be made by contacting City Hall at (909) 364-2620864-6861 (TTY Relay: 711), via email to publiccomment@highlandca.gov, or by mailing such a request to the City Clerk's Office at 27215 Base Line, Highland, CA 92346. If the request is made via mail, the request must be made early enough that a response can be timely provided.

(c) The request for an accommodation must provide the following information:

(1) Identify accommodation. The City needs to know the type of accommodation is being requested and/or how the accommodation will allow the individual to access and participate in the meeting. The individual is not required to disclose the particular disability, instead a general statement of explanation will suffice. The individual may, but is not required to, submit a letter from a physician to the effect that the requested accommodation is required for the individual to access and participate in the meeting.

(2) Contact information. The individual must provide staff current contact information so they can respond in a timely manner. This can be a mailing address, an email address, or telephone number, for example. Note that if only a mailing address is provided, the request needs to be made early enough that a mailed response can be timely provided.

(3) Identify meeting. The individual must identify if the accommodation is requested for a specific meeting, or for all or a series of meetings before the City Council. The individual should provide the dates of the meeting or meetings for which they are requesting an accommodation.

(d) Procedures for staff:

(1) 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.

(2) The City Attorney's Office may be requested to assist in the review of requests, and assist staff in providing a response to the requestor as soon as practicable.

(3) 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.

(4) 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.

SECTION 3. This Resolution shall take effect on July 1, 2026.

PASSED, APPROVED AND ADOPTED this 26th day of May, 2026.

Penny Lilburn
Mayor

ATTEST:

Alondra Muñoz, CMC
City Clerk

APPROVED AS TO FORM:

Maricela E. Marroquin
City Attorney

Attachment 2: Draft Resolution (Clean Version)

RESOLUTION NO. 2026- XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA, REPEALING RESOLUTION 2022-001, AND SETTING THE DATE AND TIME FOR REGULAR CITY COUNCIL MEETINGS, AND READOPTING RULES OF PROCEDURE FOR COUNCIL MEETINGS AND RELATED FUNCTIONS AND ACTIVITIES, AND ADOPTING REASONABLE ACCOMMODATION, TECHNOLOGY DISRUPTION AND MEETING DISRUPTION POLICIES

THE CITY COUNCIL OF THE CITY OF HIGHLAND DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The City Council hereby repeals Resolution No. 2022-001.

SECTION 2. The City Council hereby sets the day and time of regular City Council meetings and adopts the following rules and procedures for the conduct of City Council meetings.

PURPOSE: The purpose and intent of the City Council in adopting these rules is to conduct meetings in compliance with State law and provide guidelines relating to the conduct of public business by or on behalf of the City Council, and in the event of any non-compliance with, or violation of, any provision herein, such will not be deemed to affect the validity of any action taken, unless otherwise specifically provided by law.

1. CITY COUNCIL MEETINGS

All meetings of the City Council shall be held within the corporate limits of the City unless otherwise permitted by State Law.

1.1 REGULAR MEETINGS

The City Council of the City of Highland shall hold regular meetings in the place specified in Ordinance No. 452, at the Donahue Council Chambers, 27215 Base Line, Highland, CA 92346. The regular City Council meetings will be held on the second Tuesday of each month at 6:00 p.m. If the day for a regular meeting of the City Council falls on a legal holiday, no meeting shall be held on such holiday, but a regular meeting shall be held at the same hour on the next succeeding business day thereafter that is not a holiday.

1.2 ADJOURNED MEETINGS

Any meeting may be adjourned to a time, place and date certain, but not beyond the next regular meeting. Once adjourned, the meeting may not be reconvened.

1.3 SPECIAL MEETINGS

Special Meetings may be called by the Mayor or majority of Council Members on at least 24-hour notice, as set forth in Section 54956 of the Government Code of the State of California. Only matters contained in the notice may be considered

and no ordinances (other than urgency ordinances) may be adopted, although an ordinance may be introduced at a special meeting.

1.4 STUDY SESSIONS

Members of the City Council may meet in Study Session as deemed necessary (See Section 10.1).

1.5 NOTICE OF MEETINGS

Notice to the City Council of Regular Meetings is not required. Mailed or personally delivered notice is required of Special Meetings and Study Sessions, unless otherwise waived. Mailed and posted notice is required of meetings adjourned by the City Clerk. Posted notice is required of all other adjourned meetings (Government Code Section 54956).

1.6 QUORUM

Unless otherwise required by law or provided for by Resolution, a majority of the City Council shall be sufficient to do business and motions may be passed 2-1 if only 3 attend. However, the following matters require three affirmative votes:

- a) Adoption of Ordinances;
- b) Resolutions granting franchises; and
- c) Orders for payment of money.

1.6.1 LEGALLY REQUIRED PARTICIPATION

If a majority of the City Council shall be disqualified to vote on a matter by reason of actual or apparent conflicts of interest, the City Council shall select by lot or other means of random selection, or by such other impartial and equitable means as the City Council shall determine in consultation with the City Attorney, that number of its disqualified members which, when added to the members eligible to vote, shall constitute a quorum, with a sufficient number of members to act on the matter.

1.7 MEETINGS TO BE PUBLIC AND ACCESSIBLE

All Study Sessions and all Regular, Adjourned, or Special Meetings of the City Council shall be open to the public, except as otherwise authorized by Government Code Section 54957 et seq. Consistent with Government Code Section 54953.4 (as added by SB 707), all meetings shall be conducted in a hybrid format, which includes:

- A physical meeting location within the City;
- Live webcasting of the meeting; and
- An opportunity for the public to participate remotely via two-way telephonic access.

Remote participation shall allow members of the public to observe and provide real-time public comment.

1.8 MEETING TIME LIMITATION

Any public agenda item(s) which have not been initiated by 11:00 p.m. will be continued either to a Special Meeting, Adjourned Meeting, or the next regularly scheduled City Council meeting. Any item initiated before 11:00 p.m. on which a conclusion has not been reached by 11:30 p.m. will be continued to the next regularly

scheduled meeting, Special Meeting or Adjourned Meeting. The time limitation can be extended by a unanimous vote of the City Council members that are present.

2. ORDER OF BUSINESS

2.1 AGENDA

(a) All agendas shall include instructions for public participation, including remote access information and procedures for submitting public comments.

(b) The order of business of each meeting shall be as contained in the agenda prepared by the City Clerk. The agenda shall be a listing by topic of the subjects which shall be taken up for consideration in substantially the following order unless, prior to the posting of the agenda, the City Manager determines it to be in the interest of orderly conduct of the City's business to use a different order:

- Call to Order
- Invocation
- Pledge of Allegiance
- Roll Call
- Special Presentations
- Public Comment
- Consent Calendar
- Public Hearings
- Legislative
- Announcements
- Closed Session
- Report from Closed Session
- Adjournment

(c) Except with majority consent of the Council, items may not be taken out of the order listed on the agenda.

(d) Except as specifically noticed for a different time, the first public hearing on the agenda at a Regular Meeting of the City Council shall commence at 6:00 p.m., or as soon thereafter as the City Council may conveniently hear the matter.

(e) No matters other than those listed on the agenda and briefly described in accordance with Government Code Section 54954.2 shall be finally acted upon by the Council, provided however that the Council may take action on items of business which do not appear on the posted agenda under any of the following conditions or circumstances:

(1) Upon a determination by a majority vote of the City Council that an emergency situation exists, as defined in Section 54956.5 of the California Government Code.

(2) Upon a determination by a two-thirds vote of the Council, or if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the City subsequent to the agenda being posted as specified in

subdivision (a) of Government Code Section 54954.2.

(3) The item was posted pursuant to Government Code Section 54954.2(a) for a prior meeting of the Council occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

2.2 ROLL CALL

Before proceeding with the business of the City Council, the City Clerk shall call the roll of the Council Members. The order of roll call shall be in alphabetical order by last name. The Minutes shall reflect the presence of Council Members participating in person or remotely. If a Council Member is participating remotely pursuant to Government Code Section 54953.8, the Minutes shall include the statutory basis for such remote participation.

2.3 APPROVAL OF MINUTES

Unless requested by a majority of the City Council, Minutes of the previous meeting may be approved without public reading if the City Clerk has previously furnished each Council Member with a copy thereof.

2.4 PUBLIC HEARINGS

Generally, public hearings, other than those of a quasi-judicial nature, shall be conducted in the following order:

- Hearing Opened by Mayor
- Staff Review
- Questions of Staff by Council
- Applicant or Representative Presentation
- Questions of Applicant or Representative by Council
- Speakers in Favor of Proposal
- Speakers in Opposition to Proposal
- Applicant or Representative Rebuttal
- Hearing Closed by Mayor to Public Testimony
- Discussion by Council
- Action by Council

(a) Comments from the public shall be limited to the subject under consideration and shall be limited to three (3) minutes per individual. Depending upon the extent of the agenda, and the number of persons desiring to speak on an issue, the Presiding Officer may, at the beginning of the hearing, limit testimony to less than three (3) minutes per individual. Any person may speak for a longer period of time, upon approval of the City Council, when this is deemed necessary in such cases as when a person is speaking as a representative of a group or has graphics or slide presentations requiring more time.

(b) An applicant's initial presentation shall be limited to 15 minutes, including any presentation by a consultant. An applicant's rebuttal presentation, including any rebuttal by an applicant's consultant, shall be limited to 10 minutes. In the case of an

appeal of a Planning Commission decision, the applicant and the appellant's presentations shall be limited to 15 minutes each, including any consultant presentation.

(c) Quasi-judicial hearings shall be conducted in accordance with the principles of due process, and the City Attorney shall advise the City Council in this regard.

(d) In any hearings before the City Council, notice of which is to be published or posted, if the City Council, or any member thereof, or a proponent or opponent of the matter requests any or all participants in the proceedings testify under oath or affirmation, the making of such request shall be set forth in the notice of hearing. Additionally, the notice of hearing shall state the giving of testimony under oath or affirmation shall be voluntary as to each person wishing to be heard in the matter, and any person who has a question or concern regarding the giving of testimony under oath or affirmation should consult an attorney of his or her own choosing and at his or her own expense. Each person testifying under oath or affirmation in any such proceeding shall, before testifying, state on the record he or she agrees to testify under oath or affirmation in the matter and has had an opportunity to consult with an attorney of his or her own choosing in respect thereto.

2.5 PUBLIC COMMENT

(a) Any person may address the City Council on any subject pertaining to City business which is not listed on the agenda during the Public Comment portion of each meeting. Such comments shall be limited to not more than three (3) minutes per individual (See Section 5.2). This limitation will be extended to six (6) minutes for a speaker who utilizes a translator to ensure that non-English speaker receive the same opportunity to directly address the City Council. Depending upon the extent of the agenda, and the number of persons desiring to speak on an issue, the Presiding Officer may, at the beginning of the public comment section of the agenda, limit testimony to less than three (3) minutes per individual.

(b) Members of the public may participate remotely and shall be provided the opportunity to provide public comment in real time. Remote speakers shall be subject to the same time limits and rules of decorum as in-person speakers.

(c) The City Clerk shall manage both in-person and remote speakers and may alternate between speakers attending in person and those attending remotely to ensure equitable participation.

(d) The City Clerk shall advise members of the public that the City Council may only take action on items listed on the agenda and on items that are within the subject matter jurisdiction of the City Council.

2.6 CONSENT CALENDAR

Items of routine nature, and non-controversial, shall be placed on the consent calendar. All items may be approved by one blanket motion upon majority roll call vote. Any Council Member may request any item be withdrawn from the consent calendar for separate consideration by providing notice to the City Clerk or City Manager prior to the commencement of the meeting. However, any Council Member may abstain from voting or vote "No" on any consent calendar item without requesting its removal from the consent calendar, and the City Clerk shall be instructed to record such abstentions or

negative votes in the minutes.

2.7 PROCLAMATIONS

(a) Upon receipt of a request by City Officials or staff from an outside organization or person(s) for a Proclamation, the request shall be submitted to the Mayor, City Manager and/or City Clerk, in writing, for inclusion in the agenda of the next regular Council meeting.

(b) If the request cannot be placed on a regular City Council agenda in a timely manner, the request shall be forwarded to the Mayor, City Manager and/or City Clerk, who will immediately provide copies to the City Council. Unless any Council Member requests within 72 hours that the matter be agendized for consideration by the City Council, the Mayor will act on behalf of the City Council.

(c) Depending upon the request, the Proclamation may be presented to the recipient at the next Regular City Council meeting, or mailed to the requestor, or presented by a Council Member at a specified function only if it is specified that way within the request or within the presentation to the City Council, consistent with the circumstances stated in the request.

2.8 ADJOURNMENT IN MEMORY

(a) The City Council may adjourn a meeting in memory or honor of an individual as a ceremonial recognition of that person's contributions to the community or in acknowledgment of their passing.

(b) Requests for adjournment in memory or honor may be submitted by members of the City Council or by members of the public through the City Clerk's Office, and, whenever possible, should be submitted in advance of the meeting to allow for appropriate review and coordination.

(c) The Mayor, in consultation with the City Manager and/or City Clerk, shall determine whether a request is appropriate for inclusion on a meeting agenda or recognition at a meeting. Upon approval, the City Clerk's Office shall prepare a certificate of recognition, to be signed by all Council Members, and coordinate its delivery to the appropriate family member or designated recipient.

3. PRESIDING OFFICER AND SELECTION OF MAYOR AND MAYOR PRO TEM

3.1 PRESIDING OFFICER

(a) The Mayor shall be the Presiding Officer at all meetings of the Council. In the absence of the Mayor, the Mayor Pro Tem shall preside. In the absence of both the Mayor and Mayor Pro Tem, the Council shall elect a temporary Presiding Officer to serve until the arrival of the Mayor or the Mayor Pro Tem or until adjournment, whichever first occurs.

(b) The Council shall meet annually to choose one of its member as Mayor and another of its member as Mayor Pro Tem. In the years in which a General Municipal Election is scheduled, such meeting shall be held as soon as possible after the official canvass is received from the County following the election. In the years in which no General Municipal Election is scheduled, such meeting shall be held on the second

Tuesday of the month which falls twelve months after the most recent General Municipal Election.

(c) Selection of the Mayor and Mayor Pro Tem shall occur at any Regular, Special or Adjourned Meeting of the Council. The City Clerk shall preside at the portion of the Council meeting which is concerned with the nomination for and selection of the Mayor.

(d) Nominations for the office of Mayor or Mayor Pro Tem may be made by any member of the City Council and need not be seconded in order to be effective. Each selection shall be by three or more affirmative votes. In the event no person receives three or more votes in the selection process for one or both offices, the selection process shall be repeated immediately provided, however, the two persons receiving the highest number of votes in the preceding selection process shall be the only nominees for the office to be filled. If, upon repeating the selection process for Mayor or Mayor Pro Tem, no person has yet received three affirmative votes for such office, the Council may either repeat the selection process until the officer has been duly selected or may continue the selection to the next regular meeting of the Council.

(e) The Mayor and Mayor Pro Tem selected pursuant hereto shall serve until the next meeting scheduled for selection of Mayor and Mayor Pro Tem pursuant to Section (b) of this Section 3.1, and thereafter until their successors have been duly selected.

(f) The offices of Mayor and Mayor Pro Tem shall be deemed vacant upon the happening of any of the following:

- 1) The death of the holder of such office;
- 2) The loss or resignation from membership on the City Council by the holder of such office;
- 3) The acceptance by the City Council of the resignation from such office by the holder thereof.

