

CITY OF HIGHLAND

LEGISLATIVE SUBCOMMITTEE AGENDA

Special Meeting
July 16, 2025 at 3:00 PM
City Hall Upright Conference Room
27215 Base Line, Highland CA 92346

SUBCOMMITTEE MEMBERS

Penny Lilburn, Member
District 3

Larry McCallon, Member
District 5

STAFF

Carlos Zamano, City Manager
Leticia Nava-Cruz, Director of Administrative Services/City Treasurer
Lawrence Mainez, Community Development Director
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 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.

Any disclosable public records related to an open session item provided to the majority of the Subcommittee after posting of this agenda are available for public inspection at Highland City Hall, 27215 Base Line, Highland, during normal business hours and available online at www.cityofhighland.org.

LEGISLATIVE SUBCOMMITTEE
July 16, 2025 - 3:00 p.m.

CALL TO ORDER

PUBLIC COMMENT

Submission of Public Comments for ITEMS ON THIS AGENDA ONLY: For those wishing to make public comments by email, please submit your comments by 2:00 p.m. on July 16, 2025, to publiccomment@cityofhighland.org. If you are submitting a public comment pertaining to an item on the July 16, 2025 agenda, please identify the agenda item number in the subject line. Members of the public will be permitted to make public comments in person.

BUSINESS ITEMS

1. Minutes - May 13, 2025
RECOMMENDATION: Approve the Minutes as submitted.
2. Senate Bill 840 (Limón) Greenhouse Gases Report
RECOMMENDATION: That the Subcommittee review and provide direction whether to send a Letter of Support to the legislature.
3. Senate Bill 707 (Durazo) Open Meetings: Meeting and Teleconference Requirements
RECOMMENDATION: That the Subcommittee review and discuss Senate Bill 707 (Durazo) and direct staff on action to be taken.

ADJOURN

I, Alondra Muñoz, City Clerk, of the City of Highland, California, certify that I caused to be posted this Agenda on or before the 14th day of July, 2025, by 5:30 p.m. on our website at www.cityofhighland.org and in the following designated areas:

Highland Branch Library
7863 Central Avenue

Fire Station No. 1
26974 Base Line

City Hall
27215 Base Line

Date: July 14, 2025



Alondra Muñoz
City Clerk



STAFF REPORT

TO THE LEGISLATIVE SUBCOMMITTEE

DATE: July 16, 2025

FROM: Alondra Muñoz, City Clerk

SUBJECT: Minutes - May 13, 2025 Meeting

RECOMMENDATION: Approve the minutes as submitted.

CALL TO ORDER

The Legislative Subcommittee Special Meeting was called to order at 5:00 p.m. in the Upright Conference Room, 27215 Base Line, Highland, California.

ROLL CALL

Present: Lilburn, McCallon
Absent: None

PUBLIC COMMENT

None

BUSINESS ITEMS

1. Minutes - April 23, 2025
Approved the Minutes as submitted.
2. Discussion of Assembly Bill 1358 (Valencia) Santa Ana River Conservancy Program: Lower Santa Ana River Region
The Subcommittee reviewed and approved the City to include itself in the joint opposition letter to the legislature.

ADJOURN

There being no further business, the meeting was adjourned at 5:10 p.m.

Submitted by:

Approved by:

Alondra Muñoz, CMC
City Clerk

Subcommittee Member



STAFF REPORT

TO THE LEGISLATIVE SUBCOMMITTEE

DATE: July 16, 2025

FROM: Carlos Zamano, City Manager *CZ*

PREPARED BY: Alondra Muñoz, City Clerk

SUBJECT: Senate Bill 840 (Limón) Greenhouse Gases Report

RECOMMENDATION: That the Subcommittee review and provide direction whether to send a Letter of Support to the legislature.

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: The California Global Warming Solutions Act of 2006 requires the State Air Resources Board, in adopting rules and regulations to achieve the maximum technologically feasible and cost-effective greenhouse gas emissions reductions to ensure that the statewide greenhouse gas emissions are reduced to at least 40% below the 1990 levels no later than December 31, 2030. The act requires the Legislative Analyst's Office, until January 1, 2030, to annually submit to the Legislature a report on the economic impacts and benefits of those greenhouse gas emissions reduction targets. The act, until January 1, 2031, establishes the Independent Emissions Market Advisory Committee and requires the committee to annually report to the state board and the Joint Legislative Committee on Climate Change Policies on the environmental and economic performance of the regulations establishing the market-based compliance mechanism and other relevant climate change policies. This bill would extend indefinitely the requirement for the Legislative Analyst's Office to annually submit to the Legislature the report on the economic impacts and benefits of those greenhouse gas emissions targets. The bill would require the committee, at a public hearing, to review the annual report by the Legislative Analyst's Office.

Cal Cities is leading a coalition alongside local government, transportation, and labor partners to urge state leaders to prioritize climate-safe infrastructure improvements during their negotiations, which will last through the end of the legislative session. A Letter of Support is attached for review and

- Attachments:**
- 1) Coalition Priorities
 - 2) Letter of Support Template

ATTACHMENT 1

California's Cap & Trade Program Should Prioritize Investments in Infrastructure Projects that Maximize Emissions Reductions, Enhance Climate Safety and Support Middle-Class Jobs

California's Cap & Trade program is set to expire in 2030. As lawmakers consider reauthorizing this program, they should prioritize proven investments in physical and natural infrastructure that will reduce the greatest amount of greenhouse gas emissions; that make us safer and more resilient to the impacts of climate change; and investments that create good paying middle-class jobs. Lawmakers should also ensure reauthorization does not increase taxes or fees that are ultimately paid by consumers in the form of higher cost of living.

Climate change and extreme weather are here. We need an *improved* Cap & Trade program that focuses on effectiveness, accountability and affordability.

THE CLIMATE SAFE INFRASTRUCTURE COALITION SUPPORTS IMPROVING THE CAP & TRADE PROGRAM BY INVESTING IN THE FOLLOWING:



State Supported Transit and Rail Infrastructure

- Continuous allocations to capital projects of regional significance with funds to be used to support the buildout of an integrated transit and rail network, including the Transit and Intercity Rail Capital Program (TRICP) and High Speed Rail.
- Continuous allocations to local and regional transit agencies to support the recovery, stabilization, and growth of transit and rail service statewide, including the Low Carbon Transit Operations Program (LCTOP).



State Wildfire Prevention and Resilience

- Significant allocation to high wildfire risk counties to fund:
 - CAL FIRE Fuels Reduction, fire engine procurement and training for local fire agencies, and mobile equipment management.
 - Statewide wildfire fuel mitigation projects, including landscape-scale reforestation, fuels reduction, pest management, prescribed fire, and forest biomass utilization.
 - Public safety emergency water supply infrastructure.

State Wildfire Prevention and Resilience *(Cont.)*

- Wood Products and Bioenergy grants and workforce development, including using Greenhouse Gas Reduction Funds to cover the above-market cost of producing bioenergy.
- Expansion of local fire evacuation routes including community fire planning and preparedness and wildfire response and readiness.



Local Land Use Infrastructure to Support High Density and Infill Development

- Continuous allocation to local, rural and regional governments to support projects consistent with a sustainable communities strategy, including:
 - Funding for local infrastructure around Transit Oriented Development.
 - Conversion of underutilized urban offices and commercial into housing.
 - Continued funding for state and regional affordable housing, sustainable communities programs and transformative climate communities efforts and programs like Regional Early Action Planning Grants (REAP 2.0).



Climate Adaptation and Sea Level Rise Infrastructure

- Continuous allocation for projects related to climate adaptation, including:
 - Annual allocation for levee improvements and catastrophic flooding prevention.
 - Relocating or replacing existing transportation and other critical infrastructure threatened by sea level rise such as Highway 37 and Highway 1.
 - Funding to protect coastal airports including LAX, SFO and SAN.



Clean Local Transportation Infrastructure

- Funding for local government to safely implement green transportation infrastructure, including:
 - Hydrogen and EV charging infrastructure.
 - Support for local Active Transportation Infrastructure.
 - Funding for local government and transit clean fleet compliance.
 - Develop network of regional VMT mitigation banks to offset local transportation project costs.



Organic Waste Management

- Assistance to local governments for municipal waste and recycling infrastructure, such as local assistance for organic waste collection and processing including facility siting and permitting.

ATTACHMENT 2

LETTER SUBMITTAL INSTRUCTIONS:

- 1) Please send a copy of your letter to your Legislator(s), a copy by email to your Regional Public Affairs Manager, and **the League's city letter account (cityletters@cacities.org)**. **Please send your letters as a text enabled document.**
- 2) In addition, the Legislature has a new letter submission process that requires **ALL LETTERS TO BE UPLOADED INTO A NEW ELECTRONIC PORTAL**. The portal will automatically send letters to the author's office and the committee(s) of jurisdiction. Please visit <https://calegislation.lc.ca.gov/advocates/> to create an account and upload this letter for SB 840 (Limon) and AB 1207 (Irwin).

CITY LETTERHEAD

DATE

The Honorable Monique Limon
1021 O Street, Room 7610
Sacramento, CA 95814

The Honorable Jacqui Irwin
1021 O Street, Room 6220
Sacramento, CA 95814

RE: Support Cap & Trade Reauthorization By Prioritizing Investments in Climate Safe Infrastructure

Dear Senator Limon and Assemblymember Irwin,

On behalf of the City/Town of _____, we write to you today to encourage legislators to prioritize climate safe infrastructure improvements as you reauthorize and improve the Cap-and-Trade program.

We support investments in physical and natural infrastructure proven to reduce the greatest amount of greenhouse gas emissions, make California safer and more resilient to the impacts of climate change, while supporting good paying middle class jobs. We also encourage you to keep affordability in mind and ensure that reauthorization does not increase taxes or fees that are ultimately paid by consumers in the form of higher cost of living.

Climate change and extreme weather are here already. We need an improved Cap-and-Trade program that prioritizes effectiveness and accountability while preserving affordability.

While there are many programs that the current program funds that are deserving of consideration, we believe that continuous investments in the following priorities will deliver the most benefits to California achieving its greenhouse gas reduction goals while also delivering tangible benefits to Californians that improve their day-to-day lives.

State and Regional Clean Transit Infrastructure

- Fund capital projects of regional significance with funds to be used to support the buildout of an integrated rail network
- Invest in local and regional transit agencies to support the recovery, stabilization, and growth of transit and rail service statewide, including capital expansions, ZEV transition, and operations and maintenance

Clean Local Transportation Infrastructure

- Prioritize new funding for local governments to safely implement green transportation infrastructure, including:
 - Hydrogen and EV charging infrastructure

- o Support for local Active Transportation Infrastructure
- o Funding for local government and transit clean fleet compliance
- o Develop network of regional VMT mitigation banks to offset local transportation project costs

State Wildfire Resilience Infrastructure

- Dedicate funding for high wildfire risk counties, including:
 - o Firefighting capital infrastructure, fire engine procurement and training for local fire agencies, and mobile equipment management
 - o Statewide wildfire fuel mitigation projects, including landscape-scale reforestation, fuels reduction, pest management, prescribed fire, and forest biomass utilization
 - o Public safety emergency water supply infrastructure
 - o Wood Products and Bioenergy grants and workforce development, including using GGGRF funds to cover above-market cost of producing bioenergy
 - o Expansion of local fire evacuation routes including community fire planning and preparedness and wildfire response and readiness

Local Land Use Infrastructure to Support High Density and Infill Development

- Invest in local, rural and regional governments to support projects consistent with a sustainable communities strategy, including:
 - o Funding for local infrastructure around Transit Oriented Development
 - o Conversion of underutilized urban office and commercial into housing
 - o Continued funding for state and regional affordable housing, sustainable communities programs and transformative climate communities efforts and programs like Local and Regional Early Action Planning Grants (LEAP & REAP)

Climate Adaptation for Sea Level Rise Infrastructure

- Fund annually projects related to climate adaptation, including:
 - o Levee improvements and catastrophic flooding prevention
 - o Relocate or replace existing transportation, coastal airports, and other critical infrastructure threatened by sea level rise
 - o Municipal waste and recycling infrastructure and local assistance for organic waste collection and processing including facility siting and permitting

[INCLUDE EXAMPLES FROM YOUR CITY THAT YOU WOULD LIKE TO SEE FUNDING FOR].

With the dual crisis of affordability and climate change knocking at our door, the City/Town of _____ respectfully asks that you prioritize the above investments as you reauthorize the Cap & Trade Program.

Sincerely,

NAME

TITLE

CITY/TOWN of _____

cc Your Senator & Assembly Member
 Your League Regional Public Affairs Manager (via email)
 League of California Cities, cityletters@cacities.org



STAFF REPORT

TO THE LEGISLATIVE SUBCOMMITTEE

DATE: July 16, 2025

FROM: Carlos Zamano, City Manager *CZ*

PREPARED BY: Alondra Muñoz, City Clerk

SUBJECT: Senate Bill 707 (Durazo) Open Meetings: Meeting and Teleconference Requirements

RECOMMENDATION: That the Subcommittee review and discuss Senate Bill 707 (Durazo) and direct staff on action to be taken.

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: The Ralph M. Brown Act (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. Senate Bill 707 (Durazo) would, 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, and that the eligible legislative body take specified actions to encourage residents to participate in public meetings.

