



# Helendale Community Services District

Date: March 5, 2026  
TO: Board of Directors  
FROM: Kimberly Cox, General Manager  
SUBJECT: Agenda item #3  
Consent Items

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## **CONSENT ITEMSs**

- a. Approval of Minutes: Regular Meeting February 19, 2026
- b. Bills Paid Report for March 5, 2026
- c. January Financial Report



**Minutes of the Helendale Community Services District  
REGULAR BOARD OF DIRECTORS MEETING**

Date: February 19, 2026  
Time: 6:05 PM  
Meeting called to order by: President Ron Clark at 6:00 PM

**Attendance**

President Ron Clark	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent	<input checked="" type="checkbox"/> In Person	<input type="checkbox"/> Remote
Vice President George Cardenas	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent	<input checked="" type="checkbox"/> In Person	<input type="checkbox"/> Remote
Director Gail Guinn	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent	<input checked="" type="checkbox"/> In Person	<input type="checkbox"/> Remote
Director Artie DeVries	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent	<input checked="" type="checkbox"/> In Person	<input type="checkbox"/> Remote
Director Billy Rosenberg	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent	<input checked="" type="checkbox"/> In Person	<input type="checkbox"/> Remote

**Staff Members Present**

Kimberly Cox, General Manager; Alex Aviles, Wastewater Operations Manager; Craig Carlson, Water Operations Manager; Cheryl Vermette, Administrative Services Manager

**Consultants/Guests**

Steve Kennedy, Legal Counsel  
Ian Berg, Consultant – Starting Line Advisory  
Scott Nelson, Consultant – Starting Line Advisory  
Paul Fuller, Allied Public Risk

**Members of the public**

There were six members of the public in attendance in person and one in attendance via Zoom.

**1. APPROVAL OF AGENDA**

**Motion** Director Guinn made a motion to approve the agenda as amended.  
**Second** Director DeVries

**2. PUBLIC PARTICIPATION**

Jared Newcomer, Battalion Chief, San Bernardino County Fire Department reported on the Department’s new water tender which carries 2,500 gallons of water and is available 24/7 for emergencies. He explained staffing for the new water tender, which includes multiple trained drivers to ensure coverage. He also discussed how the unit can be crucial in long duration fires. Rusty Mace, Silver Lakes Association General Manager announced the results of the Silver Lakes Board of Directors election.

**3. Consent Items**

- a. Approval of Minutes: Regular Board Meetings of February 5, 2026
- b. Bills Paid Report for February 19, 2026

**Discussion** None

**Motion** Director Guinn made the motion to approve the consent items.

**Second** Director DeVries

**Vote**

Vice President Ron Clark	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Director George Cardenas	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Director Gail Guinn	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Director Artie DeVries	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Director Billy Rosenberg	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain

**4. REPORTS**

**a. Directors' Reports**

Director Rosenberg reported that he met with an artist who is interested in building an art/dance center in Helendale.

Director DeVries reported that she also attended the meeting with the artist.

Director Guinn reported that she worked with Cheryl on the Strategic Plan. She also gave an update on Silver Lakes Association – they will be having a meeting regarding the gym. She also talked about maintaining the synergy between the CSD and the Association. She also discussed possibly visiting the Bear Valley CSD in Tehachapi.

**b. General Managers Report**

**Discussion:** General Manager Cox reported the water department has \$2,639,417; wastewater has \$3,751,120; parks has \$874,598; property rentals has \$162,810; and solid waste has \$173,150. The District has a total cash balance of \$8,468,701. A total of \$2,231,131 is invested in CBB Trust; \$1,173,240 is invested in LAIF; \$1,541,604 is in CBB checking; \$270,575 is in Flagstar and \$3,252,151 is invested in CLASS.

Administrative Services Manager Vermette briefly reviewed the Strategic plan and requested input and feedback by February 27<sup>th</sup> to be included in the final draft. Final adoption is scheduled for March 5<sup>th</sup>. She also presented three options for the mission, vision and values signage. The Board preferred design two.

Wastewater Operations Manager Aviles gave the wastewater report. Staff cleared a plugged suction line by removing alfalfa meter #2. They fixed an electrical issue at the Smithson Lift Station that caused the lead pump to fail, restoring normal operation. Four sewer manholes were raised on Schooner Dr, marking the first time Operators-in-Training worked on this type of project. Todd and Gavin performed well. Staff repaired a broken water line at the Plant, and Todd rebuilt the sprinkler system on the west contact basin. A difficult-to-locate sewer lateral on Branding Iron was found, and damage from the locating efforts was repaired. Houston and Harris completed preventative maintenance at the Parkway and Schooner lift stations. Parkway has been in bypass due to a pump failure. Staff entered the 30' pump station and performed a bypass to investigate, finding a broken pump discharge hose. Parts have been purchased to complete repairs and return to normal operating conditions next week.

**Regular Business**

5. Discussion and Possible Action Regarding Approval of Director’s Expense Reports

**Discussion:** None

**Motion:** Director Rosenberg made a motion to approve the Director’s Expense Reports

**Second:** Director Guinn

**Vote**

Vice President Ron Clark	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Director George Cardenas	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Director Gail Guinn	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Director Artie DeVries	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Director Billy Rosenberg	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain

6. Discussion and Possible Action Regarding Approval of the General Liability and Auto Insurance Policies for the Period of April 2026 through March 2027

**Discussion:** The Board receives this item annually for approval. The premium amount is \$133,898, providing coverage for Property, Inland Marine, Commercial Crime, Commercial General Liability, Public Officials & Management Liability, Business Auto, and Commercial Excess Liability. Until 2021 the District used SDRMA; in 2021 the Board sought options after a large increase. JPRIMA is a JPA through CalMutual Water Association, and its broker is Allied Public Risk. Rates will increase 3.99% this year (\$5,148), following a 6.5% increase last year. Paul Fuller from Allied was available online to review coverage and increases. The JPRIMA premium history from 2021–2026 is shown in the provided table.

	2021	2022	2023	2024	2025	2026	Premium year
Q4		\$ 22,912	\$ 23,893	\$ 27,389	\$ 29,239	\$ 30,409	FY2026
Q1	\$ 28,578	\$ 22,912	\$ 23,893	\$ 27,389	\$ 29,239	\$ 30,409	FY2027
Q2	\$ 28,578	\$ 22,912	\$ 23,893	\$ 27,389	\$ 29,239	\$ 30,409	FY2027
Q3	\$ 28,578	\$ 22,912	\$ 23,893	\$ 27,389	\$ 29,239	\$ 30,409	FY2027
	<b>\$ 85,734</b>	<b>\$ 91,647</b>	<b>\$ 95,570</b>	<b>\$ 109,554</b>	<b>\$ 116,956</b>	<b>\$ 121,636</b>	<b>Sub Total</b>
	\$ 8,573	\$ 9,164	\$ 9,557	\$ 11,055	\$ 11,794	\$ 12,262	Admin Charge
	<b>\$ 94,307</b>	<b>\$ 100,811</b>	<b>\$ 105,127</b>	<b>\$ 120,609</b>	<b>\$ 128,750</b>	<b>\$ 133,898</b>	<b>Total</b>

**Motion:** Director Rosenberg made a motion to approve the General Liability and Auto Policies for April 1, 2026 through March 31, 2027.

**Second:** Director Guinn

**Vote**

Vice President Ron Clark	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Director George Cardenas	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Director Gail Guinn	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Director Artie DeVries	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Director Billy Rosenberg	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain

7. Discussion and Possible Action Regarding a Consumer Price Index Inflationary Increase Related to Staffing and Budget Development

**Discussion:** The Board uses the CPI to determine the annual COLA, which is not a windfall and is meant to keep the dollar constant. COLA supports retention of skilled employees, maintains competitiveness, and helps avoid the high cost of losing staff, including loss of institutional knowledge and training investment. Skilled workers are in short supply. COLA decisions are fully at the Board’s discretion, using CPI as the economic basis. The increase applies to all staff and becomes effective July 1, 2026, for FY 2027, and will be included in the new budget. Pay ranges are adjusted by the selected percentage, and employees see changes based on the January CPI. The District uses the Riverside–San Bernardino–Ontario index, with the January CPI measuring change from 1/1/25 to 1/1/26: 3.2% for all goods/services and 3.7% excluding food and energy. Last year, with similar numbers, the Board selected 3.7% COLA.

**Motion:** Director Rosenberg made the motion to approve a COLA of 3.5% based upon the Riverside/San Bernardino Consumer Price Index to be incorporated into the FY2027 budget

**Second:** Director Guinn

**Vote**

Vice President Ron Clark	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Director George Cardenas	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Director Gail Guinn	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Director Artie DeVries	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Director Billy Rosenberg	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain

8. Discussion Only Regarding Mid-Year Budget Review

**Discussion:** General Manager Cox reported that all funds performing within projections; no outliers or concerns. The water fund revenue above projection (75%). The Board opted to receive and file report without full presentation due to time.

***There was no action on this item.***

9. Discussion and Possible Action Regarding Approval of a Professional Services Agreement for Financial Support Services

**Discussion:** From 2019 to 2025, the district used Platinum, which was later purchased by Eide Bailly under the leadership of Cindy Byerrum. After Cindy retired and her team left Eide Bailly, Scott Nelson, the district’s main service provider, joined Starting Line Advisory (SLA) along with former team member Ian Berg. In February 2025, the board approved a professional services agreement (PSA) with SLA at a cost savings, with the current contract running through FY26. SLA has now proposed a three-year extension with no annual cost increases. The district currently pays approximately \$4,100 per month, and the new PSA would set a flat monthly retainer of \$4,300. This arrangement allows staff to contact SLA as needed without concern for additional costs. SLA continues to be a valuable resource for staff, providing confidence to the board through ongoing accounting practices and monthly financial reports. The proposed motion is to approve a three-year agreement for financial support services beginning July 1, 2026, through June 30, 2029.

**Motion:** Director Guinn made the motion to approve a 3-year agreement for financial support beginning 7/1/2026 through 6/30/2029.

**Second:** Director DeVries

**Vote**

Vice President Ron Clark	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Director George Cardenas	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Director Gail Guinn	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Director Artie DeVries	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Director Billy Rosenberg	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain

10. Discussion Only Regarding Review of Wastewater 5-Year Capital Improvement Plan (CIP)

**Discussion:** Projects completed in FY 2026 include the Fine Barscreen purchase and installation, the bio-filter rebuild, and the Smithson Lift Station pump rebuild. Remaining FY 2026 projects are the Plant and Lift Station SCADA (\$50,000), a new backhoe (\$140,000), T-Filter gate valves and check valves (\$25,000), a sewer camera (\$75,000), collection system lining in various areas (\$50,000), diaphragm sludge pumps (\$80,000), Headworks electrical repair or replacement (\$115,000), secondary clarifier drives (\$120,000), blower room climate control (\$20,000), digester rehabilitation including blower line and diffuser replacement (\$575,000) with blower heads only at \$25,000, coarse bar screen replacement (\$150,000), primary clarifier coating (\$350,000), and five sump pump replacements for sludge pump rooms (\$45,000). Additional scheduled items include sludge process pumps and new piping configuration in FY 2028 (\$350,000), two automatic gates at the plant entrance in FY 2029 (\$80,000), pump room rehabilitation in FY 2029 (\$40,000), Park/4-plex lift station pumps in FY 2029 (\$30,000), Alfalfa Field pump replacements in FY 2030 (\$100,000), and items listed for FY 2031.

***There was no action on this item.***

**Other Business**

**11. Requested items for next or future agendas (Directors and Staff only)**

None

**12. Adjournment**

President Clark adjourned the meeting at 7:02 pm.

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Ron Clark, President

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Cheryl Vermette, Clerk of the Board

*The Board actions represent decisions of the Helendale Community Services District Board of Directors. A digital voice recording and copy of the PowerPoint presentation are available upon request at the Helendale CSD office.*



# Helendale Community Services District

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**DATE:** March 5, 2026  
**TO:** Board of Directors  
**FROM:** Kimberly Cox, General Manager  
**BY:** Andrea Chavis, Senior Account Technician  
**SUBJECT:** Agenda item #3b  
 Consent Items: Bills Paid and Presented for Approval

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## STAFF RECOMMENDATION

Updated Report Only. Receive and File.

## STAFF REPORT:

Staff issued 16 checks and 11 Bank Drafts totaling \$72,278.13.

Total Cash Available	2/27/26	2/12/26
Cash	\$8,640,595.97	\$8,468,701.01
Checks, DFT's/EFT's Issued	\$72,278.13	\$91,644.76

## INVESTMENT REPORT:

The Investment Report shows the status of the District funds invested as of 1/30/26

	Interest Rate	Interest Income
CA CLASS*	3.7876%	\$98,989.53 Fiscal Year to date
CBB Trust	4.02%	\$64,928.42 Year to date
LAIF	4.096%	\$12,275.61 Fiscal Year to date



Helendale CSD

# Bills Paid and Presented for Approval

## Transaction Detail

Issued Date Range: 02/13/2026 - 02/26/2026

Cleared Date Range: -

Issued Date	Number	Description	Amount	Type	Module
<b>Bank Account: 211102187 - CBB Checking</b>					
02/13/2026	<a href="#">29407</a>	Daikin Comfort Technologies Distribution, Inc.	-14,952.92	Check	Accounts Payable
02/18/2026	<a href="#">29408</a>	ACI Payments, Inc	-55.00	Check	Accounts Payable
02/18/2026	<a href="#">29409</a>	Boot Barn Inc.	-195.70	Check	Accounts Payable
02/18/2026	<a href="#">29410</a>	C Wells Pipeline Materials , Inc	-10,742.68	Check	Accounts Payable
02/18/2026	<a href="#">29411</a>	G.A. Osborne Pipe & Supply Inc.	-40.02	Check	Accounts Payable
02/18/2026	<a href="#">29412</a>	Geo-Monitor, Inc.	-1,110.00	Check	Accounts Payable
02/19/2026	<a href="#">29413</a>	Cali Coast Electric	-13,200.00	Check	Accounts Payable
02/24/2026	<a href="#">29414</a>	Burrtec Waste Group, Inc	-12,352.93	Check	Accounts Payable
02/24/2026	<a href="#">29415</a>	Cal Fire	-447.43	Check	Accounts Payable
02/24/2026	<a href="#">29416</a>	County of San Bernardino, Solid Waste Mgmt. Div.	-908.98	Check	Accounts Payable
02/24/2026	<a href="#">29417</a>	Grace Bible Church	-1,500.00	Check	Accounts Payable
02/24/2026	<a href="#">29418</a>	Kimberly Cox	-380.00	Check	Accounts Payable
02/24/2026	<a href="#">29419</a>	Sierra Analytical Labs, Inc	-257.50	Check	Accounts Payable
02/24/2026	<a href="#">29420</a>	State of California Department of Justice	-392.00	Check	Accounts Payable
02/24/2026	<a href="#">29421</a>	Streamline Software, Inc.	-1,500.00	Check	Accounts Payable
02/24/2026	<a href="#">29422</a>	SWRCB, Office of Operator Certification	-228.00	Check	Accounts Payable
02/25/2026	<a href="#">DFT0003170</a>	Frontier Communications	-231.29	Bank Draft	Accounts Payable
02/25/2026	<a href="#">DFT0003171</a>	Frontier Communications	-70.64	Bank Draft	Accounts Payable
02/23/2026	<a href="#">DFT0003176</a>	Southern California Edison	-102.05	Bank Draft	Accounts Payable
02/23/2026	<a href="#">DFT0003177</a>	Southern California Edison	-1,856.71	Bank Draft	Accounts Payable
02/23/2026	<a href="#">DFT0003178</a>	Southern California Edison	-848.58	Bank Draft	Accounts Payable
02/18/2026	<a href="#">DFT0003201</a>	County of San Bernardino, Environmental Health Services	-1,185.00	Bank Draft	Accounts Payable
02/18/2026	<a href="#">DFT0003202</a>	FNBO	-2,832.89	Bank Draft	Accounts Payable
02/26/2026	<a href="#">DFT0003206</a>	Southern California Edison	-996.26	Bank Draft	Accounts Payable
02/18/2026	<a href="#">DFT0003207</a>	Univar Solutions, USA	-2,769.78	Bank Draft	Accounts Payable
02/23/2026	<a href="#">DFT0003211</a>	Uline, Inc	-2,561.63	Bank Draft	Accounts Payable
02/23/2026	<a href="#">DFT0003212</a>	Uline, Inc	-560.14	Bank Draft	Accounts Payable
<b>Bank Account 211102187 Total: (27)</b>					<b>-72,278.13</b>
<b>Report Total: (27)</b>					<b>-72,278.13</b>

# Summary

**Bank Account**  
[211102187 CBB Checking](#)

Count	Amount
27	-72,278.13
<b>Report Total: 27</b>	<b>-72,278.13</b>

**Cash Account**  
[99 99-111000 Cash in CBB - Checking](#)

Count	Amount
27	-72,278.13
<b>Report Total: 27</b>	<b>-72,278.13</b>

Transaction Type	Count	Amount
Bank Draft	11	-14,014.97
Check	16	-58,263.16
<b>Report Total: 27</b>		<b>-72,278.13</b>



# January 2026 Financial Reporting



**Preliminary Results – Subject to Change  
(Unaudited)**

*Prepared by*



*\*No assurance is provided on the financial statements. The financial statements do not include a statement of cash flows. Substantially all disclosures required by accounting principles generally accepted in the United States are not included.*



**Helendale CSD**  
**Statement of Revenues & Expenses - Water**  
**January 2026**

	January 2026	YTD Actual	Budget	58% of Budget	PYTD
<b>1 Operating Revenues</b>					
2 Meter Charges	\$ 135,053	\$ 948,912	\$ 1,632,679	58%	\$ 933,466
3 Water Sales	55,112	581,175	840,792	69%	438,630
4 Standby Charges	1,162	13,404	26,220	51%	14,726
5 Other Operating Revenue	5,373	64,406	117,710	55%	59,410
<b>6 Total Operating Revenues</b>	<b>196,701</b>	<b>1,607,896</b>	<b>2,617,401</b>	<b>61%</b>	<b>1,446,232</b>
<b>7 Non-Operating Revenues</b>					
8 Grant Revenue	-	-	-	0%	-
9 Miscellaneous Income (Expense)	40	543,120	-	0%	-
<b>10 Total Non-Operating Revenues</b>	<b>40</b>	<b>543,120</b>	<b>-</b>	<b>0%</b>	<b>-</b>
<b>11 Total Revenues</b>	<b>196,741</b>	<b>2,151,017</b>	<b>2,617,401</b>	<b>82%</b>	<b>1,446,232</b>
<b>12 Expenses</b>					
<b>13 Salaries &amp; Benefits</b>					
14 Salaries	58,516	282,109	511,480	55%	260,222
15 Benefits	20,796	107,939	202,810	53%	91,713
<b>16 Total Salaries &amp; Benefits</b>	<b>79,312</b>	<b>390,048</b>	<b>714,290</b>	<b>55%</b>	<b>351,935</b>
<b>17 Transmission &amp; Distribution</b>					
18 Contractual Services	420	38,814	57,975	67%	34,398
19 Power	2,479	155,055	224,405	69%	122,291
20 Operations & Maintenance	15,205	62,369	182,500	34%	92,130
21 Rent/Lease Expense	2,060	6,860	12,200	56%	7,598
22 Permits & Fees	-	25,744	40,225	64%	24,511
<b>23 Total Transmission &amp; Distribution</b>	<b>20,164</b>	<b>288,843</b>	<b>517,305</b>	<b>56%</b>	<b>280,927</b>
<b>24 General &amp; Administrative</b>					
25 Utilities	948	3,717	6,150	60%	2,278
26 Office & Other Expenses	703	1,502	4,193	36%	3,905
27 Admin Allocation	69,003	483,021	828,036	58%	398,898
<b>28 Total General &amp; Administrative</b>	<b>70,654</b>	<b>488,240</b>	<b>838,379</b>	<b>58%</b>	<b>405,080</b>
29 Debt Service	149,447	322,602	346,309	93%	311,896
<b>30 Total Expenses</b>	<b>324,205</b>	<b>1,494,359</b>	<b>2,416,283</b>	<b>62%</b>	<b>1,349,839</b>
<b>31 Net Income (Loss) Before Other Items</b>	<b>(127,464)</b>	<b>656,657</b>	<b>201,118</b>		<b>96,393</b>
32 Sale or Lease of Water Rights	-	77,976	300,000	26%	174,930
33 Capital Expenses	(62,010)	(2,371,155)	(1,621,000)	146%	-
<b>34 Net Income (Loss)</b>	<b>\$ (189,473)</b>	<b>\$ (1,636,522)</b>	<b>\$ (1,119,882)</b>		<b>\$ 271,323</b>



## Helendale CSD

### Financial Statement Analysis

### January 2026 – 58% of Fiscal Year

#### Fund 01-Water Revenues and Expenses

**Line 2 Meter Charges:** Includes fixed monthly charge for water service. YTD is trending in line with target budget.

**Line 3 Water Sales:** Includes water consumption charges. YTD is trending over target budget due to higher consumption in the summer months.

**Line 4 Standby Charges:** Includes special assessment standby charges for the current & prior years and delinquent standby penalties. Most of these revenues are received in November, December, and April. YTD can trend over or under budget depending on timing of property tax receipts.

**Line 5 Other Operating Revenue:** Includes permit & inspection charges, connection fees, meter installation fees, other fees/charges, and mechanic service reimbursements. Connection and meter installation fees are budgeted conservatively due to the unexpected nature of these fees.

**Line 8 Grant Revenue:** Includes any grant funding received during the fiscal year.

**Line 9 Miscellaneous Income (Expense):** Includes gain or loss on sale of assets and other miscellaneous income. YTD activity includes receipt of PFAS settlement received in August for \$172.2K and in October for \$368.2K.

**Line 14 Salaries:** Includes salaries for water employees.

**Line 15 Benefits:** Includes health insurance, CalPERS retirement, worker's compensation insurance, payroll taxes, and employee education and training.

**Line 18 Contractual Services:** Includes lab testing, engineering, geographic information system (GIS) support & other contract services. YTD is trending over target budget due to timing of annual Aqua Metrics renewal.

**Line 19 Power:** Includes electricity usage for transmission & distribution. YTD is trending over target budget due to higher consumption and rate increases.

**Line 20 Operations & Maintenance:** Includes operations & maintenance expenses, uniforms, vehicle maintenance, and vehicle fuel. YTD can trend over/under budget due to need and the timing of services.

**Line 21 Rent/Lease Expense:** Includes rental costs for the water shop and Bureau of Land Management (BLM) tank sites.



## Helendale CSD Financial Statement Analysis January 2026 – 58% of Fiscal Year

**Line 22 Permits & Fees:** Includes all water permits, miscellaneous fees, and Watermaster fees. YTD can trend over/under budget due to the timing of permits and fee payments. Water System annual fees were paid in December.

**Line 25 Utilities (G&A):** Includes gas and telephone expenses. YTD is trending in line with target budget.

**Line 26 Office & Other Expenses:** Includes mileage/travel reimbursements, office supplies, water conservation program, and dues/subscriptions. These expenses are on an as-needed basis and can trend over/under budget.

**Line 27 Admin Allocation:** This is the monthly distribution of the budgeted Administration Fund (Fund 10) expenses to the enterprise funds, of which water receives 50%.

**Line 29 Debt Service:** Includes interest & principal payments on outstanding debt. YTD can trend over/under budget due to the timing of payments. Payments on the CNB loan are made in December and June, while payments on the MFC loan are made in February and August.

**Line 32 Sale or Lease of Water Rights:** Includes water rights leases to the City of Victorville and Silver Lakes Association. YTD activity includes 147 AF Lease to Silver Lakes Association.

**Line 33 Capital Expenses:** YTD balance in capital expenses includes the following:

- \$8.7K – Interior Ops Building
- \$2.3K – AMI Meters
- \$2.3M - Water Rights Purchase
- \$32.1K – Solar Roof Project
- \$62.0K – Water Equipment – Trailer Purchase



**Helendale CSD**  
**Statement of Revenues & Expenses - Sewer**  
**January 2026**

	January 2026	YTD Actual	Budget	58% of Budget	PYTD
<b>1 Operating Revenues</b>					
2 Sewer Charges	\$ 163,247	\$ 1,143,713	\$ 1,961,647	58%	\$ 1,103,301
3 Standby Charges	1,127	11,304	24,510	46%	12,402
4 Other Fees & Charges	2,614	28,981	46,479	62%	20,945
5 Interfund Transfer In/(Out)	5,964	41,750	71,571	58%	-
6 Other Income/(Expense)	-	6,500	-	0%	-
<b>7 Total Revenues</b>	<b>172,952</b>	<b>1,232,248</b>	<b>2,104,208</b>	<b>59%</b>	<b>1,136,647</b>
<b>8 Expenses</b>					
<b>9 Salaries &amp; Benefits</b>					
10 Salaries	47,759	214,935	446,410	48%	223,900
11 Benefits	15,204	75,794	156,051	49%	74,139
<b>12 Total Salaries &amp; Benefits</b>	<b>62,963</b>	<b>290,729</b>	<b>602,461</b>	<b>48%</b>	<b>298,039</b>
<b>13 Sewer Operations</b>					
14 Contractual Services	6,778	40,925	135,335	30%	68,500
15 Power	1,088	76,483	144,150	53%	77,756
16 Operations & Maintenance	1,762	31,423	66,900	47%	38,368
17 Permits & Fees	-	36,389	44,300	82%	25,248
<b>18 Total Sewer Operations</b>	<b>9,628</b>	<b>185,220</b>	<b>390,685</b>	<b>47%</b>	<b>209,872</b>
<b>19 General &amp; Administrative</b>					
20 Utilities	620	3,301	5,350	62%	3,120
21 Office & Other Expenses	316	5,334	15,960	33%	12,514
22 Admin Allocation	67,623	473,361	811,475	58%	390,920
<b>23 Total General &amp; Administrative</b>	<b>68,559</b>	<b>481,995</b>	<b>832,785</b>	<b>58%</b>	<b>406,553</b>
24 Debt Service	-	51,061	102,123	50%	59,548
<b>25 Total Expenses</b>	<b>141,149</b>	<b>1,009,006</b>	<b>1,928,054</b>	<b>52%</b>	<b>974,012</b>
<b>26 Net Income (Loss) Before Other Items</b>	<b>31,803</b>	<b>223,242</b>	<b>176,153</b>		<b>162,635</b>
27 Capital Expenses	-	(184,145)	(1,100,000)	17%	-
<b>28 Net Income (Loss)</b>	<b>\$ 31,803</b>	<b>\$ 39,097</b>	<b>\$ (923,847)</b>		<b>\$ 162,635</b>



## Helendale CSD Financial Statement Analysis January 2026 – 58% of Fiscal Year

### Fund 02-Sewer Revenues and Expenses

**Line 2 Sewer Charges:** Includes the monthly charge for sewer services. YTD is trending in line with target budget.

**Line 3 Standby Charges:** Includes special assessment standby charges for the current & prior years and delinquent standby penalties. Most of these revenues are received in November, December, and April.

**Line 4 Other Fees & Charges:** Includes permit & inspection charges, connection fees, other fees, and charges. YTD is trending slightly over target budget due to unpredictable nature of these fees.

**Line 5 Interfund Transfer In/(Out):** This line includes the monthly repayment of the interfund loan from Sewer to Parks. YTD is trending in line with target budget.

**Line 6 Other Income/(Expense):** Includes gain or loss on sale of assets and other miscellaneous income. YTD activity includes the sale of a Dodge truck in July.

**Line 10 Salaries:** Includes salaries for all sewer employees.

**Line 11 Benefits:** Includes employee insurance, PERS retirement, workers compensation, payroll taxes, and education & training.

**Line 14 Contractual Services:** Includes lab testing, engineering, GIS support & other contractual services.

**Line 15 Power:** Includes electricity used for Sewer. YTD is trending slightly under target budget.

**Line 16 Operations & Maintenance:** Includes compost disposal, vehicle maintenance, vehicle fuel, uniforms, and small tools.

**Line 17 Permits and Fees:** Includes all annual permits and fees paid to the state. YTD is trending over target budget due to timing of payments.

**Line 20 Utilities (G&A):** Includes gas, water, and telephone expenses. YTD is trending over target budget due to increased telephone charges.

**Line 21 Office & Other Expenses:** Includes mileage/travel reimbursements, office supplies, water conservation program, and dues & subscriptions. These expenses are on an as-needed basis and can trend over/under budget.

**Line 22 Admin Allocation:** This is the monthly distribution of the budgeted Administration Fund (Fund 10) expenses to the enterprise funds of which wastewater receives 49%.



## Helendale CSD Financial Statement Analysis January 2026 – 58% of Fiscal Year

**Line 24 Debt Service:** Includes interest & principal payments on outstanding debt. YTD can trend over/under budget due to the timing of payments. Payments on the CNB loan occur bi-annually in December and June.

**Line 27 Capital Expenses:** YTD balance in capital expenses includes the following:

- \$4.1K – BioFilter Rebuild TF#1 & TF#2
- \$3.6K – Fine Bar Screen Replacement
- \$121.7K – Tertiary Engineering
- \$32.1K – Solar Roof Project
- \$12.0K – Wastewater Treatment Plant Lighting
- \$10.6K – Smithson Lift Station Pump #3



**Helendale CSD**  
**Statement of Revenues & Expenses - Recycling Center**  
**January 2026**

	January 2026	YTD Actual	Budget	58% of Budget	PYTD
<b>1 Operating Revenues</b>					
2 Retail Sales	\$ 33,378	\$ 205,798	\$ 300,000	69%	\$ 174,930
3 Donations	1	1	-	0%	-
4 Board Discretionary Revenue	-	-	(9,000)	0%	-
5 Miscellaneous Income (Expense)	-	-	-	0%	-
<b>6 Total Revenues</b>	<b>33,379</b>	<b>205,799</b>	<b>291,000</b>	<b>71%</b>	<b>174,930</b>
<b>7 Expenses</b>					
<b>8 Salaries &amp; Benefits</b>					
9 Salaries	24,205	128,613	206,964	62%	111,641
10 Benefits	4,691	24,201	45,104	54%	20,603
<b>11 Total Salaries &amp; Benefits</b>	<b>28,896</b>	<b>152,814</b>	<b>252,068</b>	<b>61%</b>	<b>132,244</b>
<b>12 Recycling Center Operations</b>					
13 Contractual Services	-	-	2,500	0%	1,458
14 Operations & Maintenance	700	10,567	10,600	100%	5,689
<b>15 Total Recycling Center Operations</b>	<b>700</b>	<b>10,567</b>	<b>13,100</b>	<b>81%</b>	<b>7,147</b>
<b>16 General &amp; Administrative</b>					
17 Utilities	1,079	10,243	14,500	71%	7,464
18 Office & Other Expenses	1,839	9,100	10,500	87%	5,248
<b>19 Total General &amp; Administrative</b>	<b>2,918</b>	<b>19,343</b>	<b>25,000</b>	<b>77%</b>	<b>12,712</b>
<b>20 Total Expenses</b>	<b>32,513</b>	<b>182,724</b>	<b>290,168</b>	<b>63%</b>	<b>152,103</b>
<b>21 Net Income (Loss) Before Other Items</b>	<b>866</b>	<b>23,075</b>	<b>832</b>		<b>22,827</b>
22 Capital Expenses	-	-	-	-	-
<b>23 Net Income (Loss)</b>	<b>\$ 866</b>	<b>\$ 23,075</b>	<b>\$ 832</b>		<b>\$ 22,827</b>



## Helendale CSD Financial Statement Analysis January 2026 – 58% of Fiscal Year

### Fund 03-Recycling Center Revenues and Expenses

**Line 2 Retail Sales:** Includes sales revenues from the Thrift Store. YTD is trending over target budget due to increased sales.

**Line 3 Donations:** Donations are not budgeted due to the unexpected nature of these revenues.

**Line 4 Board Discretionary Revenue:** This line shows the transfer of net cash from the Recycling Center (Fund 03) to the Parks & Recreation Fund (Fund 05). This transfer is done at year-end for the audit.

**Line 5 Miscellaneous Income/(Expense):** Includes gain or loss on sale of assets and other miscellaneous income.

**Line 9 Salaries:** Salaries for all part-time recycling center employees and full-time supervisor. YTD is trending slightly over target budget due to increase in wages.

**Line 10 Benefits:** Includes employee insurance, workers compensation, payroll taxes, and education & training. YTD is trending slightly under target budget.

**Line 13 Contractual Services:** Includes software support and other contract services. Services are on an as-needed basis. YTD can trend over/under budget due to the timing of services needed.

**Line 14 Operations & Maintenance:** Includes vehicle maintenance, vehicle fuel, operating supplies, and uniforms. YTD can trend over/under budget due to the timing of purchases as needed.

**Line 17 Utilities (G&A):** Includes electricity and telephone expenses. YTD is trending over budget due to higher electricity and telephone expenses than anticipated in budget.

**Line 18 Office & Other Expenses:** Includes advertising, bank charges, and other miscellaneous expenses. YTD is trending over budget due to increased credit card fees.

**Line 21 Net Income:** Net income in the Recycling Center is moved to Parks & Recreation Fund (Fund 5) at year-end during the audit through Board Discretionary Revenue.

**Line 22 Capital Expenses:** There is no activity YTD.



**Helendale CSD**  
**Statement of Revenues & Expenses - Property Rental**  
**January 2026**

	January 2026	YTD Actual	Budget	58% of Budget	PYTD
<b>1 Operating Revenues</b>					
2 Property Rental Revenues	\$ 24,398	\$ 85,813	\$ 146,388	59%	\$ 85,359
3 Other Income	-	49	-	0%	-
4 Board Discretionary Revenue	-	-	-	0%	-
<b>5 Total Revenues</b>	<b>24,398</b>	<b>85,862</b>	<b>146,388</b>	<b>59%</b>	<b>85,359</b>
<b>6 Expenses</b>					
7 Contractual Services	6,460	6,460	10,000	65%	5,831
8 Utilities	651	9,121	19,023	48%	10,031
9 Operations & Maintenance	-	4,508	8,400	54%	7,818
10 Debt Service	-	26,544	53,088	50%	30,472
11 Capital Expenses	-	32,091	-	0%	-
<b>12 Total Expenses</b>	<b>7,111</b>	<b>78,723</b>	<b>90,511</b>	<b>87%</b>	<b>54,151</b>
<b>13 Net Income (Loss)</b>	<b>\$ 17,287</b>	<b>\$ 7,139</b>	<b>\$ 55,877</b>		<b>\$ 31,208</b>



## Helendale CSD Financial Statement Analysis January 2026 – 58% of Fiscal Year

### Fund 04-Property Rental Revenues and Expenses

**Line 2 Property Rental Revenues:** Includes revenue for 15302 Smithson and 15425 Wild Road properties. YTD is trending in line with target budget.

**Line 3 Other Income:** Includes penalties and other miscellaneous income; due to the unexpected nature of these revenues these accounts are not budgeted.

**Line 4 Board Discretionary Revenue:** This line shows the transfer of net cash from the Property Rental Fund (Fund 04) to Parks & Recreation Fund (Fund 05) at year-end.

**Line 7 Contractual Services:** Includes contractor and handyman expenses for installation of appliances, drywall repair, roofing, or plumbing repairs. Services are on an as-needed basis. YTD can trend over/under budget due to the timing of services needed.

**Line 8 Utilities:** Includes electric & gas expenses for the rental properties. YTD is trending slightly under target budget.

**Line 9 Operations & Maintenance:** Includes maintenance and other costs relating to the rental properties.

**Line 10 Debt Service:** Includes interest and principal payments on outstanding debt. YTD can trend over/under budget due to the timing of payments. Payments on the CNB loan occur bi-annually in December and June.

**Line 11 Capital Expenses:** YTD balance in capital expenses includes the following:

- \$32.1K – Solar Roof Project



**Helendale CSD**  
**Statement of Revenues & Expenses - Parks & Recreation**  
**January 2026**

	January 2026	YTD Actual	Budget	58% of Budget	PYTD
<b>1 Operating Revenues</b>					
2 Program Fees	\$ 1,854	\$ 35,281	\$ 37,900	93%	\$ 19,243
3 Property Taxes	1,823	12,612	23,000	55%	13,411
4 Donations & Sponsorships	-	7,315	-	0%	-
5 Rental Income	1,625	20,517	23,575	87%	14,038
6 Developer Impact Fees	-	5,160	10,320	50%	4,012
7 Grants	-	-	-	0%	-
8 Interfund Transfer In/(Out)	(5,964)	(41,750)	(71,571)	58%	(41,733)
9 Board Discretionary Revenue	62,787	284,652	443,382	64%	268,120
10 Miscellaneous Income (Expense)	-	-	-	0%	-
<b>11 Total Revenues</b>	<b>62,124</b>	<b>323,787</b>	<b>466,606</b>	<b>69%</b>	<b>277,091</b>
<b>12 Expenses</b>					
<b>13 Salaries &amp; Benefits</b>					
14 Salaries	3,391	11,295	38,246	30%	18,789
15 Benefits	259	854	5,925	14%	2,310
<b>16 Total Salaries &amp; Benefits</b>	<b>3,650</b>	<b>12,148</b>	<b>44,171</b>	<b>28%</b>	<b>21,099</b>
17 Program Expense	8,981	56,999	75,475	76%	44,178
18 Contractual Services	9,537	54,822	107,960	51%	60,511
19 Utilities	4,229	34,103	70,488	48%	40,579
20 Operations & Maintenance	1,655	5,965	27,650	22%	17,370
21 Permits & Fees	-	-	1,733	0%	1,010
22 Other Expenses	-	483	900	54%	525
<b>23 Total Expenses</b>	<b>28,053</b>	<b>164,520</b>	<b>328,377</b>	<b>50%</b>	<b>185,272</b>
<b>24 Net Income (Loss) Before Other Items</b>	<b>34,071</b>	<b>159,268</b>	<b>138,229</b>		<b>91,819</b>
25 Capital Expenses	-	(40,271)	(119,000)	34%	-
<b>26 Net Income (Loss)</b>	<b>\$ 34,071</b>	<b>\$ 118,996</b>	<b>\$ 19,229</b>		<b>\$ 91,819</b>



## Helendale CSD Financial Statement Analysis January 2026 – 58% of Fiscal Year

### Fund 05-Parks & Recreation Revenues and Expenses

**Line 2 Program Fees:** Includes recreation program fees, basketball league fees, youth soccer league fees, concert in the park vendor fees and farmer's market revenue. YTD is trending over target budget due to higher Basketball and Youth Soccer league fees and Park Vendor fees that were not included in the budget.

**Line 3 Property Taxes:** Includes the transfer of property taxes for streetlight utility expenses. YTD is trending in line with target budget.

**Line 4 Donations & Sponsorships:** Includes concert in the park sponsorships, event sponsorships, and other donations/sponsorships.

**Line 5 Rental Income:** Includes rental income from the water shop, storage for the recycling center, community center room rental, church rental, and gymnastics rental. YTD activity is over target budget due to higher Cheer camp receipts than budgeted, and the timing of the annual field rental paid in November.

**Line 6 Developer Impact Fees:** Includes park development impact fees charged to new developments. This account is budgeted based on known development. As such, this account will go over budget if more development takes place. YTD is trending slightly under target budget.

**Line 7 Grant Revenue:** There is no activity YTD.

**Line 8 Interfund Transfer Out/(In):** This line shows the year end transfer of cash balance from the Recycling Center (Fund 03) to the Parks & Recreation Fund (Fund 05), as well as the monthly repayment of the interfund loan from Sewer to Parks.

**Line 9 Board Discretionary:** Board Discretionary Revenue in December includes the following:

- Radio Tower Site Rent – \$47,329
- Property Taxes – \$3,795
- Solid Waste Franchise Fees – \$13,486
- Transfer Property Tax Revenue for Street Light Utilities – \$(1,822)

**Line 10 Miscellaneous Income/(Expense):** Includes gain or loss on sale of assets and other miscellaneous income.

**Line 14 Salaries:** Includes part-time Parks and Recreation employees. YTD is trending below target budget.



## Helendale CSD Financial Statement Analysis January 2026 – 58% of Fiscal Year

**Line 15 Benefits:** Includes health insurance, CalPERS retirement, worker's compensation insurance, payroll taxes, and employee education & training. YTD is trending below target budget in line with decreased salaries.

**Line 17 Program Expense:** Includes supplies and expenses for the youth soccer league, park, community center, Farmer's Market, and other programs. YTD is trending over target budget due to timing of camps, program supplies, and concert expenses.

**Line 18 Contractual Services:** Includes software support and other contract services. These expenses are on an as-needed basis and can trend over/under budget.

**Line 19 Utilities:** Includes gas and electricity for parks and the community center, along with telephone & electricity for street lighting.

**Line 20 Operations & Maintenance:** Includes vehicle maintenance, small tools, vehicle fuel and building repair for the park and community center. YTD can trend over/under budget due to need and the timing of services.

**Line 21 Permits & Fees:** Includes permit and inspection fees, along with San Bernardino County fees.

**Line 22 Other Expenses:** Includes uniforms, printing costs, dues & subscriptions, and bank charges.

**Line 25 Capital Expenses:** YTD balance in capital expenses includes the following:

- \$39.6K – Solar Roof Project
- \$0.7K – Park Lighting North



**Helendale CSD**  
**Statement of Revenues & Expenses - Solid Waste Disposal**  
**January 2026**

	January 2026	YTD Actual	Budget	58% of Budget	PYTD
<b>1 Operating Revenues</b>					
2 Charges for Services	\$ 63,546	\$ 438,000	\$ 754,050	58%	\$ 413,278
3 Assessments & Fees	4,650	137,125	247,000	56%	142,916
4 Other Charges	6,710	22,357	31,549	71%	14,846
5 Grant Revenue	-	7,328	-	0%	-
6 Board Discretionary Revenue	-	-	-	0%	-
7 Miscellaneous Income (Expense)	-	-	-	0%	-
<b>8 Total Revenues</b>	<b>74,906</b>	<b>604,810</b>	<b>1,032,599</b>	<b>59%</b>	<b>571,041</b>
<b>9 Expenses</b>					
<b>10 Salaries &amp; Benefits</b>					
11 Salaries	6,179	30,958	54,850	56%	30,079
12 Benefits	2,334	14,525	26,286	55%	11,844
<b>13 Total Salaries &amp; Benefits</b>	<b>8,513</b>	<b>45,483</b>	<b>81,136</b>	<b>56%</b>	<b>41,922</b>
14 Contractual Services	125,530	312,539	717,673	44%	405,110
15 Disposal Fees	19,160	95,715	188,000	51%	100,876
16 Operations & Maintenance	655	10,570	3,100	341%	1,545
17 Other Operating Expenses	33	899	5,490	16%	2,968
18 Admin Allocation	1,380	9,660	16,561	58%	7,978
<b>19 Total Expenses</b>	<b>155,271</b>	<b>474,866</b>	<b>1,011,960</b>	<b>47%</b>	<b>560,400</b>
<b>20 Net Income (Loss) Before Other Items</b>	<b>(80,365)</b>	<b>129,944</b>	<b>20,639</b>		<b>10,640</b>
21 Capital Expenses	-	-	-	0%	-
<b>22 Net Income (Loss)</b>	<b>\$ (80,365)</b>	<b>\$ 129,944</b>	<b>\$ 20,639</b>		<b>\$ 10,640</b>



## Helendale CSD Financial Statement Analysis January 2026 – 58% of Fiscal Year

### Fund 06-Solid Waste Disposal Revenues and Expenses

**Line 2 Charges for Services – Solid Waste:** Includes regular pick up of solid waste. YTD is trending in line with target budget.

**Line 3 Assessment & Fees:** Includes special assessments for refuse land use fees for current & prior years. YTD can trend over/under budget due to the timing of receipts which are usually received in April and December.

**Line 4 Other Charges:** Includes delinquent fees and penalties on delinquent taxes. YTD over target budget due to payments received in January.

**Line 5 Grant Revenue:** YTD balance consists of remaining CalRecycle grant proceeds used for dump hopper purchases.

**Line 6 Board Discretionary Revenue:** This is the amount that would be transferred in from discretionary funds if this fund operates at a deficit for the FY.

**Line 7 Miscellaneous Income (Expense):** Includes gain or loss on sale of assets and other miscellaneous income.

**Line 11 Salaries:** Includes salaries for solid waste employees. YTD is trending in line with target budget.

**Line 12 Benefits:** Includes employee insurance, CalPERS retirement, workers compensation, payroll taxes, and education & training. YTD is trending in line with target budget.

**Line 14 Contractual Services:** Includes Burrtec fees and other miscellaneous contract services. YTD can trend over/under budget due to need and the timing of services and fees.

**Line 15 Disposal Fees:** Includes San Bernardino County disposal fees and green waste disposal fees.

**Line 16 Operations & Maintenance:** Includes vehicle maintenance, vehicle fuel, operating supplies, and uniforms. YTD can trend over/under budget due to need and the timing of services. YTD is over budget due to dump hopper purchases which were funded by remaining CalRecycle grant proceeds.

**Line 17 Other Operating Expenses:** Includes rent for park storage, telephone, postage, event expenses, public outreach, printing, small tools, and bad debt expenses.

**Line 18 Admin Allocation:** This is the monthly distribution of the budgeted Administration Fund (Fund 10) expenses to the enterprise funds, of which solid waste receives 1%.



**Helendale CSD**  
**Statement of Revenues & Expenses - Administration**  
**January 2026**

	January 2026	YTD Actual	Budget	58% of Budget	PYTD
<b>1 Operating Revenues</b>					
2 Tower Rent	\$ 47,329	\$ 131,564	\$ 188,563	70%	\$ 115,984
3 Property Taxes	3,795	90,708	140,647	64%	73,248
4 Solid Waste Billing & Fees	21,142	128,080	215,712	59%	111,244
5 Fees & Charges	3,650	25,379	38,500	66%	16,618
6 Investment income	29,183	173,206	-	0%	46,648
7 Other Income	-	14,525	200	7263%	117
8 Board Discretionary Revenue	(64,610)	(297,264)	(434,382)	68%	(247,128)
<b>9 Total Revenues</b>	<b>40,489</b>	<b>266,199</b>	<b>149,240</b>	<b>178%</b>	<b>116,731</b>
<b>10 Expenses</b>					
<b>11 Salaries &amp; Benefits</b>					
12 Salaries	75,209	421,111	700,027	60%	390,558
13 Benefits	28,469	244,779	372,016	66%	195,481
14 Directors' Fees	2,550	18,674	37,500	50%	27,697
<b>15 Total Salaries &amp; Benefits</b>	<b>106,228</b>	<b>684,564</b>	<b>1,109,543</b>	<b>62%</b>	<b>613,737</b>
16 Contractual Services	11,261	190,446	281,540	68%	169,384
17 Insurance	-	87,718	153,079	57%	120,862
18 Utilities	1,568	13,998	21,360	66%	12,910
19 Operations & Maintenance	-	2,042	4,850	42%	3,003
20 Permits & Fees	14	10,223	11,000	93%	8,659
21 Office & Other Expenses	4,904	46,316	74,700	62%	56,479
22 Election Expense	-	-	-	0%	2,041
23 Administrative Allocation	(138,006)	(966,042)	(1,656,072)	58%	(797,795)
<b>24 Total Expenses</b>	<b>(14,031)</b>	<b>69,265</b>	<b>-</b>	<b>0%</b>	<b>189,280</b>
<b>25 Net Income (Loss) Before Capital</b>	<b>54,520</b>	<b>196,934</b>	<b>149,240</b>		<b>(72,549)</b>
26 Capital Expenses	-	(32,091)	-	0%	-
<b>27 Net Income (Loss) After Capital</b>	<b>\$ 54,520</b>	<b>\$ 164,844</b>	<b>\$ 149,240</b>		<b>\$ (72,549)</b>



## Helendale CSD Financial Statement Analysis January 2026 – 58% of Fiscal Year

### Fund 10-Administrative Revenues and Expenses

**Line 2 Tower Rent:** Includes radio tower site rental fees. YTD is over target budget due to timing of annual Metro PCS tower lease payment in January.

**Line 3 Property Taxes:** Includes current & prior property tax and penalties. YTD can trend over/under budget due to the timing of property tax collections, with a majority being received in December and April.

**Line 4 Solid Waste Billing & Fees:** Includes franchise fees and billing for solid waste. YTD is trending in line with target budget.

**Line 5 Fees & Charges:** Includes credit card processing fees and other miscellaneous fees. YTD is trending over target budget due to credit card processing fees.

**Line 6 Investment Income:** Includes investment income and unrealized gain or loss on investments.

**Line 7 Other Income:** Other Income includes recycling revenues and other miscellaneous income. YTD activity includes Recycling Revenue received in November and December.

**Line 8 Board Discretionary Income:** Includes the transfer of the following for Parks and Recreation Fund (Fund 05):

- Radio Tower Site Rent – \$47,329
- Property Taxes - \$3,795
- Solid Waste Franchise Fees – \$13,486

**Line 12 Salaries:** Includes full-time, part-time & overtime for administrative employees. YTD is trending in line with target budget.

**Line 13 Benefits:** Includes employee insurance, CalPERS retirement, workers compensation, payroll taxes, employee benefit & morale, and education & training. YTD is trending over target budget due to timing of annual PERS UAL payment made in July and Employee Benefit & Morale expenses in January.

**Line 14 Directors' Fees:** Includes directors fees as well as directors training, seminars, and mileage expense. YTD is trending under target budget.

**Line 16 Contractual Services:** Includes software support, legal services, and auditing & accounting services. YTD is trending over target budget due to timing of FSA and Sonic Systems renewal fees.

**Line 17 Insurance:** Includes both general liability and vehicle insurance expenses. YTD is trending in line with target budget.



## Helendale CSD Financial Statement Analysis January 2026 – 58% of Fiscal Year

**Line 18 Utilities:** Includes telephone and electricity expenses. YTD is trending over target budget due to increased electricity rates.

**Line 19 Operations & Maintenance:** Includes vehicle maintenance, vehicle fuel, mileage & travel reimbursement, uniforms, and equipment maintenance. YTD can trend over/under budget due to need and the timing of services.

**Line 20 Permits & Fees:** Includes the annual LAFCO fees, the GFOA application fee for the budget award, and San Bernardino County fees. YTD is trending over target budget due to timing of annual LAFCO fees paid in July.

**Line 21 Office & Other Expense:** Includes board meeting supplies, public relations, community promotion, bank charges, office supplies, postage, and dues & subscription. YTD is trending over target budget due to increased public notices and timing of annual dues.

**Line 22 Election Expense:** Includes the cost of elections.

**Line 23 Admin Allocation:** This is the monthly distribution of the budgeted Administration Fund (Fund 10) expenses to the enterprise funds.