(g) At its first regular meeting after the occurrence of a vacancy created by any of the foregoing events, the City Council shall select a successor to such office pursuant to the selection procedures established by this Section 3.1.

3.2 PARTICIPATION OF PRESIDING OFFICER

The Presiding Officer may move, second, and debate from the Chair, subject only to such limitations of debate as are imposed on all Council Members, and he/she shall not be deprived of any of the rights and privileges of a Council Member by reason of his/her acting as a Presiding Officer. However, the Presiding Officer is primarily responsible for the conduct of the meeting. If he/she desires to personally engage in extended debate on questions before the City Council, he/she should consider turning the Chair over to another member.

3.3 QUESTION OR MOTION TO BE RESTATED

The Presiding Officer shall verbally restate, or request the City Clerk to restate, each question or motion immediately prior to calling for the vote, as needed. Following the vote, the Presiding Officer shall verbally announce whether the question was carried or defeated. The Presiding Officer may also publicly state the effect of the

vote for the benefit of the audience before proceeding to the next item of business.

3.4 SIGNING OF DOCUMENTS

The Mayor, or Mayor Pro Tem in the absence of the Mayor, shall sign all documents and/or correspondence which he/she has been instructed to sign or that has been adopted by the City Council. The City Clerk or Deputy City Clerk shall attest to the signature of the Mayor or Mayor Pro Tem.

3.5 MAINTENANCE OF ORDER

The Presiding Officer is responsible for the maintenance of order and decorum at all times. No person is allowed to speak who has not first been recognized by the Presiding Officer. All questions and remarks shall be addressed to the Presiding Officer.

4. RULES, DECORUM, AND ORDER

4.1 POINTS OF ORDER

The Presiding Officer shall determine all Points of Order subject to the right of any member to appeal to the Council. If any appeal is taken, the question shall be, "Shall the decision of the Presiding Officer be sustained?" in which event a majority vote shall govern and conclusively determine such question of order.

4.2 DECORUM AND ORDER - COUNCIL MEMBERS

(a) Any Council Member desiring to speak shall address the Presiding Officer and, upon recognition by the Presiding Officer, shall confine him/herself to the question under debate.

(b) A Council Member may ask questions of staff, and in appropriate cases, staff may direct the questions to the City Manager or the City Attorney to address.

(c) A Council Member, once recognized, shall not be interrupted while speaking unless:

- 1) Called to order by the Presiding Officer;

- 2) A Point of Order is raised by another Council Member; or

- 3) The speaker chooses to yield to questions from another Council Member.

(d) Any Council Member called to order while he/she is speaking shall cease speaking immediately until the question of order is determined. If ruled to be in order, he/she shall be permitted to proceed. If ruled to be not in order, he/she shall remain silent or shall alter his/her remarks so as to comply with the rules of the City Council.

(e) Council Members shall accord the utmost courtesy to each other, to City employees, and to the public appearing before the City Council and shall refrain at all times from rude and derogatory remarks, reflections as to integrity, abusive comments and statements as to motives and personalities.

(f) Any Council Member may move to require the Presiding Officer to enforce the rules and the affirmative vote of a majority of the City Council shall require him/her to so act.

(g) The City Council shall not prohibit criticism of the policies, procedures, programs, or services of the agency or the acts or omissions of the legislative body or staff. Nothing

in this subdivision shall confer any privilege or protection for expression beyond that otherwise provided by law.

4.3 DECORUM AND ORDER - EMPLOYEES

Members of the administrative staff and employees of the City shall observe the same rules of procedure and decorum applicable to members of the Council. The City Manager shall ensure all City employees observe such decorum. Any staff members, including the City Manager, desiring to address the City Council or members of the public shall first be recognized by the Presiding Officer. All remarks shall be addressed to the Presiding Officer and not to any one individual Council Member or member of the public.

4.4 DECORUM AND ORDER - PUBLIC

(a) The provisions of this Section apply to all individuals participating in meetings, whether in person or remotely. Disruptive conduct shall be addressed pursuant to these rules regardless of the mode of participation. Technological disruptions affecting remote access or broadcast capabilities are governed by Section 13 (Technological Disruption Policy) of this Resolution.

(b) Members of the public attending City Council meetings shall observe the same rules of order and decorum applicable to the City Council. Willful conduct that is disruptive, including but not limited to, unauthorized remarks from the audience, stamping of feet, whistles, yells and similar demonstrations shall be prohibited by the Presiding Officer. Any person who becomes willfully disruptive while addressing the City Council or while attending the City Council meeting may be ordered to leave the room if the Sheriff's Deputy is so directed by the Presiding Officer, and such person may be barred from the audience. Aggravated cases shall be prosecuted on appropriate complaint signed by the Presiding Officer.

(c) For individuals participating remotely, the Presiding Officer may, after a warning when feasible, direct staff to mute a disruptive participant's audio to prevent further disruption. In aggravated cases, the individual may be automatically muted and be issued a warning to cease the disruptive behavior. If the disruptive conduct continues, the Presiding Officer may direct staff to remove the participant from the remote meeting platform. Aggravated cases shall be prosecuted on appropriate complaint signed by the Presiding Officer.

4.5 ENFORCEMENT OF DECORUM

The rules of decorum for meetings listed in Section 4.4 apply equally to City Council meetings held in-person, remotely via a two-way telephonic or audiovisual platform, or held using a hybrid of the two. Upon violation of the rules of decorum described above in this Section 4.4, the procedure to enforce the rules shall be as set forth in this Section.

4.5.1 In person attendance. The following procedure shall be followed for disruptive persons who are attending the City Council meeting in person:

(a) **Warning.** The Presiding Officer shall first request that a person who is violating the rules cease such conduct.

(b) **Recess.** If, after receiving a request from the Presiding Officer, the person persists in violating the rules, the Presiding Officer shall order a recess. Any

representative of law enforcement present may be authorized to advise the individual that their conduct is in violation of the rules and must cease.

(c) **Removal of Disruptive Person.** If upon resumption of the meeting the violation persists so as to disturb, disrupt, or otherwise impede the orderly conduct of the meeting, the Presiding Officer shall have the authority to direct law enforcement personnel to remove the person from the meeting room;

(d) **Motion to Enforce.** If the Presiding Officer fails to enforce the rules of decorum set forth herein, any Council Member may move to require the Presiding Officer to do so, and an affirmative vote of three members of the Council shall require the Presiding Officer to do so.

(e) **Clearing the Room.** Pursuant to Government Code Section 54957.9, in the event that any meeting is willfully interrupted by a person or group of persons so as to disrupt, disturb or otherwise impede the orderly conduct of such meeting and order cannot be restored by the removal of the individuals who are willfully interrupting the meeting, the City Council may order that the meeting room be cleared and the meeting shall continue in session. The motion to clear the room shall be by a vote of not less than three members of the City Council in favor. Only matters appearing on the agenda may be considered in such a session. Representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to Government Code Section 54957.9.

(f) **Violation of the California Penal Code.** A person or persons who substantially impairs the conduct of a City Council meeting by knowingly and intentionally violating these rules of decorum may be prosecuted under Penal Code Section 403 for disturbing a public meeting. Every person who violates Penal Code Section 403 is guilty of a misdemeanor.

4.5.2 Remote Participation. The following procedure shall be followed for disruptive persons who are attending the City Council meeting remotely:

(a) **Warning.** Any person who disturbs, disrupts, or otherwise impedes the conduct of the meeting through a two-way telephonic platform is out of order and the Presiding Officer shall request that such person be orderly and comply with the applicable rules. If, after receiving a warning from the Presiding Officer, a person persists in disturbing, disrupting, or otherwise impeding the meeting, the Presiding Officer shall order that person's telephonic input to be muted for the duration of the meeting if the person is using the audio function to disturb the meeting, unless the conduct is so disruptive that the person must be immediately muted and then issued a warning that if the conduct persists, they will be removed from the meeting.

(b) **Removal.** Staff responsible for monitoring and operating the two-way telephonic platform for the meeting will carry out all lawful orders and instructions given by the Presiding Officer for the purpose of maintaining order and decorum at the meeting. Upon instruction of the Presiding Officer, it is the duty of the staff responsible for telephonic platform at the meeting to remove from the telephonic platform used for the Council meeting any person who is disturbing, disrupting, or otherwise impeding the proceedings of the Council.

(c) **Returning Disturbances.** Any person who leaves a meeting and re-logs in or calls in to the two-way telephonic platform to continue to disturb the meeting under a new username or phone number may be immediately removed from the meeting platform by the responsible staff person and may be prosecuted pursuant to Penal Code Section 403.

4.6 PERSONAL PRIVILEGE

The right of a member to address the City Council on a question of personal privilege shall be limited to cases in which his/her integrity, character, or motives are assailed, questioned or impugned.

4.7 CONFLICT OF INTEREST

Government Code Section 87105 describes the procedure to be followed if an official has a conflict of interest on a matter and cannot participate in a decision. The City Council Member must publicly identify the financial interest, recuse himself or herself from voting, and leave the room until after the discussion, vote and other disposition of the matter is concluded. If the matter is on the Consent Calendar, the official need not leave the room, but must still make the required disclosure on the record and abstain from voting. The City Council Member also may speak on the issue as a member of the general public, during the public comment period on that matter, solely to represent himself or herself on a matter related to his or her personal interest.

The announcement of the conflict of interest must be declared prior to the initiation of City Council consideration of the agenda item for which the conflict of interest exists.

4.8 LIMITATION OF DEBATE

No Council Member should speak more than once upon one subject until every other member choosing to speak thereon has spoken. No Council Member shall speak for a longer time than five (5) minutes each time he/she has the floor, without the approval of a majority vote of the Council.

4.9 DISSENTS, PROTESTS AND COMMENTS

Any Council Member shall have the right to express dissent from or protest to or comment upon any action of the Council and have the reason entered in the minutes. If such dissent, protest or comment is desired to be entered in the minutes, this should be made clear by language such as, "I would like the minutes to show that I am opposed to this action for the following reasons..."

4.10 RULINGS OF PRESIDING OFFICER FINAL UNLESS OVERRULED

In presiding over Council meetings, the Presiding Officer shall decide all questions of interpretation of these rules, points of order or other questions of procedure requiring rulings. Any such decision or ruling shall be final unless overridden or suspended by majority vote of the Council Members present and voting and shall be binding and legally effective for purposes of the matter under consideration.

5. ADDRESSING THE COUNCIL

5.1 MANNER OF ADDRESSING THE COUNCIL

(a) Any member of the public desiring to address the Council shall proceed to the podium and wait to be recognized by the Presiding Officer. After being recognized, he/she shall be asked to state his/her name and address for the record.

(b) All remarks and questions shall be addressed to the Presiding Officer and not to any individual Council Member, staff member or other person. During a public hearing all remarks shall be limited to the subject under consideration. No person shall enter into any discussion without being recognized by the Presiding Officer.

(c) Any member of the Council who has been recognized by the Presiding Officer of the Council for such purpose may address or respond to a member of the public who has addressed the Council pursuant hereto. Such address or response shall be exercised only once for each member of the public, shall not exceed three (3) minutes in length and shall be deemed to express the individual position or opinion of the Council Member offering the same and shall not be construed to bind the Council or the City in any manner. Unless otherwise directed by the Council, the restrictions imposed by this Subsection (a) shall apply only to those portions of the Council agenda during which members of the public are permitted to make oral communications to the Council.

5.2 TIME ALLOCATION

Except as set forth herein, any member of the public desiring to address the Council shall limit his/her statement to three (3) minutes unless further time has been granted by the Presiding Officer in the individual case, or in accordance with Section 2.5. The three (3) minute limitation will be extended to six (6) minutes for a speaker who utilizes a translator to ensure that non-English speakers receive the same opportunity to directly address the City Council.

5.3 ADDRESSING THE COUNCIL AFTER MOTION IS MADE

After a motion has been made, or after a public hearing has been closed, no member of the public shall address the Council without first securing permission by the Presiding Officer.

5.4 LIMITATIONS REGARDING PUBLIC COMMENTS AND REPORTS

The making of oral communications to the Council by any member of the public during the "Public Comment" portion of the agenda shall be subject to the requirements set forth in Section 5.2 and be subject to the following limitations:

5.4.1 At any time, before or after the oral communication is commenced, the Presiding Officer may if he/she deems it preferable, direct the communication be made instead either to the City Manager or other appropriate staff member during regular business hours, or in writing for subsequent submittal to Council Members.

5.4.2 No speaker shall be permitted to address the Council on a topic which is currently before or about to be submitted for consideration by a City Commission, Board or other agency before which the speaker should make his/her presentation, until that latter body has completed its deliberations and taken its final action. In case the speaker should have followed an otherwise available appeal procedure, the Presiding

Officer shall not allow oral communications to the Council outside that procedure.

5.4.3 No oral communications shall be allowed by the City Council to include charges or complaints against any employee of the City, regardless of whether such employee is identified in the presentation by name or by any other reference which tends to identify him/her. All charges or complaints against employees shall be submitted to the City Manager for appropriate action and may also be submitted to members of the Council by written communication.

5.5 WRITTEN CORRESPONDENCE

(a) The City Manager is authorized to receive and open all mail addressed to the City Council as a whole and give it immediate attention to the end that all administrative business referred to in said communications, and not necessarily requiring City Council action, may be disposed of between City Council meetings. A copy of such communication shall be provided to each Council Member marked "Information Only".

(b) Any communication relating to a matter pending, or to be brought before the City Council shall be included in the agenda packet for the meeting at which such item is to be considered.

(c) Letters of appeal from administrative or commission decisions shall be processed under applicable provisions of the Municipal Code or other Ordinances.

(d) Copies of all other communications sent to the City Council will be transmitted to them.

5.6 PERSONS AUTHORIZED TO BE WITHIN PLATFORM

No person except City officials shall be permitted within the area in front of the City Council dais without the invitation or consent of the Presiding Officer.

6. MOTIONS

6.1 PROCESSING OF MOTIONS

When a motion is made and seconded, it shall be stated by the Presiding Officer before debate. A motion so stated shall not be withdrawn by the mover without the consent of the person seconding it.

6.2 MOTIONS OUT OF ORDER

The Presiding Officer may at any time, by majority consent of the Council, permit a member to introduce an Ordinance, Resolution, or motion out of the regular agenda order.

6.3 DIVISION OF QUESTION

If the question contains two or more divisional propositions, the Presiding Officer may, and upon request of a Council Member shall, divide the subject matter of a motion so that Council Members can vote separately on each part.

6.4 PRECEDENCE OF MOTIONS

When a motion is before the Council, no motion shall be entertained except the following, which shall have precedence in the following order:

- 1) Adjourn
- 2) Fix Hour of Adjournment
- 3) Table
- 4) Limit or Terminate Discussion
- 5) Amend
- 6) Postpone

6.5 MOTION TO ADJOURN (Not Debatable)

A motion to adjourn shall be in order at any time, except as follows:

- 1) When repeated without intervening business or discussion;
- 2) When made as an interruption of a member while speaking;
- 3) When discussion has been ended, and vote and motion is pending;
and
- 4) While a vote is being taken.

A motion to adjourn "to another time" shall be debatable only as to the time to which the meeting is adjourned.

6.6 MOTION TO FIX HOUR OF ADJOURNMENT

Such a motion shall be to set a definite time at which to adjourn and shall be undebatable and shall be unamendable except by unanimous vote.

6.7 MOTION TO TABLE

A motion to table shall be used to temporarily by-pass the subject. A motion to table shall be undebatable and shall preclude all amendments or debate of the subject under consideration. If the motion prevails, the matter may be "taken from the table" at any time prior to the end of the next regular meeting.