SB 707 would mark the most significant overhaul of the Brown Act in recent years. Below is a list of additional changes to the Brown Act proposed in the bill:

- 1) Changes to the definition of a “legislative body”
- 2) Expansion on the definition of a “meeting”
- 3) New requirements for how to conduct closed sessions
- 4) Limits on what can be discussed in a special meeting
- 5) Agenda translation and interpretation services during meetings
- 6) Prohibit advisory bodies compensation for remote participation

Staff recommends the Legislative Subcommittee discuss SB 707 (Durazo) and provide input on the City’s potential position. At this time, the bill is still in the policy committee stage in the second house and the League of California Cities (Cal Cities) has not taken a formal position, only expressed concerns. Staff will continue to monitor the bill.

Attachments: 1) Senate Floor Analyses as of June 2, 2025
 2) SB 707 (Durazo) Coalition Concerns Letter
 3) Senate Bill 707 (Durazo) Text

ATTACHMENT 1

THIRD READING

Bill No: SB 707
Author: Durazo (D), et al.
Amended: 5/29/25
Vote: 21

SENATE LOCAL GOVERNMENT COMMITTEE: 5-0, 4/2/25
AYES: Durazo, Arreguín, Laird, Seyarto, Wiener
NO VOTE RECORDED: Choi, Cabaldon

SENATE JUDICIARY COMMITTEE: 9-0, 4/22/25
AYES: Umberg, Arreguín, Ashby, Durazo, Laird, Stern, Wahab, Weber Pierson,
Wiener
NO VOTE RECORDED: Niello, Allen, Caballero, Valladares

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

SUBJECT: Open meetings: meeting and teleconference requirements

SOURCE: Author

DIGEST: This bill makes various changes to the rules for local agencies to hold public meetings pursuant to the Ralph M. Brown Act (Brown Act).

Senate Floor Amendments of 5/29/25 (1) alter requirements for teleconferencing flexibility; (2) remove expansion of definitions for “meeting” and “legislative body,” and provisions related to closed meetings; (3) modifies the requirement for certain local agencies to provide remote participation for the public; (4) modifies translation and interpretation provisions; and (5) makes other technical and clarifying changes.

ANALYSIS:

Existing law:

- 1) Guarantees, pursuant to Article I, Section 3 of the California Constitution, that “the people have the right to instruct their representatives, petition government for redress of grievances, and assemble freely to consult for the common good.” This includes a right to access information concerning the meetings and writings of public officials.
- 2) Requires, pursuant to the Constitution, local agencies to comply with certain state laws that outline the basic requirements for public access to meetings and public records. If a subsequent bill modifies these laws, it must include findings demonstrating how it furthers the public’s access to local agencies and their officials.
- 3) Provides, under the Ralph M. Brown Act, guidelines for how local agencies must hold public meetings:
 - a) Defines a “meeting” as “any congregation of a majority of the members of a legislative body at the same time and location, including teleconference locations, to hear, discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the legislative body.”
 - b) Requires local agencies to notice meetings in advance, including the posting of an agenda, and requires these meetings to be open and accessible to the public.
 - c) Requires members of the public to have an opportunity to comment on agenda items, and generally prohibits deliberation or action on items not listed on the agenda.
 - d) If a member of the public, including the respective district attorney, believes a local agency violated the Brown Act, it must first send an order to the local agency to correct the violation. If the local agency disagrees with the complaint and does not correct it, the submitter can pursue the complaint through the courts. If the court agrees with the complaint, outcomes range from invalidating certain actions of the local agency to a misdemeanor.
- 4) Authorizes the legislative body of a local agency to 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, provided that the teleconferenced meeting complies with all of the following conditions:

- a) Teleconferencing, as authorized, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting must be by rollcall.
 - b) If the legislative body elects to use teleconferencing, it must post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or in the public appearing before the legislative body of the local agency.
 - c) Each teleconferencing location must be identified in the notice and agenda of the meeting or proceeding, and each teleconference location must be accessible to the public.
 - d) 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 exercised jurisdiction, except as otherwise specified.
 - e) The agenda must provide an opportunity for members of the public to address the legislative body directly, as the Brown Act requires for in-person meetings, at each teleconference location.
 - f) For purposes of these requirements, “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.
- 5) Authorizes, until January 1, 2026, a local agency to use teleconferencing for a public meeting without complying with the Brown Act’s teleconferencing quorum, meeting notice, and agenda requirements, in any of the following circumstances:
- a) The legislative body holds a meeting during a proclaimed state of emergency as specified;
 - b) Allows members of legislative bodies to participate remotely for “just cause” and “emergency circumstances” as specified.
 - c) The legislative body is a community college student organization or a neighborhood council.

This bill:

- 1) Revises and recasts existing alternative teleconferencing provisions, until January 1, 2030, by providing a standard set of requirements that must be complied with, including:
 - a) Clearly identifying the location of the in-person meeting on the agenda, which must be open to the public and within the boundaries of the local agency's jurisdiction;
 - b) Providing means by which the public may remotely hear and visually observe the meeting, and remotely address the legislative body;
 - c) Providing notice of the means for the public to access the meeting and offer public comment;
 - d) Identifying and including an opportunity for all persons to attend and address the legislative body directly via a call-in or internet-based service option, including at any in-person location;
 - e) Including in meeting minutes any member of the legislative body who participates from a remote location;
 - f) Having and implementing a procedure for receiving and swiftly resolving requests for reasonable accommodations for individuals with disabilities;
 - g) Requiring instructions on joining the meeting by the telephonic or internet-based service option be made available in English and in all other languages spoken jointly by 20% or more of the population in the county in which the local agency is located that speaks English less than "very well" and jointly speaks a language other than English according to data from the most recent American Community Survey or data from an equally reliable source; and
 - h) Identifying and making available to subsidiary bodies a list of meeting locations they may use to conduct their meetings.
- 2) Authorizes, until January 1, 2030, alternative teleconferencing provisions for an eligible subsidiary body, which is defined as one which:
 - a) Serves exclusively in an advisory capacity;
 - b) Cannot take final action on legislation, regulations, contracts, licenses, permits, or any other entitlements, grants, or allocations of funds;

- c) Does not have a majority of its membership made up of members of the legislative body that created it or its staff; and
 - d) Does not have subject matter jurisdiction over elections, budgets, police oversight, or removing materials from, or restricting access to, library materials.
- 3) Authorizes, until January 1, 2030, alternative teleconferencing provisions for an eligible multijurisdictional body, which is defined as a legislative body that includes representatives from more than one county, city, city and county, special district, or joint powers entity.
 - 4) Expands the teleconferencing flexibility authorized during state-declared emergencies to include local emergencies.
 - 5) Removes the requirement for the legislative body to approve each instance a member of the legislative body wants to participate remotely for “emergency circumstances,” and applies the same rules for participating remotely for “just cause” to “emergency circumstances.”
 - 6) Specifies that “just cause” teleconference flexibility does not limit the ability of a legislative body to use another alternative teleconferencing provision provided for under the Brown Act.
 - 7) Lowers the vote requirement to a simple majority for members of a neighborhood council to meet via teleconference.
 - 8) Allows members of legislative bodies with physical or mental disabilities to participate remotely and count towards any applicable in-person quorum requirements.
 - 9) Requires eligible legislative bodies to:
 - a) Provide a two-way telephonic option or audiovisual platform for the public at all their open and public meetings. If it elects to use a two-way audiovisual platform, it must publicly post and provide a call-in option, and have active captioning functions included in the system.
 - b) Make efforts to encourage residents, including those in underrepresented communities and non-English-speaking communities, to participate in public meetings, by creating and maintaining a public meetings website and providing public meeting information to the public, as specified.

- 10) Removes the ability of any legislative body to decline to provide public comment on items previously discussed in committee before they come to the full legislative body.
- 11) Expands language access services, as specified, including requiring legislative bodies to translate their agendas in all other languages spoken jointly by 20% or more of the population in the county in which the local agency is located that speaks English less than “very well” and jointly speaks a language other than English according to data from the most recent American Community Survey or data from an equally reliable source.
- 12) Makes various other changes to the Brown Act.

Background

On March 19, 2025, the Senate Local Government held a hearing on the Brown Act called Meeting the Moment: Strengthening Community Voices in Local Government Meetings. At this hearing, the Committee:

- Heard from experts on the factors that make for effective local meetings;
- Learned strategies for communicating with the community throughout disasters;
- Considered different local agencies’ experiences holding public meetings; and
- Engaged with community groups to identify strategies to improve local agency meetings.

The Committee heard that public meetings are an imperfect, but valuable, tool for public participation, and key to democratic responsibility. The challenge local agencies face is a gap between what is administratively sustainable and politically acceptable. The City of Los Angeles brought up their recent experiences dealing with the aftermath of the January 2025 fires, and setting up disaster recovery centers as well as worker and family support centers, ensuring those affected, regardless of their language ability, had access to services. Various local agencies highlighted the challenges they have faced with disruptions during teleconferenced meetings, and, along with some community groups, expressed an interest in further expansion of recent teleconference flexibility. Finally, the Committee heard concerns about how additional flexibility could lead to public transparency challenges. For more information on the Brown Act, please see the Committee’s backgrounder and recording of the meeting.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

SUPPORT: (Verified 5/29/25)

California Association of Licensed Investigators
Democratic Party of the San Fernando Valley
Hispanas Organized for Political Equality
LA Defensa
North Westwood Neighborhood Council, All Voting Members
Streets for All

OPPOSITION: (Verified 5/29/25)

City of La Verne
City of Redwood City
County of Kern
County of Shasta
County of Solano
Town of Hillsborough

ARGUMENTS IN SUPPORT: According to the author, “SB 707 will modernize Brown Act rules for government bodies to improve transparency and allow public access to their governments. This bill will allow governments to better serve their communities and increase the public’s access to meetings, especially for disabled, working, and non-English speaking communities. I am proud to author SB 707 because we must take steps to strengthen our governments and empower our community members to be engaged. Ultimately, we hope to create robust meetings and increase participation across the state.”

ARGUMENTS IN OPPOSITION: According to the County of Kern, “I am writing on behalf of the Kern County Board of Supervisors to express our concerns with SB 707, which would impose unfunded mandates on local governments and significantly increase administrative and financial burdens without providing state reimbursement. While we support public access and transparency in government, SB 707 imposes impractical and costly requirements that would strain county resources and create logistical challenges in conducting public meetings.”

Prepared by: Jonathan Peterson / L. GOV. / (916) 651-4119
6/2/25 23:06:12

**** END ****

ATTACHMENT 2



April 15, 2025

The Honorable Thomas Umberg
Chair, Senate Committee on Judiciary
1021 O Street, Room 3240
Sacramento, CA 95814

**RE: SB 707 (Durazo): Open meetings: meeting and teleconference requirements
As Amended April 7, 2025 – CONCERNS
Set to be heard in the Senate Judiciary Committee April 22, 2025**

Dear Chair Umberg,

The California State Association of Counties (CSAC), Rural County Representatives of California (RCRC), the League of California Cities (CalCities), California Municipal Clerks Association (CMCA), Urban Counties of California (UCC), California Association of Public Authorities (CAPA), and California Association of Recreation and Park Districts (CARPD), we want to first share our appreciation for Senator Durazo's willingness to work with local government stakeholders in developing this bill. SB 707 would represent the most extensive changes to the Brown Act in several years, with a variety of changes designed to improve public participation in local government meetings, expand accessibility, and includes several provisions that address the needs of local governments.

The amendments published on April 7, 2025, include several new additions to the bill, including some changes that directly address concerns we had previously shared; new helpful additions, including removal of a sunset date for AB 992 (Mullin, 2020); and some helpful clarifications. The April 7 amendments also include several broad changes to the definition of a legislative body subject to the Brown Act, including new requirements for how to conduct closed sessions, and new prohibitions on what may be discussed in a special meeting. Some of these additions raise new concerns for our coalition.

We continue to have several concerns about new mandated costs, technical implementation challenges, and we continue to have a variety of questions about the intent, meaning, and proper language for several new provisions. We remain committed to working with Senator Durazo and her office to resolve these concerns, clarify any remaining uncertainties, and, ultimately, ensure this bill can effectively meet its objectives to modernize the Brown Act without imposing unworkable and expensive mandates on local governments.

As you know, local agencies are facing significant fiscal uncertainty due to state budget pressures, new unfunded state mandates, declining or flat revenue, and threats by the federal government to withhold vital funds for the social safety net and disaster response, among others. These pressures are occurring at the same time that local governments are being asked to do more with less, implementing bold new changes to state law without adequate funding and growing fiscal risk. For these reasons, we often have concerns with bills even when we have an ability to seek reimbursement from the state through the Commission on State Mandates. However, due to passage of Proposition 42 in 2014, the Brown Act is no longer a reimbursable state mandated program, meaning that local governments are required to absorb all the costs of new requirements under the Brown Act.

Our organizations agree that the Brown Act is due for modernization. Many of the provisions in SB 707 are well-intended policies that could improve the public's engagement with their local representatives. We also believe that the changes contemplated by this bill are substantive and require additional time to analyze, vet, and craft language that will ensure the Brown Act can meet its original intent along with current needs.

We also note that open meetings laws for state boards, commissions, and authorities are not subject to many of the new mandates proposed by this bill and enjoy the flexibility for their advisory bodies to meet remotely without posting their remote location or making their location open to the public.

With those broader concerns in mind, we share the following comments, amendments, and questions about some of the key provisions of SB 707.