**Line 26 Capital Expenses:** YTD balance in capital expenses includes the following:

- \$32.1K – Solar Roof Project



# Helendale Community Services District

DATE: March 5, 2026  
TO: Board of Directors  
FROM: Kimberly Cox, General Manager  
SUBJECT: Agenda item #5  
Discussion and Possible Action Regarding Annual Brown Act Review and Adoption of Sunshine Ordinance No. 2026-01: Establishing Guidelines for the Conduct of the Board's Public Meetings and Activities

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**STAFF RECOMMENDATION:**

Staff recommends approval of this item.

**STAFF REPORT:**

The Sunshine Ordinance was one of the first actions taken by the original board in 2007 providing assurance to the public of the Board's commitment to carry out the public's business in a transparent and ethical manner. Successive boards have been equally committed to the ethos embodied in the tenants of the Ordinance. The Sunshine Ordinance stands as one of the most significant governance documents of the Board of Directors. The Ordinance is slated for annual review by the Board and is an excellent opportunity to reaffirm the values and obligations stated therein. The Board may also request that it be amended for any desired modifications from time to time as it has previously done.

During COVID we are legislation introduced that modified meeting requirements to accommodate remote participation with AB2449 enacted on September 13, 2022. Since that time there was the adoption of SB707 signed by the Governor on October 3, 2025, and became effective January 1, 2026. SB 707 made significant modifications to the Brown Act and requires significant modification to the proposed draft Ordinance. Counsel has done significant research and will provide a detailed presentation on the item.

**FISCAL IMPACT:** None

**POSSIBLE MOTION:** Adopt Ordinance 2026-01

**ATTACHMENTS:** Memorandum from General Counsel Kennedy (dated February 27, 2026)  
Redline Draft of Ordinance 2026-01  
Clean Draft of Ordinance 2026-01  
CSDA Brown Act Compliance Manual  
CSDA SB707 Brown Act Revamp Statutory Reference Table

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MAILING ADDRESS:

POST OFFICE BOX 13130  
SAN BERNARDINO, CALIFORNIA 92423-3130

February 27, 2026

TO: Board of Directors  
HELENDALE COMMUNITY SERVICES DISTRICT

FROM: Steven M. Kennedy, General Counsel

RE: Legal Update – Annual Sunshine Ordinance Review

The purpose of this memorandum is to advise the Board with respect to newly-applicable statutory and regulatory developments concerning the above-referenced matter.

**Senate Bill 707**

On October 3, 2025, Governor Gavin Newsom signed Senate Bill (“SB”) 707 into law. As a result, beginning January 1, 2026, local agencies across California must now comply with the most extensive revamp of the Ralph M. Brown Act, Government Code Sections 54950-54963 (“Brown Act”), in the entire 72-year existence of the so-called “sunshine law” legislation.

In fact, in enacting this legislation, the State specifically found and declared that SB 707 “is necessary to ensure minimum standards for public participation and notice requirements allowing for greater public participation in meetings.” As such, enclosed herewith please find copies of the *Brown Act Compliance Manual* and *Statutory Reference Table* prepared by the California Special Districts Association which describes in detail the Brown Act revisions effectuated by SB 707. Even though the District does not qualify as an “eligible legislative body” subject to the more extreme provisions of SB 707, the District must still satisfy all of the following new requirements of the Brown Act which are briefly discussed below:

A. Mandatory Distribution of the Brown Act to Board Members.

The District must provide every Board member with a full copy of the Brown Act pursuant to the statutory mandate of Government Code Section 54952.7.

B. Teleconference Rules for Board Members with Disabilities.

On July 24, 2024, California Attorney General Rob Bonta issued Opinion No. 23-1002 which concluded that the federal Americans with Disabilities Act of 1990, 42 U.S.C. Sec. 12132 (“ADA”), requires a local agency’s legislative body to allow a member’s remote participation from a non-public location as a reasonable accommodation for a qualifying director whose disability precludes his or her in-person attendance, subject to the requirements of the ADA. In addition, the Attorney General determined that any member of a legislative body participating remotely as a “reasonable accommodation” is required to comply with the following two requirements: (1) use two-way video and audio streaming in real time and (2) disclose the identity of any adults who are present with the member at the remote location.

While Opinions of the California Attorney General carry “considerable weight” when interpreting the Brown Act [Freedom Newspapers, Inc. v. Orange County Employees Retirement System (1993) 6 Cal. 4<sup>th</sup> 821, 829], and reported appellate Court opinions have certain precedential value in applying the Brown Act to the extent that the factual scenarios presented are not materially distinguishable, such opinions are not statutory law unless and until the Legislature incorporates those decisions directly into the Brown Act as being reflective of the stated intent of SB 707 “to ensure minimum standards for public participation and notice requirements allowing for greater participation in meetings” beginning January 1, 2026.

In this case, SB 707 expressly codified the above Attorney General opinion specifically into the Brown Act by enactment of new Government Code Section 54953(c) which provides that a Board member may participate remotely as a reasonable accommodation for a disability. In that situation, the District would not need to meet the following “classic” conditions set forth in Government Code Section 54953(b):

- (1) A quorum of the body must participate from location with the local agency’s jurisdiction, but other members may participate from outside the jurisdiction;
- (2) The remote location(s) must be connected to the main meeting location by telephone, video, or both;
- (3) The notice and agenda for the meeting must identify the remote location(s);
- (4) The remote location(s) must be posted and accessible to the public;
- (5) All votes must be by roll call; and
- (6) The meeting must otherwise comply with the Brown Act, which includes allowing participation by members of the public present in remote location(s).

However, the disabled Board member must use both audio and video (unless his/her disability requires participation off-camera) and must disclose before any action is taken whether any adults are present in the room and their relationship.

C. Changes to “Just Cause” Remote Participation Rules.

Assembly Bill (“AB”) 2449, which was successfully enacted into law on September 13, 2022, added Government Code Section 54953(f) to the Brown Act until January 1, 2026, which allowed for remote participation by Board members in the event of “just cause” or “emergency circumstances” as defined therein.

With AB 2449 expiring, SB 707 now operates to merge prior “just cause” and “emergency circumstances” rules into a single “just cause” exception, effective through January 1, 2030. Remote participation for “just cause” continues to include contagious illness, family medical emergencies, childcare/caregiving obligations, travel while on official District business, and other qualifying health reasons; but will now also include certain military service obligations, and having an immunocompromised family member that requires the Board member to participate remotely. Restrictions include annual limits on use (i.e., five times a year for legislative bodies like the Board that regularly meet twice a month), advance notice to the Board, required audio/visual participation, and a quorum physically present at the meeting location.

D. Changes to Emergency Teleconferencing Rules.

Under AB 557, which took effect on January 1, 2024, the Board had the ability to attend meetings remotely in the event of a State-declared emergency which resulted in the Board determining by a majority vote that meeting in-person would present imminent risks to the health or safety of attendees due to the emergency.

SB 707 recasts this exception for remote meetings during a state of emergency to now include recognition of local emergencies declared by the District itself, as well as statewide emergencies.

E. Social Media Rules.

SB 707 continues the social media rules in the Brown Act which had set to expire on January 1, 2026. Under those rules, Board members may use social media to discuss District matters, provided that a majority does not engage on the topic. No Board member may respond to, react to (e.g., “like” or “dislike”), or re-post another Board member’s content. In practice, when one Board member posts on social media where all are present, the others must stay silent.

F. Expansion of Transparency Requirement for Board and Employee Compensation.

SB 707 continues the legislative movement toward greater open session transparency for local agency hiring and compensation.

In this regard, SB 707 expanded on the prohibition the existing Brown Act prohibition on calling special Board meetings regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits, of local agency executives. Under Government Code Section 3511.1(d), the term “local agency executive” includes the General Manager [Government Code Sections 3511.1(d)(1) and (3)] and each department head [Government Code Section 3511.1(d)(2)] under the District’s organizational chart. Now, pursuant to amendments to Government Code Section 54956(b), this prohibition includes both local agency executives *and* the Board. Thus, effective January 1, 2026, the Board cannot consider compensation-related issues for neither itself nor “local agency executive” positions during special meetings.

Additionally, with respect to local agency executives, existing Brown Act rules require the Board, prior to taking final action, to orally report a summary of a recommendation for a final action on their salaries, salary schedules, or compensation paid in the form of fringe benefits during the open meeting in which the final action was to be taken. SB 707 now expands this requirement to also be applicable to departments heads and other similar administrative officers of the District pursuant to Government Code Section 54953(d)(3). As such, the application of this heightened level of open session transparency under the Brown Act for employment-related matters effective January 1, 2026, will need to be coordinated with the various positions set forth in the District’s organizational chart.

G. Clarity Regarding Right to Remove Disruptive Individuals.

SB 707 confirms that agencies may mute and/or remove disruptive individuals from teleconferenced meetings if the Board chair has issued a warning and the disruptive behavior does not promptly cease, effectively treating “Zoom bombers” the same as in-person disruptive individuals.

The salient provisions of SB 707 discussed above have been incorporated into the proposed revisions to the District’s Sunshine Ordinance, and Exhibit B thereof, that are included with this memorandum.

If a director has any questions or comments regarding this matter, please feel free to contact me at your earliest convenience as may be appropriate.

Enclosures

cc: Dr. Kimberly Cox, General Manager



**ORDINANCE NO. 20256-01**

**AN ORDINANCE OF THE BOARD OF DIRECTORS OF  
THE HELENDALE COMMUNITY SERVICES DISTRICT  
ESTABLISHING GUIDELINES FOR THE CONDUCT OF  
ITS PUBLIC MEETINGS AND ACTIVITIES**

**WHEREAS**, the Board of Directors of the Helendale Community Services District finds as follows:

A. The Helendale Community Services District (“the District”) is a community services district organized and operating pursuant to California Government Code Section 61000 et seq.

B. The District is governed by an elected Board of Directors (“the Board”) whose meetings are subject to the requirements of the Ralph M. Brown Act, California Government Code Section 54950 et seq. (“the Brown Act”), pursuant to California Government Code Section 61044.

C. The Board is authorized by Government Code Section 54953.7 to impose requirements upon itself which allow greater access to its meetings than prescribed by the Brown Act.

D. The purpose of this Ordinance is to ensure that the Board’s deliberations are open to the public to the fullest extent permitted by law and its activities are performed in a manner that reflects a dedication to the highest standards of integrity and accountability so as to continue to earn the trust and confidence of the public served by the District.

**THEREFORE, THE BOARD OF DIRECTORS** of the Helendale Community Services District does hereby adopt and ordain as follows:

Section 1. **COMPLIANCE WITH STATUTORY REQUIREMENTS.**

All meetings of the Board and all committees thereof shall be conducted in compliance with all applicable requirements of the Brown Act.

Section 2. **ADDITIONAL REQUIREMENTS.**

2.1. **Regular Meetings.** Pursuant to Government Code Section 54954(a), all regular meetings of the Board shall be held at 6:00 p.m. on the first and third Thursdays of each month at the District Boardroom located at 26540 Vista Road, Suite B or C, Helendale, California.

2.2. **Special Meetings.** Special meetings of the Board shall be called and conducted in accordance with Government Code Section 54956. The Board shall not add any non-agendized item to the agenda of a special meeting.

2.3. **Agendas.**

2.3.1. **Descriptions.**

(a) *Open Session.* The agenda for all Board meetings and all committee meetings that are open to the public shall contain a brief, general description of

each item of business to be transacted or discussed during the meeting and shall avoid the use of undefined abbreviations or acronyms not in common usage and terms whose meaning are not known to the general public. The description of an agenda item is adequate if it is sufficiently clear and specific to alert a person whose interests are affected by the item that he or she may have reason to attend the meeting or seek more information about the item.

(b) *Closed Session.* Substantial compliance with the permissive provisions of Government Code Section 54954.5, as generally reflected in Exhibit A attached hereto and incorporated herein by this reference, is mandatory under this Ordinance with respect to the description of any closed session items on any Board meeting agenda.

2.3.2. Public Comment. The agenda for all meetings of the Board shall include an item for Public Comment so as to provide an express opportunity for members of the public to directly address the Board in accordance with the requirements of Government Code Section 54954.3(a) prior to the Board's consideration of the merits of any item placed on the agenda. In the event that a motion is made to reorder the agenda, or add an item to the agenda, or otherwise take any Board action prior to the Public Comment portion of the agenda, the President of the Board shall ask any members of the public in attendance at the meeting whether they wish to comment on the motion that is pending before the Board. During the Board's consideration of items discussed after the Public Comment portion of the agenda, the President of the Board should exercise best efforts to recognize any member of the public who wishes to speak on that issue prior to any action thereon that is taken by the Board. While testimony and input received from the public during Board meetings is a valuable part of the Board's decision-making process, the Board President is nevertheless authorized pursuant to Government Code Section 54954.3(b) to limit the total amount of time allocated for public testimony on particular issues to a reasonable length of time, to limit public testimony to three (3) minutes or less for each individual speaker (although individual speakers will be permitted on a reasonable basis to transfer their unused allotment of time to another speaker), and to prevent a person who is unduly repetitive from continuing to speak.

2.3.3. Background Material. Staff material, consisting of agendas, staff reports, and other material prepared and forwarded by staff which provide background information and recommendations, regarding agenda items, when distributed to all or to a majority of the members of the Board in connection with a matter which is subject to discussion or consideration in open session at a public meeting, shall be made readily available to the public on the District's website, at the District's offices, and upon request. If a member of the public requests that a copy of such material be delivered by e-mail, District staff shall e-mail a copy of, or website link to, the documents as requested unless District staff determines that delivery by e-mail or by other electronic means is technologically infeasible, in which case District staff must send the documents by mail in accordance with the mailing requirements of the Brown Act.

2.4. Posting. The agendas of all Board meetings and all committee meetings that are open to the public shall be posted in the following locations: (1) an exterior window or bulletin board located outside the location of the Board meeting which is accessible twenty-four (24) hours a day; (2) an exterior window or bulletin board located outside of the administration

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office; and (3) as soon as possible, the full agenda packet shall be posted on the District website: [www.helendalecsd.org](http://www.helendalecsd.org).

2.5. **Remote Participation.** A Board member wishing to participate in a meeting from a remote location pursuant to Government Code Sections 54953(b), ~~(e), or 54953(f)~~, [54953.8.2, or 54953.8.3](#) must notify District staff at the earliest opportunity as soon as possible so that the agenda for the meeting can be prepared and/or amended accordingly and that all other necessary accommodations can be arranged, and the meeting conducted, in a manner generally consistent with the policy attached hereto as Exhibit B and incorporated herein by this reference.

Section 3. **ANNUAL REVIEW.**

Each year the Board shall review this Ordinance to determine its effectiveness and the necessity for its continued operation. The District's General Manager shall report to the Board on the operation of this Ordinance, and make any recommendations deemed appropriate, including proposals to amend the Ordinance. Upon conclusion of its review, the Board may take any action it deems appropriate concerning this Ordinance. Nothing herein shall preclude the Board from taking action on the Ordinance at times other than upon conclusion of the annual review.

Section 4. **SEVERABILITY.**

If any provision of this Ordinance or the application thereof to any person or circumstances, is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

Section 5. **EFFECTIVE DATE.**

The provisions of this Ordinance shall supersede and rescind Ordinance No. 20245-021 adopted by the District's Board of Directors on ~~August~~ [May](#) 15, 20245, and shall take effect immediately upon adoption.

Adopted this 15th day of ~~May~~ [March](#), 20256.

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

\_\_\_\_\_  
Ron Clark, President, Board of Directors

ATTEST:

\_\_\_\_\_  
Cheryl Vermette, Clerk of the Board

**EXHIBIT A**

Under Government Code Section 54954.5, the following language has been provided by the State Legislature as sample language which will meet the mandate of the Brown Act for properly identifying closed session items on the Board's agenda:

# LICENSE/PERMIT DETERMINATION (Government Code Section 54956.7)

Applicant(s): (Specify number of applicants)

# CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Government Code Section 54956.8)

Property: (Specify street address; parcel number if no street address; or other unique reference of parcel under negotiation)

District Negotiator: (Specify names of negotiators attending closed session) (If the specified negotiator is to be absent, an agent or designee may participate provided the name of the agent or designee is announced publicly prior to the closed session.)

Negotiating parties: [Specify name of party (not agent)]

Under negotiation: (Specify whether instruction to negotiator will concern price, terms of payment, or both)

# CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION [Government Code Section 54956.9(d)(1)]

Name of case: (Specify by reference to claimant's name, name of parties, case or claim numbers)

or

Case name unspecified: (Specify whether disclosure would jeopardize service of process or existing settlement negotiations)

# CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): (Specify number of potential cases)

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# CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Initiation of litigation pursuant to Government Code Section 54956.9(d)(4): (Specify number of potential cases)

# LIABILITY CLAIMS (Government Code Section 54956.95)

Claimant: (Specify name unless unspecified pursuant to Section 54961)

Agency claimed against: (Specify name)

# THREAT TO PUBLIC SERVICES, FACILITIES, OR CRITICAL INFRASTRUCTURE [Government Code Section 54957(a)]

Consultation with: (Specify name of law enforcement agency and title of officer if applicable; or name of security personnel, consultant, or manager if applicable; or name of applicable District representative and title)

# PUBLIC EMPLOYEE APPOINTMENT [Government Code Section 54957(b)]

Title: (Specify description of position to be filled)

# PUBLIC EMPLOYEE PERFORMANCE EVALUATION [Government Code Section 54957(b)]

Title: (Specify position title of employee being reviewed)

# PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE [Government Code Section 54957(b)]

(No additional information is required in connection with a closed session to consider discipline, dismissal, or release.)

# CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6)

District designated representatives: (Specify names of designated representatives attending the closed session) (If circumstances necessitate the absence of a specified

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representative, an agent or designee may participate in place of the absent representative so long as the name of the agent or designee is announced at an open session held prior to the closed session.)

Employee organization: (Specify name of organization representing employee or employees in question)

or

Unrepresented employee: (Specify position title of unrepresented employee who is the subject of negotiations)

# CASE REVIEW/PLANNING (Government Code Section 54957.8)

(No additional information is required in connection with a closed session to consider case review or planning.)

**EXHIBIT B**

**Board Member Teleconferencing Policy**

**Article I. Policy:**

The policy set forth herein ("Policy") shall govern the Agency's use of Teleconferencing for ~~the~~ participation at Meetings of the Members of its Legislative Bodies. The Global Teleconferencing Policies (Article III) and Standard Teleconferencing Procedures (Article IV) shall apply in all instances, except when (1) a Member has ~~either a Disability requiring Reasonable Accommodation Procedures (Article V), or (2) a Member has "just cause" or an "emergency circumstance"~~ so as to permit the use the Expanded Teleconferencing Procedures (Article ~~V~~), or ~~(23)~~ a State of Emergency ~~issued by the California Governor or Local Emergency~~ is in effect sufficient to trigger the use of the Emergency Teleconferencing Procedures (Article ~~VI~~-~~VII~~).

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**Article II. Definitions:**

Unless otherwise defined herein, the following definitions shall apply to this Policy:

Ad Hoc Committee – shall refer to a Legislative Body of the Agency comprised of less than a quorum of the Board whose (1) existence is restricted to a relatively short period of time, (2) purpose is limited to a single and specific task; (3) subject matter jurisdiction is without any independent discretionary authority to make ultimate decisions on behalf of the Board with respect to the final resolution of the task, (4) charge is not be automatically renewed upon completion of its particular assignment or expiration of its fixed term, (5) meeting schedule is not on a regular basis or established by formal action of the Board, and (6) formation is publicly noticed in a timely manner.

Agency – shall refer to the Helendale Community Services District.

Board – shall refer to the Agency's Board of Directors.

Brown Act / Ralph M. Brown Act – shall refer to Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the California Government Code, known as the "Ralph M. Brown Act" pursuant to Government Code section 54950.5, as such shall be amended from time to time.

Disability – shall have the same meaning as provided by Government Code Section 54953(e)(1).

Legislative Body – shall have the same meaning as provided by Government Code Section 54952, including the Board, Standing Committees, and Ad Hoc Committees.

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Local Emergency – shall refer to a condition of extreme peril to persons or property within the boundaries of the Agency proclaimed by the governing body of the local agency affected in accordance with Government Code Section 54953.8.2(e)(1).

Member – shall have the same meaning as provided by Government Code Section 54952.1.

Meeting – shall have the same meaning as provided by Government Code Section 54952.2.

Standing Committee – shall refer to a Legislative Body of the Agency comprised of less than a quorum of the Board that is not an Ad Hoc Committee.

State – shall mean the State of California.

State of Emergency – shall mean a state of emergency proclaimed by the California Governor or such others as may be empowered pursuant to Section 8625 of the California Emergency Services Act, as set forth in Article 1 (commencing with Section 8550) of Chapter 7 of Division 1 of Title 2 the California Government Code.

Teleconferencing – attendance from different locations, other than the physical location of a meeting, by way of an audio device, whether it be telephone, audio-only internet connection, or otherwise.

Videoconferencing – attendance from different locations, other than the physical location of a meeting, by way of a dual audio and visual device, whereby participants can be both seen and heard. For purposes of this Policy, Videoconferencing may include attendance by way of a single device or software package, or attendance via an audio-device with synced camera or webcasting.

### **Article III. Global Teleconferencing Policies:**

At the discretion of the Legislative Body and/or the Agency's General Manager, any employee, consultant, vendor, or individual presenting or attending a Meeting of a Legislative Body, other than a Member of the Legislative Body, shall be permitted to attend and participate via teleconference or videoconference without compliance with the rules or conditions set forth herein. ~~Members of the Legislative Body, inclusive of the governing board Members and committee or bodies required to comply with the Brown Act,~~ may only participate via teleconference or videoconference as permitted by this Policy.

To the extent a Member desires to participate in a Meeting via teleconference or videoconference, the Member shall generally be required to comply with the foregoing "Standard Teleconferencing Procedures" (Article IV) unless the circumstances exist to justify the use of the "Reasonable Accommodation Procedures" (Article V), "Expanded Teleconferencing Procedures" (Article V~~II~~), or "Emergency Teleconferencing Procedures" (Article V~~VII~~).

In all instances in which a Member is participating in a Meeting via Teleconferencing or Videoconferencing, the Legislative Body shall:

1. Take all votes by roll-call;
2. Conduct the Meeting in a manner that protects the statutory and constitutional rights of the parties and public appearing before the Legislative Body;
3. Provide notice and post agendas as otherwise required by the Brown Act; and
4. Permit members of the public access to the Meeting and an opportunity to address the Legislative Body as required by the Brown Act.

**Article IV. Standard Teleconferencing Procedures:**

A Member may participate in a Meeting via Teleconferencing or Videoconferencing if the following conditions are satisfied:

1. At least a quorum of the Members of the Legislative Body participate in the Meeting from locations within the boundaries of the Agency;
2. The agenda posted for the Meeting is posted at all teleconference locations, each of which are identified in the notice and the agenda for the Meeting; and
3. Each teleconference location is accessible to the public, and the public is permitted to comment at each teleconference location.

**Article V. [Reasonable Accommodation Procedures for Members with Disabilities:](#)**

[A Member with a Disability may participate in a Meeting via Teleconferencing or Videoconferencing, without the need to comply with the Standard Teleconference Procedure requirements to notice and post at the agenda location or make such locations accessible to the public, as a reasonable accommodation pursuant to applicable law as follows:](#)

- [1. The Member shall participate through both Videoconferencing and Teleconferencing, except that a Member may participate only by Teleconference if a physical condition related to the Disability results in a need to participate off camera; and](#)
- [4-2. The Member shall disclose at the Meeting before any action is taken, whether any individuals 18 years of age or older are present in the room at the remote location with the Member, and the general nature of the Member's relationship with any of those individuals.](#)

**Article VI. [Expanded Teleconferencing Procedures \(Effective Thru January 1, 20262030\):](#)**

A Member may participate in a Meeting via videoconference only (Teleconferencing will not be permitted under these procedures), without the need to comply with the Standard Teleconference Procedure requirements to notice and post at the agenda locations or make such locations accessible to the public, if the following conditions are satisfied:

1. At least a quorum of the Members of the Legislative Body participate in-person from

a single physical location accessible to the public, which is within the boundaries of the Agency and clearly identified in the posted agenda;

2. The public is permitted to attend the Meeting either by teleconference or videoconference in a manner such that the public can remotely attend and offer real-time comment during the Meeting;
3. Notice of the means by which the public can remotely attend the Meeting via teleconference or videoconference and offer comment during the Meeting is included within the posted agenda;
4. The Member(s) attending remotely ~~have either~~has "just cause" ~~or an "emergency circumstance"~~ that justifies ~~their~~the Member's attendance via videoconference.

a. A Member shall only have "just cause" for remote attendance if such participation is for one of the following reasons:

- i. To provide childcare or caregiving need to a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner, with such terms having the same meaning as those terms are defined in Government Code Section 12945.2;
- ii. Due to a contagious illness that prevents the Member from attending in-person;
- iii. Due to a need related to a physical or mental disability as defined in Government Code Sections 12926 and 12926.1 not otherwise accommodated; ~~and~~
- iv. Due to travel while on official business of the Legislative Body or another state or local agency;

~~v. A Member shall have an "emergency circumstance" if such participation is due~~Due to ~~an immunocompromised child, parent, grandparent, grandchild, sibling, spouse, or domestic partner of the Member that requires the Member to participate remotely;~~

~~vi. A physical or family~~ ~~medical~~ emergency that prevents the Member from attending in person; ~~and~~

~~vii. Military service obligations that result in the Member being unable to attend in person because the Member is serving under official orders for active duty, drill, annual training, or any other duty required as a member of the California National Guard or a United States Military Reserve organization that requires the Member to be at least 50 miles outside the boundaries of the Agency.~~

~~b. The Member(s) have~~minutes for the Meeting shall identify the specific provision under Article VI.4.a. above that the Member relied upon to participate remotely.

~~5. The Member has~~ not attended a Meeting remotely on the basis of "just cause" for more than ~~two~~five Meetings in the current calendar year;

~~6.5. The Member(s) have not attended a Meeting remotely on the basis of "just~~

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~~cause” or “emergency circumstance” for more than five Meetings in a calendar year; and and~~

~~7.~~ The Legislative Body has, and has implemented, a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and resolving any doubt in favor of accessibility. In each instance in which notice of the time of the Meeting is otherwise given or the agenda for the Meeting is otherwise posted, the Legislative Body shall also give notice of the procedure for receiving and resolving requests for accommodation.

~~8.6. The numerical limitations set forth in Articles V.5. and V.6. above do not apply if a Member’s reason for remote participation at a Meeting is due to “just cause” grounds that relate to a physical or mental disability under Article V.4.a.iii. herein which qualifies for reasonable accommodation pursuant to the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132).~~

In order to utilize the Expanded Teleconference Procedures, a Member shall:

1. For a “just cause” circumstance, notify the Legislative Body at the earliest opportunity, including at the start of a regular Meeting, of their need to participate remotely for just cause, including a general description of the circumstance relating to their need to appear remotely at the given Meeting;

~~2. For an “emergency circumstance,” request to participate at a Meeting due to an “emergency circumstance” as soon as possible, preferably before the posting of the agenda but up to the start of the Meeting, with such request including a general description of the circumstances relating to their need to appear remotely at the given Meeting, though any description for emergency circumstances need not exceed 20 words and need not include any medical diagnosis or disability or personal medical information exempt from disclosure by law;~~

~~3.2.~~ The Member shall publicly disclose at the Meeting before any action is taken, whether any other individuals 18 years of age or older are present in the room at the remote location with the Member, and the general nature of the Member’s relationship with such individuals; and

~~4.3.~~ Participate through Videoconferencing, with both audio and visual technology.

Upon receipt of a request notice from a Member to utilize the Expanded Teleconference Procedure, the Legislative Body shall:

~~Take action by majority vote on a request to participate remotely due to an “emergency circumstance” at its earliest opportunity, which may be taken as a noticed agenda item or as an added item if sufficient time was not provided to place the proposed action on the agenda; and~~

~~in, in~~ the event of a disruption that prevents the broadcast of the Meeting to members of the public, or in the event of a disruption within the Agency’s control that prevents members of the public from offering public comment using the Teleconferencing or Videoconferencing options, take no further action during a Meeting until such access is restored.

**Article ~~V~~VII. Emergency Teleconferencing Procedures:**

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Ordinance No. 20256-01

Notwithstanding the Standard Teleconferencing Procedures, a Legislative Body may elect to use these "Emergency Teleconferencing Procedures" to allow Teleconferencing if any of the following circumstances apply:

1. The Legislative Body holds a Meeting during a proclaimed State of Emergency or Local Emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; or
2. The Legislative Body holds a Meeting during a proclaimed State of Emergency or Local Emergency and the Legislative Body has determined, by majority vote, that as a result of the emergency, meeting in person would present imminent risks to the health and safety of attendees.

If utilizing the Emergency Teleconferencing Procedures, the Legislative Body shall:

1. Give notice in the agenda for such Meeting of the means by which members of the public may access the Meeting and offer public comment via a Teleconferencing or Videoconferencing option, which shall include an opportunity for public comment in real-time;
2. In the event of a disruption that prevents the broadcast of the Meeting to members of the public, or in the event of a disruption within the Agency's control that prevents members of the public from offering public comment using the Teleconferencing or Videoconferencing options, take no further action during a Meeting until such access is restored; and
3. Not close the public comment period, or the opportunity to register to comment, until the time that the general public comment period has elapsed.

The Legislative Body may continue use of the Emergency Teleconferencing Procedures for as long as the State of Emergency or Local Emergency remains active, provided that, not later than 45 days after Teleconferencing for the first time, and every 45 days thereafter, the Legislative Body finds by majority vote that:

1. The Legislative Body has reconsidered the circumstances of the State of Emergency or Local Emergency; and
2. The State of Emergency or Local Emergency continues to directly impact the ability of the Members to meet safely in person.

In the event of the use of these Emergency Teleconferencing Procedures, it shall not be necessary for the Agency to provide a physical location from which the public may attend or comment.

#### **Article ~~VIII~~. Miscellaneous Teleconferencing Provisions:**

With respect to the Standard Teleconferencing Procedures, Expanded Teleconferencing Procedures, and Emergency Teleconferencing Procedures set forth herein, such are intended to comply with Government Code Sections 54953(b), ~~(f)~~, 54953(c), 54953.8.3, and ~~(e)~~, 54953.8.2, respectively, and, as such, in the event of a conflict between this Policy and such statutory provisions, the statutory provisions shall control and be implemented as if set forth in full in this Policy.

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**ORDINANCE NO. 2026-01**

**AN ORDINANCE OF THE BOARD OF DIRECTORS OF  
THE HELENDALE COMMUNITY SERVICES DISTRICT  
ESTABLISHING GUIDELINES FOR THE CONDUCT OF  
ITS PUBLIC MEETINGS AND ACTIVITIES**

**WHEREAS**, the Board of Directors of the Helendale Community Services District finds as follows:

A. The Helendale Community Services District (“the District”) is a community services district organized and operating pursuant to California Government Code Section 61000 et seq.

B. The District is governed by an elected Board of Directors (“the Board”) whose meetings are subject to the requirements of the Ralph M. Brown Act, California Government Code Section 54950 et seq. (“the Brown Act”), pursuant to California Government Code Section 61044.

C. The Board is authorized by Government Code Section 54953.7 to impose requirements upon itself which allow greater access to its meetings than prescribed by the Brown Act.

D. The purpose of this Ordinance is to ensure that the Board’s deliberations are open to the public to the fullest extent permitted by law and its activities are performed in a manner that reflects a dedication to the highest standards of integrity and accountability so as to continue to earn the trust and confidence of the public served by the District.

**THEREFORE, THE BOARD OF DIRECTORS** of the Helendale Community Services District does hereby adopt and ordain as follows:

Section 1. **COMPLIANCE WITH STATUTORY REQUIREMENTS.**

All meetings of the Board and all committees thereof shall be conducted in compliance with all applicable requirements of the Brown Act.

Section 2. **ADDITIONAL REQUIREMENTS.**

2.1. **Regular Meetings.** Pursuant to Government Code Section 54954(a), all regular meetings of the Board shall be held at 6:00 p.m. on the first and third Thursdays of each month at the District Boardroom located at 26540 Vista Road, Suite B or C, Helendale, California.

2.2. **Special Meetings.** Special meetings of the Board shall be called and conducted in accordance with Government Code Section 54956. The Board shall not add any non-agendized item to the agenda of a special meeting.

2.3. **Agendas.**

2.3.1. **Descriptions.**

(a) *Open Session.* The agenda for all Board meetings and all committee meetings that are open to the public shall contain a brief, general description of

each item of business to be transacted or discussed during the meeting and shall avoid the use of undefined abbreviations or acronyms not in common usage and terms whose meaning are not known to the general public. The description of an agenda item is adequate if it is sufficiently clear and specific to alert a person whose interests are affected by the item that he or she may have reason to attend the meeting or seek more information about the item.

(b) *Closed Session.* Substantial compliance with the permissive provisions of Government Code Section 54954.5, as generally reflected in Exhibit A attached hereto and incorporated herein by this reference, is mandatory under this Ordinance with respect to the description of any closed session items on any Board meeting agenda.

2.3.2. Public Comment. The agenda for all meetings of the Board shall include an item for Public Comment so as to provide an express opportunity for members of the public to directly address the Board in accordance with the requirements of Government Code Section 54954.3(a) prior to the Board's consideration of the merits of any item placed on the agenda. In the event that a motion is made to reorder the agenda, or add an item to the agenda, or otherwise take any Board action prior to the Public Comment portion of the agenda, the President of the Board shall ask any members of the public in attendance at the meeting whether they wish to comment on the motion that is pending before the Board. During the Board's consideration of items discussed after the Public Comment portion of the agenda, the President of the Board should exercise best efforts to recognize any member of the public who wishes to speak on that issue prior to any action thereon that is taken by the Board. While testimony and input received from the public during Board meetings is a valuable part of the Board's decision-making process, the Board President is nevertheless authorized pursuant to Government Code Section 54954.3(b) to limit the total amount of time allocated for public testimony on particular issues to a reasonable length of time, to limit public testimony to three (3) minutes or less for each individual speaker (although individual speakers will be permitted on a reasonable basis to transfer their unused allotment of time to another speaker), and to prevent a person who is unduly repetitive from continuing to speak.

2.3.3. Background Material. Staff material, consisting of agendas, staff reports, and other material prepared and forwarded by staff which provide background information and recommendations, regarding agenda items, when distributed to all or to a majority of the members of the Board in connection with a matter which is subject to discussion or consideration in open session at a public meeting, shall be made readily available to the public on the District's website, at the District's offices, and upon request. If a member of the public requests that a copy of such material be delivered by e-mail, District staff shall e-mail a copy of, or website link to, the documents as requested unless District staff determines that delivery by e-mail or by other electronic means is technologically infeasible, in which case District staff must send the documents by mail in accordance with the mailing requirements of the Brown Act.

2.4. Posting. The agendas of all Board meetings and all committee meetings that are open to the public shall be posted in the following locations: (1) an exterior window or bulletin board located outside the location of the Board meeting which is accessible twenty-four (24) hours a day; (2) an exterior window or bulletin board located outside of the administration

office; and (3) as soon as possible, the full agenda packet shall be posted on the District website: [www.helendalecsd.org](http://www.helendalecsd.org).

2.5. **Remote Participation.** A Board member wishing to participate in a meeting from a remote location pursuant to Government Code Sections 54953(b), 54953(c), 54953.8.2, or 54953.8.3 must notify District staff at the earliest opportunity as soon as possible so that the agenda for the meeting can be prepared and/or amended accordingly and that all other necessary accommodations can be arranged, and the meeting conducted, in a manner generally consistent with the policy attached hereto as Exhibit B and incorporated herein by this reference.

Section 3. **ANNUAL REVIEW.**

Each year the Board shall review this Ordinance to determine its effectiveness and the necessity for its continued operation. The District's General Manager shall report to the Board on the operation of this Ordinance, and make any recommendations deemed appropriate, including proposals to amend the Ordinance. Upon conclusion of its review, the Board may take any action it deems appropriate concerning this Ordinance. Nothing herein shall preclude the Board from taking action on the Ordinance at times other than upon conclusion of the annual review.

Section 4. **SEVERABILITY.**

If any provision of this Ordinance or the application thereof to any person or circumstances, is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

Section 5. **EFFECTIVE DATE.**

The provisions of this Ordinance shall supersede and rescind Ordinance No. 2025-01 adopted by the District's Board of Directors on May 15, 2025, and shall take effect immediately upon adoption.

Adopted this 5th day of March, 2026.

AYES:

NOES:

ABSTAIN:

ABSENT:

---

Ron Clark, President, Board of Directors

ATTEST:

---

Cheryl Vermette, Clerk of the Board

**EXHIBIT A**

Under Government Code Section 54954.5, the following language has been provided by the State Legislature as sample language which will meet the mandate of the Brown Act for properly identifying closed session items on the Board's agenda:

# LICENSE/PERMIT DETERMINATION (Government Code Section 54956.7)

Applicant(s): (Specify number of applicants)

# CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Government Code Section 54956.8)

Property: (Specify street address; parcel number if no street address; or other unique reference of parcel under negotiation)

District Negotiator: (Specify names of negotiators attending closed session) (If the specified negotiator is to be absent, an agent or designee may participate provided the name of the agent or designee is announced publicly prior to the closed session.)

Negotiating parties: [Specify name of party (not agent)]

Under negotiation: (Specify whether instruction to negotiator will concern price, terms of payment, or both)

# CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION [Government Code Section 54956.9(d)(1)]

Name of case: (Specify by reference to claimant's name, name of parties, case or claim numbers)

or

Case name unspecified: (Specify whether disclosure would jeopardize service of process or existing settlement negotiations)

# CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): (Specify number of potential cases)

# CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Initiation of litigation pursuant to Government Code Section 54956.9(d)(4): (Specify number of potential cases)

# LIABILITY CLAIMS (Government Code Section 54956.95)

Claimant: (Specify name unless unspecified pursuant to Section 54961)

Agency claimed against: (Specify name)

# THREAT TO PUBLIC SERVICES, FACILITIES, OR CRITICAL INFRASTRUCTURE [Government Code Section 54957(a)]

Consultation with: (Specify name of law enforcement agency and title of officer if applicable; or name of security personnel, consultant, or manager if applicable; or name of applicable District representative and title)

# PUBLIC EMPLOYEE APPOINTMENT [Government Code Section 54957(b)]

Title: (Specify description of position to be filled)

# PUBLIC EMPLOYEE PERFORMANCE EVALUATION [Government Code Section 54957(b)]

Title: (Specify position title of employee being reviewed)

# PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE [Government Code Section 54957(b)]

(No additional information is required in connection with a closed session to consider discipline, dismissal, or release.)

# CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6)

District designated representatives: (Specify names of designated representatives attending the closed session) (If circumstances necessitate the absence of a specified

Ordinance No. 2026-01

representative, an agent or designee may participate in place of the absent representative so long as the name of the agent or designee is announced at an open session held prior to the closed session.)

Employee organization: (Specify name of organization representing employee or employees in question)

or

Unrepresented employee: (Specify position title of unrepresented employee who is the subject of negotiations)

# CASE REVIEW/PLANNING (Government Code Section 54957.8)

(No additional information is required in connection with a closed session to consider case review or planning.)

**EXHIBIT B**

**Board Member Teleconferencing Policy**

**Article I. Policy:**

The policy set forth herein (“Policy”) shall govern the Agency’s use of Teleconferencing for participation at Meetings of the Members of its Legislative Bodies. The Global Teleconferencing Policies (Article III) and Standard Teleconferencing Procedures (Article IV) shall apply in all instances, except when (1) a Member has a Disability requiring Reasonable Accommodation Procedures (Article V), or (2) a Member has “just cause” so as to permit the use the Expanded Teleconferencing Procedures (Article VI), or (3) a State of Emergency or Local Emergency is in effect sufficient to trigger the use of the Emergency Teleconferencing Procedures (Article VII).

**Article II. Definitions:**

Unless otherwise defined herein, the following definitions shall apply to this Policy:

Ad Hoc Committee – shall refer to a Legislative Body of the Agency comprised of less than a quorum of the Board whose (1) existence is restricted to a relatively short period of time, (2) purpose is limited to a single and specific task; (3) subject matter jurisdiction is without any independent discretionary authority to make ultimate decisions on behalf of the Board with respect to the final resolution of the task, (4) charge is not be automatically renewed upon completion of its particular assignment or expiration of its fixed term, (5) meeting schedule is not on a regular basis or established by formal action of the Board, and (6) formation is publicly noticed in a timely manner.

Agency – shall refer to the Helendale Community Services District.

Board – shall refer to the Agency’s Board of Directors.

Brown Act / Ralph M. Brown Act – shall refer to Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the California Government Code, known as the “Ralph M. Brown Act” pursuant to Government Code section 54950.5, as such shall be amended from time to time.

Disability – shall have the same meaning as provided by Government Code Section 54953(e)(1).

Legislative Body – shall have the same meaning as provided by Government Code Section 54952, including the Board, Standing Committees, and Ad Hoc Committees.

Local Emergency – shall refer to a condition of extreme peril to persons or property within the

Ordinance No. 2026-01

boundaries of the Agency proclaimed by the governing body of the local agency affected in accordance with Government Code Section 54953.8.2(e)(1).

Member – shall have the same meaning as provided by Government Code Section 54952.1.

Meeting – shall have the same meaning as provided by Government Code Section 54952.2.

Standing Committee – shall refer to a Legislative Body of the Agency comprised of less than a quorum of the Board that is not an Ad Hoc Committee.

State – shall mean the State of California.

State of Emergency – shall mean a state of emergency proclaimed by the California Governor or such others as may be empowered pursuant to Section 8625 of the California Emergency Services Act, as set forth in Article 1 (commencing with Section 8550) of Chapter 7 of Division 1 of Title 2 the California Government Code.

Teleconferencing – attendance from different locations, other than the physical location of a meeting, by way of an audio device, whether it be telephone, audio-only internet connection, or otherwise.

Videoconferencing – attendance from different locations, other than the physical location of a meeting, by way of a dual audio and visual device, whereby participants can be both seen and heard. For purposes of this Policy, Videoconferencing may include attendance by way of a single device or software package, or attendance via an audio-device with synced camera or webcasting.

### **Article III. Global Teleconferencing Policies:**

At the discretion of the Legislative Body and/or the Agency's General Manager, any employee, consultant, vendor, or individual presenting or attending a Meeting of a Legislative Body, other than a Member of the Legislative Body, shall be permitted to attend and participate via teleconference or videoconference without compliance with the rules or conditions set forth herein. Members of the Legislative Body may only participate via teleconference or videoconference as permitted by this Policy.

To the extent a Member desires to participate in a Meeting via teleconference or videoconference, the Member shall generally be required to comply with the foregoing "Standard Teleconferencing Procedures" (Article IV) unless the circumstances exist to justify the use of the "Reasonable Accommodation Procedures" (Article V), "Expanded Teleconferencing Procedures" (Article VI), or "Emergency Teleconferencing Procedures" (Article VII).

In all instances in which a Member is participating in a Meeting via Teleconferencing or

Videoconferencing, the Legislative Body shall:

1. Take all votes by roll-call;
2. Conduct the Meeting in a manner that protects the statutory and constitutional rights of the parties and public appearing before the Legislative Body;
3. Provide notice and post agendas as otherwise required by the Brown Act; and
4. Permit members of the public access to the Meeting and an opportunity to address the Legislative Body as required by the Brown Act.

**Article IV. Standard Teleconferencing Procedures:**

A Member may participate in a Meeting via Teleconferencing or Videoconferencing if the following conditions are satisfied:

1. At least a quorum of the Members of the Legislative Body participate in the Meeting from locations within the boundaries of the Agency;
2. The agenda posted for the Meeting is posted at all teleconference locations, each of which are identified in the notice and the agenda for the Meeting; and
3. Each teleconference location is accessible to the public, and the public is permitted to comment at each teleconference location.

**Article V. Reasonable Accommodation Procedures for Members with Disabilities:**

A Member with a Disability may participate in a Meeting via Teleconferencing or Videoconferencing, without the need to comply with the Standard Teleconference Procedure requirements to notice and post at the agenda location or make such locations accessible to the public, as a reasonable accommodation pursuant to applicable law as follows:

1. The Member shall participate through both Videoconferencing and Teleconferencing, except that a Member may participate only by Teleconference if a physical condition related to the Disability results in a need to participate off camera; and
2. The Member shall disclose at the Meeting before any action is taken, whether any individuals 18 years of age or older are present in the room at the remote location with the Member, and the general nature of the Member's relationship with any of those individuals.

**Article VI. Expanded Teleconferencing Procedures (Effective Thru January 1, 2030):**

A Member may participate in a Meeting via videoconference only (Teleconferencing will not be permitted under these procedures), without the need to comply with the Standard Teleconference Procedure requirements to notice and post at the agenda locations or make such locations accessible to the public, if the following conditions are satisfied:

1. At least a quorum of the Members of the Legislative Body participate in-person from a single physical location accessible to the public, which is within the boundaries of the Agency and clearly identified in the posted agenda;

2. The public is permitted to attend the Meeting either by teleconference or videoconference in a manner such that the public can remotely attend and offer real-time comment during the Meeting;
3. Notice of the means by which the public can remotely attend the Meeting via teleconference or videoconference and offer comment during the Meeting is included within the posted agenda;
4. The Member attending remotely has “just cause” that justifies the Member’s attendance via videoconference.
  - a. A Member shall only have “just cause” for remote attendance if such participation is for one of the following reasons:
    - i. To provide childcare or caregiving need to a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner, with such terms having the same meaning as those terms are defined in Government Code Section 12945.2;
    - ii. Due to a contagious illness that prevents the Member from attending in-person;
    - iii. Due to a need related to a physical or mental disability as defined in Government Code Sections 12926 and 12926.1 not otherwise accommodated;
    - iv. Due to travel while on official business of the Legislative Body or another state or local agency;
    - v. Due to an immunocompromised child, parent, grandparent, grandchild, sibling, spouse, or domestic partner of the Member that requires the Member to participate remotely;
    - vi. A physical or family emergency that prevents the Member from attending in person; and
    - vii. Military service obligations that result in the Member being unable to attend in person because the Member is serving under official orders for active duty, drill, annual training, or any other duty required as a member of the California National Guard or a United States Military Reserve organization that requires the Member to be at least 50 miles outside the boundaries of the Agency.
  - b. The minutes for the Meeting shall identify the specific provision under Article VI.4.a. above that the Member relied upon to participate remotely.
5. The Member has not attended a Meeting remotely on the basis of “just cause” for more than five Meetings in the current calendar year; and
6. The Legislative Body has, and has implemented, a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and resolving any doubt in favor of accessibility. In each instance in which notice of the time of the Meeting is otherwise given or the agenda for the Meeting is otherwise posted, the Legislative Body shall also give notice of the

procedure for receiving and resolving requests for accommodation.

In order to utilize the Expanded Teleconference Procedures, a Member shall:

1. For a “just cause” circumstance, notify the Legislative Body at the earliest opportunity, including at the start of a regular Meeting, of their need to participate remotely for just cause, including a general description of the circumstance relating to their need to appear remotely at the given Meeting;
2. The Member shall publicly disclose at the Meeting before any action is taken, whether any other individuals 18 years of age or older are present in the room at the remote location with the Member, and the general nature of the Member’s relationship with such individuals; and
3. Participate through Videoconferencing, with both audio and visual technology.

Upon receipt of notice from a Member to utilize the Expanded Teleconference Procedure, the Legislative Body shall, in the event of a disruption that prevents the broadcast of the Meeting to members of the public, or in the event of a disruption within the Agency’s control that prevents members of the public from offering public comment using the Teleconferencing or Videoconferencing options, take no further action during a Meeting until such access is restored.

#### **Article VII. Emergency Teleconferencing Procedures:**

Notwithstanding the Standard Teleconferencing Procedures, a Legislative Body may elect to use these “Emergency Teleconferencing Procedures” to allow Teleconferencing if any of the following circumstances apply:

1. The Legislative Body holds a Meeting during a proclaimed State of Emergency or Local Emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; or
2. The Legislative Body holds a Meeting during a proclaimed State of Emergency or Local Emergency and the Legislative Body has determined, by majority vote, that as a result of the emergency, meeting in person would present imminent risks to the health and safety of attendees.

If utilizing the Emergency Teleconferencing Procedures, the Legislative Body shall:

1. Give notice in the agenda for such Meeting of the means by which members of the public may access the Meeting and offer public comment via a Teleconferencing or Videoconferencing option, which shall include an opportunity for public comment in real-time;
2. In the event of a disruption that prevents the broadcast of the Meeting to members of the public, or in the event of a disruption within the Agency’s control that prevents members of the public from offering public comment using the Teleconferencing or Videoconferencing options, take no further action during a Meeting until such access is restored; and
3. Not close the public comment period, or the opportunity to register to comment, until the time that the general public comment period has elapsed.

The Legislative Body may continue use of the Emergency Teleconferencing Procedures for as long as the State of Emergency or Local Emergency remains active, provided that, not later than 45 days after Teleconferencing for the first time, and every 45 days thereafter, the Legislative Body finds by majority vote that:

1. The Legislative Body has reconsidered the circumstances of the State of Emergency or Local Emergency; and
2. The State of Emergency or Local Emergency continues to directly impact the ability of the Members to meet safely in person.

In the event of the use of these Emergency Teleconferencing Procedures, it shall not be necessary for the Agency to provide a physical location from which the public may attend or comment.

**Article VIII. Miscellaneous Teleconferencing Provisions:**

With respect to the Standard Teleconferencing Procedures, Expanded Teleconferencing Procedures, and Emergency Teleconferencing Procedures set forth herein, such are intended to comply with Government Code Sections 54953(b), 54953(c), 54953.8.3, and 54953.8.2, respectively, and, as such, in the event of a conflict between this Policy and such statutory provisions, the statutory provisions shall control and be implemented as if set forth in full in this Policy.



**California Special  
Districts Association**  
*Districts Stronger Together*

# Brown Act Compliance Manual

*for Special Districts*  
*(Revised January 2026)*

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**A GUIDE TO UNDERSTANDING CALIFORNIA'S OPEN MEETING LAWS**



## Introduction

The Ralph M. Brown Act (“Brown Act”)<sup>1</sup> was enacted in 1953 in response to a series of articles in the San Francisco Chronicle detailing the way local agencies at the time conducted secret meetings or caucuses even though state law had long required that local agencies conduct business publicly. The purpose behind the Brown Act, as originally adopted and as it remains today, is to ensure that actions of local public agencies—including their deliberations, are taken in open and public meetings, with posted agendas, and where all persons are permitted to attend and participate.