6.8 MOTION TO LIMIT OR TERMINATE DISCUSSION

Such a motion shall be used to limit or close debate on, or further amendment to, the main motion and shall be undebatable. If the motion fails, debate shall be reopened; if the motion passes, a vote shall be taken on the main motion.

6.9 MOTION TO AMEND

A motion to amend shall be debatable only as to the amendment. A motion to amend requires a second, unless the Council Member who made the original motion agrees to the amendment. If the Council Member who made the original motion does not agree to the amendment, then a majority vote is needed to decide whether the amendment is accepted.

6.10 MOTION TO CONTINUE

Motions to continue to a definite time shall be amendable and debatable as to propriety of postponement and time set.

7. VOTING PROCEDURE

7.1 VOTING PROCEDURE

In acting upon every motion, the vote shall be taken by voice or roll call or any other method by which the vote of each Council Member present can be clearly ascertained. The vote on each motion shall then be entered in full upon the record. The order of voting shall be in alphabetical by last name. The City Clerk shall call the names of members seated when a roll call vote is ordered or required. Members shall respond "yes", "no" or "abstain", provided that when a vote is collectively taken by voice or when a method of voting other than by voice or roll call is used, any Council Member not audibly and clearly responding "no" or "abstain" or otherwise registering an objection shall have his/her vote recorded as "yes".

7.2 ROLL CALL VOTING

Every Ordinance (other than urgency Ordinances) and any Resolutions or orders for franchises or payments of money require three (3) affirmative votes. Urgency Ordinances require four (4) affirmative votes. A roll call vote shall be used for:

- 1) Urgency Ordinances;
- 2) Other action requiring a 4/5 vote (some franchise-type actions, override on a protest, etc.); or
- 3) Consent calendar.

Any other question before the Council shall not require a roll call vote unless demanded by any member, or as otherwise required by State law. It shall not be in order for Council Members to explain their vote during roll call. Any Council Member may change his/her vote before the next order of business.

7.3 FAILURE TO VOTE

Every Council Member should vote unless disqualified for cause. A Council Member who does not participate on a particular item due to a conflict of interest shall, for purpose of the item under consideration, be considered as if absent.

7.4 RECONSIDERATION

Any Council Member who voted with the majority may move for a reconsideration of any action at the same meeting. After a motion for reconsideration has once been acted upon, no other motion for a reconsideration thereof shall be made without unanimous consent of the Council.

7.5 TIE VOTES

Tie votes shall be lost motions. When all Council Members are present, a tie vote on whether to grant an appeal from official action shall be considered a denial of such appeal unless the Council takes other action to further consider the matter. If a tie vote results at a time when less than all members of the Council are present, the matter shall automatically be continued to the agenda of the next regular meeting of the Council, unless otherwise ordered by the Council.

7.6 REMOTE PARTICIPATION VOTING

When any Council Member participates remotely, all votes shall be taken by roll call.

8. RESOLUTIONS

8.1 DEFINITIONS

As a rule of thumb, legislative acts of the City Council (usually a rule of public conduct for long-term application) are taken by Ordinance, whereas more routine business and administrative matters (usually more temporary and transitory in nature) are accomplished by Resolutions. The term "Resolution" in its general sense will denote any action taken affirmatively via a vote of the Council, other than one taken by Ordinance. As used in this City, however, three terms are in general used to denote such (non-Ordinance) actions: "Resolution", "minute order", and "motion" (thereafter recorded by minute entry). Technically, all three are equally as legally effective and binding, but these actions vary in the formality of respective memorialization. The most formal is referred to locally as a "Resolution". In addition to being referenced in the minutes, Resolutions will be recorded by a separate document, numbered in sequence and preserved in a separate set of books. Such "Resolutions" are used in this City for various reasons, such as when specifically required by law, when needed as a separate document to be transmitted to another governmental agency, or where the frequency of future reference back to its contents warrants a separate document (with the additional "whereas" explanatory material it often recites) to facilitate such future reference and research.

A "minute order" as used locally denotes a separate document which is also maintained in a separate set of books, under a system of sequential numbering, and is referenced in the minutes; however the "minute order" is drafted far more briefly than a "Resolution" and is distinguished from a mere minute entry only by the need, in general, to have a separate document to facilitate a certain administrative process to which it pertains.

A "motion" (assuming it passed) is a Council action which is recorded simply by an item entry in the minutes of the meeting at which it was accomplished, and no separate document is made to memorialize it.

8.2 RESOLUTIONS PREPARED IN ADVANCE

Where a Resolution has been prepared in advance, the procedure shall be: motion, second, discussion, vote pursuant to methods prescribed in Section 7.1, and result declared. It shall not be necessary to read a Resolution in full or by title except to identify it. Any member may require the Resolution be read in full.

8.3 RESOLUTIONS NOT PREPARED IN ADVANCE

Where a Resolution has not been prepared in advance, the procedure shall be to instruct the City Manager or the City Attorney to prepare a Resolution for presentation at the next Council meeting.

8.4 URGENCY RESOLUTIONS

(a) In matters of urgency, a Resolution may be presented verbally in motion form together with instructions for written preparation for later execution. After the Resolution has been verbally stated, the voting procedure in 7.2 above shall be followed.

(b) Urgency Resolutions shall be avoided except when absolutely necessary; and shall be avoided entirely when Resolutions are required by law, in improvement acts, zoning matters, or force account work on public projects. Where the Resolution has been drafted in written form, either before or during the meeting, this paragraph shall not be deemed applicable.

9. ORDINANCES

9.1 INTRODUCTION AND ADOPTION OF ORDINANCES

Ordinances shall not be passed within five days of their introduction, or at any meeting other than a regular meeting or at an adjourned regular meeting. However, an urgency Ordinance may be passed immediately upon introduction and either at a regular or special meeting. Except when, after reading the title, further reading is waived by regular motion adopted by unanimous vote of the Council Members present, all Ordinances shall be read in full either at the time of introduction or passage. When Ordinances, other than urgency Ordinances, are altered after introduction, they shall be passed only at a regular or at an adjourned meeting held at least five days after alteration.

Corrections of typographical or clerical errors are not alterations within the meaning of this section.

9.2 EFFECTIVE DATE

All ordinances, except as provided in Section 36937 of the Government Code, shall take effect 30 days after adoption, but may be made operative at such later date as may be designated in the Ordinance.

9.3 PUBLISHING

It shall be the duty of the City Clerk to post or publish all Ordinances in accordance with Section 36933 of the Government Code within 15 days after adoption.

9.4 URGENCY ORDINANCES

All urgency Ordinances must receive four (4) affirmative votes to be adopted and to become effective immediately. If such an Ordinance fails to receive 4/5ths majority, it may thereafter be considered and passed in the same manner as regular Ordinances.

10. STUDY SESSIONS

10.1 SCHEDULE OF STUDY SESSIONS

(a) Council Members able to attend scheduled study sessions will meet for the purpose of discussion of special subjects of immediate concern and meeting and conferring with City Commission, Civic Organizations and City Officials relative to pending City business.

(b) The time for Study Sessions will be as specified by the Council or by the Mayor on individual occasions when appropriate to the convenience of the Council Members, provided when this occurs, written notice shall be provided in accordance with the Government Code.

10.2 OPEN TO THE PUBLIC

Study Sessions shall at all times be open to the public and the news media.

10.3 PURPOSE

(a) Study Sessions constitute a meeting of the City Council, but are limited to a single subject matter where staff seeks to convey information to the City Council or obtain general direction from the City Council on a particular subject matter.

(b) At such Study Sessions, no formal action shall be taken, no motions shall be offered, no arguments entered into; the sole purpose of said meetings is to provide background information to members of the Council and to allow Council Members to ask questions and to express personal opinions.

(c) If an item is presented at a study session by a Council member for the purpose of placing it on the agenda of a regular Council meeting, if the majority of the Council Members concur, the item should be placed on the agenda of a Council meeting on a future date.

10.4 AGENDA

The City Manager shall be responsible for preparing an agenda, along with any available supporting information, of items for discussion at each study session. In compliance with Government Code section 54953.4(c)(1), the agenda shall be translated to Spanish or any other “applicable language” as that term is defined by Section 54953.4.

11. CITY COUNCIL MEETING PREPARATION

11.1 PLACING AN ITEM ON THE AGENDA BY A COUNCIL MEMBER

Any City Council Member may request an item be placed on a future formal meeting agenda by making a request to the City Manager. If the City Manager receives two separate written requests by Council Members requesting to place an item on a future agenda, the item shall be placed on a future agenda. **11.2 PLACING AN ITEM ON THE AGENDA BY THE CITY COUNCIL**

The City Council, by majority vote, may place any item on a future study session or formal agenda. The City Council may take such action, whether or not the potential action is identified on the City Council agenda. However, if the potential action is not identified on the City Council agenda, a vote to place the item on a future agenda must take place with no material debate or discussion.

11.3 CALLING UP AN ITEM FOR CITY COUNCIL CONSIDERATION

The City Council may call up any item of any Board, Commission or Committee of the City where said item does not normally require consideration and action by the Council, for the purpose of requesting that said item be placed on the next available

City Council agenda by serving written request of any two (2) Council Members to the City Manager Such written request must be served within ten (10) calendar days of the action taken by the Board, Commission or Committee of the City.

11.4 DELIVERY AND DISTRIBUTION OF AGENDA PACKETS

The City Council Agenda packets are prepared by the City Clerk's Office. Barring insurmountable difficulties, the Agenda packets will be distributed to Council Members on the Thursday preceding the Tuesday Regular City Council Meeting.

11.5 BACKUP MATERIAL FOR AGENDA ITEMS

Each agenda item shall be composed of a staff report and all support material needed for the City Council to take its action. When an agenda item will have an unusually large volume of support material, such as an environmental impact report, staff shall attempt to provide the City Council and members of the public with that material before distribution of the agenda packet and with adequate time to allow the City Council and members of the public to review the material before City Council consideration of the material.

11.6 AGENDA POSTING LOCATIONS

A complete copy of the City Council Agenda shall be posted at the following three locations; City Hall, 27215 Base Line, Highland, CA 92346; Highland Sam J. Racadio Library and Environmental Learning Center, 7863 Central Avenue, Highland, CA 92346; and Fire Station No. 1, 26974 Base Line Highland, CA 92346.

11.7 AGENDA MATERIAL DISTRIBUTED LESS THAN 72 HOURS PRIOR TO MEETING

In the event that materials are distributed by City staff to the City Council on an agenda item less than 72 hours before the meeting, the materials shall be made available to the public concurrently at City Hall, 27215 Base Line Highland, CA 92346.

11.8 PRESENTATION MEETING MATERIALS

(a) All individuals, including applicants, developers, or members of the public, who wish to provide a presentation to the City Council using audio, visual, or digital materials shall submit such materials to the City Clerk's Office in advance of the meeting. Materials shall be submitted no later than 12:00 p.m. (noon) on the Thursday preceding the scheduled meeting, unless otherwise approved by the City Clerk, to allow sufficient time for review, formatting, and technical preparation.

(b) Individuals requesting to participate remotely, including developers or project applicants, shall also submit all presentation materials in advance to the City Clerk's Office within the same timeframe. Remote presenters shall not be permitted to screen-share or present materials independently.

(c) All materials submitted shall become part of the administrative record.

12. USE OF CITY LETTERHEAD STATIONERY

Copies of all correspondence sent by individual Council Members on City letterhead stationery shall be prepared by City staff as designated by the City Manager, with copies of all such correspondence maintained at City Hall.

City Council Members may be provided and may use City notecards, which are not imprinted with the names or offices of any City official, for personal, informal notes involving City business.

13. TECHNOLOGY DISRUPTION POLICY

Public meetings held by the City Council are required to include an opportunity for members of the public to attend via a two-way telephonic service or a two-way audiovisual platform (such as Zoom). The only exception is if adequate telephonic or internet service is not operational at the meeting location. This policy sets forth clear procedures and expectations for addressing technological disruptions in telephonic or internet services that provide two-way remote public access to City Council meetings, as required by the Brown Act (Government Code Section 54953.4). This policy pertains to all open and public meetings of the City Council at which remote public participation is offered or required under the Brown Act.

13.1 Designation of Responsible Person of the City’s Two-Way Remote Public Access Service. The City Manager or his or her designee shall identify a City employee or vendor who is responsible for operating the two-way telephonic service, referred to herein as the “Hybrid Platform”, at noticed public meetings of the City Council (“Responsible Person”). Typically, the Responsible Person handles the operation of the microphones, cameras and other audio visual equipment and/or telephonic or voice equipment during City Council meetings and ensures that the Hybrid Platform has connectivity so that the meeting is displayed, both visually and with audio, in the case of an audiovisual platform such as Zoom or Teams, or telephonically if a telephonic system is utilized.

13.2 Role of the City Clerk. The City Clerk is the person designated at City Council meetings for operating the Hybrid Platform to ensure the recording of the City Council meeting and for interacting with the Hybrid Platform to receive and record public comments. The City Clerk works within the Hybrid Platform as the meeting host to queue speakers who desire to provide public comment, admit speakers into the meeting when it is their turn to speak and thereafter remove said speakers, interact with the speakers as needed, including muting and unmuting speakers, and closes the queue when the public comment period ends. If a telephonic system is used, the City Clerk conducts the same or similar activities. The City Clerk interacts with the Presiding Officer so that speakers who participate virtually or telephonically are called upon by the Presiding Officer to provide their comments.

13.3 Disruption of the Hybrid Platform - Notification to the Presiding Officer. If the Responsible Person or the City Clerk determines at any time during the City Council meeting that the Hybrid Platform is experiencing technical difficulties such that there is no telephonic or internet service in order for the Hybrid Platform to be operational, or there is a disruption or other technical issue that makes two-way remote participation not possible during the City Council meeting (for example, the City Council meeting is no longer able to be observed or heard by the public via the Hybrid Platform or the public is unable to remotely attend the City Council meeting via the Hybrid Platform), the Responsible Person or the City Clerk shall immediately inform the Presiding

Officer that the Hybrid Platform has been disrupted and a recess is required in order to restore service to the Hybrid Platform.

13.4 Announcement by the Presiding Officer. The Presiding Officer shall make an announcement regarding the need to call a recess because there is a disruption or other technical issue that has rendered the Hybrid Platform non-operational preventing two-way remote participation. After such announcement, the Mayor or presiding officer shall call for a recess and inform the in-person audience that under the Brown Act, the recess may last for up to an hour or until the service is restored to the Hybrid Platform. Pursuant to the Brown Act, the City Council is required to recess the open session of the City Council meeting for at least one hour following the disruption, or until telephonic or internet service is restored, whichever is earlier.

13.5 Recordation of the Time Recess is Called. The City Clerk shall physically in writing record the time when the recess is called by the Presiding Officer.

13.6 Good Faith Attempt to Restore Service to the Hybrid Platform. During the recess, the Responsible Person and/or the City Clerk and any other member of City Staff shall make a good faith attempt to restore service to the Hybrid Platform. This includes troubleshooting any issues impacting connectivity including but not limited to the following: internet or telephonic connectivity issues (for example, check the connection, check the connection speed, test the internet bandwidth, contact the internet or telephonic provider, etc.), or audio or video quality concerns or webcam and audio issues (check settings of equipment and/or Hybrid Platform, check connections and cables, check app permissions (if applicable), ensure webcams or other cameras not blocked, adjust camera settings, test of audio, reinstall app or program (if applicable) etc.).