Categorical Definitions for a "Legislative Body"

Government Code § 54952(e) would define any committee, including subsidiary, to be a "legislative body," if it has subject matter jurisdiction over elections, budgets, police oversight, or removing materials from, or restricting access to, facilities of the legislative

body. We understand the author's reason for making this distinction in the law. We are continuing to vet this language to ensure that some of its definitions, particularly regarding "budgets," are not interpreted over broadly to apply to *any* committee that ever discusses or considers something even tangentially related to budgets.

Expansion of the Definition of a "Meeting"

The amendments to Government Code § 54952.2 would expand the current definition of what constitutes a "meeting," for the purposes of the Brown Act, including boundary lines of a district, compensation, or personnel matters. We believe these additions may not be necessary, as they would clarify existing law, but understand the author's desire to clarify them in statute.

Narrowing Opportunities for Special Meetings

The April 7 amendments include new restrictions for special meetings. The amendments to § 54956(c) would prohibit legislative bodies from considering the appointment, employment, performance, discipline, or dismissal of a public employee unless at least four-fifths of the body votes to proceed with the motion and discussion is held during open session.

We have concerns about this change for several reasons, as it would allow a sole dissenting vote to prolong needed actions to discipline or dismiss local agency executives. We believe further discussions are needed to consider how to balance the concerns of the author and the needs of public agencies to expedite vital personnel matters. Further, the prohibition against discussing any of these matters in closed session is inappropriate and could invite litigation, expose confidential information, or simply delay personnel decisions that could expose the agency to litigation risk, fraud, or abuse.

Changes to Closed Session Rules

Fiscal Estimates of Personnel Decisions

The April 7 amendments include several changes to the rules for closed session portions of public meetings. The amendment to § 54957.1(a)(5) would require local agencies to estimate the fiscal impact of actions taken to appoint, employ, dismiss, accept the resignation of, or otherwise affect the employment status of a public employee.

We have concerns about this requirement and question what is contemplated for the fiscal analysis. It's unclear if local agencies are expected to estimate, for example, the cost of employing a newly appointed employee, or the cost of defending themselves in

wrongful termination litigation, or perhaps the fiscal impacts of operating without an officer for an unknown period due to acceptance of their resignation. It's not clear how this requirement could benefit the public interest, nor how local agencies could comply with it. We respectfully urge removing this provision.

Court and District Attorney Powers

The April 7 amendments also include changes to empower the courts and district attorneys regarding actions related to closed sessions. The change to § 54960 would give courts discretion over any provision authorizing a closed session. Additionally, § 54960.2 would give district attorneys three additional months to submit a cease and desist letter to a legislative body over alleged closed session violations. We are not aware of any current problems caused by the existing timeframe given to district attorneys.

Requirement to Provide Copy of Brown Act to Legislative Body Members

The proposed amendment to § 54952.7 includes a requirement that legislative bodies provide a copy of the Brown Act to members elected or appointed to a legislative body. We do not have any concerns about this requirement, as this is already a common practice of many if not most legislative bodies. In fact, some of our organizations provide Brown Act training for newly elected members and publish guidance¹ on the Brown Act.

Ability to Impose Additional Requirements on Legislative Bodies

The proposed changes to § 54953.7 would expand the bodies for which legislative bodies could impose additional accessibility requirements. Because this change would not require bodies to make those changes and empowers legislative bodies to define how other bodies meet, we do not have concerns with this change.

Required Two-Way Audiovisual or Telephonic Participation

Government Code § 54953.9(a)(1) requires a city council or county board of supervisors to include a method for members of the public to participate in a meeting through a two-way telephonic or two-way audiovisual platform and explicitly requires those bodies to allow the public to comment on items through those platforms.

Need for Flexibility to Manage Disruptions

We believe it is critical that the bill is amended to allow for these bodies to cease remote public comments upon either a technological disruption or an actual disruption under Government Code § 54957.95. Unfortunately, cities and counties have seen

¹ For example, please see "Open and Public," published by the League of California Cities or CSAC's [Brown Act Toolkit](#) for managing disruptions.

intentional coordinated disruptions of public meetings, something commonly known as “Zoombombing.” When these occur, several individuals can pretend to be concerned citizens providing comments via two-way audiovisual platforms on an item before engaging in ugly hate speech designed to disrupt the meeting. Without the ability to turn off remote public comments, governing boards and public attendees would be forced to either endure unrelenting hate speech or cease a meeting.

We believe this issue can be addressed through the following additions to § 54953.9(a)(2):

“All open and public meetings shall provide the public with an opportunity to comment on agenda items via a 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 comment on agenda items with the same time allotment as a person attending a meeting in person. In the event of a technical 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, 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, or in the event of persistent disrupting behavior as defined in § 54957.95(b)(1), the legislative body may cease to provide opportunity to comment via the two-way telephonic or two-way audiovisual platform and continue the meeting.”

Translation and Interpretation Services

Interpretation Services

We appreciate the amendments that strike the requirement of city councils or county boards of supervisors to make reasonable efforts to accommodate any member of the public who requests interpretation services and requires those services to be provided by certified interpretation services.

We also appreciate the change to § 54953.9(b) that would remove requirements that interpretation services be “certified.” This change would make it much easier, and more likely, that cities and counties provide interpretation services at meetings, either through technology or informal methods. Cities and counties often have multilingual staff who can assist with *ad hoc* interpretation services.

Translation Services

The amendments make several helpful changes to the requirements for translation services by allowing for the use of digital translation services, which are increasingly

more common among software used by local agencies, and by allowing for a hardship exemption.

Emergency Meetings

SB 707 would make needed improvements to AB 557 (Hart, 2023) by allowing local agencies to invoke emergency meeting procedures upon a local emergency, not just a state-declared emergency. This addition will ensure that local bodies can continue to meet in a local emergency without risking the health and safety of their members, staff, or the public in attendance.

Multi-Jurisdictional Bodies

Section 54953.8.7 would allow multi-jurisdictional bodies some additional remote meeting flexibility. The section would allow a member of such a body to participate remotely without posting or making their remote meeting location open to the public if their meeting location is 20 miles or more round trip from their remote meeting location. The section requires at least a quorum of members to participate in person. While we would prefer to see this section allow for members participating remotely to count toward the quorum if they are participating under a "just cause," we believe this section represents a helpful improvement.

Other Amendments Addressing Local Government Concerns

We appreciate the many changes made to address concerns we have previously shared, including:

- Removal of the requirement to provide computers to the public for meetings outside of business hours;
- Removal of requirement for interpretation services to be 'certified';
- Removing the requirement to provide video streaming of all meetings for any body that has previously used it; and
- Expanding emergency meeting provisions adopted in AB 2350 (Hoover, 2024) to all legislative bodies not just school boards.

Advisory Bodies

Regarding our position on how SB 707 addresses advisory bodies, please see our support letter for SB 239 (Arreguín). We continue to believe local agencies should be allowed to compensate members for their time and costs to participate. While we do not agree that compensated members of advisory bodies should be treated differently from non-compensated members, we believe the recent amendments regarding the treatment of compensated members are more appropriate, which simply prohibit members from receiving compensation if they participate remotely. Perhaps the author

The Honorable Thomas Umberg
April 15, 2025
Page 7 of 8

could consider another amendment to further narrow this rule to simply prohibit payment of travel costs when members choose to participate remotely.

Additionally, while we prefer not to require an in-person quorum, allowing remote meeting participants to count toward the quorum for "just cause," would be an improvement over the current inability of advisory body members to participate remotely. The addition of a few other "just causes," including immunocompromised members or family members, weather hazards, public transportation closures, or contagious illnesses significantly improve this section. However, we believe it's unnecessary to require a legislative body to approve the use of those additional flexibilities and think the law would work more efficiently if they were simply added to the existing just causes instead of requiring yet another vote by a legislative body.

Extension of Sunset Dates

We support and appreciate the extensions of several sunset dates of recent Brown Act legislation in SB 707. In addition to extending those sunset dates, we appreciate some needed fixes to some of those measures.

The April 7 amendments include removal of the sunset date for AB 992 (Mullin, 2020), a bill that has provided needed clarity and guidance to local elected officials about how they can engage with their communities on social media. We appreciate this addition.

SB 707 also includes some welcome changes to the remote meeting options established in AB 2449 (Rubio, 2022), including the addition of two new categories to the "just cause," definition: unforeseen medical or family emergencies and an immunocompromised family member.

Once again, we the willingness of Senator Durazo and committee staff to work with local government associations on this critical legislation and look forward to our continued efforts on SB 707. However, for the reason shared in this letter, CSAC, the League of California Cities (CalCities), California Municipal Clerks Association (CMCA), Urban Counties of California (UCC), California Association of Public Authorities (CAPA), Rural County Representatives of California (RCRC) and California Association of Recreation and Park Districts (CARPD) remain concerned with some of the provisions of SB 707.

Sincerely,

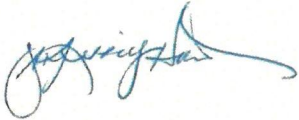
The Honorable Thomas Umberg
April 15, 2025
Page 8 of 8



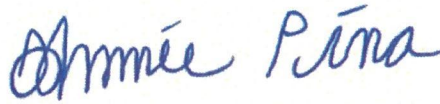
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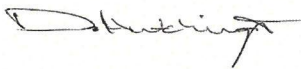
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cc: The Honorable Senator María Elena Durazo
Members and Consultants, Senate Judiciary Committee

ATTACHMENT 3

AMENDED IN ASSEMBLY JULY 8, 2025
AMENDED IN SENATE MAY 29, 2025
AMENDED IN SENATE APRIL 7, 2025

SENATE BILL

No. 707

Introduced by Senator Durazo
(Principal coauthor: Senator Arreguín)
(Coauthor: Assembly Member Fong)

February 21, 2025

An act to amend Sections ~~54952~~, 54952.7, 54953, 54953.5, 54953.7, 54954.2, 54954.3, 54956, 54956.5, 54957.6, ~~54957.9~~, 54957.95, and 54960.2 of, to amend and repeal Section 54952.2 of, to add Sections 54953.8, 54953.8.1, 54953.8.2, and ~~54953.10~~ 54957.96 to, and to add and repeal Sections 54953.4, 54953.8.3, 54953.8.4, 54953.8.5, 54953.8.6, ~~54953.8.7~~, and ~~54953.9~~ and 54953.8.7 of, the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

SB 707, as amended, 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, 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.

~~(2) Existing law defines “legislative body” for purposes of the act to mean, among other things, a commission, committee, board, or other body of a local agency, whether permanent or temporary, decisionmaking or advisory, created by charter, ordinance, resolution, or formal action of a legislative body. Existing law specifies that “legislative body” does not include advisory committees, composed solely of the members of the legislative body that are less than a quorum of the legislative body, except for specified standing committees of a legislative body.~~

~~This bill would revise and recast the above-described definition of a legislative body and would specify that advisory committees with a continuing subject matter jurisdiction or a fixed meeting schedule, as specified, are legislative bodies:~~

~~Existing~~

~~(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 ~~an unrepresented employee~~ *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 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 spoken jointly by 20% or more of the population in the city or county in which the eligible legislative body is located that, among other things, 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.

This bill would remove the provision related to an item that has already been considered by a committee.

(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 authorizes a district attorney or any interested person to file an action to determine the applicability of the act to past actions of the legislative body pursuant to specified provisions relating to violations of the act if specified conditions are met, including that the district attorney or interested person first submits a cease and desist letter to the clerk or secretary of the legislative body being accused of the violation, as specified, within 9 months of the alleged violation.

This bill would instead require that a cease and desist letter described above be submitted within 12 months of the alleged violation.

(7) 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.

(8) 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. those terms are 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~~ *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 the 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 require a legislative body to allow a member with a disability, as defined, that precludes a member's in-person attendance at meetings of the body, as specified, to participate in any meeting of the legislative body by remote participation, as defined, except as specified. 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 ~~broaden~~ *revise related definitions, including broadening the definition of just cause to include a physical or family medical emergency that prevents a member from attending in person, and to require the agenda minutes for a meeting to identify the specific type of just cause 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 make the authorization for a member to participate remotely in the case of a physical or mental disability effective indefinitely, as specified.*

The bill would revise and recast the alternative teleconferencing provisions applicable to neighborhood councils and student body associations and student-run community college organizations ~~and would~~ *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 California community college 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 ~~provision~~ 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 at least one physical meeting location within the boundaries of the legislative body that created the subsidiary body where 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.

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.

(9) 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.

(10) 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 specified 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.

(11) 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 individuals or groups of 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.*

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

(13) 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.

(14) 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.

(15) 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.