**“In enacting this chapter, the Legislature finds and declares that the public commissions, boards and councils and the other public agencies in this State exist to aid in the conduct of the people’s business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly.”<sup>3</sup>**

This manual provides special districts<sup>2</sup> with guidelines and tips for complying with the various meeting agenda, notice, public participation, and public reporting requirements of the Brown Act. Districts are permitted to and should consider adopting local policies that exceed the minimum requirements of the Brown Act in terms of providing greater public access and openness to district business.

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## I. Overview of the Brown Act

**Note:** A local agency must provide a copy of this chapter to any person elected or appointed to serve as a member of a legislative body of the local agency.

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This manual provides special districts with guidelines and tips for complying with the various meeting agenda, notice, public participation, and public reporting requirements of the Brown Act.

The purpose behind the Brown Act is to ensure that actions of local public agencies – including their deliberations - are taken in open and public meetings, with posted agendas, and where all persons are permitted to attend and participate. Courts construe the Brown Act liberally, in favor of openness and narrowly construe its limited exemptions.

The Brown Act and incorporated provisions of the Americans with Disabilities Act not only guarantee the public's right to attend and participate in open and public meetings but ensure that the meetings will actually be accessible to all members of the public. Violations of the Brown Act can result in the action taken being invalidated and the award of attorney's fees and costs if there is a successful legal action against a public agency. Certain intentional violations can result in criminal prosecution. And regardless of the nature of the violation, the mere fact that the public perceives that an agency is improperly conducting business behind closed doors can indelibly damage the public's trust in local government.

This manual provides special districts with guidelines and tips for complying with the various meeting agenda, notice, public participation, and public reporting requirements of the Brown Act. The manual also includes guidance on how members of a legislative body may engage with the public on social media platforms and details on how to permit remote participation in a Brown Act compliant teleconference meeting.



This manual is not intended to provide legal advice on any specific issue.

***This manual is not intended to provide legal advice on any specific issue. Because the statutory and case law summarized in this manual is subject to change, district staff and officials should always seek the advice of agency legal counsel as to the application of the Brown Act in a particular situation and to ascertain whether there have been recent changes to the Brown Act or its interpretation by the courts.***

## **Purpose and Basic Rule**

The purpose of the Brown Act is elegantly stated in the opening declaration:

*“In enacting this chapter, the Legislature finds and declares that the public commissions, boards and councils and the other public agencies in this State exist to aid in the conduct of the people’s business.”*

**It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly.<sup>3</sup>**

The Brown Act’s basic and unchanged rule provides:

*“All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body.”<sup>4</sup>*

As summarized by one court: “It is clearly the policy of this state that the proceedings of public agencies, and the conduct of the people’s business, [must] take place at open meetings, and that the deliberative process by which decisions related to the public’s business are made [must] be conducted in full view of the public.” Thus, except for certain closed session items, all aspects of the decision-making process by legislative bodies—including the acquisition of information, discussion and debate—must be conducted in public.





## II. District Legislative Bodies and Other Groups Covered and Not Covered

The Brown Act only applies to a district “legislative body” as defined in Section 54952. Therefore, understanding the scope of that term is the critical first step in determining whether the Brown Act applies to a particular district body or group.

### What bodies are considered a “legislative body” subject to the Brown Act?

1. **The Governing Body** of a district (i.e., the board of directors) is considered a “legislative body” subject to the Brown Act.<sup>6</sup>

*Note:* The Brown Act also applies to persons elected to serve on a legislative body covered by the Brown Act but who have not yet assumed the duties of office.<sup>7</sup>

2. **Standing committees** of a legislative body, regardless of their composition (i.e., including less than a quorum of the legislative body), that have either (a) continuing subject matter jurisdiction or (b) a meeting schedule fixed by formal action of a legislative body are subject to the Brown Act.<sup>8</sup>
3. **Appointed bodies**, whether permanent or temporary, decision-making or advisory, created by a formal act of the governing body are subject to the Brown Act.<sup>9</sup> The “formal act” required to create a Brown Act legislative body includes any official action and is not necessarily limited to formation by a formal vote or adoption of a resolution.<sup>10</sup>
4. **Joint Powers Authority** legislative bodies of a legally separate entity established by districts under the Joint Exercise of Powers Act must comply with the Brown Act.<sup>11</sup>
5. **Private organizations and other separate entities.** The board or other governing body of a private organization, such as a nonprofit corporation, is subject to the Brown Act, if: (a) a district legislative body created or was involved in bringing the organization into existence to exercise lawfully delegated authority, or (b) if both of the following requirements are met: (i) the organization receives funds from the



district and (ii) a member has been appointed as a full voting member of such board by the district's legislative body.<sup>12, 13</sup>

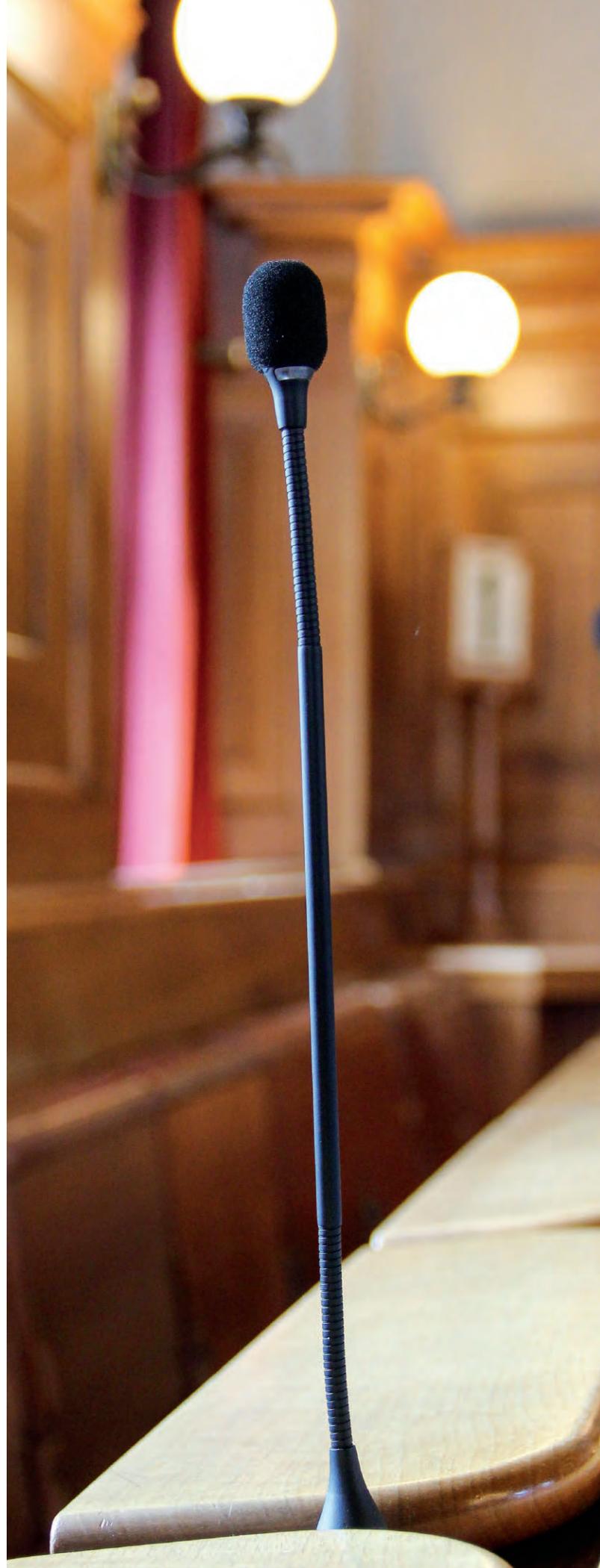
## What district bodies or groups are not considered a "legislative body" subject to the Brown Act?

1. **A temporary advisory committee** (often referred to as an **ad hoc committee**) composed solely of less than a quorum of the legislative body that is created for a single or limited purpose (e.g., a recruitment committee for a vacant position or a committee to investigate a particular incident or issue) that will dissolve once its task is completed is not subject to the Brown Act.
2. **Groups advisory to a single member of a legislative body** created by the informal action of the particular member to advise the member are not covered by the Brown Act.<sup>14</sup>
3. **A group appointed by district staff** (e.g., a committee to assist with a district social or community event) is not subject to the Brown Act.



### Compliance Tip

Forming a true ad hoc advisory committee that is composed solely of less than a quorum of the legislative body and that is not subject to the Brown Act requires careful consideration of these restrictions.



## III. Meetings Covered and Exempted

The Brown Act only applies to “meetings” of district legislative bodies. Thus, it is critical to understand what meetings are covered and what gatherings are not considered a meeting.

### Definition of Meeting

The Brown Act defines a **“meeting” as any congregation of a majority of the members of a legislative body at the same time and location, including a teleconference location, to hear, discuss, deliberate, or take action on any item that is within the legislative body’s subject matter jurisdiction.**<sup>15</sup> As defined, the term “meeting” is not limited to gatherings at which action is taken but applies equally to situations where a quorum of the legislative body merely hears, discusses, or deliberates on district business. These terms have their ordinary meaning, but there is a specific definition for “action taken,” which includes:

1. a collective decision by a majority of the members of a legislative body;
2. a collective commitment, or promise by a majority of the members to make a positive or negative decision; or
3. an actual vote by a majority of the members of the legislative body sitting as a body or entity, upon a motion, proposal, resolution, order, or ordinance.<sup>16</sup>

### Prohibition Against Serial Meetings

Outside of a properly noticed and conducted Brown Act meeting, a majority of the members of a legislative body may not use a series of communication of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item that is within the body’s subject matter jurisdiction.<sup>17</sup>

This type of prohibited “serial meeting” can occur in two ways:

1. Chain: If member A contacts member B, and B contacts member C, and C contacts member D, and so on, until a quorum of the legislative body has been involved.
2. Hub-and-spoke: An intermediary, such as the general manager, contacts at least a quorum of the members of the legislative body to develop a collective concurrence (or communicate each member’s respective positions) on an action to be taken by the legislative body.



### Compliance Tip

The use of e-mail can easily result in a serial meeting along with a paper trail establishing a potential violation of the Brown Act.<sup>18</sup> District legislative body members must be extremely careful with the use of e-mail, except to pass along general information. For example, members should refrain in e-mails from stating or taking a position on matters that may come before the district. Members should also refrain from giving instructions or directions to staff members unless they have clear authority to do so. One never knows where, or in how many inboxes an e-mail may end up. This tip is equally applicable to members posting comments on social media and other technological platforms.

### III. Meetings Covered and Exempted (continued)

#### Teleconferencing Meetings

##### Standard Teleconferencing

Meetings may be conducted by teleconferencing (i.e., any electronic audio or video connection) under the following conditions:<sup>19</sup>

1. agendas are posted at teleconferencing locations specifying all teleconference locations;
2. public access is provided at each teleconference location;
3. public opportunity to speak is provided at each teleconference location; and
4. all votes are taken by roll call.

At least a quorum of the members of the legislative body must participate in the teleconference within the boundaries of the district.

##### Alternative Teleconferencing

A legislative body of a local agency may utilize teleconferencing without complying with the aforementioned requirements for 'standard teleconferencing' in any of the circumstances described in Government Code sections 54953.8.1 to 54953.8.7. However, the local agency must comply with each of the following mandatory procedures:

1. The legislative body must provide either a 1) two-way audiovisual platform or 2) a two-way telephonic service and live webcasting of the meeting.
2. Each agenda and notice for the meeting must include information for all persons to attend via a call-in option or an internet-based service option.
3. In the event of a disruption that prevents broadcasting the meeting or the receipt of public comments, the legislative body shall take no further action on items appearing on the meeting agenda until public access to the meeting is restored. (Actions taken on agenda items during a disruption that prevents the legislative body from broadcasting



#### Compliance Tip

Districts should consider adopting a policy on the use of teleconferencing that addresses the circumstances under which it may be appropriate to use this technology, how much advance notice must be given, and the procedures the agency must follow.

the meeting may be challenged pursuant to Section 54960.1.)

4. The public must have an opportunity to address the legislative body and offer comments in real time. In addition, the public cannot be required to submit comments in advance of the meeting.
5. The minutes of the meeting must identify any member of the legislative body who participated from a remote location as well as the specific provision of law that permitted their remote participation. Every member participating from a remote location shall publicly disclose at the meeting before any action is taken whether any other individuals 18 years of age or older are present in the room at the remote location with the member, and the general nature of the member's relationship with those individuals.
6. The legislative body must adopt and implement a procedure for resolving requests for reasonable accommodation consistent with the federal Americans with Disabilities Act.
7. A local agency must identify a list of one or more meeting locations that may be available for use by the legislative bodies to conduct their meetings.

### III. Meetings Covered and Exempted (continued)

#### *Alternative Teleconferencing - Categories*

In addition to the circumstances described below in further detail, alternative teleconferencing is permitted for use by the following, with each category having its own requirements for compliance:

- A health authority.<sup>128</sup>
- An eligible neighborhood council.<sup>129</sup>
- An eligible community college student organization.<sup>130</sup>
- An eligible multijurisdictional body.<sup>131</sup>
  - “Eligible multijurisdictional body” means a multijurisdictional board, commission, or advisory body of a multijurisdictional, cross-county agency, the membership of which board, commission, or advisory body is appointed, and the board, commission, or advisory body is otherwise subject to this chapter. “Multijurisdictional” means either of the following: (A) A legislative body that includes representatives from more than one county, city, city and county, or special district, or (B) A legislative body of a joint powers entity formed pursuant to an agreement entered into in accordance with Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1.



#### **Compliance Tip**

A legislative body seeking to use alternative teleconferencing pursuant to one of these bulleted options should refer to the statute authorizing the respective provision in order to understand the specific requirements for that type of alternative teleconferencing, which may vary depending on the category of alternative teleconferencing used. See the Appendix for a full copy of the Brown Act and more information on the aforementioned alternative teleconferencing categories.

#### **Emergency Teleconferencing**

In response to the need for greater flexibility in teleconferencing meetings in the wake of the COVID-19 pandemic, the Brown Act was amended to allow legislative bodies to meet remotely during proclaimed emergencies under modified teleconferencing procedures that do not require compliance with the “standard” procedures noted above, provided that the special emergency procedures are followed.<sup>22</sup>

#### ***Summary of circumstances and process authorizing emergency teleconferencing procedures:***

1. An emergency situation arises that poses an imminent risk to public health and safety.
2. A local emergency or state of emergency is declared.
3. A district wishes to meet remotely via teleconferencing as a result of the emergency. The meeting agenda includes an item for consideration of a resolution to authorize the use of teleconferencing for meetings consistent with Section 54953.8.2.
4. A resolution is passed by majority vote determining that meeting in person would present imminent risks to the health or safety of attendees. The resolution is valid for up to 45 days.



### III. Meetings Covered and Exempted (continued)

5. If the state of emergency remains, the district must renew its emergency teleconferencing resolution at least every 45 days, which includes findings that the legislative body has both (1) reconsidered the circumstances of the state of emergency, and (2) the state of emergency continues to directly impact the ability of the members to meet safely in person.



#### Compliance Tip

The emergency teleconferencing procedures can only be used in the event that a gubernatorial state of emergency (1) has been issued AND (2) remains active, or a local emergency is declared with extreme peril to persons or property in accordance with Section 8630 of the California Emergency Services Act (Chapter 7 (commencing with Section 8550) of Division 1 of Title 2), as defined in Section 8680.9, or a local health emergency declared pursuant to Section 101080 of the Health and Safety Code. Local emergency refers only to local emergencies in the boundaries of the territory over which the local agency exercises jurisdiction.

#### Teleconferencing for “Just Cause” Circumstances

Expanded teleconferencing procedures were added to the Brown Act in recent years to permit a member of a legislative body to attend a meeting by teleconferencing via a two-way audiovisual platform or “webcast” on a limited basis.<sup>121</sup> The member may only request to participate from a remote location under these guidelines if one of the following circumstances applies:

1. The member must participate remotely for “just cause,” defined as:

- a. A childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely.

- b. A contagious illness that prevents a member from attending in person.
- c. A need related to a physical or mental disability, as defined.
- d. Travel while on official business of the legislative body or another state or local agency.
- e. An immunocompromised child, parent, grandparent, grandchild, sibling, spouse, or domestic partner of the member that requires the member to participate remotely.
- f. A physical or family medical emergency that prevents a member from attending in person.
- g. Military service obligations that result in a member being unable to attend in person because they are serving under official written orders for active duty, drill, annual training, or any other duty required as a member of the California National Guard or a United States Military Reserve organization that requires the member to be at least 50 miles outside the boundaries of the local agency.

2. In order for a member of the legislative body to participate remotely under these provisions, they must comply with the alternative teleconferencing provisions discussed previously, including:
  - a. At least a quorum of the members of the Legislative Body participate in-person from a single physical location accessible to the public, which is within the boundaries of the agency and clearly identified in the posted agenda.
  - b. The public is permitted to attend the meeting either by teleconference or videoconference in a manner such that the public can remotely attend and offer real-time comment during the meeting.
  - c. Notice of the means by which the public can remotely attend the meeting via teleconference or videoconference and offer comment during the meeting is included within the posted agenda.

### III. Meetings Covered and Exempted (continued)

- d. The member has done the following:
  - i. For a “just cause” circumstance, notify the legislative body at the earliest opportunity, including at the start of a regular meeting, of their need to participate remotely for just cause, including a general description of the circumstance relating to their need to appear remotely at the given meeting.
  - ii. The member shall participate through both audio and visual technology.
- e. The member shall publicly disclose at the meeting before any action is taken whether any other individuals 18 years of age or older are present in the room at the remote location with the member, and the nature of the member’s relationship with such individuals.

**A member of a legislative body may not participate in meetings of the legislative body solely by teleconference from a remote location under these provisions for more than the following number of meetings, as applicable:**

1. Two meetings per year, if the legislative body regularly meets once per month or less.
2. Five meetings per year, if the legislative body regularly meets twice per month.
3. Seven meetings per year, if the legislative body regularly meets three or more times per month.

Any meetings that begin on the same calendar day shall be considered a single occurrence for the purpose of counting meetings.

#### Teleconferencing under the Americans with Disabilities Act (ADA)

The Brown Act requires an agency’s legislative body to allow remote participation in a meeting as a reasonable accommodation for a member with a qualifying disability that precludes in-person attendance at meetings of the legislative body by the member.<sup>124</sup> The member’s remote participation must be conducted in a

manner that simulates in-person attendance at meetings held in person at a location open to the public. To do this, a member that participates remotely in a meeting as an accommodation under ADA must do the following:

1. Use two-way video and audio streaming in real time, except that any member may use audio only if a physical condition related to their disability results in a need to participate off camera.
2. Disclose the identity of any adults who are present with the member at the remote location, and the general nature of the member’s relationship with any of the individuals.

Local agencies should consult with counsel when receiving a request for accommodation under ADA to participate in a meeting remotely.

#### Teleconferencing by an Eligible Subsidiary Body

An eligible subsidiary body may conduct a teleconference meeting by complying with the alternative teleconferencing requirements, and:

1. Designating one physical meeting location within the boundaries of the legislative body that created the eligible subsidiary body where members of the subsidiary body who are not participating remotely shall be present and members of the public may physically attend, observe, hear, and participate in the meeting. At least one staff member of the eligible subsidiary body or the legislative body that created the eligible subsidiary body shall be present at the physical meeting location during the meeting. The eligible subsidiary body shall post the agenda at the physical meeting location but need not post the agenda at a remote location.
2. A member of the eligible subsidiary body shall visibly appear on camera during the open portion of a meeting that is publicly accessible via the internet or other online platform, except if the member has a physical or mental condition that results in a need to participate off camera.
3. The visual appearance of a member of the eligible subsidiary body on camera may cease only when

### III. Meetings Covered and Exempted (continued)

the appearance would be technologically infeasible, including, but not limited to, when the member experiences a lack of reliable broadband or internet connectivity that would be remedied by joining without video.

4. If a member of the eligible subsidiary body does not appear on camera due to challenges with internet connectivity, the member shall announce the reason for their nonappearance prior to turning off their camera.
5. An elected official serving as a member of an eligible subsidiary body in their official capacity shall not participate in a meeting of the eligible subsidiary body by teleconferencing pursuant to this section unless the use of teleconferencing complies with the requirements of paragraph (3) of subdivision (b) of Section 54953.
6. Before an eligible subsidiary body uses teleconferencing for the first time, the legislative body that established the eligible subsidiary body must adopt certain findings by a majority vote, and every six months thereafter.<sup>127</sup>

“Eligible subsidiary body” means a legislative body that meets all of the following:

1. Is described in subdivision (b) of Section 54952.
2. Serves exclusively in an advisory capacity.
3. Is not authorized to take final action on legislation, regulations, contracts, licenses, permits, or any other entitlements, grants, or allocations of funds.
4. Does not have primary subject matter jurisdiction, as defined by the charter, an ordinance, a resolution, or any formal action of the legislative body that created the subsidiary body, that focuses on elections, budgets, police oversight, privacy, removing from, or restricting access to, materials available in public libraries, or taxes or related proposals.

### What is not a meeting?

The Brown Act lists seven circumstances that are not considered a regulated “meeting.”

1. **Individual Contacts.** Individual district legislative body members may engage in separate conversations or communications with staff, the public, and even another member of a legislative body, provided that the official or the person they contact “does not communicate to members of the legislative body the comments or position of any other member or members of the legislative body.”<sup>26</sup> In other words, the Brown Act does not restrain a member of a legislative body’s individual actions, but such contacts cannot lead to the type of prohibited serial meeting described above.

Recent Brown Act amendments clarified that a member of a legislative body may engage in conversations of communications on an internet-based social media platform (e.g., Facebook or Twitter) to answer questions, provide information to the public, or to solicit information from the public regarding a matter that is within the subject matter jurisdiction of the legislative body, provided that a majority of the members of the legislative body do not use the internet-based social media platform to discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body. In addition, a member of the legislative body may not respond directly to any communication on an internet-based social media platform regarding a matter that is within the subject matter jurisdiction of the legislative body that is made, posted, or shared by any other member of the legislative body.<sup>27</sup>

### III. Meetings Covered and Exempted (continued)

#### Quorum Exceptions

Attendance by a quorum of members of a legislative body is permitted in the following circumstances, provided that a majority of the members do not discuss district business amongst themselves (other than as part of the scheduled meeting, occasion or program):<sup>23</sup>

2. **Standing Committee Meetings.** Members may attend an open and noticed meeting of a standing committee of the legislative body (provided that the members of the body who are not members of the committee attend only as observers).
3. **Meetings of a different body of the local agency** that are open and publicized.



#### Compliance Tip

“Liking” or “upvoting” (or other similar actions) can be construed as a legislative body discussion. The Brown Act defines “discuss among themselves” as: “communications made, posted, or shared on an internet-based social media platform between members of a legislative body, including comments or use of digital icons that express reactions to communications made by other members of the legislative body.”<sup>28</sup>

4. **Meetings of a legislative body of another local agency** that are open and publicized (e.g., county board of supervisors, city council, or the board of directors of another district).
5. **Community meetings** organized to address topics of local community concern by a person or organization other than the district, provided the meeting is open and publicized. However, agencies should be mindful that the Attorney General has opined that a “State of the City” or “State of [Special District]” event is a meeting for the purposes of the Brown Act.<sup>123</sup>
6. **Conferences or similar gatherings** that are open to the public and are for purposes of discussing issues of general interest to the public or to public agencies such as the district.

**Note:** The Brown Act does not define what “publicized” means for the purposes of the community meeting exemption, but notice in a newspaper, a mass mailing, physical posting in multiple locations around a community, or posting internet websites should be sufficient to satisfy the Brown Act’s openness requirements.

7. **Social or ceremonial events** such as parties, weddings, funerals, retirement celebrations or charitable fundraisers.



**Practice Tip:** Public officials do not have to stop engaging with the public because of the Brown Act. But they should take some simple precautions to avoid unintentional violations of the law. This includes warning members of the public when engaging with them outside of a Brown Act open meeting that you cannot discuss the views of other officials and stopping any such discussion by a member of the public as soon as possible.

# IV. Categories of Meetings, and Applicable Notice, Location, Agenda and Procedural Requirements

## Categories of meetings subject to the Brown Act

1. **Regular meetings** are meetings held at the dates, times and location set by ordinance, resolution, bylaws or other formal action of a legislative body.<sup>30</sup>
2. **Special meetings** are meetings called by the presiding officer or a majority of the legislative body and may be held at any time subject to a 24-hour notice requirement. Such written notice must be delivered to each member of the legislative body (unless waived in writing by that member) and to each local newspaper of general circulation, and to each radio and television station that has requested such notice in writing. Only the business set forth in the notice may be considered at the meeting.<sup>25</sup>
3. **Adjourned meetings** are regular or special meetings that have been adjourned to a time and place specified in the order of adjournment.<sup>32</sup>
4. **Emergency meetings** are meetings that may occur where the legislative body determines there is an emergency situation that severely impairs public health or safety or there is an existing or threatened situation that poses immediate and significant peril. The special meeting provisions apply to emergency meetings, except the 24-hour notice is not required. News media must be notified by telephone at least one hour in advance of an emergency meeting (except for “dire” emergencies), and all telephone numbers provided must be tried. If telephones are not working, the notice requirements are deemed waived, but the news media must be notified as soon as possible of the meeting and any action taken. Closed sessions are permitted during an emergency meeting under Section 54957 if agreed to by 2/3 vote of the members present (or all of the members if less than 2/3 present). The minutes of the meeting, a list of the persons notified or attempted to be notified, a copy of any roll call vote, and any

action taken at the meeting must be posted in a public place for a minimum of ten days as soon after the emergency meeting as possible.<sup>33</sup>

## Permitted Locations for Meetings

1. **Regular and special meetings** must be held within the boundaries of the agency’s jurisdiction except when:
  - a. meeting by remote teleconferencing during a proclaimed state of emergency;<sup>34</sup>
  - b. complying with federal or state law or court order;
  - c. inspecting real property or personal property that cannot be conveniently brought to the agency;
  - d. participating in multi-agency meetings (provided the meeting takes place in a member agency’s jurisdiction and is properly noticed);
  - e. meeting in the closest meeting facility if the district has no meeting facility within its boundaries;
  - f. meeting with elected or appointed federal or state officials when a local meeting would be impractical (solely to discuss local issues over which such officials have jurisdiction);
  - g. meeting in or nearby a facility owned by the agency (provided the meeting is limited to items directly related to the facility); and
  - h. visiting the office of its legal counsel for a closed session on pending litigation when to do so would reduce legal costs.<sup>35</sup>

**Note:** Retreats and workshops for agencies other than statewide JPAs must be held within the territory of the agency.

## IV. Meeting Categories & Requirements (continued)

2. **Joint powers agencies** may meet within the territory of any member, or if members are located throughout the state, then they can meet anywhere in the state, provided such facility is open to all members of the public.<sup>36</sup>
3. **Emergency meetings** are subject to the same locational rules as regular and special meetings except that the presiding officer may move them to another location if it is unsafe to meet in the regular designated meeting location, or, if the meeting is being conducted during a proclaimed state of emergency by remote teleconferencing pursuant to the provisions of Section 54953.8.2.<sup>37</sup>

### Agenda Requirements

#### General Rules

- A written agenda must be prepared for each regular or adjourned regular meeting of the legislative body.
- The agenda must be posted at least 72 hours in advance of the regular meeting to which it relates.
- Each item of business to be transacted or discussed, including items to be discussed in closed session, must be the subject of a brief general description, which generally need not exceed 20 words.<sup>36</sup>
- If the agency has an internet website, agendas must be posted at least 72 hours before a regular meeting and at least 24 hours before a special meeting on the agency's website. The special meeting Internet posting requirement only applies to an agenda of either (a) the governing body, or (b) the participating members are compensated, and one or more members attending are also members of the governing body.<sup>39</sup>



#### Compliance Tip

Drafting an agenda description that is brief but discloses enough information for the public to understand a proposed action is not an easy task. Including information such as the location of a project, the purpose of a project (as opposed to just an agency or applicant given name), the parties involved, and the costs associated with the action will help deflect claims of lack of proper notice.

*Note:* Agendas at physical locations must be posted in areas that are freely accessible to the public at all times. Posting on a bulletin board inside the district's office that is locked after business hours is not in compliance. With limited exceptions, independent special districts must establish and maintain an Internet website that must have contact information for the district listed in addition to the agenda and any meeting materials. The internet website posting requirement may be excused if there are technical difficulties, provided that the district continues to comply with all other notice requirements. Internet website posting requires the agenda to be posted as a direct link on homepage of the agency's website and in an open format that permits the public to retrieve, download, index, and search for the agenda through the internet, in a manner that is "platform independent and machine readable".<sup>42</sup>

## IV. Meeting Categories & Requirements (continued)

### Non-Agenda Items

Action or discussion on any item not appearing on the posted agenda is generally prohibited except that members of the legislative body may:<sup>43</sup>

- briefly respond to statements made or questions posed by the public;
- ask a question for clarification;
- make a brief announcement;
- make a brief report on activities;
- provide a reference to staff or other sources for factual information;
- request staff to report back to the legislative body at a subsequent meeting; or
- direct staff to place a matter of business on a future agenda.<sup>44</sup>

### Statutory exceptions to action on non-agenda items

A legislative body may take action on items of business not appearing on the agenda under the following conditions:

- **Emergency:** When a majority decides that an emergency situation exists (i.e., work stoppage, crippling disaster, etc.).
- **Subsequent need urgency item:** When 2/3 present (or all members if less than 2/3 are present) determine there is a need to take immediate action and that the need for action came to the attention of the district subsequent to the agenda being posted.
- **Hold over item:** When the item appeared on the agenda of, and was continued from, a regular meeting held not more than five days earlier.<sup>45</sup>

### Special agenda disclosure for concurrent meetings

A legislative body that convenes a meeting and whose membership constitutes a quorum of another legislative body may convene a meeting of the other legislative body, either simultaneously or in serial order, only if a clerk or member of the body verbally announces, prior to convening any simultaneous or serial meeting, the amount of “compensation” or “stipend” that each member will receive as a result of convening the simultaneous or serial meeting of the subsequent legislative body. No agenda announcement is required if:

1. The amount of compensation is prescribed by statute; and
2. No additional compensation for the simultaneous or subsequent meeting has been authorized by the district.

The terms “compensation” and “stipend” do not include reimbursement for actual and necessary expenses incurred by a member in the performance of official duties, including travel, meals, and lodging.<sup>46</sup>



## IV. Meeting Categories & Requirements (continued)



### Compliance Tip

The agenda must designate the address where documents may be inspected by the public.<sup>52</sup>

Documents and other writings related to a meeting must be made available to the public at the time of distribution to a majority of the legislative body meeting if prepared by the district or a member of a legislative body, or after the meeting if prepared by some other person.<sup>62</sup> If a district is distributing agenda-related materials to the majority of a legislative body less than 72 hours before a meeting, it must ensure immediate public access to those materials in one of two ways:

- 1) by making the material immediately available for public inspection at a public office or location designated for that purpose and listing the address of the designated place on all agendas, or
- 2) by making an initial report (i.e., a document containing a summary and staff recommendation) of the material available for public inspection at a designated location at least 72 hours before the meeting, posting the material on the local agency's internet website in a position and manner that makes it clear that the material relates to an agenda item for an upcoming meeting, listing the web address where the material can be found on all agendas, and making physical copies available for public inspection beginning the next regular business hours for the agency, though this last requirement can only be fulfilled if the next regular business hours of the local agency commence at least 24 hours before that meeting; otherwise the legislative body cannot fulfill all of the requirements of these provisions and may be forced to delay the agenda item the materials relate to.<sup>119</sup>

If requested in writing in advance, a member of the public may be mailed copies of the agenda or agenda packet at the time it is distributed to a majority of the legislative body. Such a request is valid for the calendar year filed. A public agency may establish a mailing fee not to exceed the cost of providing this service.<sup>63,64</sup>

Any audio or video tape record of a public meeting made by or at the direction of the district is subject to inspection under the Public Records Act and such inspection must be provided without charge on equipment made available by the district. If copies of the audio or video tape are desired, the agency may impose its ordinary charge for copies. Audio and video tapes may, however, be erased or destroyed 30 days after the taping or recording.<sup>65</sup>

### Meetings of an “Eligible Legislative Body”

Beginning July 1, 2026, all meetings of an “eligible legislative body” are subject to enhanced mandates under the Brown Act to provide increased public access as well as possible translation of agendas and meetings into additional languages.<sup>132</sup>

**These additional requirements only apply to an “eligible legislative body” and not to a “legislative body” as traditionally defined in the Brown Act.**

For a special district, eligible legislative body means:

1. The board of directors of a special district that has an internet website and meets any one of the following conditions –
  - a. The boundaries of the special district include the entirety of a county with a population of 600,000 or more, and the special district has over 200 full-time equivalent employees; or
  - b. The special district has over 1,000 full-time equivalent employees; or
  - c. The special district has annual revenues, based on the most recent Financial Transaction Report data

## IV. Meeting Categories & Requirements (continued)

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

2. An eligible legislative body also includes a city council of a city with a population of 30,000 or more; a county board of supervisors of a county, or city and county, with a population of 30,000 or more; and a city council of a city located in a county with a population of 600,000 or more.

### Two-Way Audiovisual or Telephonic Access

Every meeting of an eligible legislative body must include an opportunity for members of the public to attend via a two-way telephonic service or a two-way audiovisual platform, except if adequate telephonic or internet service is not operational at the meeting location.

“Two-way audiovisual platform” means an online platform that provides participants with the ability to participate in a meeting via both an interactive video conference and a two-way telephonic service. “Two-way telephonic service” means a telephone service that does not require internet access and allows participants to dial a telephone number to listen and verbally participate.

**Note:** If adequate telephonic or internet service is operational at the meeting location during only a portion of the meeting, the legislative body shall include an opportunity for members of the public to attend via a two-way telephonic service or a two-way audiovisual platform during that portion of the meeting.





## IV. Meeting Categories & Requirements (continued)



### Compliance Tip

By July 1, 2026, an eligible legislative body must adopt a policy in open session related to disruption of service during meetings that includes procedures for recessing and reconvening a meeting in the event of disruption and describes the efforts that the eligible legislative body shall make to attempt to restore the service. If a disruption of service that prevents members of the public from attending or observing the meeting occurs during the meeting, the eligible legislative body shall recess the open session of the meeting for at least one hour and make a good faith attempt to restore the service. The eligible legislative body may meet in closed session during this period. The eligible legislative body shall not reconvene the open session of the meeting until at least one hour following the disruption, or until service is restored, whichever is earlier. If service is not restored upon reconvening the session, the eligible legislative body shall adopt a finding by rollcall vote that good faith efforts to restore the service have been made in accordance with the policy by the agency, and that the public interest in continuing the meeting outweighs the public interest in remote public access.

When an eligible legislative body elects to provide two-way audiovisual access (rather than telephonic access), the eligible legislative body shall publicly post and provide a call-in option and activate any automatic captioning function during the meeting if an automatic captioning function is included with the two-way audiovisual platform. The public must be provided with an opportunity to provide comments as they would with any other open and public meeting, with the same time allotment as a person attending in person.

## IV. Meeting Categories & Requirements (continued)

### Meeting Translation

Although an eligible legislative body is not required to provide interpretation of any meeting, it may elect to provide interpretation, and must reasonably assist members of the public who wish to translate a public meeting into any language or wish to receive interpretation provided by another member of the public, so long as the interpretation is not disrupting to the meeting as defined in Section 54957.95. Examples of assistance may include allowing extra time or allowing participants to use personal equipment to assist them.

An eligible legislative body must also take affirmative actions to encourage underrepresented and non-English speaking communities to participate in meetings, including: having in place a system for electronically accepting and fulfilling requests for meeting agendas and documents pursuant to Section 54954.1 through email or through an integrated agenda management platform; maintaining an accessible internet webpage translated in all “applicable languages” (discussed below) dedicated to public meetings; making reasonable efforts, as determined by the legislative body, to invite groups that do not traditionally participate in public meetings to attend those meetings.



### Compliance Tip

Every eligible legislative body should have a webpage dedicated to public meetings that includes: a general explanation of the public meeting process, an explanation of the procedures for a member of the public to provide in-person or remote oral public comment during a public meeting or to submit written public comment, a calendar of all public meeting dates with calendar listings that include the date, time, and location of each public meeting, the most recent agenda, and a link from the homepage of the agency to the required webpage.

### Agenda Translation

The agenda for each meeting of an eligible legislative body must be translated into all “applicable languages,” with each translated agenda posted in accordance with agenda posting requirements. This applies only to the agenda, and not the entire agenda packet. Each translation shall include instructions in the applicable language describing how to join the meeting by the telephonic or internet-based service option, including any requirements for registration for public comment.

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

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





#### IV. Meeting Categories & Requirements (continued)

- a. The population of the county with the greatest population within the boundaries of the special district.
  - b. The population of the service area of the special district, if the special district has the data to determine what languages are spoken by the population within its service area.
2. For an eligible legislative body that is a city council or county board of supervisors, the applicable population shall be the population of the city or county.

If more than three languages meet the criteria set forth for “applicable languages,” the agency shall translate for the three languages that are spoken by the largest percentage of the population. Translation may be done using a digital translation service, and the eligible legislative body must also accept additional translations of the agenda from the public to post in physical locations where agendas are posted.

# V. Rights of the Public at Meetings

## Public Attendance

The Brown Act’s mandate that all persons must be “permitted to attend any meeting of a legislative body”<sup>47</sup> is implemented in a variety of ways:

- Members of the public cannot be required to register their names, provide other information, complete a questionnaire, or otherwise fulfill any condition precedent to attending. If an attendance list, register, questionnaire or similar document is circulated to persons present during the meeting, it must state that the signing, registering or completion of the document is voluntary.<sup>48</sup>
- No meeting or any other function can be held in a facility that prohibits attendance based on race, religious creed, color, national origin, ancestry, or sex, or which is inaccessible to the disabled.<sup>49</sup>
- No meeting may be held where the public must pay or make a purchase to attend (this includes remote locations where teleconferencing is used).<sup>50</sup>
- And if teleconferencing is used, members of the public must be given notice of the teleconference location and be able to address the legislative body from such location.<sup>51</sup>

## Public Accommodation (Americans With Disabilities Act)

All open meetings under the Brown Act must also comply with Section 202 of the Americans with Disabilities Act (“ADA”) and its implementing rules and regulations. The ADA prohibits a governmental entity from discriminating against individuals with disabilities in the programs, services, and activities it offers. Programs and activities are required to be readily accessible to and usable by disabled individuals.<sup>54</sup> Therefore, public entities must make accommodations for disabled individuals to participate in the meetings unless doing so would be an undue burden or cause a fundamental alteration in the program or activity.<sup>55</sup> This is accomplished in the following two ways:

1. **Physical facilities:** In addition to the meeting room being accessible, the telephones and bathrooms must also be made accessible if phones and bathrooms are provided for non-disabled individuals.<sup>56</sup> Meeting rooms must also have wheelchair seating and assistive listening systems.<sup>57</sup>
2. **Agenda and written materials:** Agendas must include information regarding how, to whom and when a request for disability-related modification or accommodation may be made in order for a person with a disability to participate in the meeting. When requested by a person with a disability, the agenda and documents in the agenda packet must be made available in “appropriate alternative formats,” and writings distributed at a public meeting must also be made available in “appropriate alternative formats,” even when the materials are handed out by members of the public.<sup>58</sup>



PC: Ability Ministry on Disability Is Beautiful (disabilityisbeautiful.com)



## V. Rights of the Public at Meetings (continued)

### Public Access to Meeting Records

The public has the right to review agendas and documents and other writings distributed to a majority of the legislative body (except for privileged documents). A fee or deposit may be charged for a copy of these public records.<sup>59</sup> *See Compliance Tip on Page 18 for more information.*



#### Compliance Tip

With the advent of digital files, most agencies maintain copies of meeting recordings on their website, either permanently or for an extended period of time, to ensure continued public access and as an aid for reminding officials and staff precisely what transpired in such meetings.

### Public Participation

A regular meeting agenda must allow an opportunity for members of the public to speak on any item of interest, so long as the item is within the subject matter jurisdiction of the legislative body.<sup>66</sup>

The public must be allowed to speak on a specific item of business before or during the legislative body's consideration of it.<sup>67</sup> However, an agenda need not provide an opportunity for members of the public to address the legislative body on any item that has already been considered by a committee, composed exclusively of members of the legislative body, at a public meeting where members of the public were given the opportunity to address the committee on the item, before or during the committee's consideration of the item. This shall not apply in some circumstances, such as when the item has been substantially changed since the committee heard the item, or if the committee members did not participate from a singular location when considering the item. Every notice for a \*special\* meeting shall provide an opportunity for members of the public to directly address the legislative body concerning any item that has been described in the notice for the meeting before or during consideration of that item.<sup>125</sup>

## V. Rights of the Public at Meetings (continued)

### Public Conduct

**Disturbances.** The legislative body may remove any person from a meeting who willfully interrupts the proceedings. Removal is only justified, however, when an audience member actually disrupts the meeting.<sup>71</sup> If order still cannot be restored, the meeting room may be cleared.<sup>72</sup> Members of the news media who have not participated in the disturbance must be allowed to continue to attend the meeting. The legislative body may also re-admit individuals not responsible for the disturbance.<sup>73</sup> The authority of a legislative body to remove a person who disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting shall apply to members of the public participating in a meeting via two-way telephonic service or two-way audiovisual platform.<sup>126</sup>

**Removal of disruptive individuals.** The presiding member of the legislative body conducting a meeting or their designee may remove, or cause the removal of, an individual for disrupting the meeting if, prior to removing the individual, the presiding member or their designee warns the individual that their behavior is disrupting the meeting and that their failure to cease their behavior may result in their removal. The presiding member or their designee may then remove the

individual if they do not promptly cease their disruptive behavior.

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

1. A failure to comply with reasonable and lawful regulations adopted by a legislative body pursuant to Section 54954.3 or any other law.
2. Engaging in behavior that constitutes use of force or a true threat of force.

No warning is required if the individual is engaging in behavior that constitutes use of force or a true threat of force. “True threat of force” is defined to mean a threat that has sufficient indicia of intent and seriousness, that a reasonable observer would perceive it to be an actual threat to use force by the person making the threat.<sup>120</sup>

**Non-disruptive criticism.** The legislative body cannot prohibit public criticism of policies, procedures, programs, or services of the agency or the acts or omissions of the legislative body itself.<sup>74</sup> Expressions of opposition to actions of the district (provided they are not overly disruptive) constitute protected speech.<sup>75</sup>



### Compliance Tip

If a closed session is held before the start of the regular open session agenda, the public must be provided an opportunity to address the legislative body on any closed session item before the legislative body adjourns to closed session.

The legislative body may adopt reasonable regulations, including time limits, on public comments (e.g., 3-5 minutes/speaker).<sup>68</sup> However, when a legislative body limits time for public comment, the legislative body must provide at least twice the allotted time to a member of the public who utilizes a translator to ensure that non-English speakers receive the same opportunity to directly address the legislative body.<sup>69</sup>

The public is allowed to use audio or video tape recorders or still or motion picture cameras at an open meeting, absent a reasonable finding by the legislative body that such recording, if continued, would persistently disrupt the proceedings due to noise, illumination, or obstruction of view.<sup>70</sup>



## VI. Closed Sessions

The Brown Act recognizes that not all local agency business should be conducted in the open and provides limited exceptions termed “closed sessions” for sensitive matters such as litigation, security threats and certain personnel matters. If a matter is not listed in the Brown Act as an appropriate subject for a closed session, the matter must be discussed in public even if the subject is sensitive, embarrassing or controversial. In addition to listing the permissible subjects for closed sessions, the Brown Act outlines how such matters should be agendized,<sup>76</sup> and when and how the matters must be disclosed in an open meeting or otherwise made public.

### Matters appropriate for closed session and applicable agenda description<sup>77</sup>

1. **Public employment.** A closed session may be held to appoint, employ, evaluate the performance of, discipline, or dismiss a public employee.<sup>78</sup> A closed session may also be used to hear specific complaints or charges brought against a public employee unless the employee requests a public session upon 24 hours’ advance written notice.<sup>79</sup> The applicable safe harbor agenda descriptions for these matters are:
  - a. **PUBLIC EMPLOYMENT**  
Government Code section 54957  
Title: (Specify description of position to be filled)
  - b. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION**  
Government Code section 54957  
Title: (Specify position title of employee being reviewed)

- c. **PUBLIC EMPLOYEE DISCIPLINE/ DISMISSAL/RELEASE**  
Government Code section 54957  
(No description is required.)

**Note:** The public employment exception only applies to “public employees.” This includes independent contractors that function as an officer or employee such as a contract general counsel or human resources officer. Discussions or action taken on persons other than employees (e.g., elected officials, appointed members of a committee, and independent contractors that do not function as an officer or employee) must be taken in open session unless there is another applicable exception such as potential litigation.<sup>70</sup>



### Compliance Tip

Interviews for appointments to district legislative or advisory bodies must be conducted in open session. While candidates for such positions cannot be compelled to stay outside the room where the interview is held while other candidates are being interviewed, most will comply with a request to do so.

## VI. Closed Sessions (continued)



The Brown Act recognizes that not all local agency business should be conducted in the open and provides limited exceptions termed “closed sessions” for certain sensitive matters.

**Note:** The personnel exception does not authorize action on proposed compensation in closed session, except for a reduction in pay as a result of proposed disciplinary action. Reviewing an employee’s job performance and making threshold decisions about whether any salary increase should be granted is permissible for closed session, but any action concerning the amount of any salary increase must be held in an open session.<sup>81</sup> As noted below, a legislative body may address compensation of an unrepresented employee, such as a general manager, under the labor negotiation exception.

**Note:** The Brown Act requires an oral report in open session at the meeting where final action is to be taken that summarizes the recommendation for final action on the salary, salary schedule, or compensation paid in the form of fringe benefits of a “local agency executive” as that term is defined in Government Code section 3511.1, or a department head or other similar administrative officer of the local agency.<sup>83</sup> The intent appears to be to preclude placing such items on a consent calendar or similar action item that may involve no discussion of the matter.

2. **Labor negotiations.** A closed session is appropriate to discuss, with the agency’s bargaining representative, salaries, salary schedules, fringe benefits, funding priorities and other matters within the statutory scope of employee representation for both represented (e.g., union or other recognized employee organization) and unrepresented employees (e.g., management). Final action must be taken in open session.<sup>82</sup> The applicable safe harbor agenda description is:

CONFERENCE WITH LABOR NEGOTIATORS  
Government Code section 54957.6

Agency designated representatives: (Specify names of designated representatives attending the closed session)

Employee organization: (Specify name of organization representing employee or employees in question)

or

Unrepresented employee: (Specify position title of unrepresented employee who is the subject of the negotiations)

3. **Litigation.** A closed session is appropriate to discuss (1) threatened litigation against the district; (2) potential exposure to litigation; (3) potential initiation of litigation; and (4) existing litigation.

**Potential litigation against or to be initiated by the district.** A closed session may be held in situations where there is anticipated litigation against the district or when the district is contemplating bringing a legal action. Where the agency seeks to discuss with its legal counsel threatened or anticipated litigation, there must be “existing facts and circumstances” to support the closed session. Existing facts and circumstances include:

- a. facts and circumstances that the agency believes are not known to a potential plaintiff;
- b. the receipt by the agency of a claim pursuant to the Government Claims Act or some other written communication threatening litigation;
- c. a statement made by a person in a public meeting threatening litigation on a specific matter within the responsibility of the legislative body; or
- d. a statement made outside a public meeting so long as the official or employee of the agency receiving knowledge of the threat makes a record

## VI. Closed Sessions (continued)

of the statement prior to the meeting, and the statement is available for public inspection.<sup>84</sup>

A legislative body may also meet in closed session to decide if the above facts and circumstances are present and thus whether the closed session is authorized.<sup>85</sup> The applicable safe harbor agenda descriptions are:



### CONFERENCE WITH LEGAL COUNSEL— ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2) or (3) [as applicable]: (Specify number of potential cases)<sup>86</sup>

or

Initiation of litigation pursuant to Government Code section 54956.9(d)(4): (Specify number of potential cases)

**Existing litigation.** Where a legal action has already been initiated by or against the district, a closed session may be held to provide updates to the board and discuss strategy. The applicable safe harbor agenda description is:

### CONFERENCE WITH LEGAL COUNSEL— EXISTING LITIGATION

Government Code section 54956.9(d)(1)

Name of case: (Specify by reference to claimant's name, names of parties, case or claim numbers)

or

Case name unspecified: (Specify whether disclosure would jeopardize service of process or existing settlement negotiations)

**Notes:** The ability to meet in closed session for existing litigation only applies to litigation to which the district is a party. It is generally understood, consistent with the safe harbor description, that the agency's attorney must be a participant in all litigation-related closed sessions.<sup>76</sup>

4. **Real estate negotiations.** A closed session is permitted for the legislative body to discuss with its real property negotiator the purchase, sale, exchange or lease of real property by or for the district. As part

## VI. Closed Sessions (continued)

of the discussion, the legislative body may discuss the price and terms of the transaction. According to the Attorney General, this includes only the following:

- a. The amount of consideration that the district is willing to pay or accept in exchange for the real property rights to be acquired or transferred in the particular transaction;
- b. The form, manner, and timing of how that consideration will be paid; and
- c. Items that are essential to arriving at the authorized price and payment terms, such that their public disclosure would be tantamount to revealing the information that the exception permits to be kept confidential.<sup>88</sup>

The real estate exemption is very limited. Discussions regarding related policy matters such as design work for the project, traffic, and EIR considerations, etc., are beyond the scope of the exemption.<sup>89</sup> The applicable safe harbor agenda description is:

### CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Government Code section 54956.8

Property: (Specify street address, or if no street address, the parcel number or other unique reference, of the real property under negotiation)

Agency negotiator: (Specify names of negotiators attending the closed session) (If circumstances necessitate the absence of a specified negotiator, an agent or designee may participate in place of the absent negotiator so long as the name of the agent or designee is announced at an open session held prior to the closed session.)