13.7 Troubleshooting Hybrid Platform is Successful. If the Responsible Person, City Clerk, or any other member of City Staff is successful in restoring the service to the Hybrid Platform within one hour of when the recess was called, the City Clerk shall inform the Presiding Officer that the matter has been resolved. The Presiding Officer shall then reconvene the City Council meeting and shall inform the public that service has been restored to the Hybrid Platform. The City Clerk shall physically in writing record the time of when the City Council meeting is reconvened.

13.8 Troubleshooting Hybrid Platform is Not Successful. If the Responsible Person, City Clerk, or any other member of City Staff was not successful in restoring the service to the Hybrid Platform within one hour of when the recess was called, the City Clerk shall inform the Presiding Officer that after making a good faith attempt to restore service, service to the Hybrid Platform was unable to be restored. The City Clerk shall give a description of the efforts made to restore service. The City Clerk shall physically in writing record the time of when the City Council meeting is reconvened.

13.9 Reconvening the Open Session of the City Council Meeting. The Presiding Officer shall subsequently reconvene the City Council meeting. Upon reconvening the meeting, the Presiding Officer shall inform the City Council and the public that services to the Hybrid Platform were unable to be restored and the Presiding Officer shall request that a finding be made as follows: (i) that good faith efforts to restore the

telephonic or internet service have been made in accordance with the City's Technology Disruption Policy; and (ii) that the public interest in continuing the meeting outweighs the public interest in remote public access. The Presiding Officer shall call for a motion, ask for a second and ask the City Clerk to take a roll call vote. If the motion making the finding is passed, the City Council may continue the City Council meeting.

13.10 Certain Meetings Exempt. The requirement set forth in Government Code Section 54953.4 that open and public meetings shall include an opportunity for members of the public to attend the City Council meeting via a two-way remote system, does not apply to the following meetings: (i) a meeting to attend a judicial or administrative proceeding to which the City is a party; (ii) a meeting to inspect real or personal property provided that the topic of the meeting is limited to items directly related to the real or personal property; (iii) a meeting with elected or appointed officials of the United States or the State of California, solely to discuss a legislative or regulatory issue affecting the city and over which the federal or state officials have jurisdiction; (iv) a meeting in or nearby a facility owned by the City, provided that the topic of the meeting is limited to items directly related to the facility; and (v) a meeting in an emergency situation pursuant to Government Code Section 54956.5.

13.11 Closed Session During a Recess. During the recess described herein, the City Council may meet in closed session during this period for items listed in the closed session agenda for that meeting.

14. REASONABLE ACCOMMODATION POLICY FOR CITY COUNCIL MEMBERS

14.1 Purpose. Government Code Section 54953 allows for members of City Council with disabilities to participate in meetings remotely as a reasonable accommodation. If such an accommodation is granted under this new provision, remote participation due to a disability will be treated as in-person attendance at the physical meeting location for all purposes, including reaching a quorum. The traditional teleconference requirements of posting the address of the teleconference location and allowing public participation from the teleconference location will not apply.

The purpose of this policy is to ensure compliance with the Brown Act and to provide a written procedure for receiving and swiftly resolving reasonable accommodation requests made by Council Members, 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 purpose is to enable participation in City Council meetings through remote participation for a qualifying individual whose disability precludes their in-person attendance at a meeting of their legislative body. As set forth in 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, the opinion stated that not every disability necessitates remote participation, because not every disability precludes in-person attendance; therefore, a fact intensive, individualized, case-by-case inquiry is required when considering remote participation as a reasonable accommodation.

14.2 Procedure. A City Council Member who desires to attend meetings remotely because of a qualified disability shall make an accommodation request in writing to the City Manager. The request should include a written statement that the Council Member requires remote participation under this policy because of their disability. The Council Member is not required to disclose the particular disability. The request shall be made at least three weeks before the meeting for which the Council Member first seeks accommodation, or as soon thereafter upon becoming disabled and requiring a reasonable accommodation.

14.3 Interactive Process. The City Manager is authorized to make reasonable inquiries about the Council Member's need for accommodation, to conduct the necessary case-by-case inquiry into the request and to accommodate a qualifying disability, consistent with applicable law. The City may require additional information, such as a medical provider's certification of the existence of a qualifying disability and the need for the accommodation to attend remotely. The City may not ask the Council Member or their medical provider to disclose a specific diagnosis. The City Manager will inform the Council Member and the City Clerk of the decision on the request for reasonable accommodation in writing.

14.4 Length of Accommodation. An approved reasonable accommodation for remote access attendance at public meetings shall be in effect for the period of time that the Council Member's disabling condition continues, and the decision of the City Manager shall reflect this determination.

14.5 Confidentiality. All information regarding a Council Member's claimed disability or medical information must be kept confidential and maintained in a separate medical file by the City Manager. Such information may be disclosed in limited circumstances, such as to first aid and safety personnel, when appropriate, to government officials investigating compliance with the ADA, or to City staff trained on and entrusted with the handling of confidential medical information, if such disclosure is necessary to effectuate the reasonable accommodation.

14.6 Council Member's Responsibilities Under the Brown Act. If the accommodation for remote participation is granted, the Council Member is required to comply with the applicable provisions of Government Code Section 54953(c) as follows:

(a) The Council Member shall participate through both audio and visual technology, except that any Council Member with a disability, as defined by California Government Code Section 12926 and used in Section 12926.1, or by Section 12102 of Title 42 of the United States Code, may participate only through audio technology if a physical condition related to their disability results in a need to participate off camera.

(b) The Council Member shall disclose at the meeting before any action is taken, whether any other individuals 18 years of age or older are present in the room at the remote location with the member, and the general nature of the Council Member's relationship with any of those individuals.

15. REASONABLE ACCOMMODATION POLICY FOR MEMBERS OF THE PUBLIC

Government Code Section 54953.8(b)(8) requires that all public agencies have and implement a written 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 or staff.

15.1 Readily Available Accommodations

(a) Any of the following accommodations can be provided for at a publicly noticed City Council meeting or meetings open to the public pursuant to the Brown Act, upon request:

(1) Agendas and staff reports: Upon request, any agendas or staff reports can be made available in appropriate alternative formats to persons with a disability, including hyperlinks where appropriate so that the user can access the linked information.

(2) For individuals with hearing loss: Qualified interpreters on-site; assistive listening devices; or voice and video-based telecommunications products and systems, provided the request is made at least 72 hours in advance of the meeting.

(3) For individuals with visual impairments: Qualified readers; audio recordings; or large print materials. Electronic agendas should be compatible with the screen readers that are commonly used by those who are visually impaired. City Council meetings are livestreamed on the City's website and include closed captioning. These meetings may be attended in person or remotely via Zoom. City Council meetings are replayed on the City's website and audio recordings and transcripts of the meetings are available as well.

(4) For individuals with mobility impairments: ADA-accessible facilities are available to access the Council Chambers, and remote participation is offered via Zoom with telephone access.

15.2 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. 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 program. If a particular accommodation is unreasonable, the City will offer an alternative accommodation that is reasonable.

15.3 Process to request an additional accommodation:

(a) Individuals who have an additional accommodation that is not identified above, should request such accommodation as soon practicable, but at least 72 hours prior to the meeting or time when services are needed. The sooner the request is made, the more likely it is that the City can provide the accommodation or an alternative.

The individual seeking the accommodation can make this request themselves, or someone can make the request on their behalf with the individual's permission.

(b) The request for accommodation can be made orally or in writing, and must be submitted to the City Clerk's Office so as to avoid delay in reviewing and processing the request. Requests can be made by contacting City Hall at (909) 864-6861 (TTY Relay: 711), via email to publiccomment@highlandca.gov, or by mailing such a request to the City Clerk's Office at 27215 Base Line, Highland, CA 92346. If the request is made via mail, the request must be made early enough that a response can be timely provided.

(c) The request for an accommodation must provide the following information:

(1) Identify accommodation. The City needs to know the type of accommodation is being requested and/or how the accommodation will allow the individual to access and participate in the meeting. The individual is not required to disclose the particular disability, instead a general statement of explanation will suffice. The individual may, but is not required to, submit a letter from a physician to the effect that the requested accommodation is required for the individual to access and participate in the meeting.

(2) Contact information. The individual must provide staff current contact information so they can respond in a timely manner. This can be a mailing address, an email address, or telephone number, for example. Note that if only a mailing address is provided, the request needs to be made early enough that a mailed response can be timely provided.

(3) Identify meeting. The individual must identify if the accommodation is requested for a specific meeting, or for all or a series of meetings before the City Council. The individual should provide the dates of the meeting or meetings for which they are requesting an accommodation.

(d) Procedures for staff:

(1) 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.

(2) The City Attorney's Office may be requested to assist in the review of requests, and assist staff in providing a response to the requestor as soon as practicable.

(3) 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.

(4) 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.

SECTION 3. This Resolution shall take effect on July 1, 2026.

PASSED, APPROVED AND ADOPTED this 26th day of May, 2026.

Penny Lilburn
Mayor

ATTEST:

Alondra Muñoz, CMC
City Clerk

APPROVED AS TO FORM:

Maricela E. Marroquin
City Attorney

Attachment 3: SB 707 Legislation

Senate Bill No. 707

CHAPTER 327

An act to amend Sections 54952.7, 54953, 54953.5, 54953.7, 54954.2, 54954.3, 54956, 54956.5, 54957.6, 54957.9, and 54957.95 of, to amend and repeal Section 54952.2 of, to add Sections 54953.8, 54953.8.1, 54953.8.2, and 54957.96 to, and to add and repeal Sections 54953.4, 54953.8.3, 54953.8.4, 54953.8.5, 54953.8.6, and 54953.8.7 of, the Government Code, relating to local government.

[Approved by Governor October 3, 2025. Filed with Secretary
of State October 3, 2025.]

LEGISLATIVE COUNSEL'S DIGEST

SB 707, Durazo. Open meetings: meeting and teleconference requirements.

(1) Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body, as defined, of a local agency be open and public and that all persons be permitted to attend and participate.

This bill would, beginning July 1, 2026, and until January 1, 2030, require an eligible legislative body, as defined, to comply with additional meeting requirements, including that, except as specified, all open and public meetings include an opportunity for members of the public to attend via a 2-way telephonic service or a 2-way audiovisual platform, as defined, and that the eligible legislative body take specified actions to encourage residents to participate in public meetings, as specified. The bill would require an eligible legislative body, on or before July 1, 2026, to approve at a noticed public meeting in open session a policy regarding disruption of telephonic or internet services occurring during meetings subject to these provisions, as specified, and would require the eligible legislative body to comply with certain requirements relating to disruption, including for certain disruptions, recessing the open session for at least one hour and making a good faith attempt to restore the service, as specified.

(2) Existing law prohibits a majority of the members of a legislative body, outside a meeting authorized by the act, from using a series of communications of any kind to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body. Existing law defines "meetings" for these purposes to mean any congregation of a majority of the members of a legislative body at the same time and location, as specified, to hear, discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the legislative body. Until January 1, 2026, existing law excepts from the prohibition a member engaging in separate conversations or communications outside of

a meeting with any other person using an internet-based social media platform for specified purposes, provided, among other things, that a majority of the members do not use the internet-based social media platform to discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body.

This bill would make the above-described exception related to communications on an internet-based social media platform applicable indefinitely.

(3) Existing law requires a legislative body, prior to taking final action, to orally report a summary of a recommendation for a final action on specified forms of compensation for a local agency executive, as defined, during the open meeting in which the final action is to be taken.

This bill would also require the legislative body to make that oral report, as provided above, prior to taking final action on those specified forms of compensation for a department head or other similar administrative officer of the local agency.

(4) Existing law requires a legislative body of a local agency or its designee, at least 72 hours before a regular meeting, to post an agenda that meets specified requirements, including that the agenda contain a brief general description of each item of business to be transacted or discussed at the meeting, as specified.

This bill would, beginning July 1, 2026, and until July 1, 2030, require the agenda for each meeting of an eligible legislative body, as defined, to be translated into all applicable languages. The bill would define “applicable languages” to mean languages, according to data from the most recent American Community Survey, spoken jointly by 20% or more of the applicable population, as specified, provided that 20% or more of the population that speaks that language that in that city or county speaks English less than “very well,” as specified, and except as provided.

Existing law requires every agenda for regular meetings to provide an opportunity for members of the public to directly address the legislative body on any item of interest of the public, as specified. Existing law specifies that the agenda is not required to provide an opportunity for members of the public to address the legislative body on any item that has already been considered by a committee, as specified, except if the item has been substantially changed since the committee heard the item, as determined by the legislative body.

This bill would add certain exceptions to the provision related to an item that has already been considered by a committee, including excepting committees whose primary subject matter jurisdiction focuses on elections, budgets, police oversight, privacy, removing from, or restricting access to, materials available in public libraries, or taxes or related spending proposals, except as specified.

(5) Existing law authorizes a legislative body of a local agency to require a copy of the act to be given to each member of the legislative body and specified persons elected to serve as a member of the legislative body, and authorizes an elected legislative body member to require a copy to be given

to each member of each legislative body all or a majority of whose members are appointed by or under the authority of the elected legislative body.

This bill would instead require a local agency to provide a copy of the act to any person elected or appointed to serve as a member of a legislative body of the local agency.

Existing law authorizes legislative bodies of local agencies to impose requirements upon themselves which allow greater access to their meetings than prescribed by the minimal standards set forth in the act, and authorizes an elected legislative body of a local agency to also impose those requirements on those appointed legislative bodies of the local agency of which all or a majority of the members are appointed by or under the authority of the elected legislative body.

This bill would remove the above-described requirement that members of an appointed legislative body of a local agency must be appointed by or under the authority of the elected legislative body of a local agency in order for the elected legislative body to impose the above-described requirements on the appointed legislative body.

(6) Existing law provides any person attending an open and public meeting of a legislative body of a local agency with the right to record the proceedings with an audio or visual recorder or a still or motion picture camera, as specified.

This bill would remove the reference to an audio or visual recorder or a still or motion picture camera for purposes of recording the proceedings, as described above.

(7) Existing law authorizes a legislative body of a local agency to use teleconferencing, as specified, and requires a legislative body of a local agency that elects to use teleconferencing to comply with specified general requirements, including that the local agency post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Existing law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as specified.

Existing law authorizes members who are outside the jurisdiction of a health authority, as defined, that conducts a teleconferencing meeting to, notwithstanding the above-described general teleconference provisions, count towards the establishment of a quorum when participating in the teleconference if, among other things, at least 50% of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction.

Existing law authorizes, in certain circumstances, the legislative body of a local agency to use specified alternative teleconferencing which include provisions related to, among others, notice of the means by which members of the public may access the meeting and offer public comment and identifying and including an opportunity for all persons to attend via a call-in option or an internet-based service option. Those circumstances in which

the legislative body of a local agency is authorized to use the alternative teleconferencing provisions include specified circumstances relating to a state of emergency, as defined, and, until January 1, 2026, subject to specified limitations, a member's need to participate remotely due to just cause, defined to include, among other things, a need related to a physical or mental disability, or emergency circumstances, as defined, if certain quorum and disclosure requirements are met.

Existing law also authorizes certain eligible legislative bodies, including neighborhood councils and student body associations and student-run community college organizations to, until January 1, 2026, use alternate teleconferencing if, among other requirements, the city council or board of trustees, as applicable, has adopted an authorizing resolution and $\frac{2}{3}$ of the neighborhood city council or specified student organization, as applicable, votes to use alternate teleconference provisions, as specified.