(16) 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.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

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

1 ~~SECTION 1. Section 54952 of the Government Code is~~
2 ~~amended to read:~~

3 ~~54952. As used in this chapter, “legislative body” means:~~

4 ~~(a) The governing body of a local agency or any other local~~
5 ~~body created by state or federal statute.~~

6 ~~(b) A commission, committee, board, or other body of a local~~
7 ~~agency, whether permanent or temporary, decisionmaking or~~
8 ~~advisory, created by charter, ordinance, resolution, or formal action~~
9 ~~of a legislative body.~~

10 ~~(c) (1) A board, commission, committee, or other multimember~~
11 ~~body that governs a private corporation, limited liability company,~~
12 ~~or other entity that either:~~

13 ~~(A) Is created by the elected legislative body in order to exercise~~
14 ~~authority that may lawfully be delegated by the elected governing~~
15 ~~body to a private corporation, limited liability company, or other~~
16 ~~entity.~~

17 ~~(B) Receives funds from a local agency and the membership of~~
18 ~~whose governing body includes a member of the legislative body~~
19 ~~of the local agency appointed to that governing body as a full~~
20 ~~voting member by the legislative body of the local agency.~~

21 ~~(2) Notwithstanding subparagraph (B) of paragraph (1), no~~
22 ~~board, commission, committee, or other multimember body that~~

1 governs a private corporation, limited liability company, or other
 2 entity that receives funds from a local agency and, as of February
 3 9, 1996, has a member of the legislative body of the local agency
 4 as a full voting member of the governing body of that private
 5 corporation, limited liability company, or other entity shall be
 6 relieved from the public meeting requirements of this chapter by
 7 virtue of a change in status of the full voting member to a
 8 nonvoting member.

9 (d) The lessee of any hospital the whole or part of which is first
 10 leased pursuant to subdivision (p) of Section 32121 of the Health
 11 and Safety Code after January 1, 1994, where the lessee exercises
 12 any material authority of a legislative body of a local agency
 13 delegated to it by that legislative body whether the lessee is
 14 organized and operated by the local agency or by a delegated
 15 authority.

16 (e) (1) An advisory or standing committee of a legislative body,
 17 irrespective of its composition, which has a continuing subject
 18 matter jurisdiction, or a meeting schedule fixed by charter,
 19 ordinance, resolution, or formal action of a legislative body.

20 (2) However, advisory committees, composed solely of the
 21 members of the legislative body that are less than a quorum of the
 22 legislative body are not legislative bodies.

23 ~~SEC. 2.~~

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

27 54952.2. (a) As used in this chapter, “meeting” means any
 28 congregation of a majority of the members of a legislative body
 29 at the same time and location, including teleconference location
 30 as permitted by Section 54953, to hear, discuss, deliberate, or take
 31 action on any item that is within the subject matter jurisdiction of
 32 the legislative body.

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

38 (2) Paragraph (1) shall not be construed as preventing an
 39 employee or official of a local agency, from engaging in separate
 40 conversations or communications outside of a meeting authorized

1 by this chapter with members of a legislative body in order to
2 answer questions or provide information regarding a matter that
3 is within the subject matter jurisdiction of the local agency, if that
4 person does not communicate to members of the legislative body
5 the comments or position of any other member or members of the
6 legislative body.

7 (3) (A) Paragraph (1) shall not be construed as preventing a
8 member of the legislative body from engaging in separate
9 conversations or communications on an internet-based social media
10 platform to answer questions, provide information to the public,
11 or to solicit information from the public regarding a matter that is
12 within the subject matter jurisdiction of the legislative body
13 provided that a majority of the members of the legislative body
14 do not use the internet-based social media platform to discuss
15 among themselves business of a specific nature that is within the
16 subject matter jurisdiction of the legislative body. A member of
17 the legislative body shall not respond directly to any
18 communication on an internet-based social media platform
19 regarding a matter that is within the subject matter jurisdiction of
20 the legislative body that is made, posted, or shared by any other
21 member of the legislative body.

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

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

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

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

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

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

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

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

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

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

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

1 ~~SEC. 3.~~

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

4 ~~SEC. 4.~~

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

7 54952.7. A local agency shall provide a copy of this chapter
8 to any person elected or appointed to serve as a member of a
9 legislative body of the local agency.

10 ~~SEC. 5.~~

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

14 54953. (a) All meetings of the legislative body of a local
15 agency shall be open and public, and all persons shall be permitted
16 to attend any meeting of the legislative body of a local agency,
17 except as otherwise provided in this chapter.

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

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

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

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

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

39 (D) The legislative body shall allow members of the public to
40 access the meeting and the agenda shall provide an opportunity

1 for members of the public to address the legislative body directly
2 pursuant to Section 54954.3.

3 (3) If the legislative body of a local agency elects to use
4 teleconferencing, it shall post agendas at all teleconference
5 locations. Each teleconference location shall be identified in the
6 notice and agenda of the meeting or proceeding, and each
7 teleconference location shall be accessible to the public. During
8 the teleconference, at least a quorum of the members of the
9 legislative body shall participate from locations within the
10 boundaries of the territory over which the local agency exercises
11 jurisdiction, except as provided in ~~subdivisions (d) and (e).~~
12 *subdivision (c), Section 54953.8, and Section 54953.8.1.*

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

15 (c) (1) *Notwithstanding any other provision of this chapter, a*
16 *legislative body shall allow a member of the body with a disability,*
17 *as defined in Section 12102 of Title 42 of the United States Code,*
18 *that precludes the member's in-person attendance at meetings of*
19 *the body and that is not otherwise reasonably accommodated*
20 *pursuant to the federal Americans with Disabilities Act of 1990*
21 *(42 U.S.C. Sec. 12101 et seq.), to participate in any meeting of the*
22 *legislative body by remote participation, unless the legislative*
23 *body can demonstrate that allowing the remote participation would*
24 *impose an undue hardship.*

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

28 (A) *The member shall participate through both audio and visual*
29 *technology.*

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

35 (3) *Notwithstanding any other provision of law, a member of a*
36 *legislative body participating in a meeting by remote participation*
37 *pursuant to this subdivision may count towards the establishment*
38 *of a quorum pursuant to any requirement under this act that a*
39 *quorum of the legislative body participate from any physical*

1 *location, including those requirements described in Sections*
2 *54953.8 to 54953.8.7, inclusive.*

3 ~~(e)~~

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

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

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

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

16 ~~*(ii) An unrepresented employee—A department head or other*~~
17 ~~*similar administrative officer of the local agency.*~~

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

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

24 ~~(d)~~

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

28 *(B) Notwithstanding paragraph (1), “teleconference” does not*
29 *include the attendance of one or more members of a legislative*
30 *body in a meeting of the body solely by watching or listening via*
31 *webcasting or any other similar electronic medium that does not*
32 *permit members to interactively speak, discuss, or deliberate on*
33 *matters.*

34 *(2) “Remote participation” means participation in a meeting*
35 *by teleconference at a location other than any physical meeting*
36 *location designated in the notice of the meeting.*

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

39 *54953.4. (a) (1) In addition to any other applicable*
40 *requirements of this chapter, a meeting held by a eligible legislative*

1 body pursuant to this chapter shall comply with both of the
2 following requirements:

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

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

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

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

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

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

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

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

37 (B) (i) All open and public meetings for which attendance via
38 a two-way telephonic service or a two-way audiovisual platform
39 is provided in accordance with paragraph (1) shall provide the
40 public with an opportunity to provide public comment in

1 *accordance with Section 54954.3 via the two-way telephonic or*
2 *two-way audiovisual platform, and ensure the opportunity for the*
3 *members of the public participating via a two-way telephonic or*
4 *two-way audiovisual platform to provide public comment with the*
5 *same time allotment as a person attending a meeting in person.*

6 *(2) (A) An eligible legislative body shall reasonably assist*
7 *members of the public who wish to translate a public meeting into*
8 *any language or wish to receive interpretation provided by another*
9 *member of the public, so long as the interpretation is not disrupting*
10 *to the meeting, as defined in Section 54957.95. The eligible*
11 *legislative body shall publicize instructions on how to request*
12 *assistance under this subdivision. Assistance may include any of*
13 *the following, as determined by the eligible legislative body:*

14 *(i) Arranging space for one or more interpreters at the meeting*
15 *location.*

16 *(ii) Allowing extra time during the meeting for interpretation*
17 *to occur.*

18 *(iii) Ensuring participants may utilize equipment or facilities*
19 *for participants to access commercially available interpretation*
20 *services.*

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

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

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

35 *(A) Have in place a system for electronically accepting and*
36 *fulfilling requests for meeting agendas and documents pursuant*
37 *to Section 54954.1 through email or through an integrated agenda*
38 *management platform. Information about how to make a request*
39 *using this system shall be accessible through a prominent direct*

1 link posted on the primary internet website home page of the
2 eligible legislative body.

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

6 (I) A general explanation of the public meeting process for the
7 city council or a county board of supervisors.

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

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

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

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

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

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

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

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

35 (b) (1) (A) The agenda for each meeting of an eligible
36 legislative body shall be translated into all applicable languages,
37 and each translation shall be posted in accordance with Section
38 54954.2. Each translation shall include instructions in the
39 applicable language describing how to join the meeting by the

1 telephonic or internet-based service option, including any
2 requirements for registration for public comment.

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

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

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

16 (4) The eligible legislative body is not responsible for the content
17 or accuracy of any translation provided pursuant to this section.
18 No action shall be commenced or maintained against an eligible
19 legislative body specifically from the content or accuracy of any
20 translation provided under this section.

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

23 (c) For purposes of this section, all of the following definitions
24 apply:

25 (1) (A) “Applicable languages” means languages spoken jointly
26 by 20 percent or more of the population in the city or county in
27 which the eligible legislative body is located that speaks English
28 less than “very well” and jointly speaks a language other than
29 English according to data from the most recent American
30 Community Survey.

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

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

1 (2) “Eligible legislative body” includes all of the following:

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

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

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

7 (D) The board of directors of a special district whose boundaries
8 include a population of 200,000 or more and that has an internet
9 website.

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

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

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

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

21 54953.5. (a) Any person attending an open and public meeting
22 of a legislative body of a local agency shall have the right to record
23 the proceedings in the absence of a reasonable finding by the
24 legislative body of the local agency that the recording cannot
25 continue without noise, illumination, or obstruction of view that
26 constitutes, or would constitute, a persistent disruption of the
27 proceedings.

28 (b) Any recording of an open and public meeting made for
29 whatever purpose by or at the direction of the local agency shall
30 be subject to inspection pursuant to the California Public Records
31 Act (Division 10 (commencing with Section 7920.000) of Title
32 1), but, notwithstanding Section 34090, may be erased or destroyed
33 30 days after the recording. Any inspection of an audio or video
34 recording shall be provided without charge on equipment made
35 available by the local agency.

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

38 54953.7. Notwithstanding any other provision of law,
39 legislative bodies of local agencies may impose requirements upon
40 themselves which allow greater access to their meetings than

1 prescribed by the minimal standards set forth in this chapter. In
2 addition thereto, an elected legislative body of a local agency may
3 impose those requirements on appointed legislative bodies of the
4 local agency.

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

7 54953.8. (a) The legislative body of a local agency may use
8 teleconferencing as authorized by subdivision (b) of Section 54953
9 without complying with the requirements of paragraph (3) of
10 subdivision (b) of Section 54953 in any of the circumstances
11 described in Sections 54953.8.1 to 54953.8.7, inclusive.

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

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

20 (A) A two-way audiovisual platform.

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

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

31 (3) In the event of a disruption that prevents the legislative body
32 from broadcasting the meeting to members of the public using the
33 call-in option or internet-based service option, or in the event of
34 a disruption within the local agency's control that prevents
35 members of the public from offering public comments using the
36 call-in option or internet-based service option, the legislative body
37 shall take no further action on items appearing on the meeting
38 agenda until public access to the meeting via the call-in option or
39 internet-based service option is restored. Actions taken on agenda
40 items during a disruption that prevents the legislative body from

1 broadcasting the meeting may be challenged pursuant to Section
2 54960.1.

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

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

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

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

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

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

35 (8) The legislative body shall have and implement a procedure
36 for receiving and swiftly resolving requests for reasonable
37 accommodation for individuals with disabilities, consistent with
38 the federal Americans with Disabilities Act of 1990 (42 U.S.C.
39 Sec. 12132), and resolving any doubt in favor of accessibility. In
40 each instance in which notice of the time of the meeting is

1 otherwise given or the agenda for the meeting is otherwise posted,
2 the legislative body shall also give notice of the procedure for
3 receiving and resolving requests for accommodation.

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

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

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

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

17 ~~(e) A member of a legislative body using teleconferencing~~
18 ~~pursuant to this section may notify the legislative body that they~~
19 ~~must attend and participate in a given meeting of the legislative~~
20 ~~body solely by teleconference from a remote location due to a need~~
21 ~~related to a physical or mental disability, as those terms are defined~~
22 ~~in Sections 12926 and 12926.1, that is not otherwise reasonably~~
23 ~~accommodated pursuant to the federal Americans with Disability~~
24 ~~Act of 1990 (42 U.S.C. Sec. 12101 et seq.). A member attending~~
25 ~~and participating in a meeting of a legislative body solely by~~
26 ~~teleconference from a remote location pursuant to this subdivision~~
27 ~~may count toward any in-person quorum requirement to use~~
28 ~~teleconferencing.~~

29 ~~(f)~~

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

37 ~~(g)~~

38 ~~(f) For purposes of this section, the following definitions apply:~~

39 ~~(1) "Remote location" means a location from which a member~~
40 ~~of a legislative body participates in a meeting pursuant to paragraph~~

1 (7) of subdivision (b), other than any physical meeting location
2 designated in the notice of the meeting. Remote locations need not
3 be accessible to the public.

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

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

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

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

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

19 54953.8.1. (a) A health authority may conduct a teleconference
20 meeting pursuant to Section 54953.8, provided that it complies
21 with the requirements of that section.