Negotiating parties: (Specify name of party (not agent))

Under negotiation: (Specify whether instruction to negotiator will concern price, terms of payment, or both)

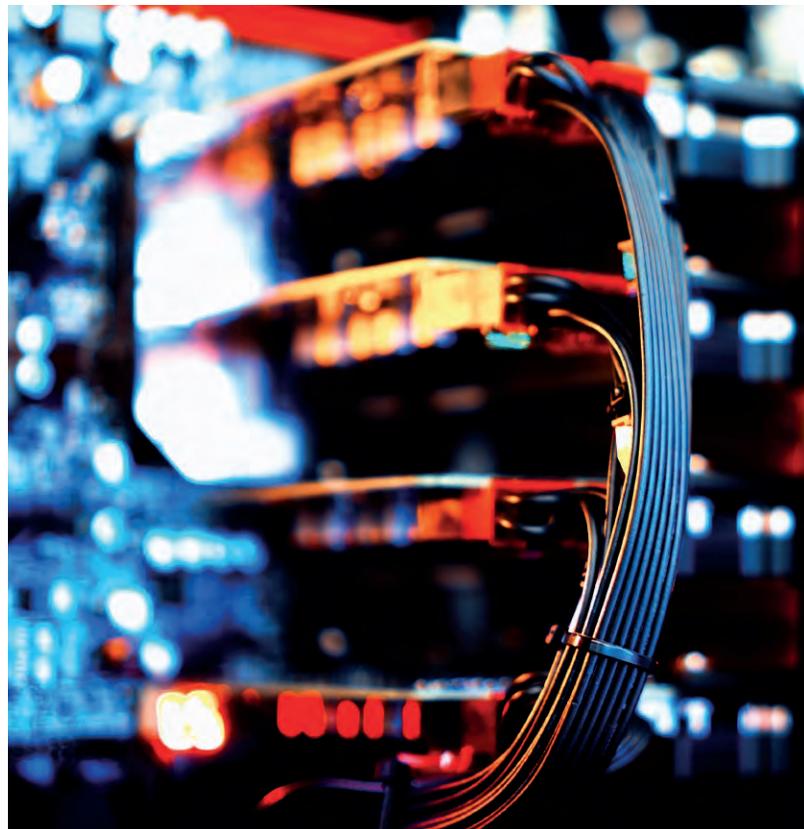
5. **License applications.** A closed session is appropriate if the legislative body finds it necessary to discuss the license application of an applicant with a criminal record, and whether that applicant is sufficiently rehabilitated to obtain the license.<sup>90</sup> The applicable safe harbor description is:

LICENSE/PERMIT DETERMINATION

Government Code section 54956.7

Applicant(s): (Specify number of applicants)

6. **Security of public facilities and services or a threat to critical infrastructure controls or critical infrastructure information relating to cybersecurity.** A closed session is appropriate for the legislative body to discuss matters posing a threat to the security of public buildings and facilities as well as essential public services, or a threat to critical infrastructure controls or critical infrastructure information relating to cybersecurity, and threats



## VI. Closed Sessions (continued)

to the public's right of access to public services or facilities.<sup>91</sup> The applicable safe harbor description is:

### THREAT TO PUBLIC SERVICES OR FACILITIES

Government Code section 54957

Consultation with: (Specify name of law enforcement agency and title of officer, or name of applicable agency representative and title)

### Procedure for Adjourning to Closed Session

Prior to holding any closed session, the legislative body must disclose, in an open meeting, the item or items to be discussed in the closed session. The disclosure may simply refer to the items as they are listed on the closed session agenda. This announcement may be made at the location announced in the agenda for the closed session, as long as the public is allowed to be present at that location for the purpose of hearing the announcement.<sup>92</sup>



### Who may be present at the closed session?

Closed sessions should only include those members of the legislative body and support staff necessary to conduct business regarding the specific item (e.g., legal counsel, consultants, real estate or labor negotiators, etc.).<sup>93</sup>

### Reporting After Closed Sessions

The legislative body must reconvene in open session to report any “action taken” in closed session. In general, only final action on a matter need be reported (e.g., an agreement to buy property, settlement of a lawsuit where the other party has signed the agreement, acceptance of a resignation, etc.). Thus, for example, the dismissal or nonrenewal of an employment contract is not reported until the first public meeting following exhaustion of administrative remedies, if any. Once final approval occurs, the agency must disclose the action taken “upon inquiry by any person.”<sup>94</sup> Copies of contracts, settlement agreements, or other documents finalized in closed session must be made available within 24 hours of the action, or, in the case of substantial amendments or retyping, when complete.<sup>95, 96</sup>



#### Compliance Tip

For convenience, many districts schedule closed sessions prior to commencement of the regular agenda and often hold such closed sessions in separate locations. Under § 54957, the public has the right to be present at such location and has the right to address the legislative body regarding any agendaized closed session items under § 54954.3 prior to the legislative body adjourning into closed session.

## Improper Disclosure of Closed Session Information

The disclosure of confidential information acquired in a closed session is prohibited unless the legislative body authorizes the disclosure of the information. “Confidential information” means communication made in closed session that is specifically related to the basis for the closed session meeting. Violations of this disclosure prohibition may be addressed by any legal remedy, including: injunctive relief to prevent future disclosures; disciplinary action (against employees); or referral to a grand jury (for violations by members of the legislative body).<sup>97</sup>



### Compliance Tip

Although § 54957.1(a)(1) indicates that real estate agreements may be approved in closed session, as a practical and political matter, it is prudent to take final action on such agreements in open session so that the public may more fully participate in the deliberations.

**Note:** A joint powers agency may authorize in its agreement or bylaws the disclosure of confidential information by members of the agency’s legislative body to their district legislative body in a closed session as well as to legal counsel of a member district.<sup>98</sup>

## VII. Adjournments and Continuances

### Adjournments

The legislative body may adjourn any regular, adjourned regular, special or adjourned special meeting to a time and place specified in the order of adjournment. Less than a quorum may adjourn such meetings and if all members are absent, the clerk or secretary of the legislative body may declare the meeting adjourned. Written notice of the adjournment must be provided in the same manner as notice for special meetings. A copy of the order or notice of adjournment must be conspicuously posted on or near the door of the place where the meeting was held within 24 hours of adjournment. When a regular or adjourned regular meeting is adjourned, the resulting adjourned meeting is a regular meeting for all purposes. If the order of adjournment fails to state a specific hour for the next meeting, the meeting must be held at the hour designated for regular meetings.<sup>99</sup>

### Continuances

A duly noticed hearing may also be continued in the same manner as adjourned meetings. However, if the hearing is continued to a meeting that will occur in less than 24 hours, a copy of a notice of continuance must be posted immediately following the meeting at which the continuance was adopted.<sup>100</sup>



## VIII. Remedies and Penalties for Violations

**Note:** If the challenged meeting involves only deliberation and no action is taken, there can be no misdemeanor penalty. Moreover, as with most criminal statutes, it is often difficult to prove criminal intent. As a result, criminal enforcement of the Brown Act is rare.

### Criminal Penalties

A member of a legislative body may be charged with a misdemeanor where (a) the member attends a meeting where an action is taken in violation of the Brown Act, and (b) the member intends to deprive the public of information to which the public is entitled under the Brown Act.<sup>101</sup>

### Civil Action to Prevent Future Violations

The district attorney or any interested person may file a civil action to:

- Stop or prevent a threatened violation of the Brown Act.<sup>102</sup>
- Determine the applicability of the Brown Act to ongoing actions or threatened future action of the legislative body.<sup>103</sup>
- Determine whether any rule or action by the legislative body to penalize or otherwise discourage the expression of one or more of its members is valid under state or federal law.<sup>104</sup>
- Compel the legislative body to tape record its closed sessions.<sup>105</sup>
- Determine that an action of a legislative body violated the Brown Act and the action is null and void.<sup>106</sup>

### Opportunity for the legislative body to cure and correct alleged violations<sup>107</sup>

Before filing a legal action alleging that a legislative body violated the Brown Act, the complaining party must send a written “cure or correct” demand to the legislative body. The demand must clearly describe the challenged action, the nature of the alleged violation, and the “cure” sought, and must be sent within 90 days of the alleged violation (or 30 days if the action was taken in open session but in violation of § 54952.2, which defines “meetings”). The legislative body has up to 30 days to cure and correct its action. If it does not act, any lawsuit must commence within 15 days after (a) receipt of written notice from the legislative body of such non-action, or (b) the expiration of the 30-day cure period if the legislative body does not respond to the cure request.



## VIII. Remedies and Penalties for Violations (continued)

### Opportunity for the legislative body to commit to cease & desist alleged past actions or practices <sup>108</sup>

Prior to commencing an action to determine if past actions of a legislative body are a violation of the Brown Act under § 54960, the complaining party must send a “cease and desist letter.” The cease-and-desist letter must be sent within nine months of the alleged violation. The legislative body may respond to the cease-and-desist letter within 30 days by making an unconditional commitment to cease and desist from the past action in open session at a regular or special meeting as a separate item of business, and not on its consent agenda, and providing such commitment to the complaining party. The commitment must state that:

- The legislative body has received the cease-and-desist letter; and
- The legislative body unconditionally commits to cease and desist from the challenged action; and

If the legislative body chooses to send an unconditional commitment agreeing to cease-and-desist from the challenged conduct within 30 days of receipt of the cease and desist letter, then no legal action can be commenced. Any party sending a cease-and-desist letter can commence a legal action challenging past conduct of a legislative body on whichever is earlier: (a) 60 days

of receiving a response other than an unconditional commitment to cease-and-desist; or (b) within 60 days of the expiration of the legislative body’s 30-day time period to respond to the cease-and-desist letter.



### Compliance Tip

The cure & correct and cease & desist options allow a legislative body to avoid litigation over alleged Brown Act violations unless it is abundantly clear that no violation occurred, and a district wants to defend what it believes to be a correct policy or procedure. And even if a legislative body waits to cure or correct an alleged violation until after a lawsuit is commenced, an action seeking invalidation must be dismissed. Because a subsequent cure or correction cannot be introduced as evidence of a violation of the Brown Act, there is rarely a legitimate reason for a legislative body not to take any post-lawsuit steps to cure or correct an alleged violation if there is any question as to Brown Act compliance. <sup>109</sup>

## VIII. Remedies and Penalties for Violations (continued)



**If a court finds that a legislative body violated the Brown Act, the plaintiff may be awarded costs and attorney fees.**

### Invalidation of Certain Types of Actions

Only actions taken in violation of the Brown Act under the following circumstances may be invalidated:<sup>110</sup>

- the basic open meeting provision;<sup>111</sup>
- notice and agenda requirements for regular meetings and closed sessions;<sup>112</sup>
- tax hearings;<sup>113</sup>
- special meetings;<sup>114</sup> and
- emergency situations.<sup>115</sup>

Certain actions taken in violation of the Brown Act will not be invalidated if they involve:<sup>116</sup>

- substantial compliance;
- sale or issuance of notes, bonds or other indebtedness, or related contracts or agreements;
- a contractual obligation upon which a party has in good faith relied to its detriment;
- the collection of any tax; or
- the complaining party had actual notice at least 72 hours prior to the meeting at which the action is taken.

### Award of Costs and Attorney Fees

If a court finds that a legislative body violated the Brown Act, the plaintiff may be awarded costs and attorney fees.<sup>117</sup> The costs and fees are the liability of the district and not its officers or employees. A district may only recover its costs and attorney fees if it wins, and the court determines that the lawsuit was “clearly frivolous and totally lacking in merit.”<sup>118</sup>







# Acknowledgment and Endnotes

Special thanks to our contributing editors Donald M. Davis of Burke Williams & Sorensen, LLP, Kane Thuyen, and CSDA Chief Counsel Mustafa Hessabi.

## Endnotes

1. The Brown Act is codified in the Government Code starting at Section 54950. Unless otherwise indicated, all statutory references are to the California Government Code.
2. Please note that school districts and community college districts have a number of unique Brown Act provisions applicable only to such special districts that are outside the scope of this manual.
3. § 54950.
4. § 54953(a).
5. *Epstein v. Hollywood Entertainment Dist. II Bus. Improvement Dist.* (2001) 87 Cal.App.4th 862, 867.
6. § 54952(a).
7. § 54952.1.
8. § 54952(b).
9. § 54952(b).
10. See *Joiner v. City of Sebastopol* (1981) 125 Cal.App.3d 799, 805; *Frazer v. Dixon Unified School District* (1993) 18 Cal.App.4th 781, 792-793.
11. See *McKee v. Los Angeles Interagency Metropolitan Police Apprehension Crime Task Force* (2005) 134 Cal.App.4th 354.
12. § 54952(c).
13. See also 107 Ops.Cal.Atty.Gen. 1; 85 Ops.Cal.Atty.Gen. 55; and *International Longshoreman's & Warehouseman's Union v. L.A. Export Terminal, Inc.* (1999) 69 Cal.App.4th 287.
14. See 56 Ops. Cal Atty Gen 14 (1973).
15. § 54952.2(a).
16. § 54952.6.
17. § 54952.2(b)(1).
18. See Op.Cal.Atty.Gen. No. 00-906 (2001), available at <https://oag.ca.gov/system/files/opinions/pdfs/00-906.pdf>.
19. § 54953(b).
20. § 54953(b)(3).
21. § 54953(b)(4).
22. § 54953.8.2
23. § 8625.
24. Visit [www.csdanet.net](http://www.csdanet.net) to find a copy of the CSDA Emergency Teleconferencing ("AB 361") Implementation Guide and Sample Resolutions to assist with transitioning to remote emergency teleconferencing meetings.
25. § 54953(e).
26. §§ 54952.2(b)(2), 54952.2(c)(1).
27. § 54952.2(b)(3). These changes are in effect only until January 1, 2026, unless extended or made permanent by the Legislature and Governor.
28. § 54952.2(b)(3)(B)(i).



## Endnotes (continued)

29. § 54952.2(c)(2)-(6).
30. § 54954(a).
31. § 54956.
32. § 54955.
33. § 54956.5.
34. § 54953(e).
35. § 54954(b).
36. § 54954(d).
37. § 54954(e).
38. § 54954.2; See also *San Joaquin Raptor Rescue v. County of Merced* (2013) 216 Cal.App.4th 1167 [Brown Act violated where agenda description for project approval did not include proposed approval of CEQA action (mitigated negative declaration)].
39. §§ 54954.2 and 54956.
40. § 53087.8(a)(3).
41. See Op.Cal.Atty.Gen. No. 14-1203 (2016), available at <https://oag.ca.gov/system/files/opinions/pdfs/14-1203.pdf>.
42. §§ 54954.2.
43. § 54954.2(a).
44. See *Cruz v. City of Culver City* (2016) 2 Cal.App.5th 239, 250.
45. § 54954.2(b).
46. § 54952.3.
47. § 54953.
48. § 54953.3.
49. § 54961(a).
50. § 54961(a).
51. § 54953(b)(3).
52. § 54953.2.
53. 42 U.S.C. § 12101 et seq.
54. 42 U.S.C. § 12132; 28 C.F.R. § 35.149.
55. 28 C.F.R. §§ 35.149, 35.150.
56. Department of Justice Technical Assistance Manual (Title II), Section II-5.1000. The Manual is available at: <https://www.ada.gov/taman2.html>.
57. 28 C.F.R. §§ 35.150, 35.151.
58. §§ 54954.2(a), 54954.1, 54957.5(b).
59. § 54957.5.
60. § 54957.5(b)(2).
61. § 54957.5(c).
62. *Sierra Watch v. Placer County* (2021) 69 Cal.App.5th 1.
63. § 54954.1.
64. § 54957.5 (c).
65. § 54953.5(b); see also § 6253(b).
66. § 54954.3.
67. § 54954.3(a).
68. § 54954.3; See *Chaffee v. San Francisco Public Library Commission* (2005) 134 Cal.App.4th 109.
69. § 54954.3(b)(2). Exception may apply if simultaneous translation equipment is provided.
70. §§ 54957.5 and 54953.5.
71. *Acosta v. City of Costa Mesa* (9th Cir. 2013) 718 F.3d 800 [“in-solent” remarks did not constitute actual disruption]; *Norse v. City of Santa Cruz* ((9th Cir. 2010) 629 F.3d 966 [silent Nazi salute directed at mayor is not a disruption].
72. § 54957.9.
73. § 54957.9.
74. § 54954.3(c).
75. *White v. City of Norwalk* (9th Cir. 1990) 900 F.2d 1421.
76. The Brown Act provides a format for describing closed sessions, which if substantially followed, create a “safe harbor” from any alleged notice violations of the Brown Act. See § 54954.5. This manual provides adapted versions of such safe harbor descriptions.
77. For a complete list of all permissible closed session matters see § 54954.5.
78. § 54957(b)(1).
79. § 54957(b)(2); see also *Fischer v. Los Angeles Unified School District* (1999) 70 Cal.App.4th 87 [decision by school board not to reemploy probationary employees based on the evaluation of performance, but not specific complaints or charges, does not require 24 hours’ advance written notice]; and *San Diego Civil Service Com. v. Bollinger* (1999) 71 Cal.App.4th 568 [if charges have already been heard and sustained at a public evidentiary hearing, employee notice of closed session is not required].
80. § 54957(b)(4).
81. *San Diego Union v. City Council* (1983) 146 Cal.App.3d 947 [two-step process contemplated: (1) closed session for evaluation of performance or appointment; (2) open session for setting employee’s salary].
82. § 54957.6.
83. § 54953(d).
84. See *Fowler v. City of Lafayette* (2020) 45 Cal.App.5th 68.
85. § 54956.9.
86. In addition, the agency may be required to provide additional information on the agenda or in an oral statement prior to the closed session pursuant to Section 54956.9(e)(2) to (5).
87. See for example, “The Brown Act,” California Attorney General (2003), p.40.
88. See Op.Cal.Atty.Gen. No. 10-206 (2011), available at <https://oag.ca.gov/system/files/opinions/pdfs/10-206.pdf>.
89. See *Shapiro v. San Diego City Council* (2002) 96 Cal.App. 4th 904.
90. § 54956.7.
91. § 54957(a).
92. § 54957.7.
93. See Op.Cal.Atty.Gen. No. 03-604 (2003), available at <https://oag.ca.gov/system/files/opinions/pdfs/03-604.pdf>.
94. See §§ 54957.1 and 54957.7.
95. § 54957.1.
96. See §§ 54957.1 and 54957.7.
97. § 54963.
98. § 54956.96.
99. § 54955.
100. § 54955.1.
101. § 54959.
102. § 54960(a).
103. § 54960 (a).
104. § 54960 (a).
105. § 54960 (b).

## Endnotes (continued)

106. § 54960.1(a).
107. § 54960.1.
108. § 54960.2.
109. § 54960.1(e) and (f).
110. § 54960.1(a).
111. § 54953.
112. §§ 54954.2 and 54954.5.
113. § 54954.6.
114. § 54956.
115. § 54956.5; see also § 54960.1.
116. § 54960.1(d).
117. See *Los Angeles Times Communications v. Los Angeles County Board of Supervisors* (2003) 112 Cal.App.4th 1313 [“fees are ‘presumptively appropriate’ and a successful plaintiff ‘should ordinarily recover attorney’s fees unless special circumstances would render such an award unjust’”].
118. § 54960.5.
119. § 54957.5.
120. § 54957.95.
121. Section 54953.8.3.
122. 107 Ops.Cal.Atty.Gen. 107.
123. 107 Cal.Ops.Atty.Gen. 47.
124. § 54953(c).
125. § 54954.3(a)(2).
126. § 54957.96.
127. § 54953.8.6.
128. § 54953.8.1.
129. § 54953.8.4.
130. § 54953.8.5.
131. § 54953.8.7.
132. § 54953.4.







# Appendix – Copy of Ralph M. Brown Act\*

## GOVERNMENT CODE - GOV

### TITLE 5. LOCAL AGENCIES [50001 - 57607]

*(Title 5 added by Stats. 1949, Ch. 81.)*

### DIVISION 2. CITIES, COUNTIES, AND OTHER AGENCIES [53000 - 55821]

*(Division 2 added by Stats. 1949, Ch. 81.)*

### PART 1. POWERS AND DUTIES COMMON TO CITIES, COUNTIES, AND OTHER AGENCIES [53000 - 54999.7] *(Part 1 added by Stats. 1949, Ch. 81.)*

## CHAPTER 9. Meetings [54950 - 54963]

*(Chapter 9 added by Stats. 1953, Ch. 1588.)*

**54950.** In enacting this chapter, the Legislature finds and declares that the public commissions, boards and councils and the other public agencies in this State exist to aid in the conduct of the people's business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly.

The people of this State do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.

*(Added by Stats. 1953, Ch. 1588.)*

**54950.5.** This chapter shall be known as the Ralph M. Brown Act.

*(Added by Stats. 1961, Ch. 115.)*

**54951.** As used in this chapter, "local agency" means a county, city, whether general law or chartered, city and county, town, school district, municipal corporation, district, political subdivision, or any board, commission or agency thereof, or other local public agency.

*(Amended by Stats. 1959, Ch. 1417.)*

**54952.** As used in this chapter, "legislative body" means:

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

(b) 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. However, advisory committees, composed solely of the members of the legislative body that are less than a quorum of the legislative body are not legislative bodies, except that standing committees of a legislative body, irrespective of their composition, which have a continuing subject matter jurisdiction, or a meeting schedule fixed by charter, ordinance, resolution, or formal action of a legislative body are legislative bodies for purposes of this chapter.

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

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

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

(2) Notwithstanding subparagraph (B) of paragraph (1), no board, commission, committee, or other multimember body that governs a private corporation, limited liability company, or other entity that receives funds from a local agency and, as of February 9, 1996, has a member of the legislative body of the local agency as a full voting member of the governing body of that private corporation, limited liability company, or other entity shall be relieved from the public meeting requirements of this chapter by virtue of a change in status of the full voting member to a nonvoting member.

(d) The lessee of any hospital the whole or part of which is first leased pursuant to subdivision (p) of Section 32121 of the Health and Safety

Code after January 1, 1994, where the lessee exercises any material authority of a legislative body of a local agency delegated to it by that legislative body whether the lessee is organized and operated by the local agency or by a delegated authority.

(Amended by Stats. 2002, Ch. 1073, Sec. 2. Effective January 1, 2003.)

**54952.1.** Any person elected to serve as a member of a legislative body who has not yet assumed the duties of office shall conform his or her conduct to the requirements of this chapter and shall be treated for purposes of enforcement of this chapter as if he or she has already assumed office.

(Amended by Stats. 1994, Ch. 32, Sec. 2. Effective March 30, 1994. Operative April 1, 1994, by Sec. 23 of Ch. 32.)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(Amended (as amended by Stats. 2020, Ch. 89, Sec. 1) by Stats. 2025, Ch. 327, Sec. 1. (SB 707) Effective January 1, 2026.)

**54952.3.** (a) A legislative body that has convened a meeting and whose membership constitutes a quorum of any other legislative body may convene a meeting of that other legislative body, simultaneously or in serial order, only if a clerk or a member of the convened legislative body verbally announces, prior to convening any simultaneous or serial order meeting of that subsequent legislative body, the amount of compensation or stipend, if any, that each member will be entitled to receive as a

result of convening the simultaneous or serial meeting of the subsequent legislative body and identifies that the compensation or stipend shall be provided as a result of convening a meeting for which each member is entitled to collect compensation or a stipend. However, the clerk or member of the legislative body shall not be required to announce the amount of compensation if the amount of compensation is prescribed in statute and no additional compensation has been authorized by a local agency.

(b) For purposes of this section, compensation and stipend shall not include amounts reimbursed for actual and necessary expenses incurred by a member in the performance of the member's official duties, including, but not limited to, reimbursement of expenses relating to travel, meals, and lodging.

(Added by Stats. 2011, Ch. 91, Sec. 1. (AB 23) Effective January 1, 2012.)

**54952.6.** As used in this chapter, "action taken" means a collective decision made by a majority of the members of a legislative body, a collective commitment or promise by a majority of the members of a legislative body to make a positive or a negative decision, or an actual vote by a majority of the members of a legislative body when sitting as a body or entity, upon a motion, proposal, resolution, order or ordinance.

(Added by Stats. 1961, Ch. 1671.)

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

(Amended by Stats. 2025, Ch. 327, Sec. 3. (SB 707) Effective January 1, 2026.)

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

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

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

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

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

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

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

the public to address the legislative body directly pursuant to Section 54954.3.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) "Disability" means a physical disability or a mental disability as those

terms are defined in Section 12926 and used in Section 12926.1, or a disability as defined in Section 12102 of Title 42 of the United States Code.

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

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

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

(Amended (as amended by Stats. 2023, Ch. 534, Sec. 2) by Stats. 2025, Ch. 327, Sec. 4. (SB 707) Effective January 1, 2026.)

**54953.1.** The provisions of this chapter shall not be construed to prohibit the members of the legislative body of a local agency from giving testimony in private before a grand jury, either as individuals or as a body.

(Added by Stats. 1979, Ch. 950.)

**54953.2.** All meetings of a legislative body of a local agency that are open and public shall meet the protections and prohibitions contained in Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof.

(Added by Stats. 2002, Ch. 300, Sec. 5. Effective January 1, 2003.)

**54953.3.** A member of the public shall not be required, as a condition to attendance at a meeting of a legislative body of a local agency, to register his or her name, to provide other information, to complete a questionnaire, or otherwise to fulfill any condition precedent to his or her attendance.

If an attendance list, register, questionnaire, or other similar document is posted at or near the entrance to the room where the meeting is to be held, or is circulated to the persons present during the meeting, it shall state clearly that the signing, registering, or completion of the document is voluntary, and that all persons may attend the meeting regardless of whether a person signs, registers, or completes the document.

(Amended by Stats. 1981, Ch. 968, Sec. 28.)

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

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

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

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

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

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

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

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

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

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

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

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

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

(B) (i) All open and public meetings for which attendance via a two-way telephonic service or a two-way audiovisual platform is provided in ac-

cordance with paragraph (1) shall provide the public with an opportunity to provide public comment in accordance with Section 54954.3 via the two-way telephonic or two-way audiovisual platform, and ensure the opportunity for the members of the public participating via a two-way telephonic or two-way audiovisual platform to provide public comment with the same time allotment as a person attending a meeting in person.

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

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

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

(iii) Ensuring participants may utilize their personal equipment or reasonably access facilities for participants to access commercially available interpretation services.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(i) For an eligible legislative body that is a city council or county board of

supervisors, the applicable population shall be the population of the city or county.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(Added by Stats. 2025, Ch. 327, Sec. 5. (SB 707) Effective January 1, 2026. Operative July 1, 2026, by its own provisions. Repealed as of January 1, 2030, by its own provisions.)

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

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

(Amended by Stats. 2025, Ch. 327, Sec. 6. (SB 707) Effective January 1, 2026.)

**54953.6.** No legislative body of a local agency shall prohibit or otherwise restrict the broadcast of its open and public meetings in the absence of a reasonable finding that the broadcast cannot be accomplished without noise, illumination, or obstruction of view that would constitute a persistent disruption of the proceedings.

(Amended by Stats. 1994, Ch. 32, Sec. 6. Effective March 30, 1994. Operative April 1, 1994, by Sec. 23 of Ch. 32.)

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

(Amended by Stats. 2025, Ch. 327, Sec. 7. (SB 707) Effective January 1, 2026.)

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

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

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

(A) A two-way audiovisual platform.

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

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

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

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

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

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

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

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

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

(8) The legislative body shall have and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and resolving any doubt in favor of accessibility. In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the procedure for receiving and resolving requests for accommodation.

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

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

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

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

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

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

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

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

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

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

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

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

(Added by Stats. 2025, Ch. 327, Sec. 8. (SB 707) Effective January 1, 2026.)

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

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

(c) For purposes of this section, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed

pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(Added by Stats. 2025, Ch. 327, Sec. 9. (SB 707) Effective January 1, 2026.)

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

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

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

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

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

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

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

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

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

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

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

(Added by Stats. 2025, Ch. 327, Sec. 10. (SB 707) Effective January 1, 2026.)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(7) Military service obligations that result in a member being unable to attend in person because they are serving under official written orders

for active duty, drill, annual training, or any other duty required as a member of the California National Guard or a United States Military Reserve organization that requires the member to be at least 50 miles outside the boundaries of the local agency.

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

(Added by Stats. 2025, Ch. 327, Sec. 11. (SB 707) Effective January 1, 2026. Repealed as of January 1, 2030, by its own provisions.)

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

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

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

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

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

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

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

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

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

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

(1) "Accommodation" means providing a publicly accessible physical location for the member of the public to participate from, providing access to technology necessary to participate in the meeting, or identifying

locations or resources available that could provide the member of the public with an opportunity to participate in the meeting.

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

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

(Added by Stats. 2025, Ch. 327, Sec. 12. (SB 707) Effective January 1, 2026. Repealed as of January 1, 2030, by its own provisions.)

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

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

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

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

(C) Upon receiving notification from an eligible community college student organization as described in subparagraph (B), the board of trustees may adopt a resolution to prohibit the eligible community college student organization from using teleconferencing pursuant to this section.

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

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

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

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

(II) The person is incarcerated.

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

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

(ib) The person is participating in a program that has to remain confiden-

tial, including, but not limited to, an independent living program.

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

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

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

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

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

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

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

(Added by Stats. 2025, Ch. 327, Sec. 13. (SB 707) Effective January 1, 2026. Repealed as of January 1, 2030, by its own provisions.)

**54953.8.6.** (a) An eligible subsidiary body may conduct a teleconference meeting pursuant to Section 54953.8, provided that it complies with the requirements of that section and all of the following additional requirements:

(1) The eligible subsidiary body shall designate one physical meeting location within the boundaries of the legislative body that created the eligible subsidiary body where members of the subsidiary body who are not participating remotely shall be present and members of the public may physically attend, observe, hear, and participate in the meeting. At least one staff member of the eligible subsidiary body or the legislative body that created the eligible subsidiary body shall be present at the physical meeting location during the meeting. The eligible subsidiary body shall post the agenda at the physical meeting location, but need not post the agenda at a remote location.

(2) (A) A member of the eligible subsidiary body shall visibly appear on camera during the open portion of a meeting that is publicly accessible via the internet or other online platform, except if the member has a physical or mental condition not subject to subdivision (c) of Section 54953 that results in a need to participate off camera.

(B) The visual appearance of a member of the eligible subsidiary body on camera may cease only when the appearance would be technologically infeasible, including, but not limited to, when the member experiences a lack of reliable broadband or internet connectivity that would be remedied by joining without video.

(C) If a member of the eligible subsidiary body does not appear on camera due to challenges with internet connectivity, the member shall announce the reason for their nonappearance prior to turning off their camera.

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

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

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

(ii) Teleconference meetings of the eligible subsidiary body would enhance public access to meetings of the eligible subsidiary body, and the public has been made aware of the type of remote participation, including audio-visual or telephonic, that will be made available at a regularly scheduled meeting and has been provided the opportunity to comment at an in-person meeting of the legislative body authorizing the subsidiary body to meet entirely remotely.

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

(B) (i) An eligible subsidiary body authorized to use teleconferencing pursuant to this section may request to present any recommendations it develops to the legislative body that created it.

(ii) Upon receiving a request described in clause (i), the legislative body that created the subsidiary body shall hold a discussion at a regular meeting held within 60 days after the legislative body receives the request, or if the legislative body does not have another regular meeting scheduled within 60 days after the legislative body receives the request, at the next regular meeting after the request is received.

(iii) The discussion required by clause (ii) shall not be placed on a consent calendar, but may be combined with the legislative body’s subsequent consideration of the findings described in subparagraph (A) for the following 12 months.

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

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

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

(b) (1) For purposes of this section, “eligible subsidiary body” means a legislative body that meets all of the following:

(A) Is described in subdivision (b) of Section 54952.

(B) Serves exclusively in an advisory capacity.

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

(D) Does not have primary subject matter jurisdiction, as defined by the charter, an ordinance, a resolution, or any formal action of the legislative body that created the subsidiary body, that focuses on elections, budgets, police oversight, privacy, removing from, or restricting access to, materials available in public libraries, or taxes or related spending proposals.

(2) An eligible subsidiary body may include members who are elected officials, members who are not elected officials, or any combination thereof.

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

(Added by Stats. 2025, Ch. 327, Sec. 14. (SB 707) Effective January 1, 2026. Repealed as of January 1, 2030, by its own provisions.)

**54953.8.7.** (a) An eligible multijurisdictional body may conduct a teleconference meeting pursuant to Section 54953.8, provided that it complies with the requirements of that section and all of the following additional requirements:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(Added by Stats. 2025, Ch. 327, Sec. 15. (SB 707) Effective January 1, 2026. Repealed as of January 1, 2030, by its own provisions.)

**54954.** (a) Each legislative body of a local agency, except for advisory committees or standing committees, shall provide, by ordinance, resolution, bylaws, or by whatever other rule is required for the conduct of business by that body, the time and place for holding regular meetings. Meetings of advisory committees or standing committees, for which an agenda is posted at least 72 hours in advance of the meeting pursuant to subdivision (a) of Section 54954.2, shall be considered for purposes of this chapter as regular meetings of the legislative body.

(b) Regular and special meetings of the legislative body shall be held within the boundaries of the territory over which the local agency exercises jurisdiction, except to do any of the following:

(1) Comply with state or federal law or court order, or attend a judicial or administrative proceeding to which the local agency is a party.

(2) Inspect real or personal property which cannot be conveniently brought within the boundaries of the territory over which the local agency exercises jurisdiction provided that the topic of the meeting is

limited to items directly related to the real or personal property.

(3) Participate in meetings or discussions of multiagency significance that are outside the boundaries of a local agency's jurisdiction. However, any meeting or discussion held pursuant to this subdivision shall take place within the jurisdiction of one of the participating local agencies and be noticed by all participating agencies as provided for in this chapter.

(4) Meet in the closest meeting facility if the local agency has no meeting facility within the boundaries of the territory over which the local agency exercises jurisdiction, or at the principal office of the local agency if that office is located outside the territory over which the agency exercises jurisdiction.

(5) Meet outside their immediate jurisdiction with elected or appointed officials of the United States or the State of California when a local meeting would be impractical, solely to discuss a legislative or regulatory issue affecting the local agency and over which the federal or state officials have jurisdiction.

(6) Meet outside their immediate jurisdiction if the meeting takes place in or nearby a facility owned by the agency, provided that the topic of the meeting is limited to items directly related to the facility.

(7) Visit the office of the local agency's legal counsel for a closed session on pending litigation held pursuant to Section 54956.9, when to do so would reduce legal fees or costs.

(c) Meetings of the governing board of a school district shall be held within the district, except under the circumstances enumerated in subdivision (b), or to do any of the following:

(1) Attend a conference on nonadversarial collective bargaining techniques.

(2) Interview members of the public residing in another district with reference to the trustees' potential employment of an applicant for the position of the superintendent of the district.

(3) Interview a potential employee from another district.

(d) Meetings of a joint powers authority shall occur within the territory of at least one of its member agencies, or as provided in subdivision (b). However, a joint powers authority which has members throughout the state may meet at any facility in the state which complies with the requirements of Section 54961.

(e) If, by reason of fire, flood, earthquake, or other emergency, it shall be unsafe to meet in the place designated, the meetings shall be held for the duration of the emergency at the place designated by the presiding officer of the legislative body or his or her designee in a notice to the local media that have requested notice pursuant to Section 54956, by the most rapid means of communication available at the time.

(Amended by Stats. 2004, Ch. 257, Sec. 1. Effective January 1, 2005.)

**54954.1.** Any person may request that a copy of the agenda, or a copy of all the documents constituting the agenda packet, of any meeting of a legislative body be mailed to that person. If a local agency has an internet website, the legislative body or its designee shall email a copy of, or website link to, the agenda or a copy of all the documents constituting the agenda packet if the person requests that the item or items be delivered by email. If the local agency determines it is technologically infeasible to send a copy of all documents constituting the agenda packet or a link to a website that contains the documents by email or by

other electronic means, the legislative body or its designee shall send by mail a copy of the agenda or a website link to the agenda and mail a copy of all other documents constituting the agenda packet in accordance with the mailing requirements established pursuant to this section. If requested, the agenda and documents in the agenda packet shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Upon receipt of the written request, the legislative body or its designee shall cause the requested materials to be mailed at the time the agenda is posted pursuant to Section 54954.2 and 54956 or upon distribution to all, or a majority of all, of the members of a legislative body, whichever occurs first. Any request for mailed copies of agendas or agenda packets shall be valid for the calendar year in which it is filed, and must be renewed following January 1 of each year. The legislative body may establish a fee for mailing the agenda or agenda packet, which fee shall not exceed the cost of providing the service. Failure of the requesting person to receive the agenda or agenda packet pursuant to this section shall not constitute grounds for invalidation of the actions of the legislative body taken at the meeting for which the agenda or agenda packet was not received.

(Amended by Stats. 2021, Ch. 763, Sec. 1. (SB 274) Effective January 1, 2022.)

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

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

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

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

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

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

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

(B) An online posting of an agenda, including, but not limited to, an agenda posted in an integrated agenda management platform, shall be posted in an open format that meets all of the following requirements:

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

(ii) Platform independent and machine readable.

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

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

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

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

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

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

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

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

(1) "Integrated agenda management platform" means an internet website of a city, county, city and county, special district, school district, or political subdivision established by the state dedicated to providing the entirety of the agenda information for the legislative body of the city, county, city and county, special district, school district, or political subdivision established by the state to the public.

(2) "Legislative body" means a legislative body that meets the definition of subdivision (a) of Section 54952.

(3) No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3. In addition, on their own initiative or in response to questions posed by the public, a member of a legislative body or its staff may ask a question

for clarification, make a brief announcement, or make a brief report on their own activities. Furthermore, a member of a legislative body, or the body itself, subject to rules or procedures of the legislative body, may provide a reference to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.

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

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

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

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

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

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

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

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

(Amended (as amended by Stats. 2023, Ch. 131, Sec. 92) by Stats. 2025, Ch. 327, Sec. 16. (SB 707) Effective January 1, 2026.)

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

(2) (A) Notwithstanding paragraph (1), the agenda need not provide an opportunity for members of the public to address the legislative body on any item that has already been considered by a committee, composed exclusively of members of the legislative body, at a public meeting wherein all interested members of the public were afforded the opportunity to address the committee on the item, before or during the committee's consideration of the item.

(B) Subparagraph (A) shall not apply if any of the following conditions are met:

(i) The item has been substantially changed since the committee heard the item, as determined by the legislative body.

(ii) When considering the item, a quorum of the committee members did not participate from a singular physical location, that was clearly identified on the agenda, open to the public, and situated within the boundaries of the territory over which the local agency exercises jurisdiction.

(iii) The committee has primary subject matter jurisdiction, as defined by the charter, an ordinance, a resolution, or any formal action of the legislative body that created the subsidiary body, that focuses on elections, budgets, police oversight, privacy, removing from, or restricting access to, materials available in public libraries, or taxes or related spending proposals. This clause shall not apply to an item if the local agency has adopted a law applicable to the meeting of the committee at which the item that was considered prohibits the committee from placing a limit on the total amount of time for public comment on the item.

(3) Every notice for a special meeting shall provide an opportunity for members of the public to directly address the legislative body concerning any item that has been described in the notice for the meeting before or during consideration of that item.

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

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

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

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

(Amended by Stats. 2025, Ch. 327, Sec. 17. (SB 707) Effective January 1, 2026.)

**54954.4.** (a) The Legislature hereby finds and declares that Section 12 of Chapter 641 of the Statutes of 1986, authorizing reimbursement to local agencies and school districts for costs mandated by the state pursuant to that act, shall be interpreted strictly. The intent of the Legislature is to provide reimbursement for only those costs which are clearly and unequivocally incurred as the direct and necessary result of compliance with Chapter 641 of the Statutes of 1986.

(b) In this regard, the Legislature directs all state employees and officials involved in reviewing or authorizing claims for reimbursement, or otherwise

participating in the reimbursement process, to rigorously review each claim and authorize only those claims, or parts thereof, which represent costs which are clearly and unequivocally incurred as the direct and necessary result of compliance with Chapter 641 of the Statutes of 1986 and for which complete documentation exists. For purposes of Section 54954.2, costs eligible for reimbursement shall only include the actual cost to post a single agenda for any one meeting.

(c) The Legislature hereby finds and declares that complete, faithful, and uninterrupted compliance with the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code) is a matter of overriding public importance. Unless specifically stated, no future Budget Act, or related budget enactments, shall, in any manner, be interpreted to suspend, eliminate, or otherwise modify the legal obligation and duty of local agencies to fully comply with Chapter 641 of the Statutes of 1986 in a complete, faithful, and uninterrupted manner.

(Added by Stats. 1991, Ch. 238, Sec. 1.)

**54954.5.** For purposes of describing closed session items pursuant to Section 54954.2, the agenda may describe closed sessions as provided below. No legislative body or elected official shall be in violation of Section 54954.2 or 54956 if the closed session items were described in substantial compliance with this section. Substantial compliance is satisfied by including the information provided below, irrespective of its format.

(a) With respect to a closed session held pursuant to Section 54956.7:

LICENSE/PERMIT DETERMINATION

Applicant(s): (Specify number of applicants)

(b) With respect to every item of business to be discussed in closed session pursuant to Section 54956.8:

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: (Specify street address, or if no street address, the parcel number or other unique reference, of the real property under negotiation)

Agency negotiator: (Specify names of negotiators attending the closed session) (If circumstances necessitate the absence of a specified negotiator, an agent or designee may participate in place of the absent negotiator so long as the name of the agent or designee is announced at an open session held prior to the closed session.)

Negotiating parties: (Specify name of party (not agent))

Under negotiation: (Specify whether instruction to negotiator will concern price, terms of payment, or both)

(c) With respect to every item of business to be discussed in closed session pursuant to Section 54956.9:

CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION

(Paragraph (1) of subdivision (d) of Section 54956.9)

Name of case: (Specify by reference to claimant's name, names of parties, case or claim numbers)

or

Case name unspecified: (Specify whether disclosure would jeopardize service of process or existing settlement negotiations)

#### CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: (Specify number of potential cases)

(In addition to the information noticed above, the agency may be required to provide additional information on the agenda or in an oral statement prior to the closed session pursuant to paragraphs (2) to (5), inclusive, of subdivision (e) of Section 54956.9.)

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: (Specify number of potential cases)

(d) With respect to every item of business to be discussed in closed session pursuant to Section 54956.95:

#### LIABILITY CLAIMS

Claimant: (Specify name unless unspecified pursuant to Section 54961)

Agency claimed against: (Specify name)

(e) With respect to every item of business to be discussed in closed session pursuant to Section 54957:

#### THREAT TO PUBLIC SERVICES OR FACILITIES

Consultation with: (Specify name of law enforcement agency and title of officer, or name of applicable agency representative and title)

#### PUBLIC EMPLOYEE APPOINTMENT

Title: (Specify description of position to be filled)

#### PUBLIC EMPLOYMENT

Title: (Specify description of position to be filled)

#### PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: (Specify position title of employee being reviewed)

#### PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

(No additional information is required in connection with a closed session to consider discipline, dismissal, or release of a public employee. Discipline includes potential reduction of compensation.)

(f) With respect to every item of business to be discussed in closed session pursuant to Section 54957.6:

#### CONFERENCE WITH LABOR NEGOTIATORS

Agency designated representatives: (Specify names of designated representatives attending the closed session) (If circumstances necessitate the absence of a specified designated representative, an agent or designee may participate in place of the absent representative so long as the name of the agent or designee is announced at an open session held prior to the closed session.)

Employee organization: (Specify name of organization representing employee or employees in question)

or

Unrepresented employee: (Specify position title of unrepresented employee who is the subject of the negotiations)

(g) With respect to closed sessions called pursuant to Section 54957.8:

#### CASE REVIEW/PLANNING

(No additional information is required in connection with a closed session to consider case review or planning.)

(h) With respect to every item of business to be discussed in closed session pursuant to Sections 1461, 32106, and 32155 of the Health and Safety Code or Sections 37606 and 37624.3 of the Government Code:

#### REPORT INVOLVING TRADE SECRET

Discussion will concern: (Specify whether discussion will concern proposed new service, program, or facility)

Estimated date of public disclosure: (Specify month and year)

#### HEARINGS

Subject matter: (Specify whether testimony/deliberation will concern staff privileges, report of medical audit committee, or report of quality assurance committee)

(i) With respect to every item of business to be discussed in closed session pursuant to Section 54956.86:

#### CHARGE OR COMPLAINT INVOLVING INFORMATION PROTECTED BY FEDERAL LAW

(No additional information is required in connection with a closed session to discuss a charge or complaint pursuant to Section 54956.86.)

(j) With respect to every item of business to be discussed in closed session pursuant to Section 54956.96:

#### CONFERENCE INVOLVING A JOINT POWERS AGENCY (Specify by name)

Discussion will concern: (Specify closed session description used by the joint powers agency)

Name of local agency representative on joint powers agency board: (Specify name)

(Additional information listing the names of agencies or titles of representatives attending the closed session as consultants or other representatives.)

(k) With respect to every item of business to be discussed in closed session pursuant to Section 54956.75:

#### AUDIT BY CALIFORNIA STATE AUDITOR'S OFFICE

(Amended by Stats. 2012, Ch. 759, Sec. 6.1. (AB 2690) Effective January 1, 2013.)

**54954.6.** (a) (1) Before adopting any new or increased general tax or any new or increased assessment, the legislative body of a local agency shall conduct at least one public meeting at which local officials shall allow public testimony regarding the proposed new or increased general tax or new or increased assessment in addition to the noticed public hearing at which the legislative body proposes to enact or increase the general tax or assessment.

For purposes of this section, the term "new or increased assessment" does not include any of the following:

(A) A fee that does not exceed the reasonable cost of providing the services, facilities, or regulatory activity for which the fee is charged.

(B) A service charge, rate, or charge, unless a special district's principal act requires the service charge, rate, or charge to conform to the requirements of this section.

(C) An ongoing annual assessment if it is imposed at the same or lower amount as any previous year.

(D) An assessment that does not exceed an assessment formula or range of assessments previously specified in the notice given to the public pursuant to subparagraph (G) of paragraph (2) of subdivision (c) and that was previously adopted by the agency or approved by the voters in the area where the assessment is imposed.

(E) Standby or immediate availability charges.

(2) The legislative body shall provide at least 45 days' public notice of the public hearing at which the legislative body proposes to enact or increase the general tax or assessment. The legislative body shall provide notice for the public meeting at the same time and in the same document as the notice for the public hearing, but the meeting shall occur prior to the hearing.

(b) (1) The joint notice of both the public meeting and the public hearing required by subdivision (a) with respect to a proposal for a new or increased general tax shall be accomplished by placing a display advertisement of at least one-eighth page in a newspaper of general circulation for three weeks pursuant to Section 6063 and by a first-class mailing to those interested parties who have filed a written request with the local agency for mailed notice of public meetings or hearings on new or increased general taxes. The public meeting pursuant to subdivision (a) shall take place no earlier than 10 days after the first publication of the joint notice pursuant to this subdivision. The public hearing shall take place no earlier than seven days after the public meeting pursuant to this subdivision. Notwithstanding paragraph (2) of subdivision (a), the joint notice need not include notice of the public meeting after the meeting has taken place. The public hearing pursuant to subdivision (a) shall take place no earlier than 45 days after the first publication of the joint notice pursuant to this subdivision. Any written request for mailed notices shall be effective for one year from the date on which it is filed unless a renewal request is filed. Renewal requests for mailed notices shall be filed on or before April 1 of each year. The legislative body may establish a reasonable annual charge for sending notices based on the estimated cost of providing the service.

(2) The notice required by paragraph (1) of this subdivision shall include, but not be limited to, the following:

(A) The amount or rate of the tax. If the tax is proposed to be increased from any previous year, the joint notice shall separately state both the existing tax rate and the proposed tax rate increase.

(B) The activity to be taxed.

(C) The estimated amount of revenue to be raised by the tax annually.

(D) The method and frequency for collecting the tax.

(E) The dates, times, and locations of the public meeting and hearing described in subdivision (a).

(F) The telephone number and address of an individual, office, or organization that interested persons may contact to receive additional information about the tax.

(c) (1) The joint notice of both the public meeting and the public hearing required by subdivision (a) with respect to a proposal for a new or increased assessment on real property or businesses shall be accomplished through a mailing, postage prepaid, in the United States mail and shall be deemed given when so deposited. The public meeting pursuant to subdivision (a) shall take place no earlier than 10 days after the joint mailing pursuant to this subdivision. The public hearing shall take place no earlier than seven days after the public meeting pursuant

to this subdivision. The envelope or the cover of the mailing shall include the name of the local agency and the return address of the sender. This mailed notice shall be in at least 10-point type and shall be given to all property owners or business owners proposed to be subject to the new or increased assessment by a mailing by name to those persons whose names and addresses appear on the last equalized county assessment roll, the State Board of Equalization assessment roll, or the local agency's records pertaining to business ownership, as the case may be.

(2) The joint notice required by paragraph (1) of this subdivision shall include, but not be limited to, the following:

(A) In the case of an assessment proposed to be levied on property, the estimated amount of the assessment per parcel. In the case of an assessment proposed to be levied on businesses, the proposed method and basis of levying the assessment in sufficient detail to allow each business owner to calculate the amount of assessment to be levied against each business. If the assessment is proposed to be increased from any previous year, the joint notice shall separately state both the amount of the existing assessment and the proposed assessment increase.

(B) A general description of the purpose or improvements that the assessment will fund.

(C) The address to which property owners may mail a protest against the assessment.

(D) The telephone number and address of an individual, office, or organization that interested persons may contact to receive additional information about the assessment.

(E) A statement that a majority protest will cause the assessment to be abandoned if the assessment act used to levy the assessment so provides. Notice shall also state the percentage of protests required to trigger an election, if applicable.

(F) The dates, times, and locations of the public meeting and hearing described in subdivision (a).

(G) A proposed assessment formula or range as described in subparagraph (D) of paragraph (1) of subdivision (a) if applicable and that is noticed pursuant to this section.

(3) Notwithstanding paragraph (1), in the case of an assessment that is proposed exclusively for operation and maintenance expenses imposed throughout the entire local agency, or exclusively for operation and maintenance assessments proposed to be levied on 50,000 parcels or more, notice may be provided pursuant to this subdivision or pursuant to paragraph (1) of subdivision (b) and shall include the estimated amount of the assessment of various types, amounts, or uses of property and the information required by subparagraphs (B) to (G), inclusive, of paragraph (2) of subdivision (c).

(4) Notwithstanding paragraph (1), in the case of an assessment proposed to be levied pursuant to Part 2 (commencing with Section 22500) of Division 2 of the Streets and Highways Code by a regional park district, regional park and open-space district, or regional open-space district formed pursuant to Article 3 (commencing with Section 5500) of Chapter 3 of Division 5 of, or pursuant to Division 26 (commencing with Section 35100) of, the Public Resources Code, notice may be provided pursuant to paragraph (1) of subdivision (b).

(d) The notice requirements imposed by this section shall be construed as additional to, and not to supersede, existing provisions of law, and shall be applied concurrently with the existing provisions so as to not

delay or prolong the governmental decisionmaking process.

(e) This section shall not apply to any new or increased general tax or any new or increased assessment that requires an election of either of the following:

(1) The property owners subject to the assessment.

(2) The voters within the local agency imposing the tax or assessment.

(f) Nothing in this section shall prohibit a local agency from holding a consolidated meeting or hearing at which the legislative body discusses multiple tax or assessment proposals.