This bill would revise and recast the above-specified teleconferencing and alternative teleconferencing provisions to uniformly apply certain noticing, disclosure, accessibility, and public commenting provisions. The bill would require a legislative body of a local agency that elects to use teleconferencing pursuant to these alternative teleconferencing provisions to comply with, in addition to any other applicable requirements under the act, specified requirements, including that the legislative body provides at least either 2-way audiovisual platform or 2-way telephonic service and a live webcasting of the meeting as a means by which the public may, among other things, remotely hear and visually observe the meeting, and that a member of the legislative body who participates in a teleconference meeting from a remote location pursuant to these alternative teleconferencing provisions and the specific provision of law that the member relied upon to permit their participation by teleconferencing are listed in the minutes of the meeting. The bill would require a local agency to identify and make available to legislative bodies a list of one or more meeting locations that may be available for use by the legislative bodies to conduct their meetings.

The bill would specify that nothing in the bill's provisions is to be construed to prohibit a member of a legislative body with a disability, as defined, from participating in any meeting of the legislative body by remote participation as a reasonable accommodation pursuant to any applicable law. The bill would apply certain provisions relative to, among other things, quorum establishment to that circumstance.

The bill would instead authorize a health authority, as defined, to conduct a teleconference meeting pursuant to the above-described alternative teleconferencing provisions.

The bill would revise and recast the alternative teleconferencing provisions applicable in a state of emergency, as defined. The bill would also include a local emergency, as defined, as a circumstance in which a legislative body of a local agency is authorized to use the alternative teleconferencing provisions.

The bill would revise and recast the alternative teleconferencing provisions applicable in cases of a member's need to participate remotely due to just

cause or emergency circumstances, as defined, to remove the provision applicable to emergency circumstances, to revise related definitions, including broadening the definition of just cause to include, among other things, a physical or family medical emergency that prevents a member from attending in person, and to require the minutes for a meeting to identify the specific provision of law that each member relied upon to participate remotely, as specified. The bill would extend the authorization to use the alternative teleconferencing provision until January 1, 2030.

The bill would revise and recast the alternative teleconferencing provisions applicable to neighborhood councils and student body associations and student-run community college organizations. In regards to the alternative teleconferencing provisions applicable to student body associations and student-run community college organizations, the bill would exempt the California Online Community College from specified requirements for an in-person quorum, a physical location for public participation, and certain accommodations under the authorization, and remove the ability for a person with a disability that requires certain accommodations to count towards the in-person quorum requirement. The bill would specify that the student body associations and student-run community college organizations described above are those in any community college recognized within the California Community Colleges system, and would extend the authorization to the Student Senate for California Community Colleges. The bill would extend the authorization to use the alternative teleconferencing provisions applicable to neighborhood councils and student body associations and student-run community college organizations until January 1, 2030.

The bill would, until January 1, 2030, also authorize a specified subsidiary body of local agencies to conduct a teleconference meeting pursuant to the above-described alternative teleconferencing provisions, provided that it complies with the requirements for alternative teleconferencing described above and additional requirements, including that the subsidiary body designates one physical meeting location within the boundaries of the legislative body that created the subsidiary body where members of the subsidiary body who are not participating remotely shall be present and members of the public may physically attend, observe, hear, and participate in the meeting, as specified.

The bill would, until January 1, 2030, also authorize specified multijurisdictional bodies of local agencies to conduct a teleconference meeting pursuant to the above-described alternative teleconferencing provisions, provided that it complies with the requirements for alternative teleconferencing described above and additional requirements, including that the eligible multijurisdictional body has adopted a resolution that authorizes the multijurisdictional body to use teleconferencing at a regular meeting in open session.

The bill would specify that these teleconferencing provisions are cumulative, and would authorize a legislative body to elect to use any teleconferencing provisions that are applicable to a meeting, regardless of

whether any other teleconferencing provisions would also be applicable to that meeting.

Existing law defines “teleconference” for purposes of the authorization for a legislative body of a local agency to use teleconferencing to mean a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both.

This bill would specify that “teleconference” does not include the attendance of one or more members of a legislative body in a meeting of the body solely by watching or listening via webcasting or any other similar electronic medium that does not permit members to interactively speak, discuss, or deliberate on matters.

(8) Existing law authorizes a special meeting to be called any time by, among other persons, the presiding officer of the legislative body of a local agency, by delivering specified written notices and posting a notice on the local agency’s internet website, if the local agency has one. Existing law requires specified legislative bodies to comply with the internet website posting requirement.

The bill would remove the requirement that only specified legislative bodies comply with the internet website posting requirement, thereby imposing that requirement on all legislative bodies.

(9) Existing law authorizes a legislative body of a local agency to hold an emergency meeting without complying with specified notice and posting requirements in the case of emergency circumstances, as specified, and imposes various requirements under these provisions applicable to either legislative bodies generally or legislative bodies which are a school board.

This bill would remove the school board distinction from the above-described provisions, thereby imposing the same requirements to hold an emergency meeting on all legislative bodies of local agencies.

By imposing additional duties on legislative bodies of local agencies, the bill would impose a state-mandated local program.

(10) Existing law authorizes, in addition to other related specified authorizations, the presiding member of the legislative body conducting a meeting or their designee to remove, or cause the removal of, an individual for disrupting the meeting. Existing law defines “disrupting” for these purposes to mean engaging in behavior during a meeting of a legislative body that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting, as specified.

This bill would specify that a meeting for purposes of that provision includes any teleconferenced meeting. The bill would specify that the existing authority of a legislative body or its presiding officer to remove or limit participation by persons who engage in behavior that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting, as specified, applies to members of the public participating in a meeting via a 2-way telephonic service or a 2-way audiovisual platform, as those terms are defined.

(11) The bill would make other updates to references in the act.

(12) Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

(13) The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

(14) The bill would include findings that changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities.

(15) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The people of the State of California do enact as follows:

SECTION 1. Section 54952.2 of the Government Code, as amended by Section 1 of Chapter 89 of the Statutes of 2020, is amended to read:

54952.2. (a) As used in this chapter, “meeting” means any congregation of a majority of the members of a legislative body at the same time and location, including teleconference location as permitted by Section 54953, to hear, discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the legislative body.

(b) (1) A majority of the members of a legislative body shall not, outside a meeting authorized by this chapter, use a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body.

(2) Paragraph (1) shall not be construed as preventing an employee or official of a local agency, from engaging in separate conversations or communications outside of a meeting authorized by this chapter with members of a legislative body in order to answer questions or provide information regarding a matter that is within the subject matter jurisdiction of the local agency, if that person does not communicate to members of the legislative body the comments or position of any other member or members of the legislative body.

(3) (A) Paragraph (1) shall not be construed as preventing a member of the legislative body from engaging in separate conversations or communications on an internet-based social media platform to answer

questions, provide information to the public, or to solicit information from the public regarding a matter that is within the subject matter jurisdiction of the legislative body provided that a majority of the members of the legislative body do not use the internet-based social media platform to discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body. A member of the legislative body shall not respond directly to any communication on an internet-based social media platform regarding a matter that is within the subject matter jurisdiction of the legislative body that is made, posted, or shared by any other member of the legislative body.

(B) For purposes of this paragraph, all of the following definitions shall apply:

(i) “Discuss among themselves” means communications made, posted, or shared on an internet-based social media platform between members of a legislative body, including comments or use of digital icons that express reactions to communications made by other members of the legislative body.

(ii) “Internet-based social media platform” means an online service that is open and accessible to the public.

(iii) “Open and accessible to the public” means that members of the general public have the ability to access and participate, free of charge, in the social media platform without the approval by the social media platform or a person or entity other than the social media platform, including any forum and chatroom, and cannot be blocked from doing so, except when the internet-based social media platform determines that an individual violated its protocols or rules.

(c) Nothing in this section shall impose the requirements of this chapter upon any of the following:

(1) Individual contacts or conversations between a member of a legislative body and any other person that do not violate subdivision (b).

(2) The attendance of a majority of the members of a legislative body at a conference or similar gathering open to the public that involves a discussion of issues of general interest to the public or to public agencies of the type represented by the legislative body, provided that a majority of the members do not discuss among themselves, other than as part of the scheduled program, business of a specified nature that is within the subject matter jurisdiction of the local agency. Nothing in this paragraph is intended to allow members of the public free admission to a conference or similar gathering at which the organizers have required other participants or registrants to pay fees or charges as a condition of attendance.

(3) The attendance of a majority of the members of a legislative body at an open and publicized meeting organized to address a topic of local community concern by a person or organization other than the local agency, provided that a majority of the members do not discuss among themselves, other than as part of the scheduled program, business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.

(4) The attendance of a majority of the members of a legislative body at an open and noticed meeting of another body of the local agency, or at an open and noticed meeting of a legislative body of another local agency, provided that a majority of the members do not discuss among themselves, other than as part of the scheduled meeting, business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.

(5) The attendance of a majority of the members of a legislative body at a purely social or ceremonial occasion, provided that a majority of the members do not discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.

(6) The attendance of a majority of the members of a legislative body at an open and noticed meeting of a standing committee of that body, provided that the members of the legislative body who are not members of the standing committee attend only as observers.

SEC. 2. Section 54952.2 of the Government Code, as added by Section 2 of Chapter 89 of the Statutes of 2020, is repealed.

SEC. 3. Section 54952.7 of the Government Code is amended to read:

54952.7. A local agency shall provide a copy of this chapter to any person elected or appointed to serve as a member of a legislative body of the local agency.

SEC. 4. Section 54953 of the Government Code, as amended by Section 2 of Chapter 534 of the Statutes of 2023, is amended to read:

54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all otherwise applicable requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. If the legislative body of a local agency elects to use teleconferencing, the legislative body of a local agency shall comply with all of the following:

(A) All votes taken during a teleconferenced meeting shall be by rollcall.

(B) The teleconferenced meetings shall be conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency.

(C) The legislative body shall give notice of the meeting and post agendas as otherwise required by this chapter.

(D) The legislative body shall allow members of the public to access the meeting and the agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as expressly provided in this chapter.

(4) The teleconferencing requirements of this subdivision shall not apply to remote participation described in subdivision (c).

(c) (1) Nothing in this chapter shall be construed to prohibit a member of a legislative body with a disability from participating in any meeting of the legislative body by remote participation as a reasonable accommodation pursuant to any applicable law.

(2) A member of a legislative body participating in a meeting by remote participation pursuant to this subdivision shall do both of the following:

(A) The member shall participate through both audio and visual technology, except that any member with a disability, as defined in Section 12102 of Title 42 of the United States Code, may participate only through audio technology if a physical condition related to their disability results in a need to participate off camera.

(B) The member shall disclose at the meeting before any action is taken, whether any other individuals 18 years of age or older are present in the room at the remote location with the member, and the general nature of the member's relationship with any of those individuals.

(3) Remote participation under this subdivision shall be treated as in-person attendance at the physical meeting location for all purposes, including any requirement that a quorum of the legislative body participate from any particular location. The provisions of subdivision (b) and Sections 54953.8 to 54953.8.7, inclusive, shall not apply to remote participation under this subdivision.

(d) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) (A) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of either of the following during the open meeting in which the final action is to be taken:

(i) A local agency executive, as defined in subdivision (d) of Section 3511.1.

(ii) A department head or other similar administrative officer of the local agency.

(B) This paragraph shall not affect the public’s right under the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(e) For purposes of this section, both of the following definitions apply:

(1) “Disability” means a physical disability or a mental disability as those terms are defined in Section 12926 and used in Section 12926.1, or a disability as defined in Section 12102 of Title 42 of the United States Code.

(2) (A) “Teleconference” means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both.

(B) Notwithstanding subparagraph (A), “teleconference” does not include one or more members watching or listening to a meeting via webcasting or any other similar electronic medium that does not permit members to interactively speak, discuss, or deliberate on matters.

(3) “Remote participation” means participation in a meeting by teleconference at a location other than any physical meeting location designated in the notice of the meeting.

SEC. 5. Section 54953.4 is added to the Government Code, to read:

54953.4. (a) The Legislature finds and declares that public access, including through translation of agendas as required by this section, is necessary for an informed populace. The Legislature encourages local agencies to adopt public access requirements that exceed the requirements of this chapter by translating additional languages, employing human translators, and conducting additional outreach.

(b) (1) In addition to any other applicable requirements of this chapter, a meeting held by a eligible legislative body pursuant to this chapter shall comply with both of the following requirements:

(A) (i) (I) (ia) All open and public meetings shall include an opportunity for members of the public to attend via a two-way telephonic service or a two-way audiovisual platform, except if adequate telephonic or internet service is not operational at the meeting location. If adequate telephonic or internet service is operational at the meeting location during only a portion of the meeting, the legislative body shall include an opportunity for members of the public to attend via a two-way telephonic service or a two-way audiovisual platform during that portion of the meeting.

(ib) (Ia) On or before July 1, 2026, an eligible legislative body shall approve at a noticed public meeting in open session, not on the consent calendar, a policy regarding disruption of telephonic or internet service occurring during meetings subject to this sub-subclause. The policy shall address the procedures for recessing and reconvening a meeting in the event of disruption and the efforts that the eligible legislative body shall make to attempt to restore the service.

(Ib) If a disruption of telephonic or internet service that prevents members of the public from attending or observing the meeting via the two-way

telephonic service or two-way audiovisual platform occurs during the meeting, the eligible legislative body shall recess the open session of the meeting for at least one hour and make a good faith attempt to restore the service. The eligible legislative body may meet in closed session during this period. The eligible legislative body shall not reconvene the open session of the meeting until at least one hour following the disruption, or until telephonic or internet service is restored, whichever is earlier.

(Ic) Upon reconvening the open session, if telephonic or internet service has not been restored, the eligible legislative body shall adopt a finding by rollcall vote that good faith efforts to restore the telephonic or internet service have been made in accordance with the policy adopted pursuant to sub-sub-subclause (Ia) and that the public interest in continuing the meeting outweighs the public interest in remote public access.

(II) Subclause (I) does not apply to a meeting that is held to do any of the following:

(ia) Attend a judicial or administrative proceeding to which the local agency is a party.

(ib) Inspect real or personal property provided that the topic of the meeting is limited to items directly related to the real or personal property.

(ic) Meet with elected or appointed officials of the United States or the State of California, solely to discuss a legislative or regulatory issue affecting the local agency and over which the federal or state officials have jurisdiction.

(id) Meet in or nearby a facility owned by the agency, provided that the topic of the meeting is limited to items directly related to the facility.

(ie) Meet in an emergency situation pursuant to Section 54956.5.

(ii) If an eligible legislative body elects to provide a two-way audiovisual platform, the eligible legislative body shall publicly post and provide a call-in option, and activate any automatic captioning function during the meeting if an automatic captioning function is included with the two-way audiovisual platform. If an eligible legislative body does not elect to provide a two-way audiovisual platform, the eligible legislative body shall provide a two-way telephonic service for the public to participate in the meeting, pursuant to subclause (I).

(B) (i) All open and public meetings for which attendance via a two-way telephonic service or a two-way audiovisual platform is provided in accordance with paragraph (1) shall provide the public with an opportunity to provide public comment in accordance with Section 54954.3 via the two-way telephonic or two-way audiovisual platform, and ensure the opportunity for the members of the public participating via a two-way telephonic or two-way audiovisual platform to provide public comment with the same time allotment as a person attending a meeting in person.