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

27 (c) For purposes of this section, a health authority means any
28 entity created pursuant to Sections 14018.7, 14087.31, 14087.35,
29 14087.36, 14087.38, and 14087.9605 of the Welfare and
30 Institutions Code, any joint powers authority created pursuant to
31 Article 1 (commencing with Section 6500) of Chapter 5 of Division
32 7 for the purpose of contracting pursuant to Section 14087.3 of
33 the Welfare and Institutions Code, and any advisory committee to
34 a county-sponsored health plan licensed pursuant to Chapter 2.2
35 (commencing with Section 1340) of Division 2 of the Health and
36 Safety Code if the advisory committee has 12 or more members.

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

39 54953.8.2. (a) A legislative body of a local agency may
40 conduct a teleconference meeting pursuant to Section 54953.8

1 during a proclaimed state of emergency or local emergency,
2 provided that it complies with the requirements of that section and
3 the teleconferencing is used in either of the following
4 circumstances:

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

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

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

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

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

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

23 (d) Notwithstanding paragraph (1) of subdivision (b) of Section
24 54953.8, a legislative body conducting a teleconference meeting
25 pursuant to this section may elect to use a two-way telephonic
26 service without a live webcasting of the meeting.

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

28 (1) “Local emergency” means a condition of extreme peril to
29 persons or property proclaimed by the governing body of the local
30 agency affected, in accordance with Section 8630 of the California
31 Emergency Services Act (Chapter 7 (commencing with Section
32 8550) of Division 1 of Title 2), as defined in Section 8680.9, or a
33 local health emergency declared pursuant to Section 101080 of
34 the Health and Safety Code. Local emergency, as used in this
35 section, refers only to local emergencies in the boundaries of the
36 territory over which the local agency exercises jurisdiction.

37 (2) “State of emergency” means state of emergency proclaimed
38 pursuant to Section 8625 of the California Emergency Services
39 Act (Chapter 7 (commencing with Section 8550) of Division 1 of
40 Title 2).

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

3 54953.8.3. (a) A legislative body of a local agency may
4 conduct a teleconference meeting pursuant to Section 54953.8 if,
5 during the teleconference meeting, at least a quorum of the
6 members of the legislative body participates in person from a
7 singular physical location clearly identified on the agenda, which
8 location shall be open to the public and situated within the
9 boundaries of the territory over which the local agency exercises
10 jurisdiction, provided that the legislative body complies with the
11 requirements of Section 54953.8 and all of the following additional
12 requirements:

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

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

23 ~~(3)~~

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

26 ~~(4)~~

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

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

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

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

38 (B) For the purpose of counting meetings attended by
39 teleconference under this paragraph, a "meeting" shall be defined

1 as any number of meetings of the legislative body of a local agency
2 that begin on the same calendar day.

3 (b) ~~The agenda minutes~~ for the meeting shall identify the specific
4 ~~type of just cause described~~ *provision* in subdivision (c) that each
5 member relied upon to participate remotely. This subdivision shall
6 not be construed to require the member to disclose any medical
7 diagnosis or disability, or any personal medical information that
8 is otherwise exempt under existing law, including, but not limited
9 to, the Confidentiality of Medical Information Act (Chapter 1
10 (commencing with Section 56) of Part 2.6 of Division 1 of the
11 Civil Code).

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

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

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

21 (3) A need related to a physical or mental ~~disability, as defined~~
22 ~~in Sections 12926 and 12926.1, not otherwise accommodated by~~
23 ~~any reasonable accommodations provided.~~ *condition that is not*
24 *subject to subdivision (c) of Section 54953.*

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

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

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

32 (d) This section shall not be construed to limit the ability of a
33 legislative body to use alternative teleconferencing provisions.

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

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

38 54953.8.4. (a) An eligible neighborhood council may conduct
39 a teleconference meeting pursuant to Section 54953.8, provided

1 that it complies with the requirements of that section and all of the
2 following have occurred:

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

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

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

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

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

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

29 (3) If the meeting is during regular business hours of the offices
30 of the city council member that represents the area that includes
31 the eligible neighborhood council, the eligible neighborhood
32 council shall provide a publicly accessible physical location from
33 which the public may attend or comment, which shall be the offices
34 of the city council member who represents the area where the
35 eligible neighborhood council is located, unless the eligible
36 neighborhood council identifies an alternative location.

37 (4) If the meeting is outside regular business hours, the eligible
38 neighborhood council shall make reasonable efforts to
39 accommodate any member of the public that requests an
40 accommodation to participate in the meeting.

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

2 (1) “Accommodation” means providing a publicly accessible
3 physical location for the member of the public to participate from,
4 providing access to technology necessary to participate in the
5 meeting, or identifying locations or resources available that could
6 provide the member of the public with an opportunity to participate
7 in the meeting.

8 (2) “Eligible neighborhood council” means a neighborhood
9 council that is an advisory body with the purpose to promote more
10 citizen participation in government and make government more
11 responsive to local needs that is established pursuant to the charter
12 of a city with a population of more than 3,000,000 people that is
13 subject to this chapter.

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

16 SEC. 13. Section 54953.8.5 is added to the Government Code,
17 to read:

18 54953.8.5. (a) An eligible community college student
19 organization may conduct a teleconference meeting pursuant to
20 Section 54953.8, provided that it complies with the requirements
21 of that section and all of the following additional requirements:

22 (1) An eligible community college student organization may
23 only use teleconferencing as described in Section 54953.8 after
24 all the following have occurred:

25 (A) The board of trustees for a community college district
26 considers whether to adopt a resolution to authorize eligible
27 community college student organizations to use teleconferencing
28 as described in this section at an open and regular meeting.

29 (B) If the board of trustees for a community college district
30 adopts a resolution described in subparagraph (A), an eligible
31 community college student organization may elect to use
32 teleconferencing pursuant to this section if a majority of the eligible
33 community college student organization votes to do so. The eligible
34 community college student organization shall notify the board of
35 trustees if it elects to use teleconferencing pursuant to this section
36 and its justification for doing so.

37 (C) Upon receiving notification from an eligible community
38 college student organization as described in subparagraph (B), the
39 board of trustees may adopt a resolution to prohibit the eligible

1 community college student organization from using
2 teleconferencing pursuant to this section.

3 (D) (i) ~~At~~ *Except as specified in clause (ii)*, at least a quorum
4 of the members of the eligible community college student
5 organization shall participate from a singular physical location
6 that is accessible to the public and is within the community college
7 district in which the eligible community college student
8 organization is established.

9 (ii) *The requirements described in clause (i) shall not apply to*
10 *the California Online Community College.*

11 (ii)

12 (iii) Notwithstanding the requirements of clause (i), a person
13 may count toward the establishment of a quorum pursuant to clause
14 (i) regardless of whether the person is participating at the in-person
15 location of the meeting or remotely if the person meets any of the
16 following criteria:

17 ~~(I) The person has a disability that requires accommodation~~
18 ~~pursuant to the Americans with Disabilities Act of 1990 (42 U.S.C.~~
19 ~~Sec. 12132).~~

20 ~~(II)~~

21 (I) The person is under 18 years of age.

22 ~~(III)~~

23 (II) The person is incarcerated.

24 ~~(IV)~~

25 (III) The person is unable to disclose the location that they are
26 participating from because of either of the following circumstances:

27 (ia) The person has been issued a protective court order,
28 including, but not limited to, a domestic violence restraining order.

29 (ib) The person is participating in a program that has to remain
30 confidential, including, but not limited to, an independent living
31 program.

32 ~~(V)~~

33 (IV) The person provides childcare or caregiving to a child,
34 parent, grandparent, grandchild, sibling, spouse, or domestic partner
35 that requires them to participate remotely. For purposes of this
36 subclause, “child,” “parent,” “grandparent,” “grandchild,” and
37 “sibling” have the same meaning as those terms are defined in
38 Section 12945.2.

1 (2) An eligible community college student organization that
2 holds a meeting by teleconference as described in Section 54953.8
3 shall do the following, as applicable:

4 (A) ~~If~~(i) *Except as specified in subparagraph (B), if the meeting*
5 *is during regular business hours of the offices of the board of*
6 *trustees of the community college district, the eligible community*
7 *college student organization shall provide a publicly accessible*
8 *physical location from which the public may attend or comment,*
9 *which shall be the offices of the board of trustees of the community*
10 *college district, unless the eligible community college student*
11 *organization identifies an alternative location.*

12 ~~(B) If~~

13 *(ii) Except as specified in subparagraph (B), if the meeting is*
14 *outside regular business hours, the eligible community college*
15 *student organization shall make reasonable efforts to accommodate*
16 *any member of the public that requests an accommodation to*
17 *participate in the meeting. For the purposes of this subparagraph,*
18 *“accommodation” means providing a publicly accessible physical*
19 *location for the member of the public to participate from, providing*
20 *access to technology necessary to participate in the meeting, or*
21 *identifying locations or resources available that could provide the*
22 *member of the public with an opportunity to participate in the*
23 *meeting.*

24 *(B) The requirements described in subparagraph (A) shall not*
25 *apply to the California Online Community College.*

26 (b) For purposes of this section, “eligible community college
27 student organization” means a student body association organized
28 pursuant to Section 76060 of the Education Code, or any other
29 student-run community college organization that is required to
30 comply with the meeting requirements of this ~~chapter.~~ *chapter;*
31 *that is in any community college recognized within the California*
32 *Community Colleges system and includes the Student Senate for*
33 *California Community Colleges.*

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

36 SEC. 14. Section 54953.8.6 is added to the Government Code,
37 to read:

38 54953.8.6. (a) An eligible subsidiary body may conduct a
39 teleconference meeting pursuant to Section 54953.8, provided that

1 it complies with the requirements of that section and all of the
2 following additional requirements:

3 (1) The eligible subsidiary body shall designate at least one
4 physical meeting location within the boundaries of the legislative
5 body that created the eligible subsidiary body where members of
6 the public may physically attend, observe, hear, and participate in
7 the meeting. At least one staff member of the eligible subsidiary
8 body or the legislative body that created the eligible subsidiary
9 body shall be present at each physical meeting location during the
10 meeting. The eligible subsidiary body shall post the agenda at each
11 physical meeting location, but need not post the agenda at a remote
12 location.

13 (2) (A) ~~The members~~ *A member* of the eligible subsidiary body
14 shall visibly appear on camera during the open portion of a meeting
15 that is publicly accessible via the internet or other online ~~platform~~.
16 *platform, except if the member has a disability, as defined in*
17 *Section 12102 of Title 42 of the United States Code, that precludes*
18 *the member from being physically capable of appearing on camera.*
19

20 (B) The visual appearance of a member of the eligible subsidiary
21 body on camera may cease only when the appearance would be
22 technologically impracticable, including, but not limited to, when
23 the member experiences a lack of reliable broadband or internet
24 connectivity that would be remedied by joining without video, or
25 when the visual display of meeting materials, information, or
26 speakers on the internet or other online platform requires the visual
27 appearance of a member of a subsidiary body on camera to cease.

28 (C) If a member of the eligible subsidiary body does not appear
29 on camera due to challenges with internet connectivity, the member
30 shall announce the reason for their nonappearance when they turn
31 off their camera.

32 (3) An elected official *serving as a member of an eligible*
33 *subsidiary body in their official capacity* shall not participate in a
34 meeting *of the eligible subsidiary body* by teleconferencing
35 pursuant to this section unless the use of teleconferencing complies
36 with the requirements of paragraph (3) of subdivision (b) of Section
37 54953.

38 (4) ~~The eligible subsidiary body shall submit its~~
39 ~~recommendations, if any, in writing to the legislative body that~~
40 ~~created it.~~

1 ~~(A) The eligible subsidiary body shall present its~~
2 ~~recommendations, if any, to the legislative body that created it at~~
3 ~~a regular meeting in open session of that legislative body.~~

4 ~~(B) The legislative body shall hold a discussion of any~~
5 ~~recommendations presented by the subsidiary body at the meeting~~
6 ~~during which the recommendations are presented or at another~~
7 ~~regular meeting held within 60 days after receiving the~~
8 ~~recommendations unless the legislative body does not have another~~
9 ~~regular meeting scheduled within 60 days after the~~
10 ~~recommendations are received, in which case the discussion may~~
11 ~~be held at the next regular meeting after the recommendations are~~
12 ~~presented.~~

13 ~~(C) The legislative body shall not place discussions of the~~
14 ~~recommendations on a consent calendar.~~

15 ~~(5)~~

16 (4) (A) In order to use teleconferencing pursuant to this section,
17 the legislative body that established the eligible subsidiary body
18 by charter, ordinance, resolution, or other formal action shall make
19 the following findings by majority vote before the eligible
20 subsidiary body uses teleconferencing pursuant to this section for
21 the first time, and every 12 months thereafter:

22 (i) The legislative body has considered the circumstances of the
23 eligible subsidiary body.

24 (ii) Teleconference meetings of the eligible subsidiary body
25 would enhance public access to meetings of the eligible subsidiary
26 body.

27 (iii) Teleconference meetings of the eligible subsidiary body
28 would promote the attraction, retention, and diversity of eligible
29 subsidiary body members.

30 (B) (i) *An eligible subsidiary body that proposes to use*
31 *teleconferencing pursuant to this section and makes the findings*
32 *described in subparagraph (A) shall submit an annual report,*
33 *including its recommendations, if any, to the legislative body that*
34 *created it, no later than 12 months after the legislative body makes*
35 *the findings.*

36 (ii) *The legislative body shall hold a discussion regarding each*
37 *annual report submitted by a subsidiary body pursuant to clause*
38 *(i) at a regular meeting held within 60 days after the legislative*
39 *body receives the report, or if the legislative body does not have*
40 *another regular meeting scheduled within 60 days after the*

1 legislative body receives the report, at the next regular meeting
2 after the report is received.