(g) The local agency may recover the reasonable costs of public meetings, public hearings, and notice required by this section from the proceeds of the tax or assessment. The costs recovered for these purposes, whether recovered pursuant to this subdivision or any other provision of law, shall not exceed the reasonable costs of the public meetings, public hearings, and notice.

(h) Any new or increased assessment that is subject to the notice and hearing provisions of Article XIII C or XIII D of the California Constitution is not subject to the notice and hearing requirements of this section.

(Amended by Stats. 2011, Ch. 382, Sec. 3.5. (SB 194) Effective January 1, 2012.)

**54955.** The legislative body of a local agency may adjourn any regular, adjourned regular, special or adjourned special meeting to a time and place specified in the order of adjournment. Less than a quorum may so adjourn from time to time. If all members are absent from any regular or adjourned regular meeting the clerk or secretary of the legislative body may declare the meeting adjourned to a stated time and place and he shall cause a written notice of the adjournment to be given in the same manner as provided in Section 54956 for special meetings, unless such notice is waived as provided for special meetings. A copy of the order or notice of adjournment shall be conspicuously posted on or near the door of the place where the regular, adjourned regular, special or adjourned special meeting was held within 24 hours after the time of the adjournment. When a regular or adjourned regular meeting is adjourned as provided in this section, the resulting adjourned regular meeting is a regular meeting for all purposes. When an order of adjournment of any meeting fails to state the hour at which the adjourned meeting is to be held, it shall be held at the hour specified for regular meetings by ordinance, resolution, bylaw, or other rule.

(Amended by Stats. 1959, Ch. 647.)

**54955.1.** Any hearing being held, or noticed or ordered to be held, by a legislative body of a local agency at any meeting may by order or notice of continuance be continued or recontinued to any subsequent meeting of the legislative body in the same manner and to the same extent set forth in Section 54955 for the adjournment of meetings; provided, that if the hearing is continued to a time less than 24 hours after the time specified in the order or notice of hearing, a copy of the order or notice of continuance of hearing shall be posted immediately following the meeting at which the order or declaration of continuance was adopted or made.

(Added by Stats. 1965, Ch. 469.)

**54956.** (a) (1) A special meeting may be called at any time by the presiding officer of the legislative body of a local agency, or by a majority of the members of the legislative body, by delivering written notice to each member of the legislative body and to each local newspaper of general circulation and radio or television station requesting notice in writing and posting a notice on the local agency's internet website, if the local agency has one. The notice shall be delivered personally or by any other means and shall be received at least 24 hours before the time of the meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted or discussed. No other business shall be considered at these meetings by the legislative body. The written notice may be dispensed with as to any member who at or prior to the time the meeting convenes files with the clerk or secretary of the legislative body a written waiver of notice. The waiver may be given by telephone or electronic mail. The written notice may also be dispensed with as to any member who is actually present at the meeting at the time it convenes.

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

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

(Amended by Stats. 2025, Ch. 327, Sec. 18. (SB 707) Effective January 1, 2026.)

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

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

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

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

(2) Each local newspaper of general circulation and radio or television station that has requested notice of special meetings pursuant to Section 54956 shall be notified by the presiding officer of the legislative body, or designee thereof, one hour prior to the emergency meeting, or, in the case of a dire emergency, at or near the time that the presiding officer or designee notifies the members of the legislative body of the emergency meeting.

(A) Except as provided in subparagraph (B), the notice required by this

paragraph shall be given by telephone and all telephone numbers provided in the most recent request of a newspaper or station for notification of special meetings shall be exhausted. In the event that telephone services are not functioning, the notice requirements of this paragraph shall be deemed waived, and the legislative body, or designee of the legislative body, shall notify those newspapers, radio stations, or television stations of the fact of the holding of the emergency meeting, the purpose of the meeting, and any action taken at the meeting as soon after the meeting as possible.

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

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

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

(e) The minutes of a meeting called pursuant to this section, a list of persons who the presiding officer of the legislative body, or designee of the legislative body, notified or attempted to notify, a copy of the rollcall vote, and any actions taken at the meeting shall be posted for a minimum of 10 days in a public place as soon after the meeting as possible.

(Amended by Stats. 2025, Ch. 327, Sec. 19. (SB 707) Effective January 1, 2026.)

**54956.6.** No fees may be charged by the legislative body of a local agency for carrying out any provision of this chapter, except as specifically authorized by this chapter.

(Added by Stats. 1980, Ch. 1284.)

**54956.7.** Whenever a legislative body of a local agency determines that it is necessary to discuss and determine whether an applicant for a license or license renewal, who has a criminal record, is sufficiently rehabilitated to obtain the license, the legislative body may hold a closed session with the applicant and the applicant's attorney, if any, for the purpose of holding the discussion and making the determination. If the legislative body determines, as a result of the closed session, that the issuance or renewal of the license should be denied, the applicant shall be offered the opportunity to withdraw the application. If the applicant withdraws the application, no record shall be kept of the discussions or decisions made at the closed session and all matters relating to the

closed session shall be confidential. If the applicant does not withdraw the application, the legislative body shall take action at the public meeting during which the closed session is held or at its next public meeting denying the application for the license but all matters relating to the closed session are confidential and shall not be disclosed without the consent of the applicant, except in an action by an applicant who has been denied a license challenging the denial of the license.

(Added by Stats. 1982, Ch. 298, Sec. 1.)

**54956.75.** (a) Nothing contained in this chapter shall be construed to prevent the legislative body of a local agency that has received a confidential final draft audit report from the Bureau of State Audits from holding closed sessions to discuss its response to that report.

(b) After the public release of an audit report by the Bureau of State Audits, if a legislative body of a local agency meets to discuss the audit report, it shall do so in an open session unless exempted from that requirement by some other provision of law.

(Added by Stats. 2004, Ch. 576, Sec. 4. Effective January 1, 2005.)

**54956.8.** Notwithstanding any other provision of this chapter, a legislative body of a local agency may hold a closed session with its negotiator prior to the purchase, sale, exchange, or lease of real property by or for the local agency to grant authority to its negotiator regarding the price and terms of payment for the purchase, sale, exchange, or lease.

However, prior to the closed session, the legislative body of the local agency shall hold an open and public session in which it identifies its negotiators, the real property or real properties which the negotiations may concern, and the person or persons with whom its negotiators may negotiate.

For purposes of this section, negotiators may be members of the legislative body of the local agency.

For purposes of this section, "lease" includes renewal or renegotiation of a lease.

Nothing in this section shall preclude a local agency from holding a closed session for discussions regarding eminent domain proceedings pursuant to Section 54956.9.

(Amended by Stats. 1998, Ch. 260, Sec. 3. Effective January 1, 1999.)

**54956.81.** Notwithstanding any other provision of this chapter, a legislative body of a local agency that invests pension funds may hold a closed session to consider the purchase or sale of particular, specific pension fund investments. All investment transaction decisions made during the closed session shall be made by rollcall vote entered into the minutes of the closed session as provided in subdivision (a) of Section 54957.2.

(Added by Stats. 2004, Ch. 533, Sec. 20. Effective January 1, 2005.)

**54956.86.** Notwithstanding any other provision of this chapter, a legislative body of a local agency which provides services pursuant to Section 14087.3 of the Welfare and Institutions Code may hold a closed session to hear a charge or complaint from a member enrolled in its health plan if the member does not wish to have his or her name, medical status,

or other information that is protected by federal law publicly disclosed. Prior to holding a closed session pursuant to this section, the legislative body shall inform the member, in writing, of his or her right to have the charge or complaint heard in an open session rather than a closed session.

(Added by Stats. 1996, Ch. 182, Sec. 2. Effective January 1, 1997.)

**54956.87.** (a) Notwithstanding any other provision of this chapter, the records of a health plan that is licensed pursuant to the Knox-Keene Health Care Service Plan Act of 1975 (Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code) and that is governed by a county board of supervisors, whether paper records, records maintained in the management information system, or records in any other form, that relate to provider rate or payment determinations, allocation or distribution methodologies for provider payments, formulas or calculations for these payments, and contract negotiations with providers of health care for alternative rates are exempt from disclosure for a period of three years after the contract is fully executed. The transmission of the records, or the information contained therein in an alternative form, to the board of supervisors shall not constitute a waiver of exemption from disclosure, and the records and information once transmitted to the board of supervisors shall be subject to this same exemption.

(b) Notwithstanding any other provision of law, the governing board of a health plan that is licensed pursuant to the Knox-Keene Health Care Service Plan Act of 1975 (Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code) and that is governed by a county board of supervisors may order that a meeting held solely for the purpose of discussion or taking action on health plan trade secrets, as defined in subdivision (f), shall be held in closed session. The requirements of making a public report of action taken in closed session, and the vote or abstention of every member present, may be limited to a brief general description without the information constituting the trade secret.

(c) Notwithstanding any other provision of law, the governing board of a health plan may meet in closed session to consider and take action on matters pertaining to contracts and contract negotiations by the health plan with providers of health care services concerning all matters related to rates of payment. The governing board may delete the portion or portions containing trade secrets from any documents that were finally approved in the closed session held pursuant to subdivision (b) that are provided to persons who have made the timely or standing request.

(d) Nothing in this section shall be construed as preventing the governing board from meeting in closed session as otherwise provided by law.

(e) The provisions of this section shall not prevent access to any records by the Joint Legislative Audit Committee in the exercise of its powers pursuant to Article 1 (commencing with Section 10500) of Chapter 4 of Part 2 of Division 2 of Title 2. The provisions of this section also shall not prevent access to any records by the Department of Managed Health Care in the exercise of its powers pursuant to Article 1 (commencing with Section 1340) of Chapter 2.2 of Division 2 of the Health and Safety Code.

(f) For purposes of this section, "health plan trade secret" means a trade secret, as defined in subdivision (d) of Section 3426.1 of the Civil Code, that also meets both of the following criteria:

(1) The secrecy of the information is necessary for the health plan to

initiate a new service, program, marketing strategy, business plan, or technology, or to add a benefit or product.

(2) Premature disclosure of the trade secret would create a substantial probability of depriving the health plan of a substantial economic benefit or opportunity.

(Amended by Stats. 2015, Ch. 190, Sec. 65. (AB 1517) Effective January 1, 2016.)

**54956.9.** (a) Nothing in this chapter shall be construed to prevent a legislative body of a local agency, based on advice of its legal counsel, from holding a closed session to confer with, or receive advice from, its legal counsel regarding pending litigation when discussion in open session concerning those matters would prejudice the position of the local agency in the litigation.

(b) For purposes of this chapter, all expressions of the lawyer-client privilege other than those provided in this section are hereby abrogated. This section is the exclusive expression of the lawyer-client privilege for purposes of conducting closed-session meetings pursuant to this chapter.

(c) For purposes of this section, "litigation" includes any adjudicatory proceeding, including eminent domain, before a court, administrative body exercising its adjudicatory authority, hearing officer, or arbitrator.

(d) For purposes of this section, litigation shall be considered pending when any of the following circumstances exist:

(1) Litigation, to which the local agency is a party, has been initiated formally.

(2) A point has been reached where, in the opinion of the legislative body of the local agency on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the local agency.

(3) Based on existing facts and circumstances, the legislative body of the local agency is meeting only to decide whether a closed session is authorized pursuant to paragraph (2).

(4) Based on existing facts and circumstances, the legislative body of the local agency has decided to initiate or is deciding whether to initiate litigation.

(e) For purposes of paragraphs (2) and (3) of subdivision (d), "existing facts and circumstances" shall consist only of one of the following:

(1) Facts and circumstances that might result in litigation against the local agency but which the local agency believes are not yet known to a potential plaintiff or plaintiffs, which facts and circumstances need not be disclosed.

(2) Facts and circumstances, including, but not limited to, an accident, disaster, incident, or transactional occurrence that might result in litigation against the agency and that are known to a potential plaintiff or plaintiffs, which facts or circumstances shall be publicly stated on the agenda or announced.

(3) The receipt of a claim pursuant to the Government Claims Act (Division 3.6 (commencing with Section 810) of Title 1 of the Government Code) or some other written communication from a potential plaintiff threatening litigation, which claim or communication shall be available for public inspection pursuant to Section 54957.5.

(4) A statement made by a person in an open and public meeting threatening litigation on a specific matter within the responsibility of the legislative body.

(5) A statement threatening litigation made by a person outside an open and public meeting on a specific matter within the responsibility of the legislative body so long as the official or employee of the local agency receiving knowledge of the threat makes a contemporaneous or other record of the statement prior to the meeting, which record shall be available for public inspection pursuant to Section 54957.5. The records so created need not identify the alleged victim of unlawful or tortious sexual conduct or anyone making the threat on their behalf, or identify a public employee who is the alleged perpetrator of any unlawful or tortious conduct upon which a threat of litigation is based, unless the identity of the person has been publicly disclosed.

(f) Nothing in this section shall require disclosure of written communications that are privileged and not subject to disclosure pursuant to the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1).

(g) Prior to holding a closed session pursuant to this section, the legislative body of the local agency shall state on the agenda or publicly announce the paragraph of subdivision (d) that authorizes the closed session. If the session is closed pursuant to paragraph (1) of subdivision (d), the body shall state the title of or otherwise specifically identify the litigation to be discussed, unless the body states that to do so would jeopardize the agency's ability to effectuate service of process upon one or more unserved parties, or that to do so would jeopardize its ability to conclude existing settlement negotiations to its advantage.

(h) A local agency shall be considered to be a "party" or to have a "significant exposure to litigation" if an officer or employee of the local agency is a party or has significant exposure to litigation concerning prior or prospective activities or alleged activities during the course and scope of that office or employment, including litigation in which it is an issue whether an activity is outside the course and scope of the office or employment.

(Amended by Stats. 2021, Ch. 615, Sec. 206. (AB 474) Effective January 1, 2022. Operative January 1, 2023, pursuant to Sec. 463 of Stats. 2021, Ch. 615.)

**54956.95.** (a) Nothing in this chapter shall be construed to prevent a joint powers agency formed pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1, for purposes of insurance pooling, or a local agency member of the joint powers agency, from holding a closed session to discuss a claim for the payment of tort liability losses, public liability losses, or workers' compensation liability incurred by the joint powers agency or a local agency member of the joint powers agency.

(b) Nothing in this chapter shall be construed to prevent the Local Agency Self-Insurance Authority formed pursuant to Chapter 5.5 (commencing with Section 6599.01) of Division 7 of Title 1, or a local agency member of the authority, from holding a closed session to discuss a claim for the payment of tort liability losses, public liability losses, or workers' compensation liability incurred by the authority or a local agency member of the authority.

(c) Nothing in this section shall be construed to affect Section 54956.9 with respect to any other local agency.

(Added by Stats. 1989, Ch. 882, Sec. 3.)

**54956.96.** (a) Nothing in this chapter shall be construed to prevent the legislative body of a joint powers agency formed pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1, from adopting a policy or a bylaw or including in its joint powers agreement provisions that authorize either or both of the following:

(1) All information received by the legislative body of the local agency member in a closed session related to the information presented to the joint powers agency in closed session shall be confidential. However, a member of the legislative body of a local agency member may disclose information obtained in a closed session that has direct financial or liability implications for that local agency to the following individuals:

(A) Legal counsel of that local agency member for purposes of obtaining advice on whether the matter has direct financial or liability implications for that local agency member.

(B) Other members of the legislative body of the local agency present in a closed session of that local agency member.

(2) Any designated alternate member of the legislative body of the joint powers agency who is also a member of the legislative body of a local agency member and who is attending a properly noticed meeting of the joint powers agency in lieu of a local agency member's regularly appointed member to attend closed sessions of the joint powers agency.

(b) (1) In addition to the authority described in subdivision (a), the Clean Power Alliance of Southern California, or its successor entity, may adopt a policy or a bylaw or include in its joint powers agreement a provision that authorizes both of the following:

(A) A designated alternate member of the legislative body of the Clean Power Alliance of Southern California, or its successor entity, who is not a member of the legislative body of a local agency member and who is attending a properly noticed meeting of the Clean Power Alliance of Southern California, or its successor entity, in lieu of a local agency member's regularly appointed member, to attend closed sessions of the Clean Power Alliance of Southern California, or its successor entity.

(B) All information that is received by a designated alternate member of the legislative body of the Clean Power Alliance of Southern California, or its successor entity, who is not a member of the legislative body of a local agency member, and that is presented to the Clean Power Alliance of Southern California, or its successor entity, in closed session, shall be confidential. However, the designated alternate member may disclose information obtained in a closed session that has direct financial or liability implications for the local agency member for which the designated alternate member attended the closed session, to the following individuals:

(i) Legal counsel of that local agency member for purposes of obtaining advice on whether the matter has direct financial or liability implications for that local agency member.

(ii) Members of the legislative body of the local agency present in a closed session of that local agency member.

(2) If the Clean Power Alliance of Southern California, or its successor

entity, adopts a policy or bylaw or includes in its joint powers agreement a provision authorized pursuant to paragraph (1), the Clean Power Alliance of Southern California, or its successor entity, shall establish policies to prevent conflicts of interest and to address breaches of confidentiality that apply to a designated alternate member who is not a member of the legislative body of a local agency member who attends a closed session of the Clean Power Alliance of Southern California, or its successor entity.

(c) If the legislative body of a joint powers agency adopts a policy or a bylaw or includes provisions in its joint powers agreement pursuant to subdivision (a) or (b), then the legislative body of the local agency member, upon the advice of its legal counsel, may conduct a closed session in order to receive, discuss, and take action concerning information obtained in a closed session of the joint powers agency pursuant to paragraph (1) of subdivision (a) or paragraph (1) of subdivision (b).

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

(Amended (as amended by Stats. 2019, Ch. 248, Sec. 1) by Stats. 2024, Ch. 24, Sec. 1. (AB 1852) Effective January 1, 2025. Repealed as of January 1, 2030, by its own provisions. See later operative version, as amended by Sec. 2 of Stats. 2024, Ch. 24.)

**54956.96.** (a) Nothing in this chapter shall be construed to prevent the legislative body of a joint powers agency formed pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1, from adopting a policy or a bylaw or including in its joint powers agreement provisions that authorize either or both of the following:

(1) All information received by the legislative body of the local agency member in a closed session related to the information presented to the joint powers agency in closed session shall be confidential. However, a member of the legislative body of a local agency member may disclose information obtained in a closed session that has direct financial or liability implications for that local agency to the following individuals:

(A) Legal counsel of that local agency member for purposes of obtaining advice on whether the matter has direct financial or liability implications for that local agency member.

(B) Other members of the legislative body of the local agency present in a closed session of that local agency member.

(2) A designated alternate member of the legislative body of the joint powers agency who is also a member of the legislative body of a local agency member and who is attending a properly noticed meeting of the joint powers agency in lieu of a local agency member's regularly appointed member to attend closed sessions of the joint powers agency.

(b) If the legislative body of a joint powers agency adopts a policy or a bylaw or includes provisions in its joint powers agreement pursuant to subdivision (a), then the legislative body of the local agency member, upon the advice of its legal counsel, may conduct a closed session in order to receive, discuss, and take action concerning information obtained in a closed session of the joint powers agency pursuant to paragraph (1) of subdivision (a).

(c) This section shall become operative on January 1, 2030.

(Amended (as added by Stats. 2019, Ch. 248, Sec. 2) by Stats. 2024, Ch. 24, Sec. 2. (AB 1852) Effective January 1, 2025. Section operative January 1, 2030, by its own provisions.)

**54956.97.** Notwithstanding any provision of law, the governing board, or a committee of the governing board, of a public bank, as defined in Section 57600 of the Government Code, may meet in closed session to consider and take action on matters pertaining to all of the following:

(a) A loan or investment decision.

(b) A decision of the internal audit committee, the compliance committee, or the governance committee.

(c) A meeting with a state or federal regulator.

(Added by Stats. 2019, Ch. 442, Sec. 14. (AB 857) Effective January 1, 2020.)

**54956.98.** (a) For purposes of this section, the following definitions shall apply:

(1) "Shareholder, member, or owner local agency" or "shareholder, member, or owner" means a local agency that is a shareholder of a public bank.

(2) "Public bank" has the same meaning as defined in Section 57600.

(b) The governing board of a public bank may adopt a policy or a bylaw or include in its governing documents provisions that authorize any of the following:

(1) All information received by a shareholder, member, or owner of the public bank in a closed session related to the information presented to the governing board of a public bank in closed session shall be confidential. However, a member of the governing board of a shareholder, member, or owner local agency may disclose information obtained in a closed session that has direct financial or liability implications for that local agency to the following individuals:

(A) Legal counsel of that shareholder, member, or owner local agency for purposes of obtaining advice on whether the matter has direct financial or liability implications for that shareholder local agency.

(B) Other members of the governing board of the local agency present in a closed session of that shareholder, member, or owner local agency.

(2) A designated alternate member of the governing board of the public bank who is also a member of the governing board of a shareholder, member, or owner local agency and who is attending a properly noticed meeting of the public bank governing board in lieu of a shareholder, member, or owner local agency's regularly appointed member may attend a closed session of the public bank governing board.

(c) If the governing board of a public bank adopts a policy or a bylaw or includes provisions in its governing documents pursuant to subdivision (b), then the governing board of the shareholder, member, or owner local agency, upon the advice of its legal counsel, may conduct a closed session in order to receive, discuss, and take action concerning information obtained in a closed session of the public bank governing board pursuant to paragraph (1) of subdivision (b).

(Added by Stats. 2019, Ch. 442, Sec. 15. (AB 857) Effective January 1, 2020.)

**54957.** (a) (1) This chapter does not prevent the legislative body of a local agency from holding closed sessions with the Governor, Attorney General, district attorney, agency counsel, sheriff, or chief of police, or other law enforcement or security personnel, or a security consultant or

a security operations manager, on matters posing a threat to the security of public buildings, a threat to the security of essential public services, including water, drinking water, wastewater treatment, natural gas service, and electric service, a threat to the public's right of access to public services or public facilities, or a threat to critical infrastructure controls or critical infrastructure information relating to cybersecurity.

(2) For purposes of this subdivision, the following definitions apply:

(A) "Critical infrastructure controls" means networks and systems controlling assets so vital to the local agency that the incapacity or destruction of those networks, systems, or assets would have a debilitating impact on public health, safety, economic security, or any combination thereof.

(B) "Critical infrastructure information" means information not customarily in the public domain pertaining to any of the following:

(i) Actual, potential, or threatened interference with, or an attack on, compromise of, or incapacitation of critical infrastructure controls by either physical or computer-based attack or other similar conduct, including, but not limited to, the misuse of, or unauthorized access to, all types of communications and data transmission systems, that violates federal, state, or local law or harms public health, safety, or economic security, or any combination thereof.

(ii) The ability of critical infrastructure controls to resist any interference, compromise, or incapacitation, including, but not limited to, any planned or past assessment or estimate of the vulnerability of critical infrastructure.

(iii) Any planned or past operational problem or solution regarding critical infrastructure controls, including, but not limited to, repair, recovery, reconstruction, insurance, or continuity, to the extent it is related to interference, compromise, or incapacitation of critical infrastructure controls.

(b) (1) Subject to paragraph (2), this chapter does not prevent the legislative body of a local agency from holding closed sessions during a regular or special meeting to consider the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee or to hear complaints or charges brought against the employee by another person or employee unless the employee requests a public session.

(2) As a condition to holding a closed session on specific complaints or charges brought against an employee by another person or employee, the employee shall be given written notice of their right to have the complaints or charges heard in an open session rather than a closed session, which notice shall be delivered to the employee personally or by mail at least 24 hours before the time for holding the session. If notice is not given, any disciplinary or other action taken by the legislative body against the employee based on the specific complaints or charges in the closed session shall be null and void.

(3) The legislative body also may exclude from the public or closed meeting, during the examination of a witness, any or all other witnesses in the matter being investigated by the legislative body.

(4) For the purposes of this subdivision, the term "employee" shall include an officer or an independent contractor who functions as an officer or an employee but shall not include any elected official, member of a legislative body or other independent contractors. This subdivision shall not limit local officials' ability to hold closed session meetings pursuant to Sections 1461, 32106, and 32155 of the Health and Safety Code or

Sections 37606 and 37624.3 of the Government Code. Closed sessions held pursuant to this subdivision shall not include discussion or action on proposed compensation except for a reduction of compensation that results from the imposition of discipline.

(Amended by Stats. 2024, Ch. 243, Sec. 1. (AB 2715) Effective January 1, 2025.)

**54957.1.** (a) The legislative body of any local agency shall publicly report any action taken in closed session and the vote or abstention on that action of every member present, as follows:

(1) Approval of an agreement concluding real estate negotiations pursuant to Section 54956.8 shall be reported after the agreement is final, as follows:

(A) If its own approval renders the agreement final, the body shall report that approval and the substance of the agreement in open session at the public meeting during which the closed session is held.

(B) If final approval rests with the other party to the negotiations, the local agency shall disclose the fact of that approval and the substance of the agreement upon inquiry by any person, as soon as the other party or its agent has informed the local agency of its approval.

(2) Approval given to its legal counsel to defend, or seek or refrain from seeking appellate review or relief, or to enter as an amicus curiae in any form of litigation as the result of a consultation under Section 54956.9 shall be reported in open session at the public meeting during which the closed session is held. The report shall identify, if known, the adverse party or parties and the substance of the litigation. In the case of approval given to initiate or intervene in an action, the announcement need not identify the action, the defendants, or other particulars, but shall specify that the direction to initiate or intervene in an action has been given and that the action, the defendants, and the other particulars shall, once formally commenced, be disclosed to any person upon inquiry, unless to do so would jeopardize the agency's ability to effectuate service of process on one or more unserved parties, or that to do so would jeopardize its ability to conclude existing settlement negotiations to its advantage.

(3) Approval given to its legal counsel of a settlement of pending litigation, as defined in Section 54956.9, at any stage prior to or during a judicial or quasi-judicial proceeding shall be reported after the settlement is final, as follows:

(A) If the legislative body accepts a settlement offer signed by the opposing party, the body shall report its acceptance and identify the substance of the agreement in open session at the public meeting during which the closed session is held.

(B) If final approval rests with some other party to the litigation or with the court, then as soon as the settlement becomes final, and upon inquiry by any person, the local agency shall disclose the fact of that approval, and identify the substance of the agreement.

(4) Disposition reached as to claims discussed in closed session pursuant to Section 54956.95 shall be reported as soon as reached in a manner that identifies the name of the claimant, the name of the local agency claimed against, the substance of the claim, and any monetary amount approved for payment and agreed upon by the claimant.

(5) Action taken to appoint, employ, dismiss, accept the resignation of, or otherwise affect the employment status of a public employee in closed

session pursuant to Section 54957 shall be reported at the public meeting during which the closed session is held. Any report required by this paragraph shall identify the title of the position. The general requirement of this paragraph notwithstanding, the report of a dismissal or of the nonrenewal of an employment contract shall be deferred until the first public meeting following the exhaustion of administrative remedies, if any.

(6) Approval of an agreement concluding labor negotiations with represented employees pursuant to Section 54957.6 shall be reported after the agreement is final and has been accepted or ratified by the other party. The report shall identify the item approved and the other party or parties to the negotiation.

(7) Pension fund investment transaction decisions made pursuant to Section 54956.81 shall be disclosed at the first open meeting of the legislative body held after the earlier of the close of the investment transaction or the transfer of pension fund assets for the investment transaction.

(b) Reports that are required to be made pursuant to this section may be made orally or in writing. The legislative body shall provide to any person who has submitted a written request to the legislative body within 24 hours of the posting of the agenda, or to any person who has made a standing request for all documentation as part of a request for notice of meetings pursuant to Section 54954.1 or 54956, if the requester is present at the time the closed session ends, copies of any contracts, settlement agreements, or other documents that were finally approved or adopted in the closed session. If the action taken results in one or more substantive amendments to the related documents requiring retyping, the documents need not be released until the retyping is completed during normal business hours, provided that the presiding officer of the legislative body or his or her designee orally summarizes the substance of the amendments for the benefit of the document requester or any other person present and requesting the information.

(c) The documentation referred to in subdivision (b) shall be available to any person on the next business day following the meeting in which the action referred to is taken or, in the case of substantial amendments, when any necessary retyping is complete.

(d) Nothing in this section shall be construed to require that the legislative body approve actions not otherwise subject to legislative body approval.

(e) No action for injury to a reputational, liberty, or other personal interest may be commenced by or on behalf of any employee or former employee with respect to whom a disclosure is made by a legislative body in an effort to comply with this section.

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

(Amended by Stats. 2006, Ch. 538, Sec. 311. Effective January 1, 2007.)

**54957.2.** (a) The legislative body of a local agency may, by ordinance or resolution, designate a clerk or other officer or employee of the local agency who shall then attend each closed session of the legislative body and keep and enter in a minute book a record of topics discussed and decisions made at the meeting. The minute book made pursuant to this section is not a public record subject to inspection pursuant to the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1), and shall be kept confidential. The minute book

shall be available only to members of the legislative body or, if a violation of this chapter is alleged to have occurred at a closed session, to a court of general jurisdiction wherein the local agency lies. The minute book may, but need not, consist of a recording of the closed session.

(b) An elected legislative body of a local agency may require that each legislative body all or a majority of whose members are appointed by or under the authority of the elected legislative body keep a minute book as prescribed under subdivision (a).

(Amended by Stats. 2021, Ch. 615, Sec. 207. (AB 474) Effective January 1, 2022. Operative January 1, 2023, pursuant to Sec. 463 of Stats. 2021, Ch. 615.)

**54957.5.** (a) Agendas of public meetings are disclosable public records under the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1), and shall be made available upon request without delay and in compliance with Section 54954.2 or Section 54956, as applicable. However, this section shall not apply to a writing, or portion thereof, that is exempt from public disclosure.

(b) (1) If a writing is a public record related to an agenda item for an open session of a regular meeting of the legislative body of a local agency and is distributed to all, or a majority of all, of the members of a legislative body of a local agency by a person in connection with a matter subject to discussion or consideration at an open meeting of the body less than 72 hours before that meeting, the writing shall be made available for public inspection pursuant to paragraph (2) at the time the writing is distributed to all, or a majority of all, of the members of the body.

(2) (A) Except as provided in subparagraph (B), a local agency shall comply with both of the following requirements:

(i) A local agency shall make any writing described in paragraph (1) available for public inspection at a public office or location that the agency shall designate for this purpose.

(ii) A local agency shall list the address of the office or location designated pursuant to clause (i) on the agendas for all meetings of the legislative body of that agency.

(B) A local agency shall not be required to comply with the requirements of subparagraph (A) if all of the following requirements are met:

(i) An initial staff report or similar document containing an executive summary and the staff recommendation, if any, relating to that agenda item is made available for public inspection at the office or location designated pursuant to clause (i) of subparagraph (A) at least 72 hours before the meeting.

(ii) The local agency immediately posts any writing described in paragraph (1) on the local agency's internet website in a position and manner that makes it clear that the writing relates to an agenda item for an upcoming meeting.

(iii) The local agency lists the web address of the local agency's internet website on the agendas for all meetings of the legislative body of that agency.

(iv) (I) Subject to subclause (II), the local agency makes physical copies available for public inspection, beginning the next regular business hours for the local agency, at the office or location designated pursuant to clause (i) of subparagraph (A).

(II) This clause is satisfied only if the next regular business hours of the local agency commence at least 24 hours before that meeting.

(c) Writings that are public records described in subdivision (b) and distributed during a public meeting shall be made available for public inspection at the meeting if prepared by the local agency or a member of its legislative body, or after the meeting if prepared by some other person. These writings shall be made available in appropriate alternative formats upon request by a person with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof.

(d) This chapter shall not be construed to prevent the legislative body of a local agency from charging a fee or deposit for a copy of a public record pursuant to Section 7922.530, except that a surcharge shall not be imposed on persons with disabilities in violation of Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof.

(e) This section shall not be construed to limit or delay the public's right to inspect or obtain a copy of any record required to be disclosed under the requirements of the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1), including, but not limited to, the ability of the public to inspect public records pursuant to Section 7922.525 and obtain copies of public records pursuant to either subdivision (b) of Section 7922.530 or Section 7922.535. This chapter shall not be construed to require a legislative body of a local agency to place any paid advertisement or any other paid notice in any publication.

(Amended (as amended by Stats. 2021, Ch. 615, Sec. 208) by Stats. 2022, Ch. 971, Sec. 1. (AB 2647) Effective January 1, 2023.)

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

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

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

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

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

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

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

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

(Amended by Stats. 2025, Ch. 327, Sec. 20. (SB 707) Effective January 1, 2026.)

**54957.7.** (a) Prior to holding any closed session, the legislative body of the local agency shall disclose, in an open meeting, the item or items to be discussed in the closed session. The disclosure may take the form of a reference to the item or items as they are listed by number or letter on the agenda. In the closed session, the legislative body may consider only those matters covered in its statement. Nothing in this section shall require or authorize a disclosure of information prohibited by state or federal law.

(b) After any closed session, the legislative body shall reconvene into open session prior to adjournment and shall make any disclosures required by Section 54957.1 of action taken in the closed session.

(c) The announcements required to be made in open session pursuant to this section may be made at the location announced in the agenda for the closed session, as long as the public is allowed to be present at that location for the purpose of hearing the announcements.

(Amended by Stats. 1993, Ch. 1137, Sec. 15. Effective January 1, 1994. Operative April 1, 1994, by Sec. 23 of Ch. 1137.)

**54957.8.** (a) For purposes of this section, "multijurisdictional law enforcement agency" means a joint powers entity formed pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 that provides law enforcement services for the parties to the joint powers agreement for the purpose of investigating criminal activity involving drugs; gangs; sex crimes; firearms trafficking or felony possession of a firearm; high technology, computer, or identity theft; human trafficking; or vehicle theft.

(b) Nothing contained in this chapter shall be construed to prevent the legislative body of a multijurisdictional law enforcement agency, or an advisory body of a multijurisdictional law enforcement agency, from holding closed sessions to discuss the case records of any ongoing criminal investigation of the multijurisdictional law enforcement agency or of any party to the joint powers agreement, to hear testimony from persons involved in the investigation, and to discuss courses of action in particular cases.

(Amended by Stats. 2006, Ch. 427, Sec. 1. Effective September 22, 2006.)

**54957.9.** In the event that any meeting is willfully interrupted by a group or groups of persons so as to render the orderly conduct of the meeting unfeasible and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, the members of the legislative body conducting the meeting may order the meeting room cleared and continue in session. Only matters appearing on the agenda may be considered in such a session. Representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this section. Nothing in this section shall prohibit the legislative body from establishing a

procedure for readmitting an individual or individuals not responsible for willfully disturbing the orderly conduct of the meeting.

(Amended by Stats. 2025, Ch. 327, Sec. 21. (SB 707) Effective January 1, 2026.)

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

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

(b) As used in this section:

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

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

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

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

(Amended by Stats. 2025, Ch. 327, Sec. 22. (SB 707) Effective January 1, 2026.)

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

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

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

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

(Added by Stats. 2025, Ch. 327, Sec. 23. (SB 707) Effective January 1, 2026.)

**54957.10.** Notwithstanding any other provision of law, a legislative body of a local agency may hold closed sessions to discuss a

local agency employee's application for early withdrawal of funds in a deferred compensation plan when the application is based on financial hardship arising from an unforeseeable emergency due to illness, accident, casualty, or other extraordinary event, as specified in the deferred compensation plan.

(Added by Stats. 2001, Ch. 45, Sec. 1. Effective January 1, 2002.)

**54958.** The provisions of this chapter shall apply to the legislative body of every local agency notwithstanding the conflicting provisions of any other state law.

(Added by Stats. 1953, Ch. 1588.)

**54959.** Each member of a legislative body who attends a meeting of that legislative body where action is taken in violation of any provision of this chapter, and where the member intends to deprive the public of information to which the member knows or has reason to know the public is entitled under this chapter, is guilty of a misdemeanor.

(Amended by Stats. 1994, Ch. 32, Sec. 18. Effective March 30, 1994. Operative April 1, 1994, by Sec. 23 of Ch. 32.)

**54960.** (a) The district attorney or any interested person may commence an action by mandamus, injunction, or declaratory relief for the purpose of stopping or preventing violations or threatened violations of this chapter by members of the legislative body of a local agency or to determine the applicability of this chapter to ongoing actions or threatened future actions of the legislative body, or to determine the applicability of this chapter to past actions of the legislative body, subject to Section 54960.2, or to determine whether any rule or action by the legislative body to penalize or otherwise discourage the expression of one or more of its members is valid or invalid under the laws of this state or of the United States, or to compel the legislative body to audio record its closed sessions as hereinafter provided.

(b) The court in its discretion may, upon a judgment of a violation of Section 54956.7, 54956.8, 54956.9, 54956.95, 54957, or 54957.6, order the legislative body to audio record its closed sessions and preserve the audio recordings for the period and under the terms of security and confidentiality the court deems appropriate.

(c) (1) Each recording so kept shall be immediately labeled with the date of the closed session recorded and the title of the clerk or other officer who shall be custodian of the recording.

(2) The audio recordings shall be subject to the following discovery procedures:

(A) In any case in which discovery or disclosure of the audio recording is sought by either the district attorney or the plaintiff in a civil action pursuant to Section 54959, 54960, or 54960.1 alleging that a violation of this chapter has occurred in a closed session that has been recorded pursuant to this section, the party seeking discovery or disclosure shall file a written notice of motion with the appropriate court with notice to the governmental agency that has custody and control of the audio recording. The notice shall be given pursuant to subdivision (b) of Section 1005 of the Code of Civil Procedure.

(B) The notice shall include, in addition to the items required by Section 1010 of the Code of Civil Procedure, all of the following:

(i) Identification of the proceeding in which discovery or disclosure is sought, the party seeking discovery or disclosure, the date and time of the meeting recorded, and the governmental agency that has custody and control of the recording.

(ii) An affidavit that contains specific facts indicating that a violation of the act occurred in the closed session.

(3) If the court, following a review of the motion, finds that there is good cause to believe that a violation has occurred, the court may review, in camera, the recording of that portion of the closed session alleged to have violated the act.

(4) If, following the in camera review, the court concludes that disclosure of a portion of the recording would be likely to materially assist in the resolution of the litigation alleging violation of this chapter, the court shall, in its discretion, make a certified transcript of the portion of the recording a public exhibit in the proceeding.

(5) This section shall not permit discovery of communications that are protected by the attorney-client privilege.

(Amended by Stats. 2012, Ch. 732, Sec. 1. (SB 1003) Effective January 1, 2013.)

**54960.1.** (a) The district attorney or any interested person may commence an action by mandamus or injunction for the purpose of obtaining a judicial determination that an action taken by a legislative body of a local agency in violation of Section 54953, 54954.2, 54954.5, 54954.6, 54956, or 54956.5 is null and void under this section. Nothing in this chapter shall be construed to prevent a legislative body from curing or correcting an action challenged pursuant to this section.

(b) Prior to any action being commenced pursuant to subdivision (a), the district attorney or interested person shall make a demand of the legislative body to cure or correct the action alleged to have been taken in violation of Section 54953, 54954.2, 54954.5, 54954.6, 54956, or 54956.5. The demand shall be in writing and clearly describe the challenged action of the legislative body and nature of the alleged violation.

(c) (1) The written demand shall be made within 90 days from the date the action was taken unless the action was taken in an open session but in violation of Section 54954.2, in which case the written demand shall be made within 30 days from the date the action was taken.

(2) Within 30 days of receipt of the demand, the legislative body shall cure or correct the challenged action and inform the demanding party in writing of its actions to cure or correct or inform the demanding party in writing of its decision not to cure or correct the challenged action.

(3) If the legislative body takes no action within the 30-day period, the inaction shall be deemed a decision not to cure or correct the challenged action, and the 15-day period to commence the action described in subdivision (a) shall commence to run the day after the 30-day period to cure or correct expires.

(4) Within 15 days of receipt of the written notice of the legislative body's decision to cure or correct, or not to cure or correct, or within 15 days of the expiration of the 30-day period to cure or correct, whichever is earlier, the demanding party shall be required to commence the action pursuant to subdivision (a) or thereafter be barred from commencing the action.

(d) An action taken that is alleged to have been taken in violation of Sec-

tion 54953, 54954.2, 54954.5, 54954.6, 54956, or 54956.5 shall not be determined to be null and void if any of the following conditions exist:

(1) The action taken was in substantial compliance with Sections 54953, 54954.2, 54954.5, 54954.6, 54956, and 54956.5.

(2) The action taken was in connection with the sale or issuance of notes, bonds, or other evidences of indebtedness or any contract, instrument, or agreement thereto.

(3) The action taken gave rise to a contractual obligation, including a contract let by competitive bid other than compensation for services in the form of salary or fees for professional services, upon which a party has, in good faith and without notice of a challenge to the validity of the action, detrimentally relied.

(4) The action taken was in connection with the collection of any tax.

(5) Any person, city, city and county, county, district, or any agency or subdivision of the state alleging noncompliance with subdivision (a) of Section 54954.2, Section 54956, or Section 54956.5, because of any defect, error, irregularity, or omission in the notice given pursuant to those provisions, had actual notice of the item of business at least 72 hours prior to the meeting at which the action was taken, if the meeting was noticed pursuant to Section 54954.2, or 24 hours prior to the meeting at which the action was taken if the meeting was noticed pursuant to Section 54956, or prior to the meeting at which the action was taken if the meeting is held pursuant to Section 54956.5.

(e) During any action seeking a judicial determination pursuant to subdivision (a) if the court determines, pursuant to a showing by the legislative body that an action alleged to have been taken in violation of Section 54953, 54954.2, 54954.5, 54954.6, 54956, or 54956.5 has been cured or corrected by a subsequent action of the legislative body, the action filed pursuant to subdivision (a) shall be dismissed with prejudice.

(f) The fact that a legislative body takes a subsequent action to cure or correct an action taken pursuant to this section shall not be construed or admissible as evidence of a violation of this chapter.

(Amended by Stats. 2002, Ch. 454, Sec. 23. Effective January 1, 2003.)

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

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

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

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

(4) Within 60 days of receipt of the legislative body's response to the

cease and desist letter, other than an unconditional commitment pursuant to subdivision (c), or within 60 days of the expiration of the time during which the legislative body may respond to the cease and desist letter pursuant to subdivision (b), whichever is earlier, the party submitting the cease and desist letter shall commence the action pursuant to subdivision (a) of Section 54960 or thereafter be barred from commencing the action.

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

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

To \_\_\_\_\_:

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

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

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

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

Very truly yours,

\_\_\_\_\_  
[Chairperson or acting chairperson of the legislative body]

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

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

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

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

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

(Added by Stats. 2012, Ch. 732, Sec. 2. (SB 1003) Effective January 1, 2013.)

**54960.5.** A court may award court costs and reasonable attorney fees to the plaintiff in an action brought pursuant to Section 54960, 54960.1, or 54960.2 where it is found that a legislative body of the local agency has violated this chapter. Additionally, when an action brought pursuant to Section 54960.2 is dismissed with prejudice because a legislative body has provided an unconditional commitment pursuant to paragraph (1) of subdivision (c) of that section at any time after the 30-day period for making such a commitment has expired, the court shall award court costs and reasonable attorney fees to the plaintiff if the filing of that action caused the legislative body to issue the unconditional commitment. The costs and fees shall be paid by the local agency and shall not become a personal liability of any public officer or employee of the local agency.

A court may award court costs and reasonable attorney fees to a defendant in any action brought pursuant to Section 54960 or 54960.1 where the defendant has prevailed in a final determination of such action and the court finds that the action was clearly frivolous and totally lacking in merit.

(Amended by Stats. 2012, Ch. 732, Sec. 3. (SB 1003) Effective January 1, 2013.)

**54961.** (a) No legislative body of a local agency shall conduct any meeting in any facility that prohibits the admittance of any person, or persons, on the basis of ancestry or any characteristic listed or defined in Section 11135, or which is inaccessible to disabled persons, or where members of the public may not be present without making a payment or purchase. This section shall apply to every local agency as defined in Section 54951.

(b) No notice, agenda, announcement, or report required under this chapter need identify any victim or alleged victim of tortious sexual conduct or child abuse unless the identity of the person has been publicly disclosed.

(Amended by Stats. 2007, Ch. 568, Sec. 35. Effective January 1, 2008.)

**54962.** Except as expressly authorized by this chapter, or by Sections 1461, 1462, 32106, and 32155 of the Health and Safety Code, or by Sections 37606, 37606.1, and 37624.3 of the Government Code as they apply to hospitals, or by any provision of the Education Code pertaining to school districts and community college districts, no closed session may be held by any legislative body of any local agency.

(Amended by Stats. 2006, Ch. 157, Sec. 2. Effective January 1, 2007.)

**54963.** (a) A person may not disclose confidential information that has been acquired by being present in a closed session authorized by Section 54956.7, 54956.8, 54956.86, 54956.87, 54956.9, 54957.6, 54957.8, or 54957.10 to a person not entitled to receive it, unless the legislative body authorizes disclosure of that confidential information.

(b) For purposes of this section, "confidential information" means a communication made in a closed session that is specifically related to the basis for the legislative body of a local agency to meet lawfully in closed session under this chapter.

(c) Violation of this section may be addressed by the use of such remedies as are currently available by law, including, but not limited to:

(1) Injunctive relief to prevent the disclosure of confidential information prohibited by this section.

(2) Disciplinary action against an employee who has willfully disclosed confidential information in violation of this section.

(3) Referral of a member of a legislative body who has willfully disclosed confidential information in violation of this section to the grand jury.

(d) Disciplinary action pursuant to paragraph (2) of subdivision (c) shall require that the employee in question has either received training as to the requirements of this section or otherwise has been given notice of the requirements of this section.

(e) A local agency may not take any action authorized by subdivision (c) against a person, nor shall it be deemed a violation of this section, for doing any of the following:

(1) Making a confidential inquiry or complaint to a district attorney or grand jury concerning a perceived violation of law, including disclosing facts to a district attorney or grand jury that are necessary to establish the illegality of an action taken by a legislative body of a local agency or the potential illegality of an action that has been the subject of deliberation at a closed session if that action were to be taken by a legislative body of a local agency.

(2) Expressing an opinion concerning the propriety or legality of actions taken by a legislative body of a local agency in closed session, including disclosure of the nature and extent of the illegal or potentially illegal action.

(3) Disclosing information acquired by being present in a closed session under this chapter that is not confidential information.

(f) Nothing in this section shall be construed to prohibit disclosures under the whistleblower statutes contained in Section 1102.5 of the Labor Code or Article 4.5 (commencing with Section 53296) of Chapter 2 of this code.

(Added by Stats. 2002, Ch. 1119, Sec. 1. Effective January 1, 2003.)

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*\*Pursuant to Government Code § 54952.7. Published at [leginfo.legislature.ca.gov](http://leginfo.legislature.ca.gov) on January 1, 2026.*

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**California Special  
Districts Association**  
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# SB 707 Brown Act Revamp Statutory Reference Table

This resource is provided for general information only and is not offered or intended as legal advice. Readers should seek the advice of an attorney when confronted with legal issues and attorneys should perform an independent evaluation of the issues raised in these materials.

On October 3, 2025, Governor Gavin Newsom signed into law SB 707 (Durazo), which makes the biggest changes to the Ralph M. Brown Act in decades. This table will equip special districts with a resource to quickly reference the affected Government Code statutes and compare against prior law with a brief CSDA summary.