(2) (A) An eligible legislative body shall reasonably assist members of the public who wish to translate a public meeting into any language or wish to receive interpretation provided by another member of the public, so long as the interpretation is not disrupting to the meeting, as defined in Section 54957.95. The eligible legislative body shall publicize instructions on how

to request assistance under this subdivision. Assistance may include any of the following, as determined by the eligible legislative body:

- (i) Arranging space for one or more interpreters at the meeting location.
- (ii) Allowing extra time during the meeting for interpretation to occur.
- (iii) Ensuring participants may utilize their personal equipment or reasonably access facilities for participants to access commercially available interpretation services.

(B) This section does not require an eligible legislative body to provide interpretation of any public meeting, however, an eligible legislative body may elect to provide interpretation of any public meeting.

(C) The eligible legislative body is not responsible for the content or accuracy of any interpretation facilitated, assisted with, or provided under this subdivision. An action shall not be commenced or maintained against the eligible legislative body arising from the content or accuracy of any interpretation facilitated, assisted with, or provided under this subdivision.

(3) An eligible legislative body shall take the following actions to encourage residents, including those in underrepresented communities and non-English-speaking communities, to participate in public meetings:

(A) Have in place a system for electronically accepting and fulfilling requests for meeting agendas and documents pursuant to Section 54954.1 through email or through an integrated agenda management platform. Information about how to make a request using this system shall be accessible through a prominent direct link posted on the primary internet website home page of the eligible legislative body.

(B) (i) Create and maintain an accessible internet webpage dedicated to public meetings that includes, or provides a link to, all of the following information:

(I) A general explanation of the public meeting process for the eligible legislative body.

(II) An explanation of the procedures for a member of the public to provide in-person or remote oral public comment during a public meeting or to submit written public comment.

(III) A calendar of all public meeting dates with calendar listings that include the date, time, and location of each public meeting.

(IV) The agenda posted online pursuant to paragraph (2) of subdivision (a) of Section 54954.2.

(ii) The eligible legislative body shall include a link to the webpage required by subparagraph (A) on the home page of the eligible legislative body's internet website.

(C) (i) Make reasonable efforts, as determined by the legislative body, to invite groups that do not traditionally participate in public meetings to attend those meetings, which may include, but are not limited to, all the following:

(I) Media organizations that provide news coverage in the jurisdiction of the eligible legislative body, including media organizations that serve non-English-speaking communities.

(II) Good government, civil rights, civic engagement, neighborhood, and community group organizations, or similar organizations that are active in the jurisdiction of the eligible legislative body, including organizations active in non-English-speaking communities.

(ii) Legislative bodies shall have broad discretion in the choice of reasonable efforts they make under this subparagraph. No action shall be commenced or maintained against an eligible legislative body arising from failing to provide public meeting information to any specific group pursuant to this subparagraph.

(c) (1) (A) The agenda for each meeting of an eligible legislative body shall be translated into all applicable languages, and each translation shall be posted in accordance with Section 54954.2. Each translation shall include instructions in the applicable language describing how to join the meeting by the telephonic or internet-based service option, including any requirements for registration for public comment.

(B) The accessible internet webpage provided under subparagraph (B) of paragraph (3) of subdivision (b) shall be translated into all applicable languages, and each translation shall be accessible through a prominent direct link posted on the primary internet website home page of the eligible legislative body.

(2) A translation made using a digital translation service shall satisfy the requirements of paragraph (1).

(3) The eligible legislative body shall make available a physical location that is freely accessible to the public in reasonable proximity to the physical location in which the agenda and translations are posted as described in paragraph (1), and shall allow members of the public to post additional translations of the agenda in that location.

(4) The eligible legislative body is not responsible for the content or accuracy of any translation provided pursuant to this subdivision. No action shall be commenced or maintained against an eligible legislative body arising from the content, accuracy, posting, or removal of any translation provided by the eligible legislative body or posted by any person pursuant to this subdivision.

(5) For the purposes of this section, the agenda does not include the entire agenda packet.

(d) This section shall not be construed to affect or supersede any other applicable civil rights, nondiscrimination, or public access laws.

(e) For purposes of this section, all of the following definitions apply:

(1) (A) “Applicable languages” means languages, according to data from the most recent American Community Survey, spoken jointly by 20 percent or more of the applicable population, provided that 20 percent or more of the population that speaks that language in that city or county speaks English less than “very well.”

(B) For the purposes of subparagraph (A), the applicable population shall be determined as follows:

(i) For an eligible legislative body that is a city council or county board of supervisors, the applicable population shall be the population of the city or county.

(ii) For an eligible legislative body of a special district, the applicable population shall be either of the following, at the discretion of the board of directors of the special district:

(I) The population of the county with the greatest population within the boundaries of the special district.

(II) The population of the service area of the special district, if the special district has the data to determine what languages spoken by the population within its service area meet the requirements of paragraph (A).

(C) If more than three languages meet the criteria set forth in subparagraph (A), “applicable languages” shall mean the three languages described in subparagraph (A) that are spoken by the largest percentage of the population.

(D) An eligible legislative body may elect to determine the applicable languages based upon a source other than the most recent American Community Survey if it makes a finding, based upon substantial evidence, that the other source provides equally or more reliable data for the territory over which the eligible legislative body exercises jurisdiction.

(2) “Eligible legislative body” means any of the following:

(A) A city council of a city with a population of 30,000 or more.

(B) A county board of supervisors of a county, or city and county, with a population of 30,000 or more.

(C) A city council of a city located in a county with a population of 600,000 or more.

(D) The board of directors of a special district that has an internet website and meets any of the following conditions:

(i) The boundaries of the special district include the entirety of a county with a population of 600,000 or more, and the special district has over 200 full-time equivalent employees.

(ii) The special district has over 1,000 full-time equivalent employees.

(iii) The special district has annual revenues, based on the most recent Financial Transaction Report data published by the California State Controller, that exceed four hundred million dollars (\$400,000,000), adjusted annually for inflation commencing January 1, 2027, as measured by the percentage change in the California Consumer Price Index from January 1 of the prior year to January 1 of the current year, and the special district employs over 200 full-time equivalent employees.

(3) “Two-way audiovisual platform” means an online platform that provides participants with the ability to participate in a meeting via both an interactive video conference and a two-way telephonic service.

(4) “Two-way telephonic service” means a telephone service that does not require internet access and allows participants to dial a telephone number to listen and verbally participate.

(f) This section shall become operative on July 1, 2026.

(g) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

SEC. 6. Section 54953.5 of the Government Code is amended to read:

54953.5. (a) Any person attending an open and public meeting of a legislative body of a local agency shall have the right to record the proceedings in the absence of a reasonable finding by the legislative body of the local agency that the recording cannot continue without noise, illumination, or obstruction of view that constitutes, or would constitute, a persistent disruption of the proceedings.

(b) Any recording of an open and public meeting made for whatever purpose by or at the direction of the local agency shall be subject to inspection pursuant to the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1), but, notwithstanding Section 34090, may be erased or destroyed 30 days after the recording. Any inspection of an audio or video recording shall be provided without charge on equipment made available by the local agency.

SEC. 7. Section 54953.7 of the Government Code is amended to read:

54953.7. Notwithstanding any other provision of law, legislative bodies of local agencies may impose requirements upon themselves which allow greater access to their meetings than prescribed by the minimal standards set forth in this chapter. In addition thereto, an elected legislative body of a local agency may impose those requirements on appointed legislative bodies of the local agency.

SEC. 8. Section 54953.8 is added to the Government Code, to read:

54953.8. (a) The legislative body of a local agency may use teleconferencing as authorized by subdivision (b) of Section 54953 without complying with the requirements of paragraph (3) of subdivision (b) of Section 54953 in any of the circumstances described in Sections 54953.8.1 to 54953.8.7, inclusive.

(b) A legislative body that holds a teleconference meeting pursuant to this section shall, in addition to any other applicable requirements of this chapter, comply with all of the following:

(1) The legislative body shall provide at least one of the following as a means by which the public may remotely hear and visually observe the meeting, and remotely address the legislative body:

(A) A two-way audiovisual platform.

(B) A two-way telephonic service and a live webcasting of the meeting.

(2) In each instance in which notice of the time of the teleconference meeting held pursuant to this section is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option.

(3) In the event of a disruption that prevents the legislative body from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the

local agency's control that prevents members of the public from offering public comments using the call-in option or internet-based service option, the legislative body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption that prevents the legislative body from broadcasting the meeting may be challenged pursuant to Section 54960.1.

(4) The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for the public to address the legislative body and offer comment in real time.

(5) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.

(6) (A) A legislative body that provides a timed public comment period for each agenda item shall not close the public comment period for the agenda item, or the opportunity to register, pursuant to paragraph (5), to provide public comment until that timed public comment period has elapsed.

(B) A legislative body that does not provide a timed public comment period, but takes public comment separately on each agenda item, shall allow a reasonable amount of time per agenda item to allow public members the opportunity to provide public comment, including time for members of the public to register pursuant to paragraph (5), or otherwise be recognized for the purpose of providing public comment.

(C) A legislative body that provides a timed general public comment period that does not correspond to a specific agenda item shall not close the public comment period or the opportunity to register, pursuant to paragraph (5), until the timed general public comment period has elapsed.

(7) Any member of the legislative body who participates in a teleconference meeting from a remote location pursuant to this section and the specific provision of law that the member relied upon to permit their participation by teleconferencing shall be listed in the minutes of the meeting.

(8) The legislative body shall have and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation 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. In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the procedure for receiving and resolving requests for accommodation.

(9) The legislative body shall conduct meetings subject to this chapter consistent with applicable civil rights and nondiscrimination laws.

(c) A local agency shall identify and make available to legislative bodies a list of one or more meeting locations that may be available for use by the legislative bodies to conduct their meetings.

(d) (1) Nothing in this section shall prohibit a legislative body from providing the public with additional teleconference locations.

(2) Nothing in this section shall prohibit a legislative body from providing the public with additional physical locations in which the public may observe and address the legislative body by electronic means.

(e) A member of a legislative body who participates in a teleconference meeting from a remote location pursuant to this section shall publicly disclose at the meeting before any action is taken whether any other individuals 18 years of age or older are present in the room at the remote location with the member, and the general nature of the member's relationship with those individuals.

(f) The teleconferencing provisions described in Section 54953 and Sections 54953.8.1 to 54953.8.7, inclusive, are cumulative. A legislative body may elect to use any teleconferencing provisions that are applicable to a meeting, regardless of whether any other teleconferencing provisions would also be applicable to that meeting.

(g) For purposes of this section, the following definitions apply:

(1) "Remote location" means a location from which a member of a legislative body participates in a meeting pursuant to paragraph (7) of subdivision (b), other than any physical meeting location designated in the notice of the meeting. Remote locations need not be accessible to the public.

(2) "Teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both.

(3) "Two-way audiovisual platform" means an online platform that provides participants with the ability to participate in a meeting via both an interactive video conference and a two-way telephonic service. A two-way audiovisual platform may be structured to disable the use of video for the public participants.

(4) "Two-way telephonic service" means a telephone service that does not require internet access and allows participants to dial a telephone number to listen and verbally participate.

(5) "Webcasting" means a streaming video broadcast online or on television, using streaming media technology to distribute a single content source to many simultaneous listeners and viewers.

SEC. 9. Section 54953.8.1 is added to the Government Code, to read:

54953.8.1. (a) A health authority may conduct a teleconference meeting pursuant to Section 54953.8, provided that it complies with the requirements of that section.

(b) Nothing in this section or Section 54953.8 shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority.

(c) For purposes of this section, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section

6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

SEC. 10. Section 54953.8.2 is added to the Government Code, to read:

54953.8.2. (a) A legislative body of a local agency may conduct a teleconference meeting pursuant to Section 54953.8 during a proclaimed state of emergency or local emergency, provided that it complies with the requirements of that section and the teleconferencing is used in either of the following circumstances:

(1) For the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(2) After a determination described in paragraph (1) is made that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(b) If the state of emergency or local emergency remains active, in order to continue to teleconference pursuant to this section, the legislative body shall, no later than 45 days after teleconferencing for the first time pursuant to this section, and every 45 days thereafter, make the following findings by majority vote:

(1) The legislative body has reconsidered the circumstances of the state of emergency or local emergency.

(2) The state of emergency or local emergency continues to directly impact the ability of the members to meet safely in person.

(c) This section shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(d) Notwithstanding paragraph (1) of subdivision (b) of Section 54953.8, a legislative body conducting a teleconference meeting pursuant to this section may elect to use a two-way telephonic service without a live webcasting of the meeting.

(e) For purposes of this section, the following definitions apply:

(1) "Local emergency" means a condition of extreme peril to persons or property proclaimed by the governing body of the local agency affected, in accordance with Section 8630 of the California Emergency Services Act (Chapter 7 (commencing with Section 8550) of Division 1 of Title 2), as defined in Section 8680.9, or a local health emergency declared pursuant to Section 101080 of the Health and Safety Code. Local emergency, as used in this section, refers only to local emergencies in the boundaries of the territory over which the local agency exercises jurisdiction.

(2) "State of emergency" means state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act (Chapter 7 (commencing with Section 8550) of Division 1 of Title 2).

SEC. 11. Section 54953.8.3 is added to the Government Code, to read:

54953.8.3. (a) A legislative body of a local agency may conduct a teleconference meeting pursuant to Section 54953.8 if, during the

teleconference meeting, at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda, which location shall be open to the public and situated within the boundaries of the territory over which the local agency exercises jurisdiction, provided that the legislative body complies with the requirements of Section 54953.8 and all of the following additional requirements:

(1) A member of the legislative body notifies the legislative body at the earliest opportunity possible, including at the start of a regular meeting, of their need to participate remotely for just cause, including a general description of the circumstances relating to their need to appear remotely at the given meeting.

(2) The member shall participate through both audio and visual technology.

(3) (A) The provisions of this subdivision shall not serve as a means for any member of a legislative body to participate in meetings of the legislative body solely by teleconference from a remote location for just cause for more than the following number of meetings, as applicable:

(i) Two meetings per year, if the legislative body regularly meets once per month or less.

(ii) Five meetings per year, if the legislative body regularly meets twice per month.

(iii) Seven meetings per year, if the legislative body regularly meets three or more times per month.

(B) For the purpose of counting meetings attended by teleconference under this paragraph, a “meeting” shall be defined as any number of meetings of the legislative body of a local agency that begin on the same calendar day.

(b) The minutes for the meeting shall identify the specific provision in subdivision (c) that each member relied upon to participate remotely. This subdivision shall not be construed to require the member to disclose any medical diagnosis or disability, or any personal medical information that is otherwise exempt under existing law, including, but not limited to, the Confidentiality of Medical Information Act (Chapter 1 (commencing with Section 56) of Part 2.6 of Division 1 of the Civil Code).

(c) For purposes of this section, “just cause” means any of the following:

(1) Childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely. “Child,” “parent,” “grandparent,” “grandchild,” and “sibling” have the same meaning as those terms do in Section 12945.2.

(2) A contagious illness that prevents a member from attending in person.

(3) A need related to a physical or mental condition that is not subject to subdivision (c) of Section 54953.

(4) Travel while on official business of the legislative body or another state or local agency.

(5) An immunocompromised child, parent, grandparent, grandchild, sibling, spouse, or domestic partner of the member that requires the member to participate remotely.

(6) A physical or family medical emergency that prevents a member from attending in person.

(7) Military service obligations that result in a member being unable to attend in person because they are serving under official written orders for active duty, drill, annual training, or any other duty required as a member of the California National Guard or a United States Military Reserve organization that requires the member to be at least 50 miles outside the boundaries of the local agency.