3 (iii) The discussion regarding each annual report required by
4 clause (ii) shall not be placed on a consent calendar, but may be
5 combined with the legislative body's subsequent consideration of
6 the findings described in subparagraph (A) for the following 12
7 months.

8 (iv) The legislative body shall not take any action on any
9 recommendations included in the report of a subsidiary body until
10 the next regular meeting of the legislative body following the
11 discussion described in clause (ii).

12 ~~(B)~~

13 (C) After the legislative body makes the findings described in
14 subparagraph (A), the eligible subsidiary body shall approve the
15 use of teleconferencing by majority vote before using
16 teleconference pursuant to this section.

17 ~~(C)~~

18 (D) The legislative body that created the eligible subsidiary
19 body may elect to prohibit the eligible subsidiary body from using
20 teleconferencing pursuant to this section at any time.

21 (b) For purposes of this section, "eligible subsidiary body"
22 means a legislative body that meets all of the following:

23 (1) Is described in subdivision (b) of Section 54952.

24 (2) Serves exclusively in an advisory capacity.

25 (3) Is not authorized to take final action on legislation,
26 regulations, contracts, licenses, permits, or any other entitlements,
27 grants, or allocations of funds.

28 (4) Does not have *primary* subject matter ~~jurisdiction over~~
29 *jurisdiction, as defined by the charter, an ordinance, a resolution,*
30 *or any formal action of the legislative body that created the*
31 *subsidiary body, that focuses on elections, budgets, police*
32 *oversight, or removing from, or restricting access to, materials*
33 *available in public libraries.*

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

36 SEC. 15. Section 54953.8.7 is added to the Government Code,
37 to read:

38 54953.8.7. (a) An eligible multijurisdictional body may
39 conduct a teleconference meeting pursuant to Section 54953.8,

1 provided that it complies with the requirements of that section and
2 all of the following additional requirements:

3 (1) The eligible multijurisdictional body has adopted a resolution
4 that authorizes the eligible multijurisdictional body to use
5 teleconferencing pursuant to this section at a regular meeting in
6 open session.

7 (2) At least a quorum of the members of the eligible
8 multijurisdictional body shall participate from one or more physical
9 locations that are open to the public and within the boundaries of
10 the territory over which the local agency exercises jurisdiction.

11 (3) A member of the eligible multijurisdictional body who
12 receives compensation for their service on the eligible
13 multijurisdictional body shall participate from a physical location
14 that is open to the public. For purposes of this paragraph,
15 “compensation” does not include reimbursement for actual and
16 necessary expenses.

17 ~~(4) The eligible multijurisdictional body shall identify each~~
18 ~~member of the eligible multijurisdictional body who plans to~~
19 ~~participate remotely in the agenda.~~

20 *(4) A member of the eligible multijurisdictional body may*
21 *participate from a remote location provided that:*

22 *(A) The eligible multijurisdictional body identifies each member*
23 *of the eligible multijurisdictional body who plans to participate*
24 *remotely in the agenda.*

25 *(B) The member shall participate through both audio and visual*
26 *technology.*

27 (5) A member of the eligible multijurisdictional body shall not
28 participate in a meeting remotely pursuant to this section, unless
29 the location from which the member participates is more than 20
30 miles ~~round trip~~ *each way* from any physical location of the
31 meeting described in paragraph (2).

32 (6) *The provisions of this section shall not serve as a means for*
33 *any member of a legislative body to participate in meetings of the*
34 *legislative body solely by teleconference from a remote location*
35 *for more than the following number of meetings, as applicable:*

36 *(A) Five meetings per year, if the legislative body regularly*
37 *meets twice per month.*

38 *(B) Seven meetings per year, if the legislative body regularly*
39 *meets three or more times per month.*

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

5 (b) For the purposes of this section, both of the following
 6 definitions apply:

7 (1) “Eligible multijurisdictional body” means a
 8 multijurisdictional board, commission, or advisory body of a
 9 multijurisdictional, cross-county agency, the membership of which
 10 board, commission, or advisory body is appointed, and the board,
 11 commission, or advisory body is otherwise subject to this chapter.

12 (2) “Multijurisdictional” means either of the following:

13 (A) A legislative body that includes representatives from more
 14 than one county, city, city and county, or special district.

15 (B) A legislative body of a joint powers entity formed pursuant
 16 to an agreement entered into in accordance with Article 1
 17 (commencing with Section 6500) of Chapter 5 of Division 7 of
 18 Title 1.

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

21 ~~SEC. 16. Section 54953.9 is added to the Government Code;~~
 22 ~~to read:~~

23 ~~54953.9. (a) In addition to any other applicable requirements~~
 24 ~~of this chapter, an eligible legislative body shall comply with both~~
 25 ~~of the following requirements:~~

26 ~~(1) (A) (i) All open and public meetings shall include an~~
 27 ~~opportunity for members of the public to attend via a two-way~~
 28 ~~telephonic service or a two-way audiovisual platform, unless~~
 29 ~~telephonic or internet service is not available at the meeting~~
 30 ~~location.~~

31 ~~(ii) Clause (i) does not apply to a meeting that is held to do any~~
 32 ~~of the following:~~

33 ~~(I) Attend a judicial or administrative proceeding to which the~~
 34 ~~local agency is a party.~~

35 ~~(II) Inspect real or personal property provided that the topic of~~
 36 ~~the meeting is limited to items directly related to the real or~~
 37 ~~personal property.~~

38 ~~(III) Meet with elected or appointed officials of the United States~~
 39 ~~or the State of California, solely to discuss a legislative or~~

1 regulatory issue affecting the local agency and over which the
2 federal or state officials have jurisdiction:

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

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

7 (B) If an eligible legislative body elects to provide a two-way
8 audiovisual platform, the eligible legislative body shall publicly
9 post and provide a call-in option, and activate any automatic
10 captioning function during the meeting if an automatic captioning
11 function is included with the two-way audiovisual platform.

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

21 (b) (1) An eligible legislative body shall reasonably assist
22 members of the public who wish to translate a public meeting into
23 any language or wish to receive interpretation provided by another
24 member of the public, so long as the interpretation is not disrupting
25 to the meeting, as defined in Section 54957.95. The eligible
26 legislative body shall publicize instructions on how to request
27 assistance under this subdivision. Assistance may include any of
28 the following, as determined by the eligible legislative body:

29 (A) Arranging space for one or more interpreters at the meeting
30 location.

31 (B) Allowing extra time during the meeting for interpretation
32 to occur.

33 (C) Making available equipment or facilities for participants to
34 access commercially available interpretation services.

35 (2) This section does not require an eligible legislative body to
36 provide interpretation of any public meeting, however, an eligible
37 legislative body may elect to provide interpretation of any public
38 meeting.

1 ~~(3) An action shall not be commenced or maintained against~~
2 ~~the eligible legislative body arising from the content or accuracy~~
3 ~~of any interpretation facilitated or provided under this subdivision.~~

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

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

15 ~~(2) (A) Create and maintain an accessible internet web page~~
16 ~~dedicated to public meetings that includes, or provides a link to,~~
17 ~~all of the following information:~~

18 ~~(i) A general explanation of the public meeting process for the~~
19 ~~city council or a county board of supervisors.~~

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

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

25 ~~(iv) The agenda posted online pursuant to paragraph (2) of~~
26 ~~subdivision (a) of Section 54954.2.~~

27 ~~(B) The eligible legislative body shall include a link to the web~~
28 ~~page required by subparagraph (A) on the home page of the eligible~~
29 ~~legislative body's internet website.~~

30 ~~(3) (A) Make efforts to provide public meeting information to~~
31 ~~groups that do not traditionally participate in public meetings,~~
32 ~~including, but not limited to, the following:~~

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

36 ~~(ii) Good government, civil rights, civic engagement,~~
37 ~~neighborhood, and community group organizations, or other~~
38 ~~organizations that are active in the jurisdiction of the eligible~~
39 ~~legislative body, including organizations active in~~
40 ~~non-English-speaking communities.~~

1 ~~(B) No action shall be commenced or maintained against an~~
2 ~~eligible legislative body arising from failing to provide public~~
3 ~~meeting information to any specific organization pursuant to this~~
4 ~~section.~~

5 ~~(d) For purposes of this section, the following definitions apply:~~

6 ~~(1) “Eligible legislative body” includes all of the following:~~

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

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

10 ~~(C) A city council of a city located in a county with a population~~
11 ~~of 200,000 or more.~~

12 ~~(D) The board of directors of a special district that serves over~~
13 ~~200,000 people or more and has an internet website.~~

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

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

21 ~~(4) “Video streaming” means media in which the data from a~~
22 ~~live filming or a video file is continuously delivered via the internet~~
23 ~~to a remote user, allowing a video to be viewed online by the public~~
24 ~~without being downloaded on a host computer or device.~~

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

27 ~~SEC. 17. Section 54953.10 is added to the Government Code,~~
28 ~~to read:~~

29 ~~54953.10. (a) (1) The agenda for each meeting of an eligible~~
30 ~~legislative body shall be translated into all applicable languages,~~
31 ~~and each translation shall be posted in accordance with Section~~
32 ~~54954.2. Each translation shall include instructions in the~~
33 ~~applicable language describing how to join the meeting by the~~
34 ~~telephonic or internet-based service option, including any~~
35 ~~requirements for registration for public comment.~~

36 ~~(2) The accessible internet web page provided under paragraph~~
37 ~~(2) of subdivision (e) of Section 54953.9 shall be translated into~~
38 ~~all applicable languages, and each translation shall be accessible~~
39 ~~through a prominent direct link posted on the primary internet~~
40 ~~website home page of the eligible legislative body.~~

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

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

9 (d) The eligible legislative body is not responsible for the content
10 or accuracy of any translation provided pursuant to this section.
11 No action shall be commenced or maintained against an eligible
12 legislative body from the content or accuracy of any translation
13 provided under this section.

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

16 (f) For purposes of this section, both of the following definitions
17 apply:

18 (1) (A) “Applicable languages” means languages spoken jointly
19 by 20 percent or more of the population in the city or county in
20 which the eligible legislative body is located that speaks English
21 less than “very well” and jointly speaks a language other than
22 English according to data from the most recent American
23 Community Survey.

24 (B) If more than three languages meet the criteria set forth in
25 paragraph (1), “applicable languages” shall mean the three
26 languages described in paragraph (1) that are spoken by the largest
27 percentage of the population.

28 (C) An eligible legislative body may elect to determine the
29 applicable languages based upon a source other than the most
30 recent American Community Survey if it makes a finding, based
31 upon substantial evidence, that the other source provides equally
32 or more reliable data for the eligible legislative body.

33 (2) “Eligible legislative body” includes all of the following:

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

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

37 (C) A city council of a city located in a county with a population
38 of 200,000 or more.

39 (D) The board of directors of a special district that serves over
40 200,000 people or more and has an internet website.

1 ~~SEC. 18.~~

2 *SEC. 16.* Section 54954.2 of the Government Code, as amended
3 by Section 92 of Chapter 131 of the Statutes of 2023, is amended
4 to read:

5 54954.2. (a) (1) At least 72 hours before a regular meeting,
6 the legislative body of the local agency, or its designee, shall post
7 an agenda that meets all of the following requirements:

8 (A) The agenda shall contain a brief general description of each
9 item of business to be transacted or discussed at the meeting,
10 including items to be discussed in closed session. A brief general
11 description of an item generally need not exceed 20 words.

12 (B) The agenda shall specify the time and location of the regular
13 meeting and shall be posted in a location that is freely accessible
14 to members of the public and on the local agency’s internet website,
15 if the local agency has one.

16 (C) (i) If requested, the agenda shall be made available in
17 appropriate alternative formats to persons with a disability, as
18 required by Section 202 of the Americans with Disabilities Act of
19 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations
20 adopted in implementation thereof.

21 (ii) The agenda shall include information regarding how, to
22 whom, and when a request for disability-related modification or
23 accommodation, including auxiliary aids or services, may be made
24 by a person with a disability who requires a modification or
25 accommodation in order to participate in the public meeting.

26 (2) For a meeting occurring on and after January 1, 2019, of a
27 legislative body of a city, county, city and county, special district,
28 school district, or political subdivision established by the state that
29 has an internet website, the following provisions shall apply:

30 (A) An online posting of an agenda shall be posted on the
31 primary internet website home page of a city, county, city and
32 county, special district, school district, or political subdivision
33 established by the state that is accessible through a prominent,
34 direct link to the current agenda. The direct link to the agenda shall
35 not be in a contextual menu; however, a link in addition to the
36 direct link to the agenda may be accessible through a contextual
37 menu.

38 (B) An online posting of an agenda, including, but not limited
39 to, an agenda posted in an integrated agenda management platform,

1 shall be posted in an open format that meets all of the following
2 requirements:

3 (i) Retrievable, downloadable, indexable, and electronically
4 searchable by commonly used internet search applications.

5 (ii) Platform independent and machine readable.

6 (iii) Available to the public free of charge and without any
7 restriction that would impede the reuse or redistribution of the
8 agenda.