# SB 707 Brown Act Revamp Statutory Reference Table

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Section 1					
54952.2	Preservation of AB 992 (Mullin, 2020) Changes to "Meeting"	Eliminates the January 1, 2026 sunset date associated with the changes made by <a href="#">AB 992 (Mullin, 2020)</a> to the definition of a "meeting." AB 992 provided clarity regarding the use of social media and Brown Act-related responsibilities arising therefrom.	<p>54952.2. (a) As used in this chapter, "meeting" means any congregation of a majority of the members of a legislative body at the same time and location, including teleconference location as permitted by Section 54953, to hear, discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the legislative body.</p> <p>(b) (1) A majority of the members of a legislative body shall not, outside a meeting authorized by this chapter, use a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body.</p> <p>(2) Paragraph (1) shall not be construed as preventing an employee or official of a local agency, from engaging in separate conversations or communications outside of a meeting authorized by this chapter with members of a legislative body in order to answer questions or provide information regarding a matter that is within the subject matter jurisdiction of the local agency, if that person does not communicate to members of the legislative body the comments or position of any other member or members of the legislative body.</p> <p>(3) (A) Paragraph (1) shall not be construed as preventing a member of the legislative body from engaging in separate conversations or communications on an internet-based social media platform to answer questions, provide information to the public, or to solicit information from the public regarding a matter that is within the subject matter jurisdiction of the legislative body provided that a majority of the members of the legislative body do not use the internet-based social media platform to discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body. A member of the legislative body shall not respond directly to any communication on an internet-based social media platform regarding a matter that is within the subject matter jurisdiction of the legislative body that is made, posted, or shared by any other member of the legislative body.</p> <p>(B) For purposes of this paragraph, all of the following definitions shall apply:</p> <p>(i) "Discuss among themselves" means communications made, posted, or shared on an internet-based social media platform between members of a legislative body, including comments or use of digital icons that express reactions to communications made by other members of the legislative body.</p> <p>(ii) "Internet-based social media platform" means an online service that is open and accessible to the public.</p> <p>(iii) "Open and accessible to the public" means that members of the general public have the ability to access and participate, free of charge, in the social media platform without the approval by the social media platform or a person</p>	<p>54952.2. (a) As used in this chapter, "meeting" means any congregation of a majority of the members of a legislative body at the same time and location, including teleconference location as permitted by Section 54953, to hear, discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the legislative body.</p> <p>(b) (1) A majority of the members of a legislative body shall not, outside a meeting authorized by this chapter, use a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body.</p> <p>(2) Paragraph (1) shall not be construed as preventing an employee or official of a local agency, from engaging in separate conversations or communications outside of a meeting authorized by this chapter with members of a legislative body in order to answer questions or provide information regarding a matter that is within the subject matter jurisdiction of the local agency, if that person does not communicate to members of the legislative body the comments or position of any other member or members of the legislative body.</p> <p>(3) (A) Paragraph (1) shall not be construed as preventing a member of the legislative body from engaging in separate conversations or communications on an internet-based social media platform to answer questions, provide information to the public, or to solicit information from the public regarding a matter that is within the subject matter jurisdiction of the legislative body provided that a majority of the members of the legislative body do not use the internet-based social media platform to discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body. A member of the legislative body shall not respond directly to any communication on an internet-based social media platform regarding a matter that is within the subject matter jurisdiction of the legislative body that is made, posted, or shared by any other member of the legislative body.</p> <p>(B) For purposes of this paragraph, all of the following definitions shall apply:</p> <p>(i) "Discuss among themselves" means communications made, posted, or shared on an internet-based social media platform between members of a legislative body, including comments or use of digital icons that express reactions to communications made by other members of the legislative body.</p> <p>(ii) "Internet-based social media platform" means an online service that is open and accessible to the public.</p> <p>(iii) "Open and accessible to the public" means that members of the general public have the ability to access and participate, free of charge, in the social media platform without the approval by the social media platform or a person</p>	None

Section	Title	CSDA Summary	Replacement Text	Former Text	Sunset Date
			<p>or entity other than the social media platform, including any forum and chatroom, and cannot be blocked from doing so, except when the internet-based social media platform determines that an individual violated its protocols or rules.</p> <p>(c) Nothing in this section shall impose the requirements of this chapter upon any of the following:</p> <p>(1) Individual contacts or conversations between a member of a legislative body and any other person that do not violate subdivision (b).</p> <p>(2) The attendance of a majority of the members of a legislative body at a conference or similar gathering open to the public that involves a discussion of issues of general interest to the public or to public agencies of the type represented by the legislative body, provided that a majority of the members do not discuss among themselves, other than as part of the scheduled program, business of a specified nature that is within the subject matter jurisdiction of the local agency. Nothing in this paragraph is intended to allow members of the public free admission to a conference or similar gathering at which the organizers have required other participants or registrants to pay fees or charges as a condition of attendance.</p> <p>(3) The attendance of a majority of the members of a legislative body at an open and publicized meeting organized to address a topic of local community concern by a person or organization other than the local agency, provided that a majority of the members do not discuss among themselves, other than as part of the scheduled program, business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.</p> <p>(4) The attendance of a majority of the members of a legislative body at an open and noticed meeting of another body of the local agency, or at an open and noticed meeting of a legislative body of another local agency, provided that a majority of the members do not discuss among themselves, other than as part of the scheduled meeting, business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.</p> <p>(5) The attendance of a majority of the members of a legislative body at a purely social or ceremonial occasion, provided that a majority of the members do not discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.</p> <p>(6) The attendance of a majority of the members of a legislative body at an open and noticed meeting of a standing committee of that body, provided that the members of the legislative body who are not members of the standing committee attend only as observers.</p>	<p>or entity other than the social media platform, including any forum and chatroom, and cannot be blocked from doing so, except when the internet-based social media platform determines that an individual violated its protocols or rules.</p> <p>(c) Nothing in this section shall impose the requirements of this chapter upon any of the following:</p> <p>(1) Individual contacts or conversations between a member of a legislative body and any other person that do not violate subdivision (b).</p> <p>(2) The attendance of a majority of the members of a legislative body at a conference or similar gathering open to the public that involves a discussion of issues of general interest to the public or to public agencies of the type represented by the legislative body, provided that a majority of the members do not discuss among themselves, other than as part of the scheduled program, business of a specified nature that is within the subject matter jurisdiction of the local agency. Nothing in this paragraph is intended to allow members of the public free admission to a conference or similar gathering at which the organizers have required other participants or registrants to pay fees or charges as a condition of attendance.</p> <p>(3) The attendance of a majority of the members of a legislative body at an open and publicized meeting organized to address a topic of local community concern by a person or organization other than the local agency, provided that a majority of the members do not discuss among themselves, other than as part of the scheduled program, business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.</p> <p>(4) The attendance of a majority of the members of a legislative body at an open and noticed meeting of another body of the local agency, or at an open and noticed meeting of a legislative body of another local agency, provided that a majority of the members do not discuss among themselves, other than as part of the scheduled meeting, business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.</p> <p>(5) The attendance of a majority of the members of a legislative body at a purely social or ceremonial occasion, provided that a majority of the members do not discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.</p> <p>(6) The attendance of a majority of the members of a legislative body at an open and noticed meeting of a standing committee of that body, provided that the members of the legislative body who are not members of the standing committee attend only as observers.</p> <p>(d) This section shall remain in effect only until January 1, 2026, and as of that date is repealed.</p>	

Section	Title	CSDA Summary	Replacement Text	Former Text	Sunset Date
Section 2					
54952.2	Preservation of AB 992 (Mullin, 2020) Changes to "Meeting"	Eliminates the January 1, 2026 sunset date associated with the changes made by <a href="#">AB 992 (Mullin, 2020)</a> to the definition of a "meeting." AB 992 provided clarity regarding the use of social media and Brown Act-related responsibilities arising therefrom.	<i>Abolishes replacement section that would have otherwise effectuated the January 1, 2026 sunset.</i>	<p>54952.2. (a) As used in this chapter, "meeting" means any congregation of a majority of the members of a legislative body at the same time and location, including teleconference location as permitted by Section 54953, to hear, discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the legislative body.</p> <p>(b) (1) A majority of the members of a legislative body shall not, outside a meeting authorized by this chapter, use a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body.</p> <p>(2) Paragraph (1) shall not be construed as preventing an employee or official of a local agency, from engaging in separate conversations or communications outside of a meeting authorized by this chapter with members of a legislative body in order to answer questions or provide information regarding a matter that is within the subject matter jurisdiction of the local agency, if that person does not communicate to members of the legislative body the comments or position of any other member or members of the legislative body.</p> <p>(c) Nothing in this section shall impose the requirements of this chapter upon any of the following:</p> <p>(1) Individual contacts or conversations between a member of a legislative body and any other person that do not violate subdivision (b).</p> <p>(2) The attendance of a majority of the members of a legislative body at a conference or similar gathering open to the public that involves a discussion of issues of general interest to the public or to public agencies of the type represented by the legislative body, provided that a majority of the members do not discuss among themselves, other than as part of the scheduled program, business of a specified nature that is within the subject matter jurisdiction of the local agency. Nothing in this paragraph is intended to allow members of the public free admission to a conference or similar gathering at which the organizers have required other participants or registrants to pay fees or charges as a condition of attendance.</p> <p>(3) The attendance of a majority of the members of a legislative body at an open and publicized meeting organized to address a topic of local community concern by a person or organization other than the local agency, provided that a majority of the members do not discuss among themselves, other than as part of the scheduled program, business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.</p> <p>(4) The attendance of a majority of the members of a legislative body at an open and noticed meeting of another body of the local agency, or at an open and noticed meeting of a legislative body of another local agency, provided</p>	None

Section	Title	CSDA Summary	Replacement Text	Former Text	Sunset Date
				<p>that a majority of the members do not discuss among themselves, other than as part of the scheduled meeting, business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.</p> <p>(5)The attendance of a majority of the members of a legislative body at a purely social or ceremonial occasion, provided that a majority of the members do not discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.</p> <p>(6)The attendance of a majority of the members of a legislative body at an open and noticed meeting of a standing committee of that body, provided that the members of the legislative body who are not members of the standing committee attend only as observers.</p> <p>(d)This section shall become operative on January 1, 2026.</p>	
<b>Section 3</b>					
54952.7	Provision of Text of Brown Act to Legislative Body Members Mandate	SB 707 creates a mandate to provide board members with a copy of the text of the Brown Act; previously, this was a permissive statute that <i>allowed</i> an agency to require the distribution of the text of the Brown Act.	54952.7. A local agency shall provide a copy of this chapter to any person elected or appointed to serve as a member of a legislative body of the local agency.	54952.7. A legislative body of a local agency may require that a copy of this chapter be given to each member of the legislative body and any person elected to serve as a member of the legislative body who has not assumed the duties of office. An elected legislative body of a local agency may require that a copy of this chapter 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.	None
<b>Section 4</b>					
54953	Remote Accessibility Requirements for Members with Disabilities	This section codifies the California Attorney General’s 2024 opinion <a href="#">107 Ops.Cal.Atty.Gen. 107</a> , which concluded that the Americans with Disabilities Act (ADA) generally requires a local agency’s legislative body to allow remote participation as a reasonable accommodation for a member with a qualifying disability that precludes their in-person attendance at meetings of the body. That opinion inspired the codification of the requirement that individual members who participate remotely as a reasonable accommodation under the ADA (1) use two-way video and audio streaming in real time (though the individual may participate only through audio technology if a physical condition related to their disability results in a need to participate off camera.) and (2) disclose the identity of any adults who are present with the member at the remote location. When a member participates remotely under this disability accommodation, it counts the same as attending the meeting in person. The codification of the Attorney General’s opinion is placed within the “traditional” teleconferencing provisions found in the Brown Act.	<p>54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.</p> <p>(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all otherwise applicable requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.</p> <p>(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. If the legislative body of a local agency elects to use teleconferencing, the legislative body of a local agency shall comply with all of the following:</p>	<p>54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.</p> <p>(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all otherwise applicable requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.</p> <p>(2)Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. If the legislative body of a local agency elects to use teleconferencing, the legislative body of a local agency shall comply with all of the following:</p>	None

Section	Title	CSDA Summary	Replacement Text	Former Text	Sunset Date
		<p>With regard to local agency executives, existing law required legislative bodies, prior to taking final action, to orally report a summary of a recommendation for a final action on their salaries, salary schedules, or compensation paid in the form of fringe benefits during the open meeting in which the final action was to be taken. SB 707 expands this requirement to also be applicable to department heads or other similar administrative officers of the local agency.</p> <p>This section also deletes various teleconferencing schemes (e.g., during certain states of emergency, per <a href="#">AB 361 [R. Rivas, 2021]</a>) that existed under the Brown Act and relocates them elsewhere in the Brown Act.</p> <p>This section stipulates that a “teleconference” does not include one or more members watching or listening to a meeting via webcasting or any other similar electronic medium that does not permit members to interactively speak, discuss, or deliberate on matters.</p>	<p>(A) All votes taken during a teleconferenced meeting shall be by rollcall.</p> <p>(B) The teleconferenced meetings shall be conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency.</p> <p>(C) The legislative body shall give notice of the meeting and post agendas as otherwise required by this chapter.</p> <p>(D) The legislative body shall allow members of the public to access the meeting and the agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3.</p> <p>(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as expressly provided in this chapter.</p> <p>(4) The teleconferencing requirements of this subdivision shall not apply to remote participation described in subdivision (c).</p> <p>(c) (1) Nothing in this chapter shall be construed to prohibit a member of a legislative body with a disability from participating in any meeting of the legislative body by remote participation as a reasonable accommodation pursuant to any applicable law.</p> <p>(2) A member of a legislative body participating in a meeting by remote participation pursuant to this subdivision shall do both of the following:</p> <p>(A) The member shall participate through both audio and visual technology, except that any member with a disability, as defined in Section 12102 of Title 42 of the United States Code, may participate only through audio technology if a physical condition related to their disability results in a need to participate off camera.</p> <p>(B) The member shall disclose at the meeting before any action is taken, whether any other individuals 18 years of age or older are present in the room at the remote location with the member, and the general nature of the member’s relationship with any of those individuals.</p> <p>(3) Remote participation under this subdivision shall be treated as in-person attendance at the physical meeting location for all purposes, including any requirement that a quorum of the legislative body participate from any particular location. The provisions of subdivision (b) and Sections 54953.8 to 54953.8.7, inclusive, shall not apply to remote participation under this subdivision.</p>	<p>(A) All votes taken during a teleconferenced meeting shall be by rollcall.</p> <p>(B)The teleconferenced meetings shall be conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency.</p> <p>(C)The legislative body shall give notice of the meeting and post agendas as otherwise required by this chapter.</p> <p>(D)The legislative body shall allow members of the public to access the meeting and the agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3.</p> <p>(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivisions (d) and (e).</p> <p>(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.</p> <p>(2)The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.</p> <p>(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public’s right under the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1) to inspect or copy records created or received in the process of developing the recommendation.</p> <p>(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.</p> <p>(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within</p>	

Section	Title	CSDA Summary	Replacement Text	Former Text	Sunset Date
			<p>(d) (1) No legislative body shall take action by secret ballot, whether preliminary or final.</p> <p>(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.</p> <p>(3) (A) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of either of the following during the open meeting in which the final action is to be taken:</p> <p>(i) A local agency executive, as defined in subdivision (d) of Section 3511.1.</p> <p>(ii) A department head or other similar administrative officer of the local agency.</p> <p>(B) This paragraph shall not affect the public's right under the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1) to inspect or copy records created or received in the process of developing the recommendation.</p> <p>(e) For purposes of this section, both of the following definitions apply:</p> <p>(1) "Disability" means a physical disability or a mental disability as those terms are defined in Section 12926 and used in Section 12926.1, or a disability as defined in Section 12102 of Title 42 of the United States Code.</p> <p>(2) (A) "Teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both.</p> <p>(B) Notwithstanding subparagraph (A), "teleconference" does not include one or more members watching or listening to a meeting via webcasting or any other similar electronic medium that does not permit members to interactively speak, discuss, or deliberate on matters.</p> <p>(3) "Remote participation" means participation in a meeting by teleconference at a location other than any physical meeting location designated in the notice of the meeting.</p>	<p>the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.</p> <p>(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.</p> <p>(e) (1)The legislative body of a local agency may use teleconferencing without complying with the requirements of paragraph (3) of subdivision (b) if the legislative body complies with the requirements of paragraph (2) of this subdivision in either of the following circumstances:</p> <p>(A)The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.</p> <p>(B)The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (A), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.</p> <p>(2) A legislative body that holds a meeting pursuant to this subdivision shall do all of the following:</p> <p>(A) In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option.</p> <p>(B) In the event of a disruption that prevents the legislative body from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control that prevents members of the public from offering public comments using the call-in option or internet-based service option, the legislative body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a</p>	

Section	Title	CSDA Summary	Replacement Text	Former Text	Sunset Date
				<p>disruption that prevents the legislative body from broadcasting the meeting may be challenged pursuant to Section 54960.1.</p> <p>(C)The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for the public to address the legislative body and offer comment in real time.</p> <p>(D) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.</p> <p>(E) (i) A legislative body that provides a timed public comment period for each agenda item shall not close the public comment period for the agenda item, or the opportunity to register, pursuant to subparagraph (D), to provide public comment until that timed public comment period has elapsed.</p> <p>(ii) A legislative body that does not provide a timed public comment period, but takes public comment separately on each agenda item, shall allow a reasonable amount of time per agenda item to allow public members the opportunity to provide public comment, including time for members of the public to register pursuant to subparagraph (D), or otherwise be recognized for the purpose of providing public comment.</p> <p>(iii) A legislative body that provides a timed general public comment period that does not correspond to a specific agenda item shall not close the public comment period or the opportunity to register, pursuant to subparagraph (D), until the timed general public comment period has elapsed.</p> <p>(3) If a state of emergency remains active, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 45 days after teleconferencing for the first time pursuant to subparagraph (A) or (B) of paragraph (1), and every 45 days thereafter, make the following findings by majority vote:</p> <p>(A)The legislative body has reconsidered the circumstances of the state of emergency.</p> <p>(B)The state of emergency continues to directly impact the ability of the members to meet safely in person.</p> <p>(4)This subdivision shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.</p> <p>(f) (1)The legislative body of a local agency may use teleconferencing without complying with paragraph (3) of subdivision (b) if, during the teleconference meeting, at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda, which location shall be open to the public and situated within the boundaries</p>	

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				<p>of the territory over which the local agency exercises jurisdiction and the legislative body complies with all of the following:</p> <p>(A)The legislative body shall provide at least one of the following as a means by which the public may remotely hear and visually observe the meeting, and remotely address the legislative body:</p> <p>(i) A two-way audiovisual platform.</p> <p>(ii) A two-way telephonic service and a live webcasting of the meeting.</p> <p>(B) In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment.</p> <p>(C)The agenda shall identify and include an opportunity for all persons to attend and address the legislative body directly pursuant to Section 54954.3 via a call-in option, via an internet-based service option, and at the in-person location of the meeting.</p> <p>(D) In the event of a disruption that prevents the legislative body from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control that prevents members of the public from offering public comments using the call-in option or internet-based service option, the legislative body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption that prevents the legislative body from broadcasting the meeting may be challenged pursuant to Section 54960.1.</p> <p>(E)The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for the public to address the legislative body and offer comment in real time.</p> <p>(F) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.</p> <p>(2) A member of the legislative body shall only participate in the meeting remotely pursuant to this subdivision, if all of the following requirements are met:</p> <p>(A) One of the following circumstances applies:</p> <p>(i)The member notifies the legislative body at the earliest opportunity possible, including at the start of a regular meeting, of their need to participate remotely for just cause, including a general description of the circumstances relating to their need to appear remotely at the given meeting. The provisions of this</p>	

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				<p>clause shall not be used by any member of the legislative body for more than two meetings per calendar year.</p> <p>(ii)The member requests the legislative body to allow them to participate in the meeting remotely due to emergency circumstances and the legislative body takes action to approve the request. The legislative body shall request a general description of the circumstances relating to their need to appear remotely at the given meeting. A general description of an item generally need not exceed 20 words and shall not require the member to disclose any medical diagnosis or disability, or any personal medical information that is already exempt under existing law, such as the Confidentiality of Medical Information Act (Chapter 1 (commencing with Section 56) of Part 2.6 of Division 1 of the Civil Code). For the purposes of this clause, the following requirements apply:</p> <p>(I) A member shall make a request to participate remotely at a meeting pursuant to this clause as soon as possible. The member shall make a separate request for each meeting in which they seek to participate remotely.</p> <p>(II)The legislative body may take action on a request to participate remotely at the earliest opportunity. If the request does not allow sufficient time to place proposed action on such a request on the posted agenda for the meeting for which the request is made, the legislative body may take action at the beginning of the meeting in accordance with paragraph (4) of subdivision (b) of Section 54954.2.</p> <p>(B)The member shall publicly disclose at the meeting before any action is taken, whether any other individuals 18 years of age or older are present in the room at the remote location with the member, and the general nature of the member’s relationship with any such individuals.</p> <p>(C)The member shall participate through both audio and visual technology.</p> <p>(3) (A)The provisions of this subdivision shall not serve as a means for any member of a legislative body to participate in meetings of the legislative body solely by teleconference from a remote location for more than the following number of meetings, as applicable:</p> <p>(i)Two meetings per year, if the legislative body regularly meets once per month or less.</p> <p>(ii) Five meetings per year, if the legislative body regularly meets twice per month.</p> <p>(iii) Seven meetings per year, if the legislative body regularly meets three or more times per month.</p> <p>(B) For the purpose of counting meetings attended by teleconference under this paragraph, a “meeting” shall be defined as any number of meetings of the legislative body of a local agency that begin on the same calendar day.</p> <p>(g)The legislative body shall have and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals</p>	

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				<p>with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and resolving any doubt in favor of accessibility. In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the procedure for receiving and resolving requests for accommodation.</p> <p>(h) The legislative body shall conduct meetings subject to this chapter consistent with applicable civil rights and nondiscrimination laws.</p> <p>(i) (1) Nothing in this section shall prohibit a legislative body from providing the public with additional teleconference locations.</p> <p>(2) Nothing in this section shall prohibit a legislative body from providing the public with additional physical locations in which the public may observe and address the legislative body by electronic means.</p> <p>(j) For the purposes of this section, the following definitions shall apply:</p> <p>(1) "Emergency circumstances" means a physical or family medical emergency that prevents a member from attending in person.</p> <p>(2) "Just cause" means any of the following:</p> <p>(A) A childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely. "Child," "parent," "grandparent," "grandchild," and "sibling" have the same meaning as those terms do in Section 12945.2.</p> <p>(B) A contagious illness that prevents a member from attending in person.</p> <p>(C) A need related to a physical or mental disability as defined in Sections 12926 and 12926.1 not otherwise accommodated by subdivision (g).</p> <p>(D) Travel while on official business of the legislative body or another state or local agency.</p> <p>(3) "Remote location" means a location from which a member of a legislative body participates in a meeting pursuant to subdivision (f), other than any physical meeting location designated in the notice of the meeting. Remote locations need not be accessible to the public.</p> <p>(4) "Remote participation" means participation in a meeting by teleconference at a location other than any physical meeting location designated in the notice of the meeting. Watching or listening to a meeting via webcasting or another similar electronic medium that does not permit members to interactively hear, discuss, or deliberate on matters, does not constitute remote participation.</p> <p>(5) "State of emergency" means a state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act (Article 1 (commencing with Section 8550) of Chapter 7 of Division 1 of Title 2).</p>	

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				<p>(6) "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.</p> <p>(7) "Two-way audiovisual platform" means an online platform that provides participants with the ability to participate in a meeting via both an interactive video conference and a two-way telephonic function.</p> <p>(8) "Two-way telephonic service" means a telephone service that does not require internet access, is not provided as part of a two-way audiovisual platform, and allows participants to dial a telephone number to listen and verbally participate.</p> <p>(9) "Webcasting" means a streaming video broadcast online or on television, using streaming media technology to distribute a single content source to many simultaneous listeners and viewers.</p> <p>(k) This section shall remain in effect only until January 1, 2026, and as of that date is repealed.</p>	
<b>Section 5</b>		<b>THIS SECTION APPLIES TO "ELIGIBLE LEGISLATIVE BODIES" EXCLUSIVELY</b>			
54953.4	"Eligible Legislative Body" Defined, Mandates Established	<p>SB 707 creates a new definition, "eligible legislative body," and subjects local agencies matching that definition to additional mandates under the Brown Act. The definition of "eligible legislative body" will be established to mean any of the following:</p> <ul style="list-style-type: none"> <li>• A city council of a city with a population of 30,000 or more.</li> <li>• A county board of supervisors of a county, or city and county, with a population of 30,000 or more.</li> <li>• A city council of a city located in a county with a population of 600,000 or more. <ul style="list-style-type: none"> <li>○ The board of directors of a special district that has an internet website and meets any of the following conditions:</li> <li>○ The boundaries of the special district include the entirety of a county with a population of 600,000 or more, and the special district has over 200 full-time equivalent employees.</li> <li>○ The special district has over 1,000 full-time equivalent employees.</li> <li>○ The special district has annual revenues, based on the most recent Financial Transaction Report data published by the California State Controller, that exceed four hundred million dollars (\$400,000,000), adjusted annually for inflation commencing January 1, 2027, as measured by the percentage change in the California Consumer Price Index from January 1 of the prior year to January 1 of the current</li> </ul> </li> </ul>	<p>54953.4. (a) The Legislature finds and declares that public access, including through translation of agendas as required by this section, is necessary for an informed populace. The Legislature encourages local agencies to adopt public access requirements that exceed the requirements of this chapter by translating additional languages, employing human translators, and conducting additional outreach.</p> <p>(b) (1) In addition to any other applicable requirements of this chapter, a meeting held by a eligible legislative body pursuant to this chapter shall comply with both of the following requirements:</p> <p>(A) (i) (I) (ia) All open and public meetings shall include an opportunity for members of the public to attend via a two-way telephonic service or a two-way audiovisual platform, except if adequate telephonic or internet service is not operational at the meeting location. If adequate telephonic or internet service is operational at the meeting location during only a portion of the meeting, the legislative body shall include an opportunity for members of the public to attend via a two-way telephonic service or a two-way audiovisual platform during that portion of the meeting.</p> <p>(ib) (Ia) On or before July 1, 2026, an eligible legislative body shall approve at a noticed public meeting in open session, not on the consent calendar, a policy regarding disruption of telephonic or internet service occurring during meetings subject to this sub-subclause. The policy shall address the procedures for recessing and reconvening a meeting in the event of disruption and the efforts that the eligible legislative body shall make to attempt to restore the service.</p>	<p><i>Adds section.</i></p>	January 1, 2030

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		<p>year, and the special district employs over 200 full-time equivalent employees.</p> <p>All open and public meetings of an eligible legislative body would have to include an opportunity for members of the public to attend via a two-way telephonic service or a two-way audiovisual platform, unless telephonic or internet service is not available at the meeting location. If adequate telephonic or internet service is operational at the meeting location during only a portion of the meeting, the legislative body must include an opportunity for members of the public to attend via a two-way telephonic service or a two-way audiovisual platform during that portion of the meeting.</p> <p>On or before July 1, 2026, an eligible legislative body must approve at a noticed public meeting in open session, and not on the consent calendar, a policy regarding disruption of telephonic or internet service occurring during meetings. The policy must address the procedures for recessing and reconvening a meeting in the event of disruption and the efforts the eligible legislative body will make to attempt to restore service. If a disruption of telephonic or internet service occurs during the meeting, the legislative body must recess the open session of the meeting for at least one hour and make a good faith attempt to restore the service. The legislative body must not resume the open session of the meeting for at least one hour following the disruption, or until telephonic or internet service is restored, whichever is earlier. Notably, the legislative body may meet in closed session during this period. Upon resuming the open session, if telephonic or internet service has not been restored, the legislative body must adopt a finding by rollcall vote that they have made good faith efforts in accordance with their policy and that the public interest in continuing the meeting outweighs the public interest in remote public access.</p> <p>Eligible legislative bodies would be required to reasonably assist members of the public who wish to translate a public meeting into any language or wish to receive interpretation provided by another member of the public, so long as the interpretation is not disrupting to the meeting. The eligible legislative body shall publicize instructions on how to request assistance under this subdivision. Assistance may include any of the following, as determined by the eligible legislative body:</p> <ul style="list-style-type: none"> <li>• Arranging space for one or more interpreters at the meeting location.</li> </ul>	<p>(lb) If a disruption of telephonic or internet service that prevents members of the public from attending or observing the meeting via the two-way telephonic service or two-way audiovisual platform occurs during the meeting, the eligible legislative body shall recess the open session of the meeting for at least one hour and make a good faith attempt to restore the service. The eligible legislative body may meet in closed session during this period. The eligible legislative body shall not reconvene the open session of the meeting until at least one hour following the disruption, or until telephonic or internet service is restored, whichever is earlier.</p> <p>(lc) Upon reconvening the open session, if telephonic or internet service has not been restored, the eligible legislative body shall adopt a finding by rollcall vote that good faith efforts to restore the telephonic or internet service have been made in accordance with the policy adopted pursuant to sub-sub-subclause (la) and that the public interest in continuing the meeting outweighs the public interest in remote public access.</p> <p>(ll) Subclause (l) does not apply to a meeting that is held to do any of the following:</p> <p>(ia) Attend a judicial or administrative proceeding to which the local agency is a party.</p> <p>(ib) Inspect real or personal property provided that the topic of the meeting is limited to items directly related to the real or personal property.</p> <p>(ic) Meet with elected or appointed officials of the United States or the State of California, solely to discuss a legislative or regulatory issue affecting the local agency and over which the federal or state officials have jurisdiction.</p> <p>(id) Meet in or nearby a facility owned by the agency, provided that the topic of the meeting is limited to items directly related to the facility.</p> <p>(ie) Meet in an emergency situation pursuant to Section 54956.5.</p> <p>(ii) If an eligible legislative body elects to provide a two-way audiovisual platform, the eligible legislative body shall publicly post and provide a call-in option, and activate any automatic captioning function during the meeting if an automatic captioning function is included with the two-way audiovisual platform. If an eligible legislative body does not elect to provide a two-way audiovisual platform, the eligible legislative body shall provide a two-way telephonic service for the public to participate in the meeting, pursuant to subclause (l).</p> <p>(B) (i) All open and public meetings for which attendance via a two-way telephonic service or a two-way audiovisual platform is provided in accordance with paragraph (1) shall provide the public with an opportunity to provide public comment in accordance with Section 54954.3 via the two-way telephonic or two-way audiovisual platform, and ensure the opportunity for the members of the public participating via a two-way telephonic or two-way</p>		

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		<ul style="list-style-type: none"> <li>• Allowing extra time during the meeting for interpretation to occur.</li> <li>• Making available equipment or facilities for participants to access commercially available interpretation services.</li> </ul> <p>The eligible legislative body would be required to publicly post and provide a call-in option and activate any automatic captioning function during the meeting if an automatic captioning function is included with the two-way audiovisual platform. All public meetings would be required to provide the public with an opportunity to comment on an agenda item via a two-way telephonic or two-way audiovisual platform, and would be required to 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.</p> <p>The provisions of SB 707 do not require an eligible legislative body to provide interpretation of any public meeting, however, an eligible legislative body may elect to provide interpretation of any public meeting. SB 707 provides that an action shall not be commenced or maintained against the eligible legislative body arising from the content or accuracy of any interpretation facilitated or provided pursuant to these terms.</p> <p>Eligible legislative bodies would be required to have in place a system for electronically facilitating requests for meeting agendas and materials through email or through an integrated agenda management platform. Information about how to make a request using this system must be made accessible through a prominent direct link posted on the primary internet website home page of the eligible legislative body.</p> <p>Eligible legislative bodies would be required to create and maintain an accessible internet web page dedicated to public meetings that includes, or provides a link to, all of the following information:</p> <ul style="list-style-type: none"> <li>• a general explanation of the public meeting process for the eligible legislative body;</li> <li>• an explanation of the procedures for a member of the public to provide in-person or remote oral public comment during a public meeting or to submit written public comment;</li> <li>• a calendar of all public meeting dates with calendar listings that include the date, time, and location of each public meeting</li> <li>• the meeting agenda</li> </ul>	<p>audiovisual platform to provide public comment with the same time allotment as a person attending a meeting in person.</p> <p>(2) (A) An eligible legislative body shall reasonably assist members of the public who wish to translate a public meeting into any language or wish to receive interpretation provided by another member of the public, so long as the interpretation is not disrupting to the meeting, as defined in Section 54957.95. The eligible legislative body shall publicize instructions on how to request assistance under this subdivision. Assistance may include any of the following, as determined by the eligible legislative body:</p> <p>(i) Arranging space for one or more interpreters at the meeting location.</p> <p>(ii) Allowing extra time during the meeting for interpretation to occur.</p> <p>(iii) Ensuring participants may utilize their personal equipment or reasonably access facilities for participants to access commercially available interpretation services.</p> <p>(B) This section does not require an eligible legislative body to provide interpretation of any public meeting, however, an eligible legislative body may elect to provide interpretation of any public meeting.</p> <p>(C) The eligible legislative body is not responsible for the content or accuracy of any interpretation facilitated, assisted with, or provided under this subdivision. An action shall not be commenced or maintained against the eligible legislative body arising from the content or accuracy of any interpretation facilitated, assisted with, or provided under this subdivision.</p> <p>(3) An eligible legislative body shall take the following actions to encourage residents, including those in underrepresented communities and non-English-speaking communities, to participate in public meetings:</p> <p>(A) Have in place a system for electronically accepting and fulfilling requests for meeting agendas and documents pursuant to Section 54954.1 through email or through an integrated agenda management platform. Information about how to make a request using this system shall be accessible through a prominent direct link posted on the primary internet website home page of the eligible legislative body.</p> <p>(B) (i) Create and maintain an accessible internet webpage dedicated to public meetings that includes, or provides a link to, all of the following information:</p> <p>(I) A general explanation of the public meeting process for the eligible legislative body.</p> <p>(II) An explanation of the procedures for a member of the public to provide in-person or remote oral public comment during a public meeting or to submit written public comment.</p> <p>(III) A calendar of all public meeting dates with calendar listings that include the date, time, and location of each public meeting.</p>		

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		<p>The eligible legislative body must include a link to the dedicated web page on the home page of the eligible legislative body's internet website. The dedicated web page must be translated into "applicable languages," and each translation must be accessible through a prominent direct link posted on the primary internet website home page of the eligible legislative body.</p> <p>Eligible legislative bodies would be required to make reasonable efforts to provide public meeting information to groups that do not traditionally participate in public meetings, including, but not limited to, the following:</p> <ul style="list-style-type: none"> <li>• Media organizations that provide news coverage in the jurisdiction of the eligible legislative body, including media organizations that serve non-English-speaking communities.</li> <li>• Good government, civil rights, civic engagement, neighborhood, and community group organizations, or other organizations that are active in the jurisdiction of the eligible legislative body, including organizations active in non-English-speaking communities. SB 707 provides that no action shall be commenced or maintained against an eligible legislative body arising from failing to provide public meeting information to any specific organization.</li> </ul> <p>SB 707 requires that the agenda for each meeting of an eligible legislative body be translated into all applicable languages, and each translation shall be posted consistent with general agenda posting requirements. Each translation shall include instructions in the applicable language describing how to join the meeting by the telephonic or internet-based service option, including any requirements for registration for public comment. It would expressly be permissible for agencies to use digital translation services to satisfy this requirement. The eligible legislative body would be required to make available a physical location that is freely accessible to the public in reasonable proximity to the physical location in which the agenda and translations are generally posted, and the body must allow members of the public to post additional translations of the agenda in that location. As before, the eligible legislative body is not responsible for the content or accuracy of any translation provided pursuant to this section. No action shall be commenced or maintained against an eligible legislative body from the content or accuracy of any translation provided. SB 707 expressly provides that, as used here, "agenda" does not mean the entire agenda packet.</p> <p>"Applicable languages" is defined in SB 707 to mean languages, according to data from the most recent American Community Survey, spoken jointly by 20 percent or more of the applicable</p>	<p>(IV)The agenda posted online pursuant to paragraph (2) of subdivision (a) of Section 54954.2.</p> <p>(ii)The eligible legislative body shall include a link to the webpage required by subparagraph (A) on the home page of the eligible legislative body's internet website.</p> <p>(C) (i) Make reasonable efforts, as determined by the legislative body, to invite groups that do not traditionally participate in public meetings to attend those meetings, which may include, but are not limited to, all the following:</p> <p>(I) Media organizations that provide news coverage in the jurisdiction of the eligible legislative body, including media organizations that serve non-English-speaking communities.</p> <p>(II) Good government, civil rights, civic engagement, neighborhood, and community group organizations, or similar organizations that are active in the jurisdiction of the eligible legislative body, including organizations active in non-English-speaking communities.</p> <p>(III) Legislative bodies shall have broad discretion in the choice of reasonable efforts they make under this subparagraph. No action shall be commenced or maintained against an eligible legislative body arising from failing to provide public meeting information to any specific group pursuant to this subparagraph.</p> <p>(c) (1) (A)The agenda for each meeting of an eligible legislative body shall be translated into all applicable languages, and each translation shall be posted in accordance with Section 54954.2. Each translation shall include instructions in the applicable language describing how to join the meeting by the telephonic or internet-based service option, including any requirements for registration for public comment.</p> <p>(B)The accessible internet webpage provided under subparagraph (B) of paragraph (3) of subdivision (b) shall be translated into all applicable languages, and each translation shall be accessible through a prominent direct link posted on the primary internet website home page of the eligible legislative body.</p> <p>(2) A translation made using a digital translation service shall satisfy the requirements of paragraph (1).</p> <p>(3)The eligible legislative body shall make available a physical location that is freely accessible to the public in reasonable proximity to the physical location in which the agenda and translations are posted as described in paragraph (1), and shall allow members of the public to post additional translations of the agenda in that location.</p> <p>(4)The eligible legislative body is not responsible for the content or accuracy of any translation provided pursuant to this subdivision. No action shall be commenced or maintained against an eligible legislative body arising from the</p>		

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		<p>population, provided that 20 percent or more of the population that speaks that language in that city or county speaks English less than “very well.” The applicable population will be determined as follows:</p> <ul style="list-style-type: none"> <li>• For an eligible legislative body that is a city council or county board of supervisors, the applicable population shall be the population of the city or county.</li> <li>• For an eligible legislative body of a special district, the applicable population will be either of the following, at the discretion of the board of directors of the special district: <ul style="list-style-type: none"> <li>○ The population of the county with the greatest population within the boundaries of the special district.</li> <li>○ The population of the service area of the special district, if the special district has the data to determine what languages spoken by the population within its service area meet the requirements.</li> </ul> </li> </ul> <p>If more than three languages meet the criteria, “applicable languages” is limited to mean the three languages that are spoken by the largest percentage of the population. An eligible legislative body may elect to determine the applicable languages based upon a source other than the most recent American Community Survey if it makes a finding, based upon substantial evidence, that the other source provides equally or more reliable data for the territory over which the eligible legislative body exercises jurisdiction.</p> <p>These provisions applicable to eligible legislative bodies have a January 1, 2030 sunset date.</p>	<p>content, accuracy, posting, or removal of any translation provided by the eligible legislative body or posted by any person pursuant to this subdivision.</p> <p>(5) For the purposes of this section, the agenda does not include the entire agenda packet.</p> <p>(d) This section shall not be construed to affect or supersede any other applicable civil rights, nondiscrimination, or public access laws.</p> <p>(e) For purposes of this section, all of the following definitions apply:</p> <p>(1) (A) “Applicable languages” means languages, according to data from the most recent American Community Survey, spoken jointly by 20 percent or more of the applicable population, provided that 20 percent or more of the population that speaks that language in that city or county speaks English less than “very well.”</p> <p>(B) For the purposes of subparagraph (A), the applicable population shall be determined as follows:</p> <p>(i) For an eligible legislative body that is a city council or county board of supervisors, the applicable population shall be the population of the city or county.</p> <p>(ii) For an eligible legislative body of a special district, the applicable population shall be either of the following, at the discretion of the board of directors of the special district:</p> <p>(I) The population of the county with the greatest population within the boundaries of the special district.</p> <p>(II) The population of the service area of the special district, if the special district has the data to determine what languages spoken by the population within its service area meet the requirements of paragraph (A).</p> <p>(C) If more than three languages meet the criteria set forth in subparagraph (A), “applicable languages” shall mean the three languages described in subparagraph (A) that are spoken by the largest percentage of the population.</p> <p>(D) An eligible legislative body may elect to determine the applicable languages based upon a source other than the most recent American Community Survey if it makes a finding, based upon substantial evidence, that the other source provides equally or more reliable data for the territory over which the eligible legislative body exercises jurisdiction.</p> <p>(2) “Eligible legislative body” means any of the following:</p> <p>(A) A city council of a city with a population of 30,000 or more.</p> <p>(B) A county board of supervisors of a county, or city and county, with a population of 30,000 or more.</p>		

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			<p>(C) A city council of a city located in a county with a population of 600,000 or more.</p> <p>(D) The board of directors of a special district that has an internet website and meets any of the following conditions:</p> <p>(i) The boundaries of the special district include the entirety of a county with a population of 600,000 or more, and the special district has over 200 full-time equivalent employees.</p> <p>(ii) The special district has over 1,000 full-time equivalent employees.</p> <p>(iii) The special district has annual revenues, based on the most recent Financial Transaction Report data published by the California State Controller, that exceed four hundred million dollars (\$400,000,000), adjusted annually for inflation commencing January 1, 2027, as measured by the percentage change in the California Consumer Price Index from January 1 of the prior year to January 1 of the current year, and the special district employs over 200 full-time equivalent employees.</p> <p>(3) "Two-way audiovisual platform" means an online platform that provides participants with the ability to participate in a meeting via both an interactive video conference and a two-way telephonic service.</p> <p>(4) "Two-way telephonic service" means a telephone service that does not require internet access and allows participants to dial a telephone number to listen and verbally participate.</p> <p>(f) This section shall become operative on July 1, 2026.</p> <p>(g) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.</p>		
<b>Section 6</b>					
54953.5	Public Recording Rights & Access to Meeting Recordings	Minor, technical changes regarding modern recording devices and public meetings.	<p>54953.5. (a) Any person attending an open and public meeting of a legislative body of a local agency shall have the right to record the proceedings in the absence of a reasonable finding by the legislative body of the local agency that the recording cannot continue without noise, illumination, or obstruction of view that constitutes, or would constitute, a persistent disruption of the proceedings.</p> <p>(b) Any recording of an open and public meeting made for whatever purpose by or at the direction of the local agency shall be subject to inspection pursuant to the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1), but, notwithstanding Section 34090, may be erased or destroyed 30 days after the recording. Any inspection of an audio or video recording shall be provided without charge on equipment made available by the local agency.</p>	<p>54953.5. (a) Any person attending an open and public meeting of a legislative body of a local agency shall have the right to record the proceedings with an audio or video recorder or a still or motion picture camera in the absence of a reasonable finding by the legislative body of the local agency that the recording cannot continue without noise, illumination, or obstruction of view that constitutes, or would constitute, a persistent disruption of the proceedings.</p> <p>(b) Any audio or video recording of an open and public meeting made for whatever purpose by or at the direction of the local agency shall be subject to inspection pursuant to the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1), but, notwithstanding Section 34090, may be erased or destroyed 30 days after the recording. Any inspection of an audio or video recording shall be provided without charge on equipment made available by the local agency.</p>	None

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<b>Section 7</b>					
54953.7	Enhanced Public Access Standards	Removes the requirement that the majority of an appointed legislative body be made up of elected legislative body members for the elected legislative body to impose higher Brown Act standards on the appointed legislative body.	54953.7. Notwithstanding any other provision of law, legislative bodies of local agencies may impose requirements upon themselves which allow greater access to their meetings than prescribed by the minimal standards set forth in this chapter. In addition thereto, an elected legislative body of a local agency may impose those requirements on appointed legislative bodies of the local agency.	54953.7. Notwithstanding any other provision of law, legislative bodies of local agencies may impose requirements upon themselves which allow greater access to their meetings than prescribed by the minimal standards set forth in this chapter. In addition thereto, an elected legislative body of a local agency may impose such 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.	None
<b>Section 8</b>					
54953.8	Teleconference Meeting Requirements & Public Access	<p>Creates the foundational set of rules for “revised teleconferencing” under the Brown Act; when holding public meetings using “revised teleconferencing” rules (not having to list the teleconference location[s] in the agenda, not having to make the teleconferencing location[s] accessible to the public, etc.), these are the general set of rules that apply. These circumstances are referenced in Sections 54953.8.1 to 54953.8.7, inclusive.</p> <p>The new revised teleconferencing rules impose various minimum requirements that are novel or were otherwise only selectively applicable; in addition to some typical provisions, SB 707 provides:</p> <ul style="list-style-type: none"> <li>teleconferencing must be done with two-way, audiovisual platforms <i>OR</i> two-way telephonic services accompanied by a live webcasting of the meeting</li> <li>any member of the legislative body who participates in a teleconference meeting from a remote location and the specific provision of law that the member relied upon to permit their participation by teleconferencing must be listed in the minutes of the meeting</li> </ul> <p>SB 707 stipulates that the local agency must 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.</p>	<p>54953.8. (a)The legislative body of a local agency may use teleconferencing as authorized by subdivision (b) of Section 54953 without complying with the requirements of paragraph (3) of subdivision (b) of Section 54953 in any of the circumstances described in Sections 54953.8.1 to 54953.8.7, inclusive.</p> <p>(b) A legislative body that holds a teleconference meeting pursuant to this section shall, in addition to any other applicable requirements of this chapter, comply with all of the following:</p> <p>(1)The legislative body shall provide at least one of the following as a means by which the public may remotely hear and visually observe the meeting, and remotely address the legislative body:</p> <p>(A) A two-way audiovisual platform.</p> <p>(B) A two-way telephonic service and a live webcasting of the meeting.</p> <p>(2) In each instance in which notice of the time of the teleconference meeting held pursuant to this section is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option.</p> <p>(3) In the event of a disruption that prevents the legislative body from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency’s control that prevents members of the public from offering public comments using the call-in option or internet-based service option, the legislative body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption that prevents the legislative body from broadcasting the meeting may be challenged pursuant to Section 54960.1.</p>	<i>Adds section.</i>	None

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			<p>(4)The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for the public to address the legislative body and offer comment in real time.</p> <p>(5) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.</p> <p>(6) (A) A legislative body that provides a timed public comment period for each agenda item shall not close the public comment period for the agenda item, or the opportunity to register, pursuant to paragraph (5), to provide public comment until that timed public comment period has elapsed.</p> <p>(B) A legislative body that does not provide a timed public comment period, but takes public comment separately on each agenda item, shall allow a reasonable amount of time per agenda item to allow public members the opportunity to provide public comment, including time for members of the public to register pursuant to paragraph (5), or otherwise be recognized for the purpose of providing public comment.</p> <p>(C) A legislative body that provides a timed general public comment period that does not correspond to a specific agenda item shall not close the public comment period or the opportunity to register, pursuant to paragraph (5), until the timed general public comment period has elapsed.</p> <p>(7) Any member of the legislative body who participates in a teleconference meeting from a remote location pursuant to this section and the specific provision of law that the member relied upon to permit their participation by teleconferencing shall be listed in the minutes of the meeting.</p> <p>(8)The legislative body shall have and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and resolving any doubt in favor of accessibility. In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the procedure for receiving and resolving requests for accommodation.</p> <p>(9)The legislative body shall conduct meetings subject to this chapter consistent with applicable civil rights and nondiscrimination laws.</p> <p>(c) A local agency shall identify and make available to legislative bodies a list of one or more meeting locations that may be available for use by the legislative bodies to conduct their meetings.</p> <p>(d) (1) Nothing in this section shall prohibit a legislative body from providing the public with additional teleconference locations.</p>		

Section	Title	CSDA Summary	Replacement Text	Former Text	Sunset Date
			<p>(2) Nothing in this section shall prohibit a legislative body from providing the public with additional physical locations in which the public may observe and address the legislative body by electronic means.</p> <p>(e) A member of a legislative body who participates in a teleconference meeting from a remote location pursuant to this section shall publicly disclose at the meeting before any action is taken whether any other individuals 18 years of age or older are present in the room at the remote location with the member, and the general nature of the member's relationship with those individuals.</p> <p>(f) The teleconferencing provisions described in Section 54953 and Sections 54953.8.1 to 54953.8.7, inclusive, are cumulative. A legislative body may elect to use any teleconferencing provisions that are applicable to a meeting, regardless of whether any other teleconferencing provisions would also be applicable to that meeting.</p> <p>(g) For purposes of this section, the following definitions apply:</p> <p>(1) "Remote location" means a location from which a member of a legislative body participates in a meeting pursuant to paragraph (7) of subdivision (b), other than any physical meeting location designated in the notice of the meeting. Remote locations need not be accessible to the public.</p> <p>(2) "Teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both.</p> <p>(3) "Two-way audiovisual platform" means an online platform that provides participants with the ability to participate in a meeting via both an interactive video conference and a two-way telephonic service. A two-way audiovisual platform may be structured to disable the use of video for the public participants.</p> <p>(4) "Two-way telephonic service" means a telephone service that does not require internet access and allows participants to dial a telephone number to listen and verbally participate.</p> <p>(5) "Webcasting" means a streaming video broadcast online or on television, using streaming media technology to distribute a single content source to many simultaneous listeners and viewers.</p>		

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<b>Section 9</b>		<b>PERMISSIVE AUTHORITY GRANTED TO CERTAIN BODIES</b>				
54953.8.1	Teleconference Meetings for Health Authorities	Health authorities are allowed to hold meetings by teleconference under the same rules described in Section 54953.8.	<p>54953.8.1. (a) A health authority may conduct a teleconference meeting pursuant to Section 54953.8, provided that it complies with the requirements of that section.</p> <p>(b) Nothing in this section or Section 54953.8 shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority.</p> <p>(c) For purposes of this section, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.</p>	<i>Relocated from 54953.</i>	None	

Section	Title	CSDA Summary	Replacement Text	Former Text	Sunset Date
Section 10			<b>PERMISSIVE AUTHORITY GRANTED TO CERTAIN BODIES</b>		
54953.8.2	State of Emergency; Local State of Emergency	A local agency's governing body may hold a teleconference meeting pursuant to the terms of section 54953.8 during a declared state or local emergency provided it observes the requirements contained therein and follows the procedural requirements of this section.	<p>54953.8.2. (a) A legislative body of a local agency may conduct a teleconference meeting pursuant to Section 54953.8 during a proclaimed state of emergency or local emergency, provided that it complies with the requirements of that section and the teleconferencing is used in either of the following circumstances:</p> <p>(1) For the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.</p> <p>(2) After a determination described in paragraph (1) is made that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.</p> <p>(b) If the state of emergency or local emergency remains active, in order to continue to teleconference pursuant to this section, the legislative body shall, no later than 45 days after teleconferencing for the first time pursuant to this section, and every 45 days thereafter, make the following findings by majority vote:</p> <p>(1)The legislative body has reconsidered the circumstances of the state of emergency or local emergency.</p> <p>(2)The state of emergency or local emergency continues to directly impact the ability of the members to meet safely in person.</p> <p>(c)This section shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.</p> <p>(d) Notwithstanding paragraph (1) of subdivision (b) of Section 54953.8, a legislative body conducting a teleconference meeting pursuant to this section may elect to use a two-way telephonic service without a live webcasting of the meeting.</p> <p>(e) For purposes of this section, the following definitions apply:</p> <p>(1) "Local emergency" means a condition of extreme peril to persons or property proclaimed by the governing body of the local agency affected, in accordance with Section 8630 of the California Emergency Services Act (Chapter 7 (commencing with Section 8550) of Division 1 of Title 2), as defined in Section 8680.9, or a local health emergency declared pursuant to Section 101080 of the Health and Safety Code. Local emergency, as used in this section, refers only to local emergencies in the boundaries of the territory over which the local agency exercises jurisdiction.</p> <p>(2) "State of emergency" means state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act (Chapter 7 (commencing with Section 8550) of Division 1 of Title 2).</p>	<i>Relocated from 54953.</i>	None

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Section 11			<b>PERMISSIVE AUTHORITY GRANTED TO CERTAIN BODIES</b>		
54953.8.3	Remote Participation for Just Cause	<p>Generally recreates the provisions of law that allowed a board member to participate using revised teleconferencing rules for a “just cause” or as a result of “emergency circumstances,” provisions of law that were added by <a href="#">AB 2449 (Rubio, 2022)</a>.</p> <p>SB 707 also expands the definition of “just cause” to include certain military service obligations and reasons related to an immunocompromised child, parent, grandparent, grandchild, sibling, spouse, or domestic partner of the board member.</p> <p>SB 707 makes a minor, technical change to the former provisions by including “emergency circumstances” as a form of “just cause,” rather than as a standalone category.</p>	<p>54953.8.3. (a) A legislative body of a local agency may conduct a teleconference meeting pursuant to Section 54953.8 if, during the teleconference meeting, at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda, which location shall be open to the public and situated within the boundaries of the territory over which the local agency exercises jurisdiction, provided that the legislative body complies with the requirements of Section 54953.8 and all of the following additional requirements:</p> <p>(1) A member of the legislative body notifies the legislative body at the earliest opportunity possible, including at the start of a regular meeting, of their need to participate remotely for just cause, including a general description of the circumstances relating to their need to appear remotely at the given meeting.</p> <p>(2) The member shall participate through both audio and visual technology.</p> <p>(3) (A) The provisions of this subdivision shall not serve as a means for any member of a legislative body to participate in meetings of the legislative body solely by teleconference from a remote location for just cause for more than the following number of meetings, as applicable:</p> <p>(i) Two meetings per year, if the legislative body regularly meets once per month or less.</p> <p>(ii) Five meetings per year, if the legislative body regularly meets twice per month.</p> <p>(iii) Seven meetings per year, if the legislative body regularly meets three or more times per month.</p> <p>(B) For the purpose of counting meetings attended by teleconference under this paragraph, a “meeting” shall be defined as any number of meetings of the legislative body of a local agency that begin on the same calendar day.</p> <p>(b) The minutes for the meeting shall identify the specific provision in subdivision (c) that each member relied upon to participate remotely. This subdivision shall not be construed to require the member to disclose any medical diagnosis or disability, or any personal medical information that is otherwise exempt under existing law, including, but not limited to, the Confidentiality of Medical Information Act (Chapter 1 (commencing with Section 56) of Part 2.6 of Division 1 of the Civil Code).</p> <p>(c) For purposes of this section, “just cause” means any of the following:</p> <p>(1) Childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely. “Child,” “parent,” “grandparent,” “grandchild,” and “sibling” have the same meaning as those terms do in Section 12945.2.</p>	<i>Relocated from 54953.</i>	January 1, 2030