(d) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

SEC. 12. Section 54953.8.4 is added to the Government Code, to read:

54953.8.4. (a) An eligible neighborhood council may conduct a teleconference meeting pursuant to Section 54953.8, provided that it complies with the requirements of that section and all of the following have occurred:

(1) (A) The city council for a city described in paragraph (2) of subdivision (b) considers whether to adopt a resolution to authorize eligible neighborhood councils to use teleconferencing as described in this section at an open and regular meeting.

(B) If the city council adopts a resolution described in subparagraph (A), an eligible neighborhood council may elect to use teleconferencing pursuant to this section if a majority of the eligible neighborhood council votes to do so. The eligible neighborhood council shall notify the city council if it elects to use teleconferencing pursuant to this section and its justification for doing so.

(C) Upon receiving notification from an eligible neighborhood council described in subparagraph (B), the city council may adopt a resolution to prohibit the eligible neighborhood council from using teleconferencing pursuant to this section.

(2) After completing the requirements of subparagraph (A) of paragraph (1), an eligible neighborhood council that holds a meeting pursuant to this subdivision shall do all of the following:

(A) At least a quorum of the members of the eligible neighborhood council shall participate from locations within the boundaries of the city in which the eligible neighborhood council is established.

(B) At least once per year, at least a quorum of the members of the eligible neighborhood council shall participate in person from a singular physical location that is open to the public and within the boundaries of the eligible neighborhood council.

(3) If the meeting is during regular business hours of the offices of the city council member that represents the area that includes the eligible neighborhood council, the eligible neighborhood council shall provide a publicly accessible physical location from which the public may attend or comment, which shall be the offices of the city council member who

represents the area where the eligible neighborhood council is located, unless the eligible neighborhood council identifies an alternative location.

(4) If the meeting is outside regular business hours, the eligible neighborhood council shall make reasonable efforts to accommodate any member of the public that requests an accommodation to participate in the meeting.

(b) For purposes of this section, the following definitions apply:

(1) “Accommodation” means providing a publicly accessible physical location for the member of the public to participate from, providing access to technology necessary to participate in the meeting, or identifying locations or resources available that could provide the member of the public with an opportunity to participate in the meeting.

(2) “Eligible neighborhood council” means a neighborhood council that is an advisory body with the purpose to promote more citizen participation in government and make government more responsive to local needs that is established pursuant to the charter of a city with a population of more than 3,000,000 people that is subject to this chapter.

(c) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

SEC. 13. Section 54953.8.5 is added to the Government Code, to read:

54953.8.5. (a) An eligible community college student organization may conduct a teleconference meeting pursuant to Section 54953.8, provided that it complies with the requirements of that section and all of the following additional requirements:

(1) An eligible community college student organization may only use teleconferencing as described in Section 54953.8 after all the following have occurred:

(A) The board of trustees for a community college district considers whether to adopt a resolution to authorize eligible community college student organizations to use teleconferencing as described in this section at an open and regular meeting.

(B) If the board of trustees for a community college district adopts a resolution described in subparagraph (A), an eligible community college student organization may elect to use teleconferencing pursuant to this section if a majority of the eligible community college student organization votes to do so. The eligible community college student organization shall notify the board of trustees if it elects to use teleconferencing pursuant to this section and its justification for doing so.

(C) Upon receiving notification from an eligible community college student organization as described in subparagraph (B), the board of trustees may adopt a resolution to prohibit the eligible community college student organization from using teleconferencing pursuant to this section.

(D) (i) Except as specified in clause (ii), at least a quorum of the members of the eligible community college student organization shall participate from a singular physical location that is accessible to the public and is within the community college district in which the eligible community college student organization is established.

(ii) The requirements described in clause (i) shall not apply to the California Online Community College.

(iii) Notwithstanding the requirements of clause (i), a person may count toward the establishment of a quorum pursuant to clause (i) regardless of whether the person is participating at the in-person location of the meeting or remotely if the person meets any of the following criteria:

(I) The person is under 18 years of age.

(II) The person is incarcerated.

(III) The person is unable to disclose the location that they are participating from because of either of the following circumstances:

(ia) The person has been issued a protective court order, including, but not limited to, a domestic violence restraining order.

(ib) The person is participating in a program that has to remain confidential, including, but not limited to, an independent living program.

(IV) The person provides childcare or caregiving to a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely. For purposes of this subclause, “child,” “parent,” “grandparent,” “grandchild,” and “sibling” have the same meaning as those terms are defined in Section 12945.2.

(2) An eligible community college student organization that holds a meeting by teleconference as described in Section 54953.8 shall do the following, as applicable:

(A) (i) Except as specified in subparagraph (B), if the meeting is during regular business hours of the offices of the board of trustees of the community college district, the eligible community college student organization shall provide a publicly accessible physical location from which the public may attend or comment, which shall be the offices of the board of trustees of the community college district, unless the eligible community college student organization identifies an alternative location.

(ii) Except as specified in subparagraph (B), if the meeting is outside regular business hours, the eligible community college student organization shall make reasonable efforts to accommodate any member of the public that requests an accommodation to participate in the meeting. For the purposes of this subparagraph, “accommodation” means providing a publicly accessible physical location for the member of the public to participate from, providing access to technology necessary to participate in the meeting, or identifying locations or resources available that could provide the member of the public with an opportunity to participate in the meeting.

(B) The requirements described in subparagraph (A) shall not apply to the California Online Community College.

(b) For purposes of this section, “eligible community college student organization” means a student body association organized pursuant to Section 76060 of the Education Code, or any other student-run community college organization that is required to comply with the meeting requirements of this chapter, that is in any community college recognized within the California Community Colleges system and includes the Student Senate for California Community Colleges.

(c) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

SEC. 14. Section 54953.8.6 is added to the Government Code, to read:

54953.8.6. (a) An eligible subsidiary body may conduct a teleconference meeting pursuant to Section 54953.8, provided that it complies with the requirements of that section and all of the following additional requirements:

(1) The eligible subsidiary body shall designate one physical meeting location within the boundaries of the legislative body that created the eligible subsidiary body where members of the subsidiary body who are not participating remotely shall be present and members of the public may physically attend, observe, hear, and participate in the meeting. At least one staff member of the eligible subsidiary body or the legislative body that created the eligible subsidiary body shall be present at the physical meeting location during the meeting. The eligible subsidiary body shall post the agenda at the physical meeting location, but need not post the agenda at a remote location.

(2) (A) A member of the eligible subsidiary body shall visibly appear on camera during the open portion of a meeting that is publicly accessible via the internet or other online platform, except if the member has a physical or mental condition not subject to subdivision (c) of Section 54953 that results in a need to participate off camera.

(B) The visual appearance of a member of the eligible subsidiary body on camera may cease only when the appearance would be technologically infeasible, including, but not limited to, when the member experiences a lack of reliable broadband or internet connectivity that would be remedied by joining without video.

(C) If a member of the eligible subsidiary body does not appear on camera due to challenges with internet connectivity, the member shall announce the reason for their nonappearance prior to turning off their camera.

(3) An elected official serving as a member of an eligible subsidiary body in their official capacity shall not participate in a meeting of the eligible subsidiary body by teleconferencing pursuant to this section unless the use of teleconferencing complies with the requirements of paragraph (3) of subdivision (b) of Section 54953.

(4) (A) In order to use teleconferencing pursuant to this section, the legislative body that established the eligible subsidiary body by charter, ordinance, resolution, or other formal action shall make the following findings by majority vote before the eligible subsidiary body uses teleconferencing pursuant to this section for the first time, and every six months thereafter:

(i) The legislative body has considered the circumstances of the eligible subsidiary body.

(ii) Teleconference meetings of the eligible subsidiary body would enhance public access to meetings of the eligible subsidiary body, and the public has been made aware of the type of remote participation, including audio-visual or telephonic, that will be made available at a regularly scheduled meeting and has been provided the opportunity to comment at

an in-person meeting of the legislative body authorizing the subsidiary body to meet entirely remotely.

(iii) Teleconference meetings of the eligible subsidiary body would promote the attraction, retention, and diversity of eligible subsidiary body members.

(B) (i) An eligible subsidiary body authorized to use teleconferencing pursuant to this section may request to present any recommendations it develops to the legislative body that created it.

(ii) Upon receiving a request described in clause (i), the legislative body that created the subsidiary body shall hold a discussion at a regular meeting held within 60 days after the legislative body receives the request, or if the legislative body does not have another regular meeting scheduled within 60 days after the legislative body receives the request, at the next regular meeting after the request is received.

(iii) The discussion required by clause (ii) shall not be placed on a consent calendar, but may be combined with the legislative body’s subsequent consideration of the findings described in subparagraph (A) for the following 12 months.

(iv) The legislative body shall not take any action on any recommendations included in the report of a subsidiary body until the next regular meeting of the legislative body following the discussion described in clause (ii).

(C) After the legislative body makes the findings described in subparagraph (A), the eligible subsidiary body shall approve the use of teleconferencing by majority vote before using teleconference pursuant to this section.

(D) The legislative body that created the eligible subsidiary body may elect to prohibit the eligible subsidiary body from using teleconferencing pursuant to this section at any time.

(b) (1) For purposes of this section, “eligible subsidiary body” means a legislative body that meets all of the following:

(A) Is described in subdivision (b) of Section 54952.

(B) Serves exclusively in an advisory capacity.

(C) Is not authorized to take final action on legislation, regulations, contracts, licenses, permits, or any other entitlements, grants, or allocations of funds.

(D) Does not have primary subject matter jurisdiction, as defined by the charter, an ordinance, a resolution, or any formal action of the legislative body that created the subsidiary body, that focuses on elections, budgets, police oversight, privacy, removing from, or restricting access to, materials available in public libraries, or taxes or related spending proposals.

(2) An eligible subsidiary body may include members who are elected officials, members who are not elected officials, or any combination thereof.

(c) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

SEC. 15. Section 54953.8.7 is added to the Government Code, to read:

54953.8.7. (a) An eligible multijurisdictional body may conduct a teleconference meeting pursuant to Section 54953.8, provided that it complies with the requirements of that section and all of the following additional requirements:

(1) The eligible multijurisdictional body has adopted a resolution that authorizes the eligible multijurisdictional body to use teleconferencing pursuant to this section at a regular meeting in open session.

(2) At least a quorum of the members of the eligible multijurisdictional body shall participate from one or more physical locations that are open to the public and within the boundaries of the territory over which the local agency exercises jurisdiction.

(3) A member of the eligible multijurisdictional body who receives compensation for their service on the eligible multijurisdictional body shall participate from a physical location that is open to the public. For purposes of this paragraph, “compensation” does not include reimbursement for actual and necessary expenses.

(4) A member of the eligible multijurisdictional body may participate from a remote location provided that:

(A) The eligible multijurisdictional body identifies each member of the eligible multijurisdictional body who plans to participate remotely in the agenda.

(B) The member shall participate through both audio and visual technology.

(5) A member of the eligible multijurisdictional body shall not participate in a meeting remotely pursuant to this section, unless the location from which the member participates is more than 20 miles each way from any physical location of the meeting described in paragraph (2).

(6) The provisions of this section shall not serve as a means for any member of a legislative body to participate in meetings of the legislative body solely by teleconference from a remote location for more than the following number of meetings, as applicable:

(A) Two meetings per year, if the legislative body regularly meets once per month or less.

(B) Five meetings per year, if the legislative body regularly meets twice per month.

(C) Seven meetings per year, if the legislative body regularly meets three or more times per month.

(D) For the purpose of counting meetings attended by teleconference under this paragraph, a “meeting” shall be defined as any number of meetings of the legislative body of a local agency that begin on the same calendar day.

(b) For the purposes of this section, both of the following definitions apply:

(1) “Eligible multijurisdictional body” means a multijurisdictional board, commission, or advisory body of a multijurisdictional, cross-county agency, the membership of which board, commission, or advisory body is appointed,

and the board, commission, or advisory body is otherwise subject to this chapter.

(2) “Multijurisdictional” means either of the following:

(A) A legislative body that includes representatives from more than one county, city, city and county, or special district.

(B) A legislative body of a joint powers entity formed pursuant to an agreement entered into in accordance with Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1.

(c) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

SEC. 16. Section 54954.2 of the Government Code, as amended by Section 92 of Chapter 131 of the Statutes of 2023, is amended to read:

54954.2. (a) (1) At least 72 hours before a regular meeting, the legislative body of the local agency, or its designee, shall post an agenda that meets all of the following requirements:

(A) The agenda shall contain a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session. A brief general description of an item generally need not exceed 20 words.

(B) The agenda shall specify the time and location of the regular meeting and shall be posted in a location that is freely accessible to members of the public and on the local agency’s internet website, if the local agency has one.

(C) (i) If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof.

(ii) The agenda shall include information regarding how, to whom, and when a request for disability-related modification or accommodation, including auxiliary aids or services, may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting.

(2) For a meeting occurring on and after January 1, 2019, of a legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an internet website, the following provisions shall apply:

(A) An online posting of an agenda shall be posted on the primary internet website home page of a city, county, city and county, special district, school district, or political subdivision established by the state that is accessible through a prominent, direct link to the current agenda. The direct link to the agenda shall not be in a contextual menu; however, a link in addition to the direct link to the agenda may be accessible through a contextual menu.

(B) An online posting of an agenda, including, but not limited to, an agenda posted in an integrated agenda management platform, shall be posted in an open format that meets all of the following requirements:

(i) Retrievable, downloadable, indexable, and electronically searchable by commonly used internet search applications.

(ii) Platform independent and machine readable.

(iii) Available to the public free of charge and without any restriction that would impede the reuse or redistribution of the agenda.

(C) A legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an internet website and an integrated agenda management platform shall not be required to comply with subparagraph (A) if all of the following are met:

(i) A direct link to the integrated agenda management platform shall be posted on the primary internet website home page of a city, county, city and county, special district, school district, or political subdivision established by the state. The direct link to the integrated agenda management platform shall not be in a contextual menu. When a person clicks on the direct link to the integrated agenda management platform, the direct link shall take the person directly to an internet website with the agendas of the legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state.

(ii) The integrated agenda management platform may contain the prior agendas of a legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state for all meetings occurring on or after January 1, 2019.

(iii) The current agenda of the legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state shall be the first agenda available at the top of the integrated agenda management platform.

(iv) All agendas posted in the integrated agenda management platform shall comply with the requirements in clauses (i), (ii), and (iii) of subparagraph (B).

(D) The provisions of this paragraph shall not apply to a political subdivision of a local agency that was established by the legislative body of the city, county, city and county, special district, school district, or political subdivision established by the state.

(E) For purposes of this paragraph, both of the following definitions apply:

(1) “Integrated agenda management platform” means an internet website of a city, county, city and county, special district, school district, or political subdivision established by the state dedicated to providing the entirety of the agenda information for the legislative body of the city, county, city and county, special district, school district, or political subdivision established by the state to the public.

(2) “Legislative body” means a legislative body that meets the definition of subdivision (a) of Section 54952.

(3) No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3. In addition, on their own initiative or in response to questions posed by the public, a member of a legislative body or its staff may ask a question for clarification,

make a brief announcement, or make a brief report on their own activities. Furthermore, a member of a legislative body, or the body itself, subject to rules or procedures of the legislative body, may provide a reference to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.

(b) Notwithstanding subdivision (a), the legislative body may take action on items of business not appearing on the posted agenda under any of the conditions stated below. Prior to discussing any item pursuant to this subdivision, the legislative body shall publicly identify the item.

(1) Upon a determination by a majority vote of the legislative body that an emergency situation exists, as defined in Section 54956.5.

(2) Upon a determination by a two-thirds vote of the members of the legislative body present at the meeting, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the agenda being posted as specified in subdivision (a).