9 (C) A legislative body of a city, county, city and county, special
10 district, school district, or political subdivision established by the
11 state that has an internet website and an integrated agenda
12 management platform shall not be required to comply with
13 subparagraph (A) if all of the following are met:

14 (i) A direct link to the integrated agenda management platform
15 shall be posted on the primary internet website home page of a
16 city, county, city and county, special district, school district, or
17 political subdivision established by the state. The direct link to the
18 integrated agenda management platform shall not be in a contextual
19 menu. When a person clicks on the direct link to the integrated
20 agenda management platform, the direct link shall take the person
21 directly to an internet website with the agendas of the legislative
22 body of a city, county, city and county, special district, school
23 district, or political subdivision established by the state.

24 (ii) The integrated agenda management platform may contain
25 the prior agendas of a legislative body of a city, county, city and
26 county, special district, school district, or political subdivision
27 established by the state for all meetings occurring on or after
28 January 1, 2019.

29 (iii) The current agenda of the legislative body of a city, county,
30 city and county, special district, school district, or political
31 subdivision established by the state shall be the first agenda
32 available at the top of the integrated agenda management platform.

33 (iv) All agendas posted in the integrated agenda management
34 platform shall comply with the requirements in clauses (i), (ii),
35 and (iii) of subparagraph (B).

36 ~~(D) For purposes of this paragraph, “integrated agenda
37 management platform” means an internet website of a city, county,
38 city and county, special district, school district, or political
39 subdivision established by the state dedicated to providing the
40 entirety of the agenda information for the legislative body of the~~

1 ~~city, county, city and county, special district, school district, or~~
2 ~~political subdivision established by the state to the public.~~

3 ~~(E)~~

4 (D) The provisions of this paragraph shall not apply to a political
5 subdivision of a local agency that was established by the legislative
6 body of the city, county, city and county, special district, school
7 district, or political subdivision established by the state.

8 (E) *For purposes of this paragraph, both of the following*
9 *definitions apply:*

10 (1) *“Integrated agenda management platform” means an*
11 *internet website of a city, county, city and county, special district,*
12 *school district, or political subdivision established by the state*
13 *dedicated to providing the entirety of the agenda information for*
14 *the legislative body of the city, county, city and county, special*
15 *district, school district, or political subdivision established by the*
16 *state to the public.*

17 (2) *“Legislative body” means a legislative body that meets the*
18 *definition of subdivision (a) of Section 54952.*

19 (3) No action or discussion shall be undertaken on any item not
20 appearing on the posted agenda, except that members of a
21 legislative body or its staff may briefly respond to statements made
22 or questions posed by persons exercising their public testimony
23 rights under Section 54954.3. In addition, on their own initiative
24 or in response to questions posed by the public, a member of a
25 legislative body or its staff may ask a question for clarification,
26 make a brief announcement, or make a brief report on their own
27 activities. Furthermore, a member of a legislative body, or the
28 body itself, subject to rules or procedures of the legislative body,
29 may provide a reference to staff or other resources for factual
30 information, request staff to report back to the body at a subsequent
31 meeting concerning any matter, or take action to direct staff to
32 place a matter of business on a future agenda.

33 (b) Notwithstanding subdivision (a), the legislative body may
34 take action on items of business not appearing on the posted agenda
35 under any of the conditions stated below. Prior to discussing any
36 item pursuant to this subdivision, the legislative body shall publicly
37 identify the item.

38 (1) Upon a determination by a majority vote of the legislative
39 body that an emergency situation exists, as defined in Section
40 54956.5.

1 (2) Upon a determination by a two-thirds vote of the members
 2 of the legislative body present at the meeting, or, if less than
 3 two-thirds of the members are present, a unanimous vote of those
 4 members present, that there is a need to take immediate action and
 5 that the need for action came to the attention of the local agency
 6 subsequent to the agenda being posted as specified in subdivision
 7 (a).

8 (3) The item was posted pursuant to subdivision (a) for a prior
 9 meeting of the legislative body occurring not more than five
 10 calendar days prior to the date action is taken on the item, and at
 11 the prior meeting the item was continued to the meeting at which
 12 action is being taken.

13 (c) This section is necessary to implement and reasonably within
 14 the scope of paragraph (1) of subdivision (b) of Section 3 of Article
 15 I of the California Constitution.

16 (d) For purposes of subdivision (a), the requirement that the
 17 agenda be posted on the local agency's internet website, if the
 18 local agency has one, shall only apply to a legislative body that
 19 meets either of the following standards:

20 (1) A legislative body as that term is defined by subdivision (a)
 21 of Section 54952.

22 (2) A legislative body as that term is defined by subdivision (b)
 23 of Section 54952, if the members of the legislative body are
 24 compensated for their appearance, and if one or more of the
 25 members of the legislative body are also members of a legislative
 26 body as that term is defined by subdivision (a) of Section 54952.

27 ~~SEC. 19.~~

28 *SEC. 17.* Section 54954.3 of the Government Code is amended
 29 to read:

30 54954.3. (a) (1) Every agenda for regular meetings shall
 31 provide an opportunity for members of the public to directly
 32 address the legislative body on any item of interest to the public,
 33 before or during the legislative body's consideration of the item,
 34 that is within the subject matter jurisdiction of the legislative body,
 35 provided that no action shall be taken on any item not appearing
 36 on the agenda unless the action is otherwise authorized by
 37 subdivision (b) of Section 54954.2.

38 (2) Every notice for a special meeting shall provide an
 39 opportunity for members of the public to directly address the
 40 legislative body concerning any item that has been described in

1 the notice for the meeting before or during consideration of that
2 item.

3 (b) (1) The legislative body of a local agency may adopt
4 reasonable regulations to ensure that the intent of subdivision (a)
5 is carried out, including, but not limited to, regulations limiting
6 the total amount of time allocated for public testimony on particular
7 issues and for each individual speaker.

8 (2) Notwithstanding paragraph (1), when the legislative body
9 of a local agency limits time for public comment, the legislative
10 body of a local agency shall provide at least twice the allotted time
11 to a member of the public who utilizes a translator to ensure that
12 non-English speakers receive the same opportunity to directly
13 address the legislative body of a local agency.

14 (3) Paragraph (2) shall not apply if the legislative body of a
15 local agency utilizes simultaneous translation equipment in a
16 manner that allows the legislative body of a local agency to hear
17 the translated public testimony simultaneously.

18 (c) The legislative body of a local agency shall not prohibit
19 public criticism of the policies, procedures, programs, or services
20 of the agency, or of the acts or omissions of the legislative body.
21 Nothing in this subdivision shall confer any privilege or protection
22 for expression beyond that otherwise provided by law.

23 ~~SEC. 20.~~

24 *SEC. 18.* Section 54956 of the Government Code is amended
25 to read:

26 54956. (a) (1) A special meeting may be called at any time
27 by the presiding officer of the legislative body of a local agency,
28 or by a majority of the members of the legislative body, by
29 delivering written notice to each member of the legislative body
30 and to each local newspaper of general circulation and radio or
31 television station requesting notice in writing and posting a notice
32 on the local agency's internet website, if the local agency has one.
33 The notice shall be delivered personally or by any other means
34 and shall be received at least 24 hours before the time of the
35 meeting as specified in the notice. The call and notice shall specify
36 the time and place of the special meeting and the business to be
37 transacted or discussed. No other business shall be considered at
38 these meetings by the legislative body. The written notice may be
39 dispensed with as to any member who at or prior to the time the
40 meeting convenes files with the clerk or secretary of the legislative

1 body a written waiver of notice. The waiver may be given by
2 telephone or electronic mail. The written notice may also be
3 dispensed with as to any member who is actually present at the
4 meeting at the time it convenes.

5 (2) The call and notice shall be posted at least 24 hours prior to
6 the special meeting in a location that is freely accessible to
7 members of the public.

8 (b) Notwithstanding any other law, a legislative body shall not
9 call a special meeting regarding the salaries, salary schedules, or
10 compensation paid in the form of fringe benefits, of the legislative
11 body or of a local agency executive, as defined in subdivision (d)
12 of Section 3511.1. However, this subdivision does not apply to a
13 local agency calling a special meeting to discuss the local agency's
14 budget.

15 ~~SEC. 21.~~

16 *SEC. 19.* Section 54956.5 of the Government Code is amended
17 to read:

18 54956.5. (a) For purposes of this section, "emergency
19 situation" means both of the following:

20 (1) An emergency, which shall be defined as a work stoppage,
21 crippling activity, or other activity that severely impairs public
22 health, safety, or both, as determined by a majority of the members
23 of the legislative body.

24 (2) A dire emergency, which shall be defined as a crippling
25 disaster, mass destruction, terrorist act, or threatened terrorist
26 activity that poses peril so immediate and significant that requiring
27 a legislative body to provide one-hour notice before holding an
28 emergency meeting under this section may endanger the public
29 health, safety, or both, as determined by a majority of the members
30 of the legislative body.

31 (b) (1) Subject to paragraph (2), in the case of an emergency
32 situation involving matters upon which prompt action is necessary
33 due to the disruption or threatened disruption of public facilities,
34 a legislative body may hold an emergency meeting without
35 complying with either the 24-hour notice requirement or the
36 24-hour posting requirement of Section 54956 or both of the notice
37 and posting requirements.

38 (2) Each local newspaper of general circulation and radio or
39 television station that has requested notice of special meetings
40 pursuant to Section 54956 shall be notified by the presiding officer

1 of the legislative body, or designee thereof, one hour prior to the
2 emergency meeting, or, in the case of a dire emergency, at or near
3 the time that the presiding officer or designee notifies the members
4 of the legislative body of the emergency meeting.

5 (A) Except as provided in subparagraph (B), the notice required
6 by this paragraph shall be given by telephone and all telephone
7 numbers provided in the most recent request of a newspaper or
8 station for notification of special meetings shall be exhausted. In
9 the event that telephone services are not functioning, the notice
10 requirements of this paragraph shall be deemed waived, and the
11 legislative body, or designee of the legislative body, shall notify
12 those newspapers, radio stations, or television stations of the fact
13 of the holding of the emergency meeting, the purpose of the
14 meeting, and any action taken at the meeting as soon after the
15 meeting as possible.

16 (B) For an emergency meeting held pursuant to this section, the
17 presiding officer of the legislative body, or designee thereof, may
18 send the notifications required by this paragraph by email instead
19 of by telephone, as provided in subparagraph (A), to all local
20 newspapers of general circulation, and radio or television stations,
21 that have requested those notifications by email, and all email
22 addresses provided by representatives of those newspapers or
23 stations shall be exhausted. In the event that internet services and
24 telephone services are not functioning, the notice requirements of
25 this paragraph shall be deemed waived, and the legislative body,
26 or designee of the legislative body, shall notify those newspapers,
27 radio stations, or television stations of the fact of the holding of
28 the emergency meeting, the purpose of the meeting, and any action
29 taken at the meeting as soon after the meeting as possible.

30 (c) During a meeting held pursuant to this section, the legislative
31 body may meet in closed session pursuant to Section 54957 if
32 agreed to by a two-thirds vote of the members of the legislative
33 body present, or, if less than two-thirds of the members are present,
34 by a unanimous vote of the members present.

35 (d) All special meeting requirements, as prescribed in Section
36 54956 shall be applicable to a meeting called pursuant to this
37 section, with the exception of the 24-hour notice requirement.

38 (e) The minutes of a meeting called pursuant to this section, a
39 list of persons who the presiding officer of the legislative body,
40 or designee of the legislative body, notified or attempted to notify,

1 a copy of the rollcall vote, and any actions taken at the meeting
2 shall be posted for a minimum of 10 days in a public place as soon
3 after the meeting as possible.

4 ~~SEC. 22.~~

5 *SEC. 20.* Section 54957.6 of the Government Code is amended
6 to read:

7 54957.6. (a) Notwithstanding any other provision of law, a
8 legislative body of a local agency may hold closed sessions with
9 the local agency’s designated representatives regarding the salaries,
10 salary schedules, or compensation paid in the form of fringe
11 benefits of its represented and unrepresented employees, and, for
12 represented employees, any other matter within the statutorily
13 provided scope of representation, subject to all of the following
14 conditions:

15 (1) Prior to the closed session, the legislative body of the local
16 agency shall hold an open and public session in which it identifies
17 its designated representatives.

18 (2) The closed session shall be for the purpose of reviewing its
19 position and instructing the local agency’s designated
20 representatives.

21 (3) The closed session may take place prior to and during
22 consultations and discussions with representatives of employee
23 organizations and unrepresented employees.

24 (4) Any closed session with the local agency’s designated
25 representative regarding the salaries, salary schedules, or
26 compensation paid in the form of fringe benefits may include
27 discussion of an agency’s available funds and funding priorities,
28 but only insofar as these discussions relate to providing instructions
29 to the local agency’s designated representative.

30 (5) The closed session shall not include final action on the
31 proposed compensation of one or more unrepresented employees.

32 (6) For the purposes enumerated in this section, a legislative
33 body of a local agency may also meet with a state conciliator who
34 has intervened in the proceedings.

35 (b) For the purposes of this section, the term “employee” shall
36 include an officer or an independent contractor who functions as
37 an officer or an employee, but shall not include any elected official,
38 member of a legislative body, or other independent contractors.