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			<p>(2) A contagious illness that prevents a member from attending in person.</p> <p>(3) A need related to a physical or mental condition that is not subject to subdivision (c) of Section 54953.</p> <p>(4) Travel while on official business of the legislative body or another state or local agency.</p> <p>(5) An immunocompromised child, parent, grandparent, grandchild, sibling, spouse, or domestic partner of the member that requires the member to participate remotely.</p> <p>(6) A physical or family medical emergency that prevents a member from attending in person.</p> <p>(7) Military service obligations that result in a member being unable to attend in person because they are serving under official written orders for active duty, drill, annual training, or any other duty required as a member of the California National Guard or a United States Military Reserve organization that requires the member to be at least 50 miles outside the boundaries of the local agency.</p> <p>(d) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.</p>			
<b>Section 12</b>		<b>PERMISSIVE AUTHORITY GRANTED TO CERTAIN BODIES</b>				
54953.8.4	Eligible Neighborhood Councils	<p>Generally recreates the provisions of law added to the Brown Act by <a href="#">SB 411 (Portantino, 2023)</a>, related to eligible neighborhood councils.</p> <p>Eligible neighborhood councils would be permitted to use the revised teleconferencing rules established by section 54953.8, subject to various conditions.</p>	<p>54953.8.4. (a) An eligible neighborhood council may conduct a teleconference meeting pursuant to Section 54953.8, provided that it complies with the requirements of that section and all of the following have occurred:</p> <p>(1) (A) The city council for a city described in paragraph (2) of subdivision (b) considers whether to adopt a resolution to authorize eligible neighborhood councils to use teleconferencing as described in this section at an open and regular meeting.</p> <p>(B) If the city council adopts a resolution described in subparagraph (A), an eligible neighborhood council may elect to use teleconferencing pursuant to this section if a majority of the eligible neighborhood council votes to do so. The eligible neighborhood council shall notify the city council if it elects to use teleconferencing pursuant to this section and its justification for doing so.</p> <p>(C) Upon receiving notification from an eligible neighborhood council described in subparagraph (B), the city council may adopt a resolution to prohibit the eligible neighborhood council from using teleconferencing pursuant to this section.</p> <p>(2) After completing the requirements of subparagraph (A) of paragraph (1), an eligible neighborhood council that holds a meeting pursuant to this subdivision shall do all of the following:</p>	<p>54953.8. (a) (1) An eligible legislative body may use teleconferencing without complying with paragraph (3) of subdivision (b) of Section 54953 if the eligible legislative body complies with paragraphs (2) to (4), inclusive.</p> <p>(2) An eligible legislative body may only use teleconferencing as described in this section after all the following have occurred:</p> <p>(A) The city council for a city described in subdivision (c) considers whether to adopt a resolution to authorize eligible legislative bodies to use teleconferencing as described in paragraph (1) at an open and regular meeting.</p> <p>(B) If the city council adopts a resolution described in subparagraph (A), an eligible legislative body may elect to use teleconferencing pursuant to this section if two-thirds of the eligible legislative body votes to do so. The eligible legislative body shall notify the city council if it elects to use teleconferencing pursuant to this section and its justification for doing so.</p> <p>(C) Upon receiving notification from a legislative body as described in subparagraph (B), the city council may adopt a resolution to prohibit the eligible legislative body from using teleconferencing pursuant to this section.</p> <p>(3) After completing the requirements in paragraph (2), an eligible legislative body that holds a meeting pursuant to this subdivision shall do all of the following:</p>	January 1, 2030	

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			<p>(A) At least a quorum of the members of the eligible neighborhood council shall participate from locations within the boundaries of the city in which the eligible neighborhood council is established.</p> <p>(B) At least once per year, at least a quorum of the members of the eligible neighborhood council shall participate in person from a singular physical location that is open to the public and within the boundaries of the eligible neighborhood council.</p> <p>(3) If the meeting is during regular business hours of the offices of the city council member that represents the area that includes the eligible neighborhood council, the eligible neighborhood council shall provide a publicly accessible physical location from which the public may attend or comment, which shall be the offices of the city council member who represents the area where the eligible neighborhood council is located, unless the eligible neighborhood council identifies an alternative location.</p> <p>(4) If the meeting is outside regular business hours, the eligible neighborhood council shall make reasonable efforts to accommodate any member of the public that requests an accommodation to participate in the meeting.</p> <p>(b) For purposes of this section, the following definitions apply:</p> <p>(1) "Accommodation" means providing a publicly accessible physical location for the member of the public to participate from, providing access to technology necessary to participate in the meeting, or identifying locations or resources available that could provide the member of the public with an opportunity to participate in the meeting.</p> <p>(2) "Eligible neighborhood council" means a neighborhood council that is an advisory body with the purpose to promote more citizen participation in government and make government more responsive to local needs that is established pursuant to the charter of a city with a population of more than 3,000,000 people that is subject to this chapter.</p> <p>(c) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.</p>	<p>(A) In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the eligible legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option.</p> <p>(B) In the event of a disruption that prevents the eligible legislative body from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the eligible legislative body's control that prevents members of the public from offering public comments using the call-in option or internet-based service option, the eligible legislative body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption that prevents the eligible legislative body from broadcasting the meeting may be challenged pursuant to Section 54960.1.</p> <p>(C) The eligible legislative body shall not require public comments to be submitted in advance of the meeting and shall provide an opportunity for the public to address the legislative body and offer comment in real time.</p> <p>(D) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the eligible legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.</p> <p>(E) (i) An eligible legislative body that provides a timed public comment period for each agenda item shall not close the public comment period for the agenda item, or the opportunity to register, pursuant to subparagraph (D), to provide public comment until that timed public comment period has elapsed.</p> <p>(ii) An eligible legislative body that does not provide a timed public comment period, but takes public comment separately on each agenda item, shall allow a reasonable amount of time per agenda item to allow public members the opportunity to provide public comment, including time for members of the public to register pursuant to subparagraph (D), or otherwise be recognized for the purpose of providing public comment.</p> <p>(iii) An eligible legislative body that provides a timed general public comment period that does not correspond to a specific agenda item shall not close the public comment period or the opportunity to register, pursuant to subparagraph (D), until the timed general public comment period has elapsed.</p> <p>(F) At least a quorum of the members of the eligible legislative body shall participate from locations within the boundaries of the city in which the eligible legislative body is established.</p>	

Section	Title	CSDA Summary	Replacement Text	Former Text	Sunset Date
				<p>(G) At least once per year, at least a quorum of the members of the eligible legislative body shall participate in person from a singular physical location that is open to the public and within the boundaries of the eligible legislative body.</p> <p>(4) An eligible legislative body that holds a meeting pursuant to this subdivision shall do the following, as applicable:</p> <p>(A) If the meeting is during regular business hours of the offices of the city council member that represents the area that includes the eligible legislative body, the eligible legislative body shall provide a publicly accessible physical location from which the public may attend or comment, which shall be the offices of the city council member who represents the area where the eligible legislative body is located, unless the eligible legislative body identifies an alternative location.</p> <p>(B) If the meeting is outside regular business hours, the eligible legislative body shall make reasonable efforts to accommodate any member of the public that requests an accommodation to participate in the meeting. For the purposes of this subparagraph, "accommodation" means providing a publicly accessible physical location for the member of the public to participate from, providing access to technology necessary to participate in the meeting, or identifying locations or resources available that could provide the member of the public with an opportunity to participate in the meeting.</p> <p>(b)The legislative body shall comply with all other requirements of Section 54953.</p> <p>(c) As used in this section, "eligible legislative body" means a neighborhood council that is an advisory body with the purpose to promote more citizen participation in government and make government more responsive to local needs that is established pursuant to the charter of a city with a population of more than 3,000,000 people that is subject to this chapter.</p> <p>(d)This section shall remain in effect only until January 1, 2026, and as of that date is repealed.</p>	
<b>Section 13 PERMISSIVE AUTHORITY GRANTED TO CERTAIN BODIES</b>					
54953.8.5	Eligible Community College Student Organizations	<p>Generally recreates the provisions of law added to the Brown Act by <a href="#">AB 1855 (Arambula, 2024)</a>, related to community college student body associations and student-run organizations.</p> <p>Eligible community college student organizations would be permitted to use the revised teleconferencing rules established by section 54953.8, subject to various conditions.</p>	<p>54953.8.5. (a) An eligible community college student organization may conduct a teleconference meeting pursuant to Section 54953.8, provided that it complies with the requirements of that section and all of the following additional requirements:</p> <p>(1) An eligible community college student organization may only use teleconferencing as described in Section 54953.8 after all the following have occurred:</p> <p>(A)The board of trustees for a community college district considers whether to adopt a resolution to authorize eligible community college student</p>	<p>54953.9. (a) As used in this section, "eligible legislative body" means a student body association organized pursuant to Section 76060 of the Education Code, or any other student-run community college organization that is required to comply with the meeting requirements of this chapter.</p> <p>(b) (1) An eligible legislative body may use teleconferencing without complying with paragraph (3) of subdivision (b) of Section 54953 if the eligible legislative body complies with paragraphs (2) to (4), inclusive.</p> <p>(2) An eligible legislative body may only use teleconferencing as described in this section after all the following have occurred:</p>	January 1, 2030

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			<p>organizations to use teleconferencing as described in this section at an open and regular meeting.</p> <p>(B) If the board of trustees for a community college district adopts a resolution described in subparagraph (A), an eligible community college student organization may elect to use teleconferencing pursuant to this section if a majority of the eligible community college student organization votes to do so. The eligible community college student organization shall notify the board of trustees if it elects to use teleconferencing pursuant to this section and its justification for doing so.</p> <p>(C) Upon receiving notification from an eligible community college student organization as described in subparagraph (B), the board of trustees may adopt a resolution to prohibit the eligible community college student organization from using teleconferencing pursuant to this section.</p> <p>(D) (i) Except as specified in clause (ii), at least a quorum of the members of the eligible community college student organization shall participate from a singular physical location that is accessible to the public and is within the community college district in which the eligible community college student organization is established.</p> <p>(ii) The requirements described in clause (i) shall not apply to the California Online Community College.</p> <p>(iii) Notwithstanding the requirements of clause (i), a person may count toward the establishment of a quorum pursuant to clause (i) regardless of whether the person is participating at the in-person location of the meeting or remotely if the person meets any of the following criteria:</p> <p>(I) The person is under 18 years of age.</p> <p>(II) The person is incarcerated.</p> <p>(III) The person is unable to disclose the location that they are participating from because of either of the following circumstances:</p> <p>(ia) The person has been issued a protective court order, including, but not limited to, a domestic violence restraining order.</p> <p>(ib) The person is participating in a program that has to remain confidential, including, but not limited to, an independent living program.</p> <p>(IV) The person provides childcare or caregiving to a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely. For purposes of this subclause, "child," "parent," "grandparent," "grandchild," and "sibling" have the same meaning as those terms are defined in Section 12945.2.</p> <p>(2) An eligible community college student organization that holds a meeting by teleconference as described in Section 54953.8 shall do the following, as applicable:</p>	<p>(A) The board of trustees for a community college district considers whether to adopt a resolution to authorize eligible legislative bodies to use teleconferencing as described in paragraph (1) at an open and regular meeting.</p> <p>(B) If the board of trustees for a community college district adopts a resolution described in subparagraph (A), an eligible legislative body may elect to use teleconferencing pursuant to this section if two-thirds of the eligible legislative body votes to do so. The eligible legislative body shall notify the board of trustees if it elects to use teleconferencing pursuant to this section and its justification for doing so.</p> <p>(C) Upon receiving notification from a legislative body as described in subparagraph (B), the board of trustees may adopt a resolution to prohibit the eligible legislative body from using teleconferencing pursuant to this section.</p> <p>(3) After completing the requirements in paragraph (2), an eligible legislative body that holds a meeting pursuant to this subdivision shall do all of the following:</p> <p>(A) In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the eligible legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option.</p> <p>(B) In the event of a disruption that prevents the eligible legislative body from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the eligible legislative body's control that prevents members of the public from offering public comments using the call-in option or internet-based service option, the eligible legislative body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption that prevents the eligible legislative body from broadcasting the meeting may be challenged pursuant to Section 54960.1.</p> <p>(C) The eligible legislative body shall not require public comments to be submitted in advance of the meeting and shall provide an opportunity for the public to address the legislative body and offer comment in real time.</p> <p>(D) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the eligible legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.</p> <p>(E) (i) An eligible legislative body that provides a timed public comment period for each agenda item shall not close the public comment period for the</p>	

Section	Title	CSDA Summary	Replacement Text	Former Text	Sunset Date
			<p>(A) (i) Except as specified in subparagraph (B), if the meeting is during regular business hours of the offices of the board of trustees of the community college district, the eligible community college student organization shall provide a publicly accessible physical location from which the public may attend or comment, which shall be the offices of the board of trustees of the community college district, unless the eligible community college student organization identifies an alternative location.</p> <p>(ii) Except as specified in subparagraph (B), if the meeting is outside regular business hours, the eligible community college student organization shall make reasonable efforts to accommodate any member of the public that requests an accommodation to participate in the meeting. For the purposes of this subparagraph, “accommodation” means providing a publicly accessible physical location for the member of the public to participate from, providing access to technology necessary to participate in the meeting, or identifying locations or resources available that could provide the member of the public with an opportunity to participate in the meeting.</p> <p>(B)The requirements described in subparagraph (A) shall not apply to the California Online Community College.</p> <p>(b) For purposes of this section, “eligible community college student organization” means a student body association organized pursuant to Section 76060 of the Education Code, or any other student-run community college organization that is required to comply with the meeting requirements of this chapter, that is in any community college recognized within the California Community Colleges system and includes the Student Senate for California Community Colleges.</p> <p>(c)This section shall remain in effect only until January 1, 2030, and as of that date is repealed.</p>	<p>agenda item, or the opportunity to register, pursuant to subparagraph (D), to provide public comment until that timed public comment period has elapsed.</p> <p>(ii) An eligible legislative body that does not provide a timed public comment period, but takes public comment separately on each agenda item, shall allow a reasonable amount of time per agenda item to allow public members the opportunity to provide public comment, including time for members of the public to register pursuant to subparagraph (D), or otherwise be recognized for the purpose of providing public comment.</p> <p>(iii) An eligible legislative body that provides a timed general public comment period that does not correspond to a specific agenda item shall not close the public comment period or the opportunity to register, pursuant to subparagraph (D), until the timed general public comment period has elapsed.</p> <p>(F) (i) At least a quorum of the members of the eligible legislative body shall participate from a singular physical location that is accessible to the public and is within the community college district in which the eligible legislative body is established.</p> <p>(ii) Notwithstanding the requirements of clause (i), a person may count toward the establishment of a quorum pursuant to clause (i) regardless of whether the person is participating at the in-person location of the meeting or remotely if the person meets any of the following criteria:</p> <p>(I)The person has a disability that requires accommodation pursuant to the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132).</p> <p>(II)The person is under 18 years of age.</p> <p>(III)The person is incarcerated.</p> <p>(IV)The person is unable to disclose the location that they are participating from because of either of the following circumstances:</p> <p>(ia)The person has been issued a protective court order, including, but not limited to, a domestic violence restraining order.</p> <p>(ib)The person is participating in a program that has to remain confidential, including, but not limited to, an independent living program.</p> <p>(V)The person provides childcare or caregiving to a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely. For purposes of this subclause, “child,” “parent,” “grandparent,” “grandchild,” and “sibling” have the same meaning as those terms are defined in Section 12945.2.</p> <p>(4) An eligible legislative body that holds a meeting pursuant to this subdivision shall do the following, as applicable:</p> <p>(A) If the meeting is during regular business hours of the offices of the board of trustees of the community college district, the eligible legislative body shall provide a publicly accessible physical location from which the public may</p>	

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				<p>attend or comment, which shall be the offices of the board of trustees of the community college district, unless the eligible legislative body identifies an alternative location.</p> <p>(B) If the meeting is outside regular business hours, the eligible legislative body shall make reasonable efforts to accommodate any member of the public that requests an accommodation to participate in the meeting. For the purposes of this subparagraph, "accommodation" means providing a publicly accessible physical location for the member of the public to participate from, providing access to technology necessary to participate in the meeting, or identifying locations or resources available that could provide the member of the public with an opportunity to participate in the meeting.</p> <p>(c)The legislative body shall comply with all other requirements of Section 54953.</p> <p>(d)This section shall remain in effect only until January 1, 2026, and as of that date is repealed.</p>	
<b>Section 14 PERMISSIVE AUTHORITY GRANTED TO CERTAIN BODIES</b>					
54953.8.6	Eligible Subsidiary Bodies	<p>SB 707 enacts a version of <a href="#">SB 239 (Arreguín, 2025)</a>, related to subsidiary bodies and the Brown Act. An "eligible subsidiary body" would be permitted to use the revised teleconferencing rules established in section 54953.8, subject to various conditions.</p> <p>"Eligible subsidiary body" is defined to mean a legislative body that meets all of the following:</p> <ul style="list-style-type: none"> <li>• The body is a commission, committee, board, or other body of a local agency, whether permanent or temporary, decision making or advisory, created by charter, ordinance, resolution, or formal action of a legislative body. However, advisory committees, composed solely of the members of the legislative body that are less than a quorum of the legislative body do not qualify, except that standing committees of a legislative body, irrespective of their composition, which have a continuing subject matter jurisdiction, or a meeting schedule fixed by charter, ordinance, resolution, or formal action of a legislative body are legislative bodies that do qualify.</li> <li>• Serves exclusively in an advisory capacity.</li> <li>• Is not authorized to take final action on legislation, regulations, contracts, licenses, permits, or any other entitlements, grants, or allocations of funds.</li> <li>• Does not have primary subject matter jurisdiction, as defined by the charter, an ordinance, a resolution, or any formal action of the legislative body that created the subsidiary body, that focuses on elections, budgets, police oversight, privacy,</li> </ul>	<p>54953.8.6. (a) An eligible subsidiary body may conduct a teleconference meeting pursuant to Section 54953.8, provided that it complies with the requirements of that section and all of the following additional requirements:</p> <p>(1)The eligible subsidiary body shall designate one physical meeting location within the boundaries of the legislative body that created the eligible subsidiary body where members of the subsidiary body who are not participating remotely shall be present and members of the public may physically attend, observe, hear, and participate in the meeting. At least one staff member of the eligible subsidiary body or the legislative body that created the eligible subsidiary body shall be present at the physical meeting location during the meeting. The eligible subsidiary body shall post the agenda at the physical meeting location, but need not post the agenda at a remote location.</p> <p>(2) (A) A member of the eligible subsidiary body shall visibly appear on camera during the open portion of a meeting that is publicly accessible via the internet or other online platform, except if the member has a physical or mental condition not subject to subdivision (c) of Section 54953 that results in a need to participate off camera.</p> <p>(B)The visual appearance of a member of the eligible subsidiary body on camera may cease only when the appearance would be technologically infeasible, including, but not limited to, when the member experiences a lack of reliable broadband or internet connectivity that would be remedied by joining without video.</p>	<i>Adds section.</i>	January 1, 2030

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		<p>removing from, or restricting access to, materials available in public libraries, or taxes or related spending proposals.</p> <p>An eligible subsidiary body may include members who are elected officials, members who are not elected officials, or any combination thereof.</p>	<p>(C) If a member of the eligible subsidiary body does not appear on camera due to challenges with internet connectivity, the member shall announce the reason for their nonappearance prior to turning off their camera.</p> <p>(3) An elected official serving as a member of an eligible subsidiary body in their official capacity shall not participate in a meeting of the eligible subsidiary body by teleconferencing pursuant to this section unless the use of teleconferencing complies with the requirements of paragraph (3) of subdivision (b) of Section 54953.</p> <p>(4) (A) In order to use teleconferencing pursuant to this section, the legislative body that established the eligible subsidiary body by charter, ordinance, resolution, or other formal action shall make the following findings by majority vote before the eligible subsidiary body uses teleconferencing pursuant to this section for the first time, and every six months thereafter:</p> <p>(i) The legislative body has considered the circumstances of the eligible subsidiary body.</p> <p>(ii) Teleconference meetings of the eligible subsidiary body would enhance public access to meetings of the eligible subsidiary body, and the public has been made aware of the type of remote participation, including audio-visual or telephonic, that will be made available at a regularly scheduled meeting and has been provided the opportunity to comment at an in-person meeting of the legislative body authorizing the subsidiary body to meet entirely remotely.</p> <p>(iii) Teleconference meetings of the eligible subsidiary body would promote the attraction, retention, and diversity of eligible subsidiary body members.</p> <p>(B) (i) An eligible subsidiary body authorized to use teleconferencing pursuant to this section may request to present any recommendations it develops to the legislative body that created it.</p> <p>(ii) Upon receiving a request described in clause (i), the legislative body that created the subsidiary body shall hold a discussion at a regular meeting held within 60 days after the legislative body receives the request, or if the legislative body does not have another regular meeting scheduled within 60 days after the legislative body receives the request, at the next regular meeting after the request is received.</p> <p>(iii) The discussion required by clause (ii) shall not be placed on a consent calendar, but may be combined with the legislative body's subsequent consideration of the findings described in subparagraph (A) for the following 12 months.</p> <p>(iv) The legislative body shall not take any action on any recommendations included in the report of a subsidiary body until the next regular meeting of the legislative body following the discussion described in clause (ii).</p>		

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			<p>(C) After the legislative body makes the findings described in subparagraph (A), the eligible subsidiary body shall approve the use of teleconferencing by majority vote before using teleconference pursuant to this section.</p> <p>(D) The legislative body that created the eligible subsidiary body may elect to prohibit the eligible subsidiary body from using teleconferencing pursuant to this section at any time.</p> <p>(b) (1) For purposes of this section, “eligible subsidiary body” means a legislative body that meets all of the following:</p> <p>(A) Is described in subdivision (b) of Section 54952.</p> <p>(B) Serves exclusively in an advisory capacity.</p> <p>(C) Is not authorized to take final action on legislation, regulations, contracts, licenses, permits, or any other entitlements, grants, or allocations of funds.</p> <p>(D) Does not have primary subject matter jurisdiction, as defined by the charter, an ordinance, a resolution, or any formal action of the legislative body that created the subsidiary body, that focuses on elections, budgets, police oversight, privacy, removing from, or restricting access to, materials available in public libraries, or taxes or related spending proposals.</p> <p>(2) An eligible subsidiary body may include members who are elected officials, members who are not elected officials, or any combination thereof.</p> <p>(c) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.</p>			
<b>Section 15</b>		<b>PERMISSIVE AUTHORITY GRANTED TO CERTAIN BODIES</b>				
54953.8.7	Eligible Multijurisdictional Bodies	SB 707 enacts a version of <a href="#">SB 537 (Becker, 2024)</a> based on the versions of 537 that existed prior to 2024. An “eligible multijurisdictional body” would be allowed to use the revised teleconferencing rules established by section 54953.8, subject to certain conditions.	<p>(a) An eligible multijurisdictional body may conduct a teleconference meeting pursuant to Section 54953.8, provided that it complies with the requirements of that section and all of the following additional requirements:</p> <p>(1) The eligible multijurisdictional body has adopted a resolution that authorizes the eligible multijurisdictional body to use teleconferencing pursuant to this section at a regular meeting in open session.</p> <p>(2) At least a quorum of the members of the eligible multijurisdictional body shall participate from one or more physical locations that are open to the public and within the boundaries of the territory over which the local agency exercises jurisdiction.</p> <p>(3) A member of the eligible multijurisdictional body who receives compensation for their service on the eligible multijurisdictional body shall participate from a physical location that is open to the public. For purposes of this paragraph, “compensation” does not include reimbursement for actual and necessary expenses.</p> <p>(4) A member of the eligible multijurisdictional body may participate from a remote location provided that:</p> <p>(A) The eligible multijurisdictional body identifies each member of the eligible multijurisdictional body who plans to participate remotely in the agenda.</p>	<i>Adds section.</i>	January 1, 2030	

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			<p>(B)The member shall participate through both audio and visual technology.</p> <p>(5) A member of the eligible multijurisdictional body shall not participate in a meeting remotely pursuant to this section, unless the location from which the member participates is more than 20 miles each way from any physical location of the meeting described in paragraph (2). (6)The provisions of this section shall not serve as a means for any member of a legislative body to participate in meetings of the legislative body solely by teleconference from a remote location for more than the following number of meetings, as applicable:</p> <p>(A)Two meetings per year, if the legislative body regularly meets once per month or less.</p> <p>(B) Five meetings per year, if the legislative body regularly meets twice per month.</p> <p>(C) Seven meetings per year, if the legislative body regularly meets three or more times per month.</p> <p>(D) For the purpose of counting meetings attended by teleconference under this paragraph, a “meeting” shall be defined as any number of meetings of the legislative body of a local agency that begin on the same calendar day.</p> <p>(b) For the purposes of this section, both of the following definitions apply:</p> <p>(1) “Eligible multijurisdictional body” means a multijurisdictional board, commission, or advisory body of a multijurisdictional, cross-county agency, the membership of which board, commission, or advisory body is appointed, and the board, commission, or advisory body is otherwise subject to this chapter.</p> <p>(2) “Multijurisdictional” means either of the following:</p> <p>(A) A legislative body that includes representatives from more than one county, city, city and county, or special district.</p> <p>(B) A legislative body of a joint powers entity formed pursuant to an agreement entered into in accordance with Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1.</p> <p>(c)This section shall remain in effect only until January 1, 2030, and as of that date is repealed.</p>		

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Section 16					
54954.2	Regular Meeting Agenda Requirements	This section makes technical changes and restructures how meeting agenda requirements are written out in statute.	<p>54954.2. (a) (1) At least 72 hours before a regular meeting, the legislative body of the local agency, or its designee, shall post an agenda that meets all of the following requirements:</p> <p>(A) The agenda shall contain a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session. A brief general description of an item generally need not exceed 20 words.</p> <p>(B) The agenda shall specify the time and location of the regular meeting and shall be posted in a location that is freely accessible to members of the public and on the local agency's internet website, if the local agency has one.</p> <p>(C) (i) If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof.</p> <p>(ii) The agenda shall include information regarding how, to whom, and when a request for disability-related modification or accommodation, including auxiliary aids or services, may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting.</p> <p>(2) For a meeting occurring on and after January 1, 2019, of a legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an internet website, the following provisions shall apply:</p> <p>(A) An online posting of an agenda shall be posted on the primary internet website home page of a city, county, city and county, special district, school district, or political subdivision established by the state that is accessible through a prominent, direct link to the current agenda. The direct link to the agenda shall not be in a contextual menu; however, a link in addition to the direct link to the agenda may be accessible through a contextual menu.</p> <p>(B) An online posting of an agenda, including, but not limited to, an agenda posted in an integrated agenda management platform, shall be posted in an open format that meets all of the following requirements:</p> <p>(i) Retrievable, downloadable, indexable, and electronically searchable by commonly used internet search applications.</p> <p>(ii) Platform independent and machine readable.</p> <p>(iii) Available to the public free of charge and without any restriction that would impede the reuse or redistribution of the agenda.</p> <p>(C) A legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an internet</p>	<p>54954.2. (a) (1) At least 72 hours before a regular meeting, the legislative body of the local agency, or its designee, shall post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session. A brief general description of an item generally need not exceed 20 words. The agenda shall specify the time and location of the regular meeting and shall be posted in a location that is freely accessible to members of the public and on the local agency's internet website, if the local agency has one. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. The agenda shall include information regarding how, to whom, and when a request for disability-related modification or accommodation, including auxiliary aids or services, may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting.</p> <p>(2) For a meeting occurring on and after January 1, 2019, of a legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an internet website, the following provisions shall apply:</p> <p>(A) An online posting of an agenda shall be posted on the primary internet website home page of a city, county, city and county, special district, school district, or political subdivision established by the state that is accessible through a prominent, direct link to the current agenda. The direct link to the agenda shall not be in a contextual menu; however, a link in addition to the direct link to the agenda may be accessible through a contextual menu.</p> <p>(B) An online posting of an agenda, including, but not limited to, an agenda posted in an integrated agenda management platform, shall be posted in an open format that meets all of the following requirements:</p> <p>(i) Retrievable, downloadable, indexable, and electronically searchable by commonly used internet search applications.</p> <p>(ii) Platform independent and machine readable.</p> <p>(iii) Available to the public free of charge and without any restriction that would impede the reuse or redistribution of the agenda.</p> <p>(C) A legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an internet website and an integrated agenda management platform shall not be required to comply with subparagraph (A) if all of the following are met:</p> <p>(i) A direct link to the integrated agenda management platform shall be posted on the primary internet website home page of a city, county, city and county, special district, school district, or political subdivision established by the state.</p>	None

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			<p>website and an integrated agenda management platform shall not be required to comply with subparagraph (A) if all of the following are met:</p> <p>(i) A direct link to the integrated agenda management platform shall be posted on the primary internet website home page of a city, county, city and county, special district, school district, or political subdivision established by the state. The direct link to the integrated agenda management platform shall not be in a contextual menu. When a person clicks on the direct link to the integrated agenda management platform, the direct link shall take the person directly to an internet website with the agendas of the legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state.</p> <p>(ii) The integrated agenda management platform may contain the prior agendas of a legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state for all meetings occurring on or after January 1, 2019.</p> <p>(iii) The current agenda of the legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state shall be the first agenda available at the top of the integrated agenda management platform.</p> <p>(iv) All agendas posted in the integrated agenda management platform shall comply with the requirements in clauses (i), (ii), and (iii) of subparagraph (B).</p> <p>(D) The provisions of this paragraph shall not apply to a political subdivision of a local agency that was established by the legislative body of the city, county, city and county, special district, school district, or political subdivision established by the state.</p> <p>(E) For purposes of this paragraph, both of the following definitions apply:</p> <p>(1) "Integrated agenda management platform" means an internet website of a city, county, city and county, special district, school district, or political subdivision established by the state dedicated to providing the entirety of the agenda information for the legislative body of the city, county, city and county, special district, school district, or political subdivision established by the state to the public.</p> <p>(2) "Legislative body" means a legislative body that meets the definition of subdivision (a) of Section 54952.</p> <p>(3) No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3. In addition, on their own initiative or in response to questions posed by the public, a member of a legislative body or its staff may ask a question for clarification, make a brief announcement, or make a brief report on their own activities. Furthermore, a member of a legislative body, or the body itself, subject to rules or procedures</p>	<p>The direct link to the integrated agenda management platform shall not be in a contextual menu. When a person clicks on the direct link to the integrated agenda management platform, the direct link shall take the person directly to an internet website with the agendas of the legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state.</p> <p>(ii) The integrated agenda management platform may contain the prior agendas of a legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state for all meetings occurring on or after January 1, 2019.</p> <p>(iii) The current agenda of the legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state shall be the first agenda available at the top of the integrated agenda management platform.</p> <p>(iv) All agendas posted in the integrated agenda management platform shall comply with the requirements in clauses (i), (ii), and (iii) of subparagraph (B).</p> <p>(D) For the purposes of this paragraph, both of the following definitions shall apply:</p> <p>(i) "Integrated agenda management platform" means an internet website of a city, county, city and county, special district, school district, or political subdivision established by the state dedicated to providing the entirety of the agenda information for the legislative body of the city, county, city and county, special district, school district, or political subdivision established by the state to the public.</p> <p>(ii) "Legislative body" has the same meaning as that term is used in subdivision (a) of Section 54952.</p> <p>(E) The provisions of this paragraph shall not apply to a political subdivision of a local agency that was established by the legislative body of the city, county, city and county, special district, school district, or political subdivision established by the state.</p> <p>(3) No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3. In addition, on their own initiative or in response to questions posed by the public, a member of a legislative body or its staff may ask a question for clarification, make a brief announcement, or make a brief report on their own activities. Furthermore, a member of a legislative body, or the body itself, subject to rules or procedures of the legislative body, may provide a reference to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.</p>	

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			<p>of the legislative body, may provide a reference to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.</p> <p>(b) Notwithstanding subdivision (a), the legislative body may take action on items of business not appearing on the posted agenda under any of the conditions stated below. Prior to discussing any item pursuant to this subdivision, the legislative body shall publicly identify the item.</p> <p>(1) Upon a determination by a majority vote of the legislative body that an emergency situation exists, as defined in Section 54956.5.</p> <p>(2) Upon a determination by a two-thirds vote of the members of the legislative body present at the meeting, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the agenda being posted as specified in subdivision (a).</p> <p>(3) The item was posted pursuant to subdivision (a) for a prior meeting of the legislative body occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.</p> <p>(c) This section is necessary to implement and reasonably within the scope of paragraph (1) of subdivision (b) of Section 3 of Article I of the California Constitution.</p> <p>(d) For purposes of subdivision (a), the requirement that the agenda be posted on the local agency's internet website, if the local agency has one, shall only apply to a legislative body that meets either of the following standards:</p> <p>(1) A legislative body as that term is defined by subdivision (a) of Section 54952.</p> <p>(2) A legislative body as that term is defined by subdivision (b) of Section 54952, if the members of the legislative body are compensated for their appearance, and if one or more of the members of the legislative body are also members of a legislative body as that term is defined by subdivision (a) of Section 54952.</p>	<p>(b) Notwithstanding subdivision (a), the legislative body may take action on items of business not appearing on the posted agenda under any of the conditions stated below. Prior to discussing any item pursuant to this subdivision, the legislative body shall publicly identify the item.</p> <p>(1) Upon a determination by a majority vote of the legislative body that an emergency situation exists, as defined in Section 54956.5.</p> <p>(2) Upon a determination by a two-thirds vote of the members of the legislative body present at the meeting, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the agenda being posted as specified in subdivision (a).</p> <p>(3) The item was posted pursuant to subdivision (a) for a prior meeting of the legislative body occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.</p> <p>(4) To consider action on a request from a member to participate in a meeting remotely due to emergency circumstances, pursuant to Section 54953, if the request does not allow sufficient time to place the proposed action on the posted agenda for the meeting for which the request is made. The legislative body may approve such a request by a majority vote of the legislative body.</p> <p>(c) This section is necessary to implement and reasonably within the scope of paragraph (1) of subdivision (b) of Section 3 of Article I of the California Constitution.</p> <p>(d) For purposes of subdivision (a), the requirement that the agenda be posted on the local agency's internet website, if the local agency has one, shall only apply to a legislative body that meets either of the following standards:</p> <p>(1) A legislative body as that term is defined by subdivision (a) of Section 54952.</p> <p>(2) A legislative body as that term is defined by subdivision (b) of Section 54952, if the members of the legislative body are compensated for their appearance, and if one or more of the members of the legislative body are also members of a legislative body as that term is defined by subdivision (a) of Section 54952.</p> <p>(e) This section shall remain in effect only until January 1, 2026, and as of that date is repealed.</p>	

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Section 17					
54954.3	Public Comment on Items Already Considered by a Committee	<p>Existing law stipulates that, subject to certain conditions, a legislative body need not provide an opportunity for members of the public to address the legislative body on any item that has already been considered by a committee at a public meeting wherein all interested members of the public were afforded the opportunity to address the committee on the item.</p> <p>SB 707 expands the reasons why an item already considered by a committee may nonetheless require additional public comment; additional public comment will now also be required for items already discussed by a committee when, in considering the item, a quorum of the committee members did not participate from a singular physical location that was clearly identified on the agenda, open to the public, and situated within the boundaries of the territory over which the local agency exercises jurisdiction. This is also the case when the committee has primary subject matter jurisdiction, as defined by the charter, an ordinance, a resolution, or any formal action of the legislative body that created the subsidiary body, that focuses on elections, budgets, police oversight, privacy, removing from, or restricting access to, materials available in public libraries, or taxes or related spending proposals (though this caveat related to subject matter doesn't apply to an item if the local agency has adopted a law applicable to the meeting of the committee at which the item that was considered that prohibits the committee from placing a limit on the total amount of time for public comment on the item).</p>	<p>54954.3. (a) (1) Every agenda for regular meetings shall provide an opportunity for members of the public to directly address the legislative body on any item of interest to the public, before or during the legislative body's consideration of the item, that is within the subject matter jurisdiction of the legislative body, provided that no action shall be taken on any item not appearing on the agenda unless the action is otherwise authorized by subdivision (b) of Section 54954.2.</p> <p>(2) (A) Notwithstanding paragraph (1), the agenda need not provide an opportunity for members of the public to address the legislative body on any item that has already been considered by a committee, composed exclusively of members of the legislative body, at a public meeting wherein all interested members of the public were afforded the opportunity to address the committee on the item, before or during the committee's consideration of the item.</p> <p>(B) Subparagraph (A) shall not apply if any of the following conditions are met:</p> <p>(i) The item has been substantially changed since the committee heard the item, as determined by the legislative body.</p> <p>(ii) When considering the item, a quorum of the committee members did not participate from a singular physical location, that was clearly identified on the agenda, open to the public, and situated within the boundaries of the territory over which the local agency exercises jurisdiction.</p> <p>(iii) The committee has primary subject matter jurisdiction, as defined by the charter, an ordinance, a resolution, or any formal action of the legislative body that created the subsidiary body, that focuses on elections, budgets, police oversight, privacy, removing from, or restricting access to, materials available in public libraries, or taxes or related spending proposals. This clause shall not apply to an item if the local agency has adopted a law applicable to the meeting of the committee at which the item that was considered prohibits the committee from placing a limit on the total amount of time for public comment on the item.</p> <p>(3) Every notice for a special meeting shall provide an opportunity for members of the public to directly address the legislative body concerning any item that has been described in the notice for the meeting before or during consideration of that item.</p> <p>(b) (1) The legislative body of a local agency may adopt reasonable regulations to ensure that the intent of subdivision (a) is carried out, including, but not limited to, regulations limiting the total amount of time allocated for public testimony on particular issues and for each individual speaker.</p> <p>(2) Notwithstanding paragraph (1), when the legislative body of a local agency limits time for public comment, the legislative body of a local agency shall provide at least twice the allotted time to a member of the public who utilizes a</p>	<p>54954.3. (a) Every agenda for regular meetings shall provide an opportunity for members of the public to directly address the legislative body on any item of interest to the public, before or during the legislative body's consideration of the item, that is within the subject matter jurisdiction of the legislative body, provided that no action shall be taken on any item not appearing on the agenda unless the action is otherwise authorized by subdivision (b) of Section 54954.2. However, the agenda need not provide an opportunity for members of the public to address the legislative body on any item that has already been considered by a committee, composed exclusively of members of the legislative body, at a public meeting wherein all interested members of the public were afforded the opportunity to address the committee on the item, before or during the committee's consideration of the item, unless the item has been substantially changed since the committee heard the item, as determined by the legislative body. Every notice for a special meeting shall provide an opportunity for members of the public to directly address the legislative body concerning any item that has been described in the notice for the meeting before or during consideration of that item.</p> <p>(b) (1) The legislative body of a local agency may adopt reasonable regulations to ensure that the intent of subdivision (a) is carried out, including, but not limited to, regulations limiting the total amount of time allocated for public testimony on particular issues and for each individual speaker.</p> <p>(2) Notwithstanding paragraph (1), when the legislative body of a local agency limits time for public comment, the legislative body of a local agency shall provide at least twice the allotted time to a member of the public who utilizes a translator to ensure that non-English speakers receive the same opportunity to directly address the legislative body of a local agency.</p> <p>(3) Paragraph (2) shall not apply if the legislative body of a local agency utilizes simultaneous translation equipment in a manner that allows the legislative body of a local agency to hear the translated public testimony simultaneously.</p> <p>(c) The legislative body of a local agency shall not prohibit public criticism of the policies, procedures, programs, or services of the agency, or of the acts or omissions of the legislative body. Nothing in this subdivision shall confer any privilege or protection for expression beyond that otherwise provided by law.</p>	None

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			<p>translator to ensure that non-English speakers receive the same opportunity to directly address the legislative body of a local agency.</p> <p>(3) Paragraph (2) shall not apply if the legislative body of a local agency utilizes simultaneous translation equipment in a manner that allows the legislative body of a local agency to hear the translated public testimony simultaneously.</p> <p>(c) The legislative body of a local agency shall not prohibit public criticism of the policies, procedures, programs, or services of the agency, or of the acts or omissions of the legislative body. Nothing in this subdivision shall confer any privilege or protection for expression beyond that otherwise provided by law.</p>		
<b>Section 18</b>					
54956	Special Meeting Notice Requirements; Online Agenda Posting	<p>Formerly, special meetings called by the governing body of a local agency or a committee/commission/board (if the members of the legislative body are compensated for their appearance, and if one or more of the members of the legislative body are also members of a governing body) required that the agenda be posted on the local agency's InternetWeb site, if the local agency has one. SB 707 removes the requirement that a governing body be described in a particular way under California law, effectively expanding the website posting requirement to all types of legislative bodies.</p> <p>SB 707 also expands the prohibition on calling special meetings regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits, of local agency executives; this prohibition now includes local agency executives <i>and</i> the legislative body.</p>	<p>54956. (a) (1) A special meeting may be called at any time by the presiding officer of the legislative body of a local agency, or by a majority of the members of the legislative body, by delivering written notice to each member of the legislative body and to each local newspaper of general circulation and radio or television station requesting notice in writing and posting a notice on the local agency's internet website, if the local agency has one. The notice shall be delivered personally or by any other means and shall be received at least 24 hours before the time of the meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted or discussed. No other business shall be considered at these meetings by the legislative body. The written notice may be dispensed with as to any member who at or prior to the time the meeting convenes files with the clerk or secretary of the legislative body a written waiver of notice. The waiver may be given by telephone or electronic mail. The written notice may also be dispensed with as to any member who is actually present at the meeting at the time it convenes.</p> <p>(2) The call and notice shall be posted at least 24 hours prior to the special meeting in a location that is freely accessible to members of the public.</p> <p>(b) Notwithstanding any other law, a legislative body shall not call a special meeting regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits, of the legislative body or of a local agency executive, as defined in subdivision (d) of Section 3511.1. However, this subdivision does not apply to a local agency calling a special meeting to discuss the local agency's budget.</p>	<p>54956. (a) A special meeting may be called at any time by the presiding officer of the legislative body of a local agency, or by a majority of the members of the legislative body, by delivering written notice to each member of the legislative body and to each local newspaper of general circulation and radio or television station requesting notice in writing and posting a notice on the local agency's InternetWeb site, if the local agency has one. The notice shall be delivered personally or by any other means and shall be received at least 24 hours before the time of the meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted or discussed. No other business shall be considered at these meetings by the legislative body. The written notice may be dispensed with as to any member who at or prior to the time the meeting convenes files with the clerk or secretary of the legislative body a written waiver of notice. The waiver may be given by telegram. The written notice may also be dispensed with as to any member who is actually present at the meeting at the time it convenes.</p> <p>The call and notice shall be posted at least 24 hours prior to the special meeting in a location that is freely accessible to members of the public.</p> <p>(b) Notwithstanding any other law, a legislative body shall not call a special meeting regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits, of a local agency executive, as defined in subdivision (d) of Section 3511.1. However, this subdivision does not apply to a local agency calling a special meeting to discuss the local agency's budget.</p> <p>(c) For purposes of subdivision (a), the requirement that the agenda be posted on the local agency's InternetWeb site, if the local agency has one, shall only apply to a legislative body that meets either of the following standards:</p> <p>(1) A legislative body as that term is defined by subdivision (a) of Section 54952.</p> <p>(2) A legislative body as that term is defined by subdivision (b) of Section 54952, if the members of the legislative body are compensated for their appearance, and if one or more of the members of the legislative body are also</p>	None

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				members of a legislative body as that term is defined by subdivision (a) of Section 54952.	
<b>Section 19</b>					
54956.5	Emergency Meeting Notification Rules	Expands the authority granted by <a href="#">AB 2350 (Arambula, 2024)</a> to school districts; now all local agencies generally are able to fulfill the emergency meeting premeeting notification requirement by email instead of by telephone.	<p>54956.5. (a) For purposes of this section, “emergency situation” means both of the following:</p> <p>(1) An emergency, which shall be defined as a work stoppage, crippling activity, or other activity that severely impairs public health, safety, or both, as determined by a majority of the members of the legislative body.</p> <p>(2) A dire emergency, which shall be defined as a crippling disaster, mass destruction, terrorist act, or threatened terrorist activity that poses peril so immediate and significant that requiring a legislative body to provide one-hour notice before holding an emergency meeting under this section may endanger the public health, safety, or both, as determined by a majority of the members of the legislative body.</p> <p>(b) (1) Subject to paragraph (2), in the case of an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities, a legislative body may hold an emergency meeting without complying with either the 24-hour notice requirement or the 24-hour posting requirement of Section 54956 or both of the notice and posting requirements.</p> <p>(2) Each local newspaper of general circulation and radio or television station that has requested notice of special meetings pursuant to Section 54956 shall be notified by the presiding officer of the legislative body, or designee thereof, one hour prior to the emergency meeting, or, in the case of a dire emergency, at or near the time that the presiding officer or designee notifies the members of the legislative body of the emergency meeting.</p> <p>(A) Except as provided in subparagraph (B), the notice required by this paragraph shall be given by telephone and all telephone numbers provided in the most recent request of a newspaper or station for notification of special meetings shall be exhausted. In the event that telephone services are not functioning, the notice requirements of this paragraph shall be deemed waived, and the legislative body, or designee of the legislative body, shall notify those newspapers, radio stations, or television stations of the fact of the holding of the emergency meeting, the purpose of the meeting, and any action taken at the meeting as soon after the meeting as possible.</p> <p>(B) For an emergency meeting held pursuant to this section, the presiding officer of the legislative body, or designee thereof, may send the notifications required by this paragraph by email instead of by telephone, as provided in subparagraph (A), to all local newspapers of general circulation, and radio or television stations, that have requested those notifications by email, and all</p>	<p>54956.5. (a) For purposes of this section, “emergency situation” means both of the following:</p> <p>(1) An emergency, which shall be defined as a work stoppage, crippling activity, or other activity that severely impairs public health, safety, or both, as determined by a majority of the members of the legislative body.</p> <p>(2) A dire emergency, which shall be defined as a crippling disaster, mass destruction, terrorist act, or threatened terrorist activity that poses peril so immediate and significant that requiring a legislative body to provide one-hour notice before holding an emergency meeting under this section may endanger the public health, safety, or both, as determined by a majority of the members of the legislative body.</p> <p>(b) (1) Subject to paragraph (2), in the case of an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities, a legislative body may hold an emergency meeting without complying with either the 24-hour notice requirement or the 24-hour posting requirement of Section 54956 or both of the notice and posting requirements.</p> <p>(2) Each local newspaper of general circulation and radio or television station that has requested notice of special meetings pursuant to Section 54956 shall be notified by the presiding officer of the legislative body, or designee thereof, one hour prior to the emergency meeting, or, in the case of a dire emergency, at or near the time that the presiding officer or designee notifies the members of the legislative body of the emergency meeting.</p> <p>(A) Except as provided in subparagraph (B), the notice required by this paragraph shall be given by telephone and all telephone numbers provided in the most recent request of a newspaper or station for notification of special meetings shall be exhausted. In the event that telephone services are not functioning and the legislative body is not a school board, the notice requirements of this paragraph shall be deemed waived, and the legislative body, or designee of the legislative body, shall notify those newspapers, radio stations, or television stations of the fact of the holding of the emergency meeting, the purpose of the meeting, and any action taken at the meeting as soon after the meeting as possible.</p> <p>(B) For an emergency meeting held by a school board pursuant to this section, the presiding officer of the school board, or designee thereof, may send the notifications required by this paragraph by email instead of by telephone, as provided in subparagraph (A), to all local newspapers of general circulation,</p>	None

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			<p>email addresses provided by representatives of those newspapers or stations shall be exhausted. In the event that internet services and telephone services are not functioning, the notice requirements of this paragraph shall be deemed waived, and the legislative body, or designee of the legislative body, shall notify those newspapers, radio stations, or television stations of the fact of the holding of the emergency meeting, the purpose of the meeting, and any action taken at the meeting as soon after the meeting as possible.</p> <p>(c) During a meeting held pursuant to this section, the legislative body may meet in closed session pursuant to Section 54957 if agreed to by a two-thirds vote of the members of the legislative body present, or, if less than two-thirds of the members are present, by a unanimous vote of the members present.</p> <p>(d) All special meeting requirements, as prescribed in Section 54956 shall be applicable to a meeting called pursuant to this section, with the exception of the 24-hour notice requirement.</p> <p>(e) The minutes of a meeting called pursuant to this section, a list of persons who the presiding officer of the legislative body, or designee of the legislative body, notified or attempted to notify, a copy of the rollcall vote, and any actions taken at the meeting shall be posted for a minimum of 10 days in a public place as soon after the meeting as possible.</p>	<p>and radio or television stations, that have requested those notifications by email, and all email addresses provided by representatives of those newspapers or stations shall be exhausted. In the event that internet services and telephone services are not functioning, the notice requirements of this paragraph shall be deemed waived, and the school board, or designee of the school board, shall notify those newspapers, radio stations, or television stations of the fact of the holding of the emergency meeting, the purpose of the meeting, and any action taken at the meeting as soon after the meeting as possible.</p> <p>(c) During a meeting held pursuant to this section, the legislative body may meet in closed session pursuant to Section 54957 if agreed to by a two-thirds vote of the members of the legislative body present, or, if less than two-thirds of the members are present, by a unanimous vote of the members present.</p> <p>(d) All special meeting requirements, as prescribed in Section 54956 shall be applicable to a meeting called pursuant to this section, with the exception of the 24-hour notice requirement.</p> <p>(e) The minutes of a meeting called pursuant to this section, a list of persons who the presiding officer of the legislative body, or designee of the legislative body, notified or attempted to notify, a copy of the rollcall vote, and any actions taken at the meeting shall be posted for a minimum of 10 days in a public place as soon after the meeting as possible.</p>	
<b>Section 20</b>					
54957.6	Closed Session Rules for Labor Negotiations	SB 707 restructures how the closed session rules for labor negotiations are written out in statute.	<p>54957.6. (a) Notwithstanding any other provision of law, a legislative body of a local agency may hold closed sessions with the local agency's designated representatives regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees, and, for represented employees, any other matter within the statutorily provided scope of representation, subject to all of the following conditions:</p> <p>(1) Prior to the closed session, the legislative body of the local agency shall hold an open and public session in which it identifies its designated representatives.</p> <p>(2) The closed session shall be for the purpose of reviewing its position and instructing the local agency's designated representatives.</p> <p>(3) The closed session may take place prior to and during consultations and discussions with representatives of employee organizations and unrepresented employees.</p> <p>(4) Any closed session with the local agency's designated representative regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits may include discussion of an agency's available funds and</p>	<p>54957.6. (a) Notwithstanding any other provision of law, a legislative body of a local agency may hold closed sessions with the local agency's designated representatives regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees, and, for represented employees, any other matter within the statutorily provided scope of representation.</p> <p>However, prior to the closed session, the legislative body of the local agency shall hold an open and public session in which it identifies its designated representatives.</p> <p>Closed sessions of a legislative body of a local agency, as permitted in this section, shall be for the purpose of reviewing its position and instructing the local agency's designated representatives.</p> <p>Closed sessions, as permitted in this section, may take place prior to and during consultations and discussions with representatives of employee organizations and unrepresented employees.</p> <p>Closed sessions with the local agency's designated representative regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits may include discussion of an agency's available funds and funding</p>	None