(3) The item was posted pursuant to subdivision (a) for a prior meeting of the legislative body occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

(c) This section is necessary to implement and reasonably within the scope of paragraph (1) of subdivision (b) of Section 3 of Article I of the California Constitution.

(d) For purposes of subdivision (a), the requirement that the agenda be posted on the local agency's internet website, if the local agency has one, shall only apply to a legislative body that meets either of the following standards:

(1) A legislative body as that term is defined by subdivision (a) of Section 54952.

(2) A legislative body as that term is defined by subdivision (b) of Section 54952, if the members of the legislative body are compensated for their appearance, and if one or more of the members of the legislative body are also members of a legislative body as that term is defined by subdivision (a) of Section 54952.

SEC. 17. Section 54954.3 of the Government Code is amended to read:

54954.3. (a) (1) Every agenda for regular meetings shall provide an opportunity for members of the public to directly address the legislative body on any item of interest to the public, before or during the legislative body's consideration of the item, that is within the subject matter jurisdiction of the legislative body, provided that no action shall be taken on any item not appearing on the agenda unless the action is otherwise authorized by subdivision (b) of Section 54954.2.

(2) (A) Notwithstanding paragraph (1), the agenda need not provide an opportunity for members of the public to address the legislative body on any item that has already been considered by a committee, composed

exclusively of members of the legislative body, at a public meeting wherein all interested members of the public were afforded the opportunity to address the committee on the item, before or during the committee's consideration of the item.

(B) Subparagraph (A) shall not apply if any of the following conditions are met:

(i) The item has been substantially changed since the committee heard the item, as determined by the legislative body.

(ii) When considering the item, a quorum of the committee members did not participate from a singular physical location, that was clearly identified on the agenda, open to the public, and situated within the boundaries of the territory over which the local agency exercises jurisdiction.

(iii) The committee has primary subject matter jurisdiction, as defined by the charter, an ordinance, a resolution, or any formal action of the legislative body that created the subsidiary body, that focuses on elections, budgets, police oversight, privacy, removing from, or restricting access to, materials available in public libraries, or taxes or related spending proposals. This clause shall not apply to an item if the local agency has adopted a law applicable to the meeting of the committee at which the item that was considered prohibits the committee from placing a limit on the total amount of time for public comment on the item.

(3) Every notice for a special meeting shall provide an opportunity for members of the public to directly address the legislative body concerning any item that has been described in the notice for the meeting before or during consideration of that item.

(b) (1) The legislative body of a local agency may adopt reasonable regulations to ensure that the intent of subdivision (a) is carried out, including, but not limited to, regulations limiting the total amount of time allocated for public testimony on particular issues and for each individual speaker.

(2) Notwithstanding paragraph (1), when the legislative body of a local agency limits time for public comment, the legislative body of a local agency shall provide at least twice the allotted time to a member of the public who utilizes a translator to ensure that non-English speakers receive the same opportunity to directly address the legislative body of a local agency.

(3) Paragraph (2) shall not apply if the legislative body of a local agency utilizes simultaneous translation equipment in a manner that allows the legislative body of a local agency to hear the translated public testimony simultaneously.

(c) The legislative body of a local agency shall not prohibit public criticism of the policies, procedures, programs, or services of the agency, or of the acts or omissions of the legislative body. Nothing in this subdivision shall confer any privilege or protection for expression beyond that otherwise provided by law.

SEC. 18. Section 54956 of the Government Code is amended to read:

54956. (a) (1) A special meeting may be called at any time by the presiding officer of the legislative body of a local agency, or by a majority

of the members of the legislative body, by delivering written notice to each member of the legislative body and to each local newspaper of general circulation and radio or television station requesting notice in writing and posting a notice on the local agency's internet website, if the local agency has one. The notice shall be delivered personally or by any other means and shall be received at least 24 hours before the time of the meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted or discussed. No other business shall be considered at these meetings by the legislative body. The written notice may be dispensed with as to any member who at or prior to the time the meeting convenes files with the clerk or secretary of the legislative body a written waiver of notice. The waiver may be given by telephone or electronic mail. The written notice may also be dispensed with as to any member who is actually present at the meeting at the time it convenes.

(2) The call and notice shall be posted at least 24 hours prior to the special meeting in a location that is freely accessible to members of the public.

(b) Notwithstanding any other law, a legislative body shall not call a special meeting regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits, of the legislative body or of a local agency executive, as defined in subdivision (d) of Section 3511.1. However, this subdivision does not apply to a local agency calling a special meeting to discuss the local agency's budget.

SEC. 19. Section 54956.5 of the Government Code is amended to read:

54956.5. (a) For purposes of this section, "emergency situation" means both of the following:

(1) An emergency, which shall be defined as a work stoppage, crippling activity, or other activity that severely impairs public health, safety, or both, as determined by a majority of the members of the legislative body.

(2) A dire emergency, which shall be defined as a crippling disaster, mass destruction, terrorist act, or threatened terrorist activity that poses peril so immediate and significant that requiring a legislative body to provide one-hour notice before holding an emergency meeting under this section may endanger the public health, safety, or both, as determined by a majority of the members of the legislative body.

(b) (1) Subject to paragraph (2), in the case of an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities, a legislative body may hold an emergency meeting without complying with either the 24-hour notice requirement or the 24-hour posting requirement of Section 54956 or both of the notice and posting requirements.

(2) Each local newspaper of general circulation and radio or television station that has requested notice of special meetings pursuant to Section 54956 shall be notified by the presiding officer of the legislative body, or designee thereof, one hour prior to the emergency meeting, or, in the case of a dire emergency, at or near the time that the presiding officer or designee notifies the members of the legislative body of the emergency meeting.

(A) Except as provided in subparagraph (B), the notice required by this paragraph shall be given by telephone and all telephone numbers provided in the most recent request of a newspaper or station for notification of special meetings shall be exhausted. In the event that telephone services are not functioning, the notice requirements of this paragraph shall be deemed waived, and the legislative body, or designee of the legislative body, shall notify those newspapers, radio stations, or television stations of the fact of the holding of the emergency meeting, the purpose of the meeting, and any action taken at the meeting as soon after the meeting as possible.

(B) For an emergency meeting held pursuant to this section, the presiding officer of the legislative body, or designee thereof, may send the notifications required by this paragraph by email instead of by telephone, as provided in subparagraph (A), to all local newspapers of general circulation, and radio or television stations, that have requested those notifications by email, and all email addresses provided by representatives of those newspapers or stations shall be exhausted. In the event that internet services and telephone services are not functioning, the notice requirements of this paragraph shall be deemed waived, and the legislative body, or designee of the legislative body, shall notify those newspapers, radio stations, or television stations of the fact of the holding of the emergency meeting, the purpose of the meeting, and any action taken at the meeting as soon after the meeting as possible.

(c) During a meeting held pursuant to this section, the legislative body may meet in closed session pursuant to Section 54957 if agreed to by a two-thirds vote of the members of the legislative body present, or, if less than two-thirds of the members are present, by a unanimous vote of the members present.

(d) All special meeting requirements, as prescribed in Section 54956 shall be applicable to a meeting called pursuant to this section, with the exception of the 24-hour notice requirement.

(e) The minutes of a meeting called pursuant to this section, a list of persons who the presiding officer of the legislative body, or designee of the legislative body, notified or attempted to notify, a copy of the rollcall vote, and any actions taken at the meeting shall be posted for a minimum of 10 days in a public place as soon after the meeting as possible.

SEC. 20. Section 54957.6 of the Government Code is amended to read:

54957.6. (a) Notwithstanding any other provision of law, a legislative body of a local agency may hold closed sessions with the local agency's designated representatives regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees, and, for represented employees, any other matter within the statutorily provided scope of representation, subject to all of the following conditions:

(1) Prior to the closed session, the legislative body of the local agency shall hold an open and public session in which it identifies its designated representatives.

(2) The closed session shall be for the purpose of reviewing its position and instructing the local agency's designated representatives.

(3) The closed session may take place prior to and during consultations and discussions with representatives of employee organizations and unrepresented employees.

(4) Any closed session with the local agency's designated representative regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits may include discussion of an agency's available funds and funding priorities, but only insofar as these discussions relate to providing instructions to the local agency's designated representative.

(5) The closed session shall not include final action on the proposed compensation of one or more unrepresented employees.

(6) For the purposes enumerated in this section, a legislative body of a local agency may also meet with a state conciliator who has intervened in the proceedings.

(b) For the purposes of this section, the term "employee" shall include an officer or an independent contractor who functions as an officer or an employee, but shall not include any elected official, member of a legislative body, or other independent contractors.

SEC. 21. Section 54957.9 of the Government Code is amended to read:

54957.9. In the event that any meeting is willfully interrupted by a group or groups of persons so as to render the orderly conduct of the meeting unfeasible and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, the members of the legislative body conducting the meeting may order the meeting room cleared and continue in session. Only matters appearing on the agenda may be considered in such a session. Representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this section. Nothing in this section shall prohibit the legislative body from establishing a procedure for readmitting an individual or individuals not responsible for willfully disturbing the orderly conduct of the meeting.

SEC. 22. Section 54957.95 of the Government Code is amended to read:

54957.95. (a) (1) In addition to authority exercised pursuant to Sections 54954.3 and 54957.9, the presiding member of the legislative body conducting a meeting or their designee may remove, or cause the removal of, an individual for disrupting the meeting, including any teleconferenced meeting.

(2) Prior to removing an individual, the presiding member or their designee shall warn the individual that their behavior is disrupting the meeting and that their failure to cease their behavior may result in their removal. The presiding member or their designee may then remove the individual if they do not promptly cease their disruptive behavior. This paragraph does not apply to any behavior described in subparagraph (B) of paragraph (1) of subdivision (b).

(b) As used in this section:

(1) "Disrupting" means engaging in behavior during a meeting of a legislative body that actually disrupts, disturbs, impedes, or renders infeasible

the orderly conduct of the meeting and includes, but is not limited to, one of the following:

(A) A failure to comply with reasonable and lawful regulations adopted by a legislative body pursuant to Section 54954.3 or any other law.

(B) Engaging in behavior that constitutes use of force or a true threat of force.

(2) “True threat of force” means a threat that has sufficient indicia of intent and seriousness, that a reasonable observer would perceive it to be an actual threat to use force by the person making the threat.

SEC. 23. Section 54957.96 is added to the Government Code, to read:

54957.96. (a) The existing authority of a legislative body or its presiding officer to remove or limit participation by persons who engage in behavior that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting, including existing limitations upon that authority, shall apply to members of the public participating in a meeting via a two-way telephonic service or a two-way audiovisual platform.

(b) For purposes of this section, the following definitions apply:

(1) “Two-way audiovisual platform” means an online platform that provides participants with the ability to participate in a meeting via both an interactive video conference and a two-way telephonic service. A two-way audiovisual platform may be structured to disable the use of video for the public participants.

(2) “Two-way telephonic service” means a telephone service that does not require internet access and allows participants to dial a telephone number to listen and verbally participate.

SEC. 24. The Legislature finds and declares that Section 4 of this act, which amends Section 54953 of, Section 5 of this act, which adds Section 54953.4 to, Sections 8 to 15, inclusive, of this act, which add Sections 54953.8 to 54953.8.7, respectively, to, Section 19 of this act, which amends Section 54956.5 of, Section 22 of this act, which amends Section 54957.95 of, and Section 23 of this act, which adds Section 54957.96 to, the Government Code, impose a limitation on the public’s right of access to the meetings of public bodies or the writings of public officials and agencies within the meaning of Section 3 of Article I of the California Constitution. Pursuant to that constitutional provision, the Legislature makes the following findings to demonstrate the interest protected by this limitation and the need for protecting that interest:

(a) This act is necessary to provide opportunities for public participation in meetings of specified public agencies and to promote the recruitment and retention of members of those agencies.

(b) This act is necessary to ensure minimum standards for public participation and notice requirements allowing for greater public participation in meetings.

(c) This act is necessary to modernize the Ralph M. Brown Act to reflect recent technological changes that can promote greater public access to local officials.

(d) The exclusively virtual nature of the California Online Community College presents unique barriers to the requirements for an in-person quorum, a physical location for public participation, and certain accommodations. Participating students of the online community college come from all across the state and necessitating travel for these requirements would pose a significant and exclusionary barrier.

SEC. 25. The Legislature finds and declares that Sections 1 and 2 of this act, which amend and repeal Section 54952.2, respectively, of, Section 3 of this act, which amends Section 54952.7 of, Section 4 of this act, which amends Section 54953 of, Section 5 of this act, which adds Section 54953.4 to, Section 6 of this act, which amends Section 54953.5 of, Section 7 of this act, which amends Section 54953.7 of, Sections 8 to 15, inclusive, of this act, which add Sections 54953.8 to 54953.8.7, respectively, to, Section 16 of this act, which amends Section 54954.2 of, Section 17 of this act, which amends Section 54954.3 of, Section 18 of this act, which amends Section 54956 of, Section 19 of this act, which amends Section 54956.5 of, Section 20 of this act, which amends Section 54957.6 of, Section 21 of this act, which amends Section 54957.9 of, Section 22 of this act, which amends Section 54957.95 of, and Section 23 of this act, which adds Section 54957.96 to, the Government Code, further, within the meaning of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the purposes of that constitutional section as it relates to the right of public access to the meetings of local public bodies or the writings of local public officials and local agencies. Pursuant to paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the Legislature makes the following findings:

(a) This act is necessary to provide opportunities for public participation in meetings of specified public agencies and to promote the recruitment and retention of members of those agencies.

(b) This act is necessary to ensure minimum standards for public participation and notice requirements allowing for greater public participation in meetings.

(c) This act is necessary to modernize the Ralph M. Brown Act to reflect recent technological changes that can promote greater public access to local officials.

(d) The exclusively virtual nature of the California Online Community College presents unique barriers to the requirements for an in-person quorum, a physical location for public participation, and certain accommodations. Participating students of the online community college come from all across the state and necessitating travel for these requirements would pose a significant and exclusionary barrier.

SEC. 26. The Legislature finds and declares that adequate public access to meetings is a matter of statewide concern and is not a municipal affair as that term is used in Section 5 of Article XI of the California Constitution. Therefore, this bill would apply to all cities, including charter cities.

SEC. 27. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs

that may be incurred by a local agency or school district under this act would result from a legislative mandate that is within the scope of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution.

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Staff Report

to the City Council

Agenda
Item
No.5.

Date: May 26, 2026
From: Carlos Zamano, City Manager
Reviewed By: Alondra Muñoz, City Clerk
Prepared By: Lissette Nock, Deputy City Clerk
Subject: City Manager Report and Comments (Work Program, Regional/Legislative/ Development Issues, Subcommittees, etc.)

Recommendation:

Discussion and possible action.

Fiscal Impact:

None

Public Notice:

The agenda for this item was posted at the three locations per Resolution No. 2011-047 and on the City's website.

Background:

Attachments:

None



Staff Report

to the City Council

Agenda
Item
No.6.

Date: May 26, 2026
From: Carlos Zamano, City Manager
Reviewed By: Alondra Muñoz, City Clerk
Prepared By: Lissette Nock, Deputy City Clerk
Subject: Councilmember Comments (Agency/Committee/AB 1234 Reports, District Updates, etc.)

Recommendation:

Discussion and possible action.

Fiscal Impact:

None

Public Notice:

The agenda for this item was posted at the three locations per Resolution No. 2011-047 and on the City's website.

Background:

Attachments:

None