39 *SEC. 21.* Section 54957.9 of the Government Code is amended
40 to read:

1 54957.9. In the event that any meeting is willfully interrupted
2 by a group or groups of persons so as to render the orderly conduct
3 of ~~such~~ *the* meeting unfeasible and order cannot be restored by the
4 removal of individuals who are willfully interrupting the meeting,
5 the members of the legislative body conducting the meeting may
6 order the meeting room cleared and continue in session. Only
7 matters appearing on the agenda may be considered in such a
8 session. Representatives of the press or other news media, except
9 those participating in the disturbance, shall be allowed to attend
10 any session held pursuant to this section. Nothing in this section
11 shall prohibit the legislative body from establishing a procedure
12 for readmitting an individual or individuals not responsible for
13 willfully disturbing the orderly conduct of the meeting.

14 ~~SEC. 23.~~

15 *SEC. 22.* Section 54957.95 of the Government Code is amended
16 to read:

17 54957.95. (a) (1) In addition to authority exercised pursuant
18 to Sections 54954.3 and 54957.9, the presiding member of the
19 legislative body conducting a meeting or their designee may
20 remove, or cause the removal of, an individual for disrupting the
21 meeting, including any teleconferenced meeting.

22 (2) Prior to removing an individual, the presiding member or
23 their designee shall warn the individual that their behavior is
24 disrupting the meeting and that their failure to cease their behavior
25 may result in their removal. The presiding member or their
26 designee may then remove the individual if they do not promptly
27 cease their disruptive behavior. This paragraph does not apply to
28 any behavior described in subparagraph (B) of paragraph (1) of
29 subdivision (b).

30 (b) As used in this section:

31 (1) “Disrupting” means engaging in behavior during a meeting
32 of a legislative body that actually disrupts, disturbs, impedes, or
33 renders infeasible the orderly conduct of the meeting and includes,
34 but is not limited to, one of the following:

35 (A) A failure to comply with reasonable and lawful regulations
36 adopted by a legislative body pursuant to Section 54954.3 or any
37 other law.

38 (B) Engaging in behavior that constitutes use of force or a true
39 threat of force.

1 (2) “True threat of force” means a threat that has sufficient
2 indicia of intent and seriousness, that a reasonable observer would
3 perceive it to be an actual threat to use force by the person making
4 the threat.

5 SEC. 23. Section 54957.96 is added to the Government Code,
6 to read:

7 54957.96. (a) The existing authority of a legislative body or
8 its presiding officer to remove or limit participation by individuals
9 or groups of persons who engage in behavior that actually disrupts,
10 disturbs, impedes, or renders infeasible the orderly conduct of the
11 meeting, including existing limitations upon that authority, shall
12 apply to members of the public participating in a meeting via a
13 two-way telephonic service or a two-way audiovisual platform.

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

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

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

22 SEC. 24. Section 54960.2 of the Government Code is amended
23 to read:

24 54960.2. (a) The district attorney or any interested person may
25 file an action to determine the applicability of this chapter to past
26 actions of the legislative body pursuant to subdivision (a) of Section
27 54960 only if all of the following conditions are met:

28 (1) The district attorney or interested person alleging a violation
29 of this chapter first submits a cease and desist letter by postal mail
30 or facsimile transmission to the clerk or secretary of the legislative
31 body being accused of the violation, as designated in the statement
32 pertaining to that public agency on file pursuant to Section 53051,
33 or if the agency does not have a statement on file designating a
34 clerk or a secretary, to the chief executive officer of that agency,
35 clearly describing the past action of the legislative body and nature
36 of the alleged violation.

37 (2) The cease and desist letter required under paragraph (1) is
38 submitted to the legislative body within 12 months of the alleged
39 violation.

1 (3) The time during which the legislative body may respond to
2 the cease and desist letter pursuant to subdivision (b) has expired
3 and the legislative body has not provided an unconditional
4 commitment pursuant to subdivision (c).

5 (4) Within 60 days of receipt of the legislative body’s response
6 to the cease and desist letter, other than an unconditional
7 commitment pursuant to subdivision (c), or within 60 days of the
8 expiration of the time during which the legislative body may
9 respond to the cease and desist letter pursuant to subdivision (b),
10 whichever is earlier, the party submitting the cease and desist letter
11 shall commence the action pursuant to subdivision (a) of Section
12 54960 or thereafter be barred from commencing the action.

13 (b) The legislative body may respond to a cease and desist letter
14 submitted pursuant to subdivision (a) within 30 days of receiving
15 the letter. This subdivision shall not be construed to prevent the
16 legislative body from providing an unconditional commitment
17 pursuant to subdivision (c) at any time after the 30-day period has
18 expired, except that in that event the court shall award court costs
19 and reasonable attorney’s fees to the plaintiff in an action brought
20 pursuant to this section, in accordance with Section 54960.5.

21 (c) (1) If the legislative body elects to respond to the cease and
22 desist letter with an unconditional commitment to cease, desist
23 from, and not repeat the past action that is alleged to violate this
24 chapter, that response shall be in substantially the following form:

25
26 To _____:

27
28 The [name of legislative body] has received your cease and desist
29 letter dated [date] alleging that the following described past action
30 of the legislative body violates the Ralph M. Brown Act:

31
32 [Describe alleged past action, as set forth in the cease and desist
33 letter submitted pursuant to subdivision (a)]

34
35 In order to avoid unnecessary litigation and without admitting
36 any violation of the Ralph M. Brown Act, the [name of legislative
37 body] hereby unconditionally commits that it will cease, desist
38 from, and not repeat the challenged past action as described above.
39

1 The [name of legislative body] may rescind this commitment
 2 only by a majority vote of its membership taken in open session
 3 at a regular meeting and noticed on its posted agenda as
 4 “Rescission of Brown Act Commitment.” You will be provided
 5 with written notice, sent by any means or media you provide in
 6 response to this message, to whatever address or addresses you
 7 specify, of any intention to consider rescinding this commitment
 8 at least 30 days before any such regular meeting. In the event that
 9 this commitment is rescinded, you will have the right to commence
 10 legal action pursuant to subdivision (a) of Section 54960 of the
 11 Government Code. That notice will be delivered to you by the
 12 same means as this commitment, or may be mailed to an address
 13 that you have designated in writing.

14
 15 Very truly yours,

16
 17

 [Chairperson or acting chairperson of the legislative body]
 18

19 (2) An unconditional commitment pursuant to this subdivision
 20 shall be approved by the legislative body in open session at a
 21 regular or special meeting as a separate item of business, and not
 22 on its consent agenda.

23 (3) An action shall not be commenced to determine the
 24 applicability of this chapter to any past action of the legislative
 25 body for which the legislative body has provided an unconditional
 26 commitment pursuant to this subdivision. During any action
 27 seeking a judicial determination regarding the applicability of this
 28 chapter to any past action of the legislative body pursuant to
 29 subdivision (a), if the court determines that the legislative body
 30 has provided an unconditional commitment pursuant to this
 31 subdivision, the action shall be dismissed with prejudice. Nothing
 32 in this subdivision shall be construed to modify or limit the existing
 33 ability of the district attorney or any interested person to commence
 34 an action to determine the applicability of this chapter to ongoing
 35 actions or threatened future actions of the legislative body.

36 (4) Except as provided in subdivision (d), the fact that a
 37 legislative body provides an unconditional commitment shall not
 38 be construed or admissible as evidence of a violation of this
 39 chapter.

1 (d) If the legislative body provides an unconditional commitment
2 as set forth in subdivision (c), the legislative body shall not
3 thereafter take or engage in the challenged action described in the
4 cease and desist letter, except as provided in subdivision (e).
5 Violation of this subdivision shall constitute an independent
6 violation of this chapter, without regard to whether the challenged
7 action would otherwise violate this chapter. An action alleging
8 past violation or threatened future violation of this subdivision
9 may be brought pursuant to subdivision (a) of Section 54960,
10 without regard to the procedural requirements of this section.

11 (e) The legislative body may resolve to rescind an unconditional
12 commitment made pursuant to subdivision (c) by a majority vote
13 of its membership taken in open session at a regular meeting as a
14 separate item of business not on its consent agenda, and noticed
15 on its posted agenda as “Rescission of Brown Act Commitment,”
16 provided that not less than 30 days prior to such regular meeting,
17 the legislative body provides written notice of its intent to consider
18 the rescission to each person to whom the unconditional
19 commitment was made, and to the district attorney. Upon
20 rescission, the district attorney or any interested person may
21 commence an action pursuant to subdivision (a) of Section 54960.
22 An action under this subdivision may be brought pursuant to
23 subdivision (a) of Section 54960, without regard to the procedural
24 requirements of this section.

25 SEC. 25. The Legislature finds and declares that ~~Section 5 4~~
26 ~~of this act, which amends Section 54953 of, Section 5 of this act,~~
27 ~~which adds Section 54953.4 to, Sections 8 to 15, inclusive, of this~~
28 ~~act, which add Sections 54953.8 to 54953.8.7, respectively, to,~~
29 ~~Section 16 of this act, which adds Section 54953.9 to, Section 21~~
30 ~~Section 19 of this act, which amends Section 54956.5 of, and~~
31 ~~Section 23 Section 22 of this act, which amends Section 54957.95~~
32 ~~of, and Section 23 of this act, which adds Section 54957.96 to, the~~
33 ~~Government Code, impose a limitation on the public’s right of~~
34 ~~access to the meetings of public bodies or the writings of public~~
35 ~~officials and agencies within the meaning of Section 3 of Article~~
36 ~~I of the California Constitution. Pursuant to that constitutional~~
37 ~~provision, the Legislature makes the following findings to~~
38 ~~demonstrate the interest protected by this limitation and the need~~
39 ~~for protecting that interest:~~

1 (a) This act is necessary to provide opportunities for public
 2 participation in meetings of specified public agencies and to
 3 promote the recruitment and retention of members of those
 4 agencies.

5 (b) This act is necessary to ensure minimum standards for public
 6 participation and notice requirements allowing for greater public
 7 participation in meetings.

8 (c) This act is necessary to modernize the Ralph M. Brown Act
 9 to reflect recent technological changes that can promote greater
 10 public access to local officials.

11 (d) *The exclusively virtual nature of the California Online*
 12 *Community College presents unique barriers to the requirements*
 13 *for an in-person quorum, a physical location for public*
 14 *participation, and certain accommodations. Participating students*
 15 *of the online community college come from all across the state*
 16 *and necessitating travel for these requirements would pose a*
 17 *significant and exclusionary barrier.*

18 SEC. 26. The Legislature finds and declares that ~~Section 1 of~~
 19 ~~this act, which amends Section 54952 of, Sections 2 and 3 Sections~~
 20 *1 and 2 of this act, which amend and repeal Section 54952.2,*
 21 *respectively, of, Section 3 of this act, which amends Section*
 22 *54952.7 of, Section 4 of this act, which amends Section 54953*
 23 *of, Section 5 of this act, which adds Section 54953.4 to, Section 6*
 24 *of this act, which amends Section 54953.5 of, Section 7 of this*
 25 *act, which amends Section 54953.7 of, Sections 8 to 15, inclusive,*
 26 *of this act, which add Sections 54953.8 to 54953.8.7, respectively,*
 27 *to, Section 16 of this act, which adds Section 54953.9 to, amends*
 28 *Section 54954.2 of, Section 17 of this act, which adds Section*
 29 *54953.10 to, Sections 18 and 19 of this act, which amend Sections*
 30 *54954.2 and 54954.3, respectively, amends Section 54954.3 of,*
 31 *Section 18 of this act, which amends Section 54956 of, Section*
 32 *21 19 of this act, which amends Section 54956.5 of, Section 22*
 33 *20 of this act, which amends Section 54957.6 of, Section 21 of this*
 34 *act, which amends Section 54957.9 of, Section 22 of this act,*
 35 *which amends Section 54957.95 of, Section 23 of this act, which*
 36 *adds Section 54957.96 to, and Section 24 of this act, which amends*
 37 *Section 54960.2 of, the Government Code, further, within the*
 38 *meaning of paragraph (7) of subdivision (b) of Section 3 of Article*
 39 *I of the California Constitution, the purposes of that constitutional*
 40 *section as it relates to the right of public access to the meetings of*

1 local public bodies or the writings of local public officials and
2 local agencies. Pursuant to paragraph (7) of subdivision (b) of
3 Section 3 of Article I of the California Constitution, the Legislature
4 makes the following findings:

5 (a) This act is necessary to provide opportunities for public
6 participation in meetings of specified public agencies and to
7 promote the recruitment and retention of members of those
8 agencies.

9 (b) This act is necessary to ensure minimum standards for public
10 participation and notice requirements allowing for greater public
11 participation in meetings.

12 (c) This act is necessary to modernize the Ralph M. Brown Act
13 to reflect recent technological changes that can promote greater
14 public access to local officials.

15 (d) *The exclusively virtual nature of the California Online*
16 *Community College presents unique barriers to the requirements*
17 *for an in-person quorum, a physical location for public*
18 *participation, and certain accommodations. Participating students*
19 *of the online community college come from all across the state*
20 *and necessitating travel for these requirements would pose a*
21 *significant and exclusionary barrier.*

22 SEC. 27. The Legislature finds and declares that adequate
23 public access to meetings is a matter of statewide concern and is
24 not a municipal affair as that term is used in Section 5 of Article
25 XI of the California Constitution. Therefore, this bill would apply
26 to all cities, including charter cities.

27 SEC. 28. No reimbursement is required by this act pursuant to
28 Section 6 of Article XIII B of the California Constitution because
29 the only costs that may be incurred by a local agency or school
30 district under this act would result from a legislative mandate that
31 is within the scope of paragraph (7) of subdivision (b) of Section
32 3 of Article I of the California Constitution.

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