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			<p>funding priorities, but only insofar as these discussions relate to providing instructions to the local agency's designated representative.</p> <p>(5) The closed session shall not include final action on the proposed compensation of one or more unrepresented employees.</p> <p>(6) For the purposes enumerated in this section, a legislative body of a local agency may also meet with a state conciliator who has intervened in the proceedings.</p> <p>(b) For the purposes of this section, the term "employee" shall include an officer or an independent contractor who functions as an officer or an employee, but shall not include any elected official, member of a legislative body, or other independent contractors.</p>	<p>priorities, but only insofar as these discussions relate to providing instructions to the local agency's designated representative.</p> <p>Closed sessions held pursuant to this section shall not include final action on the proposed compensation of one or more unrepresented employees.</p> <p>For the purposes enumerated in this section, a legislative body of a local agency may also meet with a state conciliator who has intervened in the proceedings.</p> <p>(b) For the purposes of this section, the term "employee" shall include an officer or an independent contractor who functions as an officer or an employee, but shall not include any elected official, member of a legislative body, or other independent contractors.</p>	
<b>Section 21</b>					
54957.9	Clearing Meeting Rooms	SB 707 makes a nonsubstantive replacement of one word in this section.	54957.9. In the event that any meeting is willfully interrupted by a group or groups of persons so as to render the orderly conduct of the meeting unfeasible and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, the members of the legislative body conducting the meeting may order the meeting room cleared and continue in session. Only matters appearing on the agenda may be considered in such a session. Representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this section. Nothing in this section shall prohibit the legislative body from establishing a procedure for readmitting an individual or individuals not responsible for willfully disturbing the orderly conduct of the meeting.	54957.9. In the event that any meeting is willfully interrupted by a group or groups of persons so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, the members of the legislative body conducting the meeting may order the meeting room cleared and continue in session. Only matters appearing on the agenda may be considered in such a session. Representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this section. Nothing in this section shall prohibit the legislative body from establishing a procedure for readmitting an individual or individuals not responsible for willfully disturbing the orderly conduct of the meeting.	None
<b>Section 22</b>					
54957.95	Removing Disruptive Individuals	SB 707 clarifies that the authority to remove individuals disrupting a meeting includes the ability to remove those individuals during a teleconferenced meeting.	<p>54957.95. (a) (1) In addition to authority exercised pursuant to Sections 54954.3 and 54957.9, the presiding member of the legislative body conducting a meeting or their designee may remove, or cause the removal of, an individual for disrupting the meeting, including any teleconferenced meeting.</p> <p>(2) Prior to removing an individual, the presiding member or their designee shall warn the individual that their behavior is disrupting the meeting and that their failure to cease their behavior may result in their removal. The presiding member or their designee may then remove the individual if they do not promptly cease their disruptive behavior. This paragraph does not apply to any behavior described in subparagraph (B) of paragraph (1) of subdivision (b).</p> <p>(b) As used in this section:</p>	<p>54957.95. (a) (1) In addition to authority exercised pursuant to Sections 54954.3 and 54957.9, the presiding member of the legislative body conducting a meeting or their designee may remove, or cause the removal of, an individual for disrupting the meeting.</p> <p>(2) Prior to removing an individual, the presiding member or their designee shall warn the individual that their behavior is disrupting the meeting and that their failure to cease their behavior may result in their removal. The presiding member or their designee may then remove the individual if they do not promptly cease their disruptive behavior. This paragraph does not apply to any behavior described in subparagraph (B) of paragraph (1) of subdivision (b).</p> <p>(b) As used in this section:</p>	None

Section	Title	CSDA Summary	Replacement Text	Former Text	Sunset Date
			<p>(1) "Disrupting" means engaging in behavior during a meeting of a legislative body that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting and includes, but is not limited to, one of the following:</p> <p>(A) A failure to comply with reasonable and lawful regulations adopted by a legislative body pursuant to Section 54954.3 or any other law.</p> <p>(B) Engaging in behavior that constitutes use of force or a true threat of force.</p> <p>(2) "True threat of force" means a threat that has sufficient indicia of intent and seriousness, that a reasonable observer would perceive it to be an actual threat to use force by the person making the threat.</p>	<p>(1) "Disrupting" means engaging in behavior during a meeting of a legislative body that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting and includes, but is not limited to, one of the following:</p> <p>(A) A failure to comply with reasonable and lawful regulations adopted by a legislative body pursuant to Section 54954.3 or any other law.</p> <p>(B) Engaging in behavior that constitutes use of force or a true threat of force.</p> <p>(2) "True threat of force" means a threat that has sufficient indicia of intent and seriousness, that a reasonable observer would perceive it to be an actual threat to use force by the person making the threat.</p>	
<b>Section 23</b>					
54957.96	Zoombombing; Removing Individuals	SB 707 stipulates that the authority to remove disruptive individuals includes those participating through a two-way telephonic service or a two-way audiovisual platform.	<p>54957.96. (a)The existing authority of a legislative body or its presiding officer to remove or limit participation by persons who engage in behavior that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting, including existing limitations upon that authority, shall apply to members of the public participating in a meeting via a two-way telephonic service or a two-way audiovisual platform.</p> <p>(b) For purposes of this section, the following definitions apply:</p> <p>(1) "Two-way audiovisual platform" means an online platform that provides participants with the ability to participate in a meeting via both an interactive video conference and a two-way telephonic service. A two-way audiovisual platform may be structured to disable the use of video for the public participants.</p> <p>(2) "Two-way telephonic service" means a telephone service that does not require internet access and allows participants to dial a telephone number to listen and verbally participate.</p>	<i>Adds section.</i>	None
<b>Section 24</b>					
n/a	<u>Findings and Declarations</u>	These findings and declarations are necessary whenever the Brown Act is amended. They do not materially affect the substance of SB 707 or otherwise impact the operation/mechanics of its provisions.	<p>The Legislature finds and declares that Section 4 of this act, which amends Section 54953 of, Section 5 of this act, which adds Section 54953.4 to, Sections 8 to 15, inclusive, of this act, which add Sections 54953.8 to 54953.8.7, respectively, to, Section 19 of this act, which amends Section 54956.5 of, Section 22 of this act, which amends Section 54957.95 of, and Section 23 of this act, which adds Section 54957.96 to, the Government Code, impose a limitation on the public's right of access to the meetings of public bodies or the writings of public officials and agencies within the meaning of Section 3 of Article I of the California Constitution. Pursuant to that constitutional provision, the Legislature makes the following findings to demonstrate the interest protected by this limitation and the need for protecting that interest:</p> <p>(a)This act is necessary to provide opportunities for public participation in meetings of specified public agencies and to promote the recruitment and retention of members of those agencies.</p>	n/a	n/a

Section	Title	CSDA Summary	Replacement Text	Former Text	Sunset Date
			<p>(b)This act is necessary to ensure minimum standards for public participation and notice requirements allowing for greater public participation in meetings.</p> <p>(c)This act is necessary to modernize the Ralph M. Brown Act to reflect recent technological changes that can promote greater public access to local officials.</p> <p>(d)The exclusively virtual nature of the California Online Community College presents unique barriers to the requirements for an in-person quorum, a physical location for public participation, and certain accommodations. Participating students of the online community college come from all across the state and necessitating travel for these requirements would pose a significant and exclusionary barrier.</p>		
<b>Section 25</b>					
n/a	<u>Findings and Declarations</u>	These findings and declarations are necessary whenever the Brown Act is amended. They do not materially affect the substance of SB 707 or otherwise impact the operation/mechanics of its provisions.	<p>The Legislature finds and declares that Sections 1 and 2 of this act, which amend and repeal Section 54952.2, respectively, of, Section 3 of this act, which amends Section 54952.7 of, Section 4 of this act, which amends Section 54953 of, Section 5 of this act, which adds Section 54953.4 to, Section 6 of this act, which amends Section 54953.5 of, Section 7 of this act, which amends Section 54953.7 of, Sections 8 to 15, inclusive, of this act, which add Sections 54953.8 to 54953.8.7, respectively, to, Section 16 of this act, which amends Section 54954.2 of, Section 17 of this act, which amends Section 54954.3 of, Section 18 of this act, which amends Section 54956 of, Section 19 of this act, which amends Section 54956.5 of, Section 20 of this act, which amends Section 54957.6 of, Section 21 of this act, which amends Section 54957.9 of, Section 22 of this act, which amends Section 54957.95 of, and Section 23 of this act, which adds Section 54957.96 to, the Government Code, further, within the meaning of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the purposes of that constitutional section as it relates to the right of public access to the meetings of local public bodies or the writings of local public officials and local agencies. Pursuant to paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the Legislature makes the following findings:</p> <p>(a)This act is necessary to provide opportunities for public participation in meetings of specified public agencies and to promote the recruitment and retention of members of those agencies.</p> <p>(b)This act is necessary to ensure minimum standards for public participation and notice requirements allowing for greater public participation in meetings.</p> <p>(c)This act is necessary to modernize the Ralph M. Brown Act to reflect recent technological changes that can promote greater public access to local officials.</p> <p>(d)The exclusively virtual nature of the California Online Community College presents unique barriers to the requirements for an in-person quorum, a physical location for public participation, and certain accommodations.</p>	n/a	n/a

Section	Title	CSDA Summary	Replacement Text	Former Text	Sunset Date
			Participating students of the online community college come from all across the state and necessitating travel for these requirements would pose a significant and exclusionary barrier.		
<b>Section 26</b>					
n/a	Findings and Declarations	This finding and declaration is necessary whenever a bill is to apply to both general law and charter cities. It does not materially affect the substance of SB 707 or otherwise impact the operation/mechanics of its provisions.	The Legislature finds and declares that adequate public access to meetings is a matter of statewide concern and is not a municipal affair as that term is used in Section 5 of Article XI of the California Constitution. Therefore, this bill would apply to all cities, including charter cities.	n/a	n/a
<b>Section 27</b>					
n/a	No State Mandate Reimbursement	This declaration affirms that none of the potential costs incurred as a result of SB 707's passage are reimbursable mandates, a result of the passage of <a href="#">Proposition 42 (2014)</a> .	No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district under this act would result from a legislative mandate that is within the scope of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution.	n/a	n/a

 = Applies to "eligible legislative bodies" exclusively

 = Permissive authority granted to certain bodies



# Helendale Community Services District

Date: March 5, 2026  
TO: Board of Directors  
FROM: Kimberly Cox, General Manager  
SUBJECT: Agenda item #6  
Discussion and Possible Adoption of Resolution No. 2026-01: Assignment of  
General Manager Duties for District Policies

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**STAFF RECOMMENDATION:**

Staff recommend approval of the proposed resolution.

**STAFF REPORT:**

To facilitate the transition in leadership with the impending retirement of the District's GM and the adoption of a tri-lateral leadership (or shared leadership) model, Counsel has drafted the proposed Resolution that will be essential.

In an effort to transfer all of the banking and financial data to the Administrative Services General Manager, the Board will need to designate her as the District Treasurer. With the signed resolution, Staff will be able to meet with our financial institutions and make the necessary changes in authority and signatories.

Of significance, this resolution supplants the need to individually modify multiple other resolutions that reference a singular General Manager and broadens that application to each of the new General Managers within their area of responsibility. It is a beautifully and strategically drafted resolution that will accomplish a global application. In the event the Board were to revert to a singular manager, it would only require the rescission of this resolution compared to the modification of numerous resolutions.

Counsel will provide an overview for the Board of the application of this resolution.

**FISCAL IMPACT:** None

**POSSIBLE MOTION:** Adopt Resolution 2026-01

**ATTACHMENTS:** Resolution 2026-01

**RESOLUTION NO. 2026-01**

**A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE HELENDALE COMMUNITY SERVICES DISTRICT  
ASSIGNING GENERAL MANAGER DUTIES FOR DISTRICT POLICIES**

WHEREAS, the Board of Directors of the Helendale Community Services District finds as follows:

A. The Helendale Community Services District (“the District”) is a community services district organized and operating pursuant to California Government Code Section 61000 et seq.

B. Pursuant to Government Code Sections 61050(b) and 61052(a), the San Bernardino County Treasurer is required to serve as the Treasurer of the District and be the depository and maintain custody of all of the District’s money, unless the District establishes an alternative depository pursuant to Government Code Section 61053.

C. In order for the District to establish an alternative depository pursuant to Government Code Section 61053, the District’s Board of Directors (“the Board”) must appoint a District Treasurer to serve in the place of the County Treasurer in accordance with Government Code Sections 61050(b) and 61053(b).

D. Pursuant to Government Code Section 61050(c), the Board may appoint the same person to serve as the General Manager and as the Treasurer of the District.

E. On February 8, 2007, the Board duly appointed Dr. Kimberly Cox to serve as the District’s General Manager. On February 15, 2007, the Board duly appointed Dr. Cox to also serve as the District’s Treasurer in the place of the County Treasurer.

F. On March 22, 2007, the Board adopted Resolution No. 07-08 pursuant to Government Code Section 61053(c) to establish an alternative depository of District funds in place of the County Treasury.

G. From time to time, the Board has adopted other policies assigning various duties to the District's General Manager.

H Effective April 18, 2026, due to the retirement of Dr. Cox, the District will employ three (3) separate General Managers who will be assigned various job duties relating to the day-to-day operations of the District.

I. The purpose of this Resolution is for the Board to formalize its intent with respect to the apportionment of its existing policy assignments to the District's General Manager.

THEREFORE, THE BOARD OF DIRECTORS of the Helendale Community Services District does hereby resolve as follows:

1. The Board hereby designates Cheryl Vermette, General Manager for administrative functions, to serve as the District Treasurer.

2. The Board further designates its other policy assignments to the appropriate General Manager for which the subject matter thereof most aligns with his or her particular job description.

3. The provisions of this Resolution shall take effect on April 18, 2026.

Adopted this 5<sup>th</sup> day of March, 2026.

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

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Ron Clark, President, Board of Directors

ATTEST:

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Cheryl Vermette, Clerk of the Board



# Helendale Community Services District

Date: March 5, 2026  
TO: Board of Directors  
FROM: Kimberly Cox, General Manager  
SUBJECT: Agenda item #7  
Discussion and Possible Approval of Retainer Agreement for General Counsel Legal Services for FY27

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## **STAFF RECOMMENDATION:**

Approve the proposed retainer agreement with General Counsel for FY2027

## **STAFF REPORT:**

The purpose of this agenda item is to formalize the current arrangement with District's General Counsel, Steven Kennedy, regarding the on-going retainer relationship for Fiscal Year 2027 in the amount of \$90,000 per year.

On April 1, 2025, as we were beginning to focus on year-end closing processes, District General Manager proposed the idea to Counsel regarding billing on a retainer basis rather than an hourly basis which caused significant clerical work for Counsel. The proposal was welcomed. At that time, the amount of \$7500 was determined to be an acceptable retainer amount and fit within the amount of funding in the open purchase order approved by the Board for the fiscal year. It has worked flawlessly since implemented and provides Counsel freedom to attend to legal matters rather than time-keeping.

In an effort to solidify this arrangement with the departure of the General Manager, a formalized Retainer Agreement was requested from Counsel. With this agreement in place, the new Management Team will have the ability to confer with Counsel on an as needed basis and not worry that their inquiries will cause an undue financial burden on the District. It stands to reason that the new staff will have inquiries for Counsel as they encounter certain business and legal related issues. The retainer agreement will remain in place until terminated, however, the budgetary amount will need annual ratification from the Board in the Budget and may require increases as appropriate. The agreement is for monthly standard services and does not include litigation. In the event special counsel is needed, that would be dealt with on a case by case basis.

It is important to note that during the District's existence, Counsel has raised his fees once in 2025 by \$25 per hour. While his fees are incredibly reasonable at \$150/hour—half of what many of his counterparts charge--, his competence is unmatched and he has served this District with passion and sincerity from the very first meeting in December 2006 . The District is truly blessed for having such a dedicated, ethical legal advisor.

**FISCAL IMPACT:** \$90,000 FY 2027

**POSSIBLE MOTION:** Approve on-going retainer agreement for Legal Services

**ATTACHMENTS:** Retainer Agreement for Legal Services

BRUNICK, MCELHANEY & KENNEDY

PROFESSIONAL LAW CORPORATION

1839 COMMERCENTER WEST

SAN BERNARDINO, CALIFORNIA 92408

TELEPHONE: (909) 889-8301

FAX: (909) 388-1889

WILLIAM J. BRUNICK  
LELAND P. MCELHANEY  
STEVEN M. KENNEDY

MAILING ADDRESS:

POST OFFICE BOX 13130

SAN BERNARDINO, CALIFORNIA 92423-3130

February 28, 2026

VIA ELECTRONIC TRANSMISSION

Dr. Kimberly Cox, General Manager  
Helendale Community Services District  
P.O. Box 359  
Helendale, CA 92342

**RE: Retainer Agreement for Legal Services**

Dear Dr. Cox:

Pursuant to your direction, the law firm of Brunick, McElhaney & Kennedy ("Firm") welcomes the opportunity to submit this agreement to formalize the restructuring of this Firm's financial arrangement with the Helendale Community Services District ("District") to support in a mutually-beneficial manner our continued General Counsel legal representation of the District.

In this regard, effective April 1, 2025, the District and this Firm agreed to shift this Firm's financial arrangement with the District from an hourly rate of \$150.00 to a flat monthly retainer of \$7,500.00. This amount reflected (1) an anticipated reduction in this Firm's typical monthly bills to the District as calculated on an hourly basis, (2) maintenance of this Firm's fees within the District's budget for Fiscal Year 2025-26, and (3) consistency with the District's Board-approved annual purchase order with this Firm for Fiscal Year 2025-26.

If acceptable, the purpose of this letter is to furnish the District and this Firm with a written memorandum of the terms and conditions under which this Firm will continue our General Counsel representation of the District in accordance with those same principles for Fiscal Year 2026-27 pursuant to a mutually-beneficial monthly retainer arrangement.

**Terms and Conditions**

1. Services - This Firm will provide such General Counsel legal services as requested by the District. No other services are covered by this agreement.
2. Attorney's Fees - In consideration of the necessary legal services rendered and to be rendered, this Firm will charge the District a flat retainer of \$7,500.00 a month for Fiscal Year 2026-27. This amount may be adjusted informally by the District and this Firm in the event of a significant change in monthly workload.

Services will be billed monthly and all bills are payable thirty (30) days after receipt by the District. All checks should be made payable to Brunick, McElhaney & Kennedy.

This Firm may withdraw from this agreement if prompt payment, in full, is not made within thirty (30) days from the date of the billing, unless other arrangements have been made, in writing, in advance. The District is not obligated to assign any matters to this Firm.

3. Costs and Disbursements - This Firm will not pass through to the District any copying, postage, and telephone expenses except in extraordinary circumstances; other non-routine or third-party expenses incurred by this Firm on the District's behalf (such as filing fees and service costs) may be included in this Firm's monthly invoices to the District.

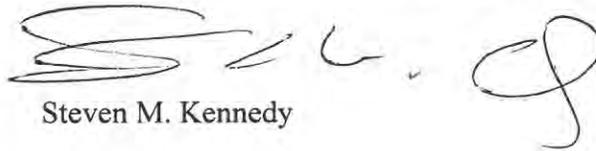
4. Special Counsel - The District may, in its sole discretion, contract with other attorneys for services that this Firm may or may not be qualified to provide. Procurement of such services may be separate and apart from this agreement.

5. Termination - The District may terminate this agreement at any time.

If this fee agreement is satisfactory to the District, please sign in the space indicated below and return the executed original to our office. The District may keep a copy for its files.

Very truly yours,

**BRUNICK, MCELHANEY & KENNEDY**



Steven M. Kennedy

**AGREED TO AND ACCEPTED:**

By: \_\_\_\_\_  
Dr. Kimberly Cox, General Manager  
Helendale Community Services District

Dated: \_\_\_\_\_, 2026



# Helendale Community Services District

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Date: March 5, 2026  
TO: Board of Directors  
FROM: Kimberly Cox, General Manager  
SUBJECT: Agenda item #8  
Discussion and Possible Action Regarding Adoption of the Tables of Organization for April through June of FY26 and Fiscal Year 2027

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## **STAFF RECOMMENDATION:**

Staff requests adoption of the Tables of Organization.

## **STAFF REPORT:**

### **Table of Organization for Fiscal Year 2027**

Statutory and regulatory requirements from CalPERS outline that the pay schedules for District Staff be publicly available and adopted in a separate action duly noticed according to the Brown Act. Attached for the Board's consideration are the current ranges and series that meet the specific requirements. The Table of Organization includes all ranges, starting pay and top pay for each position, the number of Full-Time Equivalents (FTE's) for each title and the range for each position. The adopted Table of Organization and Organizational Chart are incorporated into the budget document and will also be posted on the District's website. The District is committed to complete transparency related to salaries and staffing.

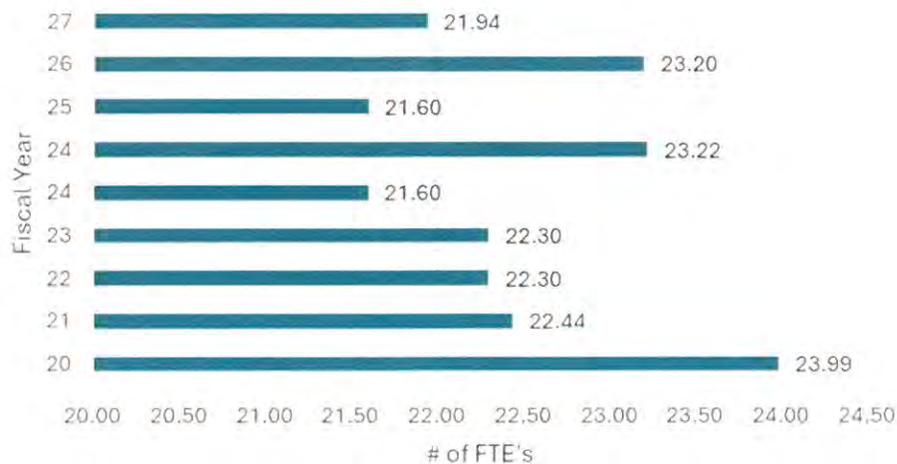
The Table of Organization for FY2027 reflects a 3.5% cost-of-living adjustment (COLA) approved by the Board at the February 20, 2026, regular board meeting that will become effective on July 1, 2026. The cost-of-living adjustment is intended to help keep staff salaries in line with inflationary factors included in the Consumer Price Index for the new Riverside-San Bernardino market area.

## **MODIFICATIONS:**

The proposed Table of Organization and Organizational Chart show some modifications in FTE's related to anticipated promotions during the course of the year based upon job performance and achievement of certification levels and new/modified positions. The changes represent a reduction of 1.26 Full-Time Equivalents (FTE's) for the upcoming year. The graph below depicts the changes in staffing for the last seven fiscal years.

In the event that staffing needs increase above the approved numbers reflected in the Table of Organization, it must be approved the Board. Currently the District is fully staffed and does not anticipate any modification during the upcoming Fiscal Year.

### FTE's by FY's



**Parks:** (No change in FTE)

There is not change in the FTE's allocated to the Parks department, however, the District will need to look for a new Rec Lead to help with the youth sports programs.

**Water:** (No change in FTE)

The MWI hired last year is anticipated to be promoted to MWII to coincide with the OIT position in Wastewater. While there is not additional FTE's, there will be some vertical movement within the department as operators reach the next level of certification and are moved accordingly. Staff is requesting the creation of a Water Supervisor position at a Range 45 to provide administrative and technical support for the respective GM. The Table reflects the promotion of the Water Operations Manager to General Manager Water & Parks.

**Wastewater:** (Reduced by 1 FTE)

The MWI hired last year will move to an OIT. It is anticipated that the TPO I will move to TPO II with the successful completion of his exam. Staff is requesting a change in title for the TPO III/Analyst position to a Wastewater Supervisor title to coincide with the Water Supervisor. The range will remain the same. The Table reflects the promotion of the Wastewater Operations Manager to GM-Wastewater & Recycling Center. One extra person has been listed on the Table last year due to recruitment efforts. That FTE is eliminated on this Table.

**Recycling Center/Solid Waste:** (Increase is .97 FTE)

Recycling Center Staff includes one full-time supervisor (1 FTE) , two lead workers who each work 1000 hours per year (.96 FTE's) and other part-time staff members (3.37 FTE's) with a total allocation of 7000 hours for the year. Upon review of the historic staffing for the operation, it was typically at 3.37FTE until FY25. Staff believes this was a clerical error.

**Administration:** (Reduced by 1.2 FTE due to retirement)

Admin FTE changes include the addition of a part-time CSR I at .48 FTE or 1000 hours per year to help backfill the limited availability of another part-time CSR. This will increase the part-time hours from .48 last year to .78 this year. With the retirement of our former Senior Accounting Technician the Customer Service Lead was moved laterally into that position, eliminating the CSL position. With the retirement of the GM in this FY, the Table of Org reflects the Admin Services Manager's promotion to GM-Administrative Services & Programs.

**BACKGROUND:**

Failure to follow the CalPERS requirements could have a negative impact to retirement pay calculations of employees in the PERS system. It is required for employers to follow the specific criteria outlined in California Code of Regulations, section 570.5. These requirements were reiterated in CalPERS Circular Letter 200-003-20 (attached). There are eight requirements that must be met to satisfy the criteria.

- Approved and adopted by the Board in a duly agendized meeting
- Identify position titles for every employee
- Show payrate as a single amount or multiple amounts for each position
- Indicate the time base (i.e. hourly, monthly, annually)
- Make it available for the public via posting in office, website or make available upon request
- Must include an effective date
- Retain for five years and have available for public review for that duration.
- Does not reference another document (i.e. contract) instead of disclosing the payrate

If these requirements are not met then the CalPERS "Board in its sole discretion, may determine an amount that will be considered to be the payrate" for the perspective retiree.

**Table of Organization for April 18, 2026 to June 30, 2026:**

Because of the foregoing and with the retirement of the District's General Manager and the transition to the new management team, it is required that the modifications be approved by the Board to avoid adversely affecting future retirement calculations of the staff. For that purpose, a modified Table of Organization is presented for approval reflecting that changes from April 18, 2026 through the end of the Fiscal Year.

**FISCAL IMPACT:** Positions will be included in the budget based upon the approved Table of Organization

**REQUESTED ACTION:** Adopt the Table of Organization for FY 2027

**ATTACHMENTS:** Proposed Table of Organization FY 2027  
Proposed Organizational Chart for FY2027  
Revised Table of Organization for April 18, 2026 to June 30, 2026  
Proposed Organizational Chart for April 18, 2026 to June 30, 2026  
CalPERS Circular Letter 200-003-20

**Helendale Community Services District**  
**Table of Organization FY 2027**  
*Pay Schedule for FY2027*  
*Effective 7/1/2026 through 6/30/2027*

Title	Range	Annually		Monthly		Per Pay Period		Hourly		FTE
		Min	Max	Min	Max	Min	Max	Min	Max	
Parks										
Rec Leader	9							\$ 19.14	\$ 23.91	0.38
MWI	16							\$ 22.75	\$ 28.42	0.45

Water	Range	Min	Max	Min	Max	Min	Max	Min	Max	FTE
MW II	19	\$ 52,753	\$ 65,881	\$ 4,396	\$ 5,490	\$ 2,028.94	\$ 2,533.87	\$ 25.36	\$ 31.67	0.5
WSO II	32	\$ 70,261	\$ 87,746	\$ 5,855	\$ 7,312	\$ 2,702.34	\$ 3,374.85	\$ 33.78	\$ 42.19	2
WSOIII	36	\$ 77,555	\$ 96,855	\$ 6,463	\$ 8,071	\$ 2,982.88	\$ 3,725.21	\$ 37.29	\$ 46.57	1
Water Supervisor	45	\$ 100,245	\$ 125,193	\$ 8,354	\$ 10,433	\$ 3,855.59	\$ 4,815.10	\$ 48.19	\$ 60.19	1
General Manager	67	\$ 172,579	\$ 215,528	\$ 14,382	\$ 17,961	\$ 6,637.67	\$ 8,289.54	\$ 82.97	\$ 103.62	1

Wastewater	Range	Min	Max	Min	Max	Min	Max	Min	Max	FTE
MW I	16									0
OIT	19	\$ 52,753	\$ 65,881	\$ 4,396	\$ 5,490	\$ 2,028.94	\$ 2,533.87	\$ 25.36	\$ 31.67	1.5
TPO I	28	\$ 65,881	\$ 82,276	\$ 5,490	\$ 6,856	\$ 2,533.87	\$ 3,164.46	\$ 31.67	\$ 39.56	0.5
TPO II	32	\$ 72,720	\$ 90,817	\$ 6,060	\$ 7,568	\$ 2,796.92	\$ 3,492.97	\$ 34.96	\$ 43.66	0.5
Wastewater Supervisor	45	\$ 100,245	\$ 125,193	\$ 8,354	\$ 10,433	\$ 3,855.59	\$ 4,815.10	\$ 48.19	\$ 60.19	1
General Manager	67	\$ 172,579	\$ 215,528	\$ 14,382	\$ 17,961	\$ 6,637.67	\$ 8,289.54	\$ 82.97	\$ 103.62	1

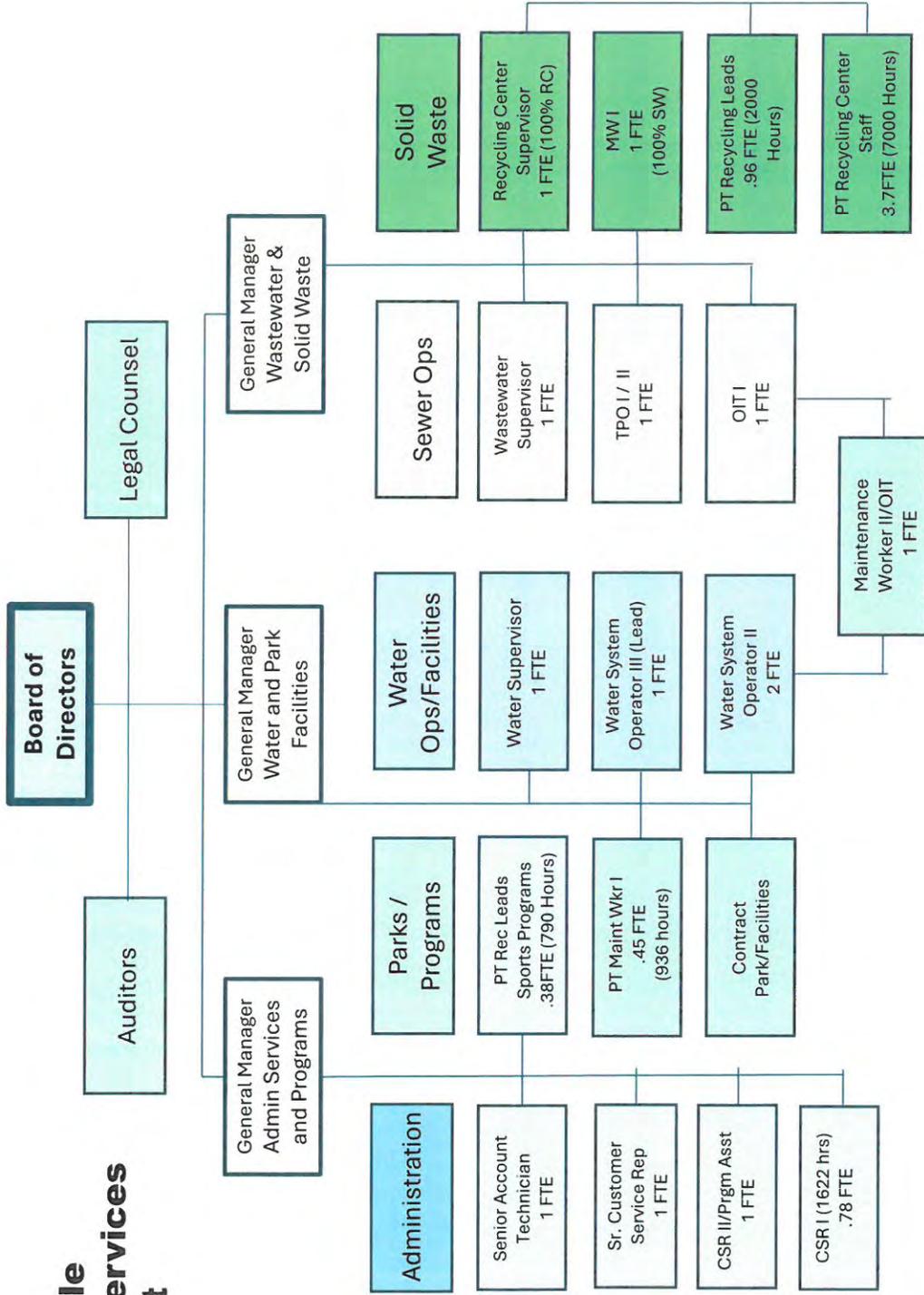
Solid Waste/Recy Cntr	Range	Min	Max	Min	Max	Min	Max	Min	Max	FTE
Recy Center Worker-PT	5							\$ 16.90	\$ 21.66	3.37
Recy Center Lead-PT	10							\$ 20.31	\$ 25.36	0.96
MW II	19	\$ 52,753	\$ 65,881	\$ 4,396	\$ 5,490	\$ 2,028.94	\$ 2,533.87	\$ 25.36	\$ 31.67	1
Recycling Center Supv	21	\$ 55,423	\$ 69,216	\$ 4,619	\$ 5,768	\$ 2,131.66	\$ 2,662.15	\$ 26.65	\$ 33.28	1

Administration	Range	Min	Max	Min	Max	Min	Max	Min	Max	FTE
CSR I	15							\$ 22.98	\$ 28.69	0.78
CSR II	19	\$ 52,753	\$ 65,881	\$ 4,396	\$ 5,490	\$ 2,028.94	\$ 2,533.87	\$ 25.36	\$ 31.67	1
Sr. CSR	23	\$ 58,229	\$ 72,720	\$ 4,852	\$ 6,060	\$ 2,239.57	\$ 2,796.92	\$ 27.99	\$ 34.96	1
Sr. Acct Tech	29	\$ 65,244	\$ 81,481	\$ 5,437	\$ 6,790	\$ 2,509.39	\$ 3,133.89	\$ 31.37	\$ 39.17	1
GM (former Admin Svc)	67	\$ 172,579	\$ 215,528	\$ 14,382	\$ 17,961	\$ 6,637.67	\$ 8,289.54	\$ 82.97	\$ 103.62	1

Adopted 3/5/2026

21.94

# Helendale Community Services District FY27



**Helendale Community Services District**  
**Table of Organization FY 2026**  
*Pay Schedule for FY2026*  
*Effective 4/18/2026 through 6/30/2026*

Title	Range	Annually		Monthly		Per Pay Period		Hourly		FTE
		Min	Max	Min	Max	Min	Max	Min	Max	
Rec Leader	9							\$ 19.14	\$ 23.91	0.38
MWI	16							\$ 22.75	\$ 28.42	0.45

Water	Range	Min	Max	Min	Max	Min	Max	Min	Max	FTE
		MWI	\$ 47,329	\$ 59,108	\$ 3,944	\$ 4,923	\$ 1,820.38	\$ 2,273.38	\$ 22.75	\$ 28.42
WSO I	\$ 63,653	\$ 79,494	\$ 5,304	\$ 6,624	\$ 2,448.19	\$ 3,057.45	\$ 30.60	\$ 38.22	1.5	
WSO II	\$ 70,261	\$ 87,746	\$ 5,855	\$ 7,312	\$ 2,702.34	\$ 3,374.85	\$ 33.78	\$ 42.19	1	
WSO III	\$ 77,555	\$ 96,855	\$ 6,463	\$ 8,071	\$ 2,982.88	\$ 3,725.21	\$ 37.29	\$ 46.57	1.5	
GM-Water & Parks	\$ 166,743	\$ 208,240	\$ 13,895	\$ 17,353	\$ 6,413.21	\$ 8,009.22	\$ 80.17	\$ 100.12	1	

Wastewater	Range	Min	Max	Min	Max	Min	Max	Min	Max	FTE
		MWI	\$ 47,329	\$ 59,108	\$ 3,944	\$ 4,923	\$ 1,820.38	\$ 2,273.38	\$ 22.75	\$ 28.42
OIT	\$ 50,969	\$ 63,653	\$ 4,247	\$ 5,304	\$ 1,960.33	\$ 2,448.19	\$ 24.50	\$ 30.60	0	
TPO I	\$ 63,653	\$ 79,494	\$ 5,304	\$ 6,624	\$ 2,448.19	\$ 3,057.45	\$ 30.60	\$ 38.22	2	
TPO II	\$ 70,261	\$ 87,746	\$ 5,855	\$ 7,312	\$ 2,702.34	\$ 3,374.85	\$ 33.78	\$ 42.19	1	
TPO III / Analyst	\$ 96,855	\$ 120,959	\$ 8,071	\$ 10,080	\$ 3,725.21	\$ 4,652.27	\$ 46.57	\$ 58.15	1	
GM-Wastewater & Recy Cntr	\$ 166,743	\$ 208,240	\$ 13,895	\$ 17,353	\$ 6,413.21	\$ 8,009.22	\$ 80.17	\$ 100.12	1	

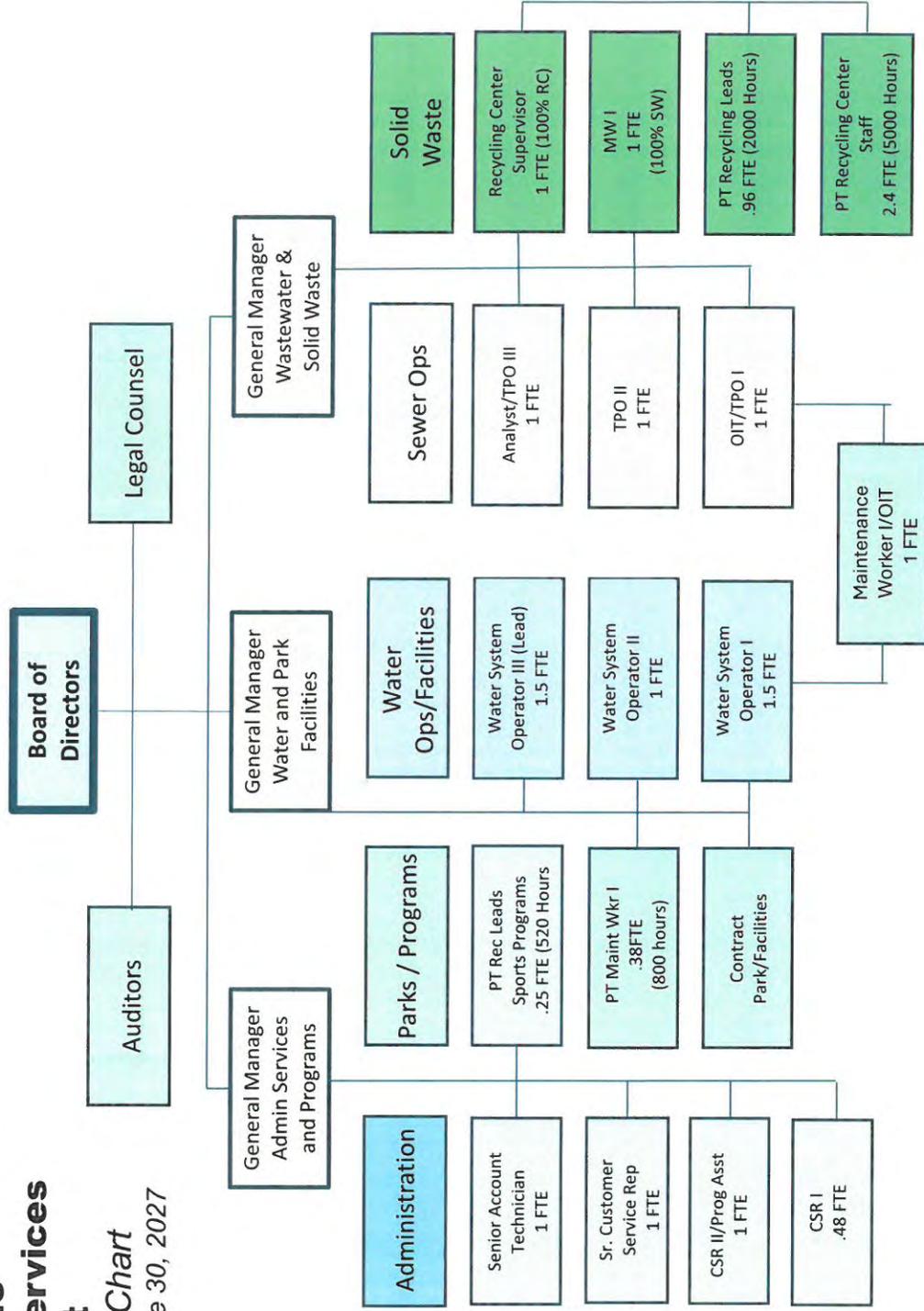
Solid Waste/Recy Cntr	Range	Min	Max	Min	Max	Min	Max	Min	Max	FTE
		Recycling Center Worker-PT	5						\$ 16.50	\$ 20.89
Recycling Center Lead-PT	10						\$ 19.62	\$ 24.50	0.96	
MWI	16	\$ 47,329	\$ 59,108	\$ 3,944	\$ 4,923	\$ 1,820.38	\$ 2,273.38	\$ 22.75	\$ 28.42	1
Recycling Center Supv	20	\$ 5,223	\$ 65,244	\$ 4,354	\$ 5,437	\$ 2,009.34	\$ 2,509.39	\$ 25.12	\$ 31.37	1

Administration	Range	Min	Max	Min	Max	Min	Max	Min	Max	FTE
		CSR I	15						\$ 22.20	\$ 27.72
CSR II	19	\$ 50,969	\$ 63,653	\$ 4,247	\$ 5,304	\$ 1,960.33	\$ 2,448.19	\$ 24.50	\$ 30.60	1
Sr. CSR	23	\$ 56,260	\$ 70,261	\$ 4,688	\$ 5,855	\$ 2,163.84	\$ 2,702.34	\$ 27.05	\$ 33.78	1
Sr. Acct Tech	29	\$ 65,244	\$ 81,481	\$ 5,437	\$ 6,790	\$ 2,509.39	\$ 3,133.89	\$ 31.37	\$ 39.17	0.5
CS Lead	29	\$ 65,244	\$ 81,481	\$ 5,437	\$ 6,790	\$ 2,509.39	\$ 3,133.89	\$ 31.37	\$ 39.17	1
GM-Admin Svcs & Program	67	\$ 166,743	\$ 208,240	\$ 13,895	\$ 17,353	\$ 6,413.21	\$ 8,009.22	\$ 80.17	\$ 100.12	1

# Helendale Community Services District

## Organization Chart

April 18, 2026 to June 30, 2027





# Helendale Community Services District

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DATE: March 5, 2026  
TO: Board of Directors  
FROM: Kimberly Cox, General Manager  
SUBJECT: Agenda item #9  
Discussion and Possible Action Regarding Adoption of the Helendale Strategic Plan

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**STAFF RECOMMENDATION:**

Staff recommends approval of this item.

**STAFF REPORT:**

The Helendale Community Services District (District) has worked for the last several months to develop a comprehensive Strategic Plan to guide organizational priorities and resource allocation over the next five years.

A SWOT analysis was conducted to identify key strengths, weaknesses, opportunities, and threats facing the District. From the SWOT analysis, a list of goals developed. The plan outlines the District's goals, actions, target completion dates, who is responsible and key performance indicators. These elements collectively provide a clear framework for decision-making, operational alignment, and financial planning.

The Strategic Plan has also established the District's Vision, Mission, and Values.

The Plan is intended to serve as a living document. The Board and Staff will review progress annually and recommend updates as necessary.

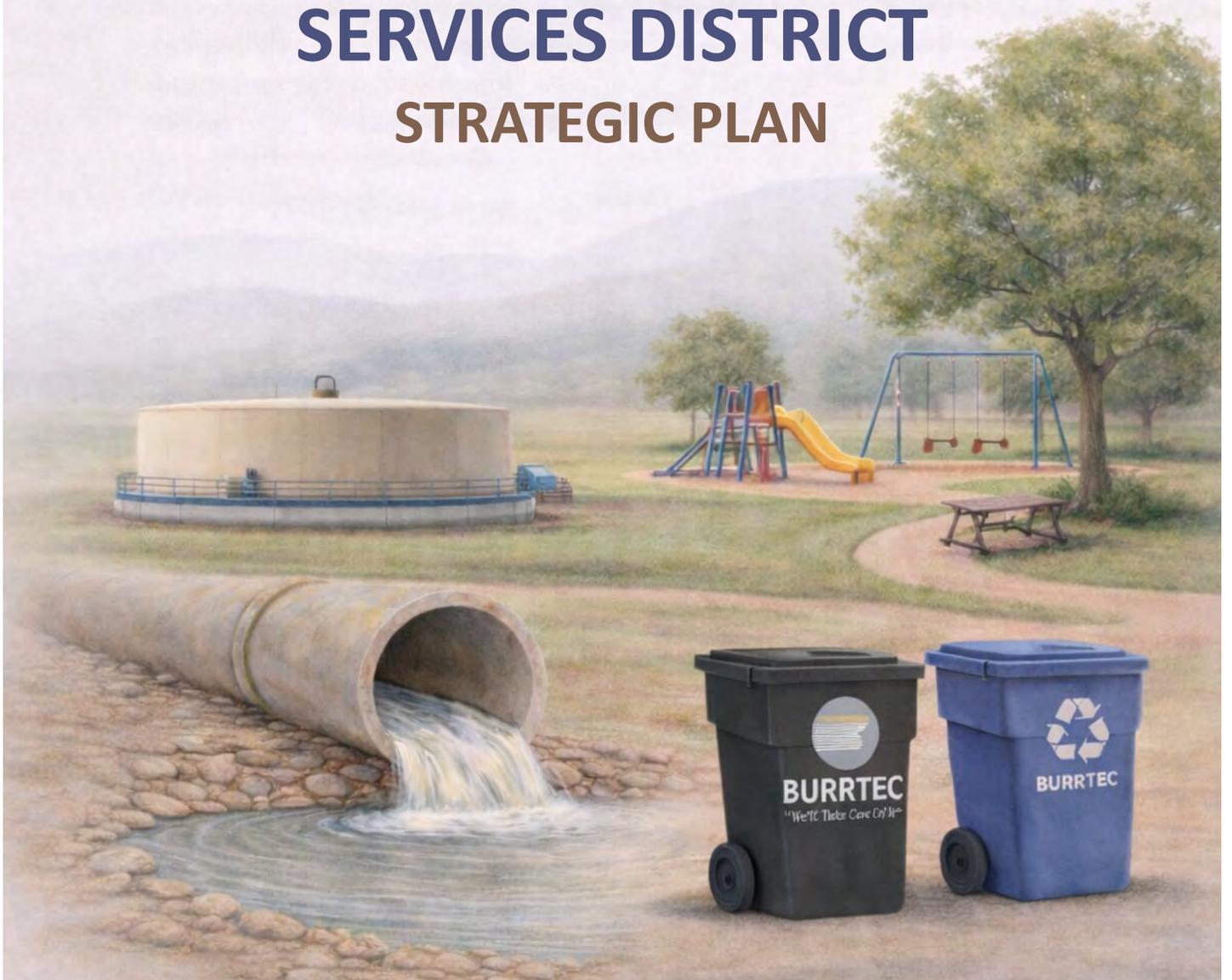
**FISCAL IMPACT:** None

**POSSIBLE MOTION:** Adopt the Helendale Community Services District Strategic Plan

**ATTACHMENTS:** Helendale Community Services District Strategic Plan



# HELENDALE COMMUNITY SERVICES DISTRICT STRATEGIC PLAN



*Guiding Our Community's Future*

26540 Vista Rd. Suite B. Helendale, CA 92342 | [mail@helendalecsd.org](mailto:mail@helendalecsd.org)

# Services



## WATER

The District delivers safe, reliable drinking water to the community by operating and maintaining local wells, storage facilities, and distribution infrastructure.



## WASTEWATER

The District collects and treats the communities wastewater, operating and maintaining the sewer and treatment systems that protect public health and the environment.



## SOLID WASTE

The District provides solid waste services through a franchise agreement with Burrtec Waste for trash and recycling collection services. We offer Bulky item pickups and two clean up days per year.



## PARKS & RECREATION

The District maintains public parks and facilities as well as recreation programs, events, and youth sports that enhance the lives of our residents.



## THRIFT STORE/RECYCLING CENTER

The District operates a combined thrift store and recycling center that promotes reuse, reduces waste, and supports community programs.



## ADMINISTRATION

The District's administrative services support daily operations, customer service, financial management, and overall organizational coordination.

# Introduction

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The District is governed by a five member Board of Directors serving four year terms. The Board is responsible for establishing the policies and priorities that guide the District's services and operations.



Ron Clark



George Cardenas



Gail Guinn  
Director



Artie DeVries  
Director



Billy Rosenberg  
Director

*This Strategic Plan represents our commitment to responsible leadership, proactive planning, and service grounded in integrity.*

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The Helendale Community Services District is at a pivotal moment. With the retirement of our long-serving General Manager, we face a moment of transition and opportunity. While our record of performance is strong, rising costs, aging infrastructure, workforce challenges, and limited external support require our attention. This Strategic Plan is our roadmap to shape the future of Helendale with clarity and commitment. We are focused on modernizing services, strengthening community trust, and ensuring that our services continue to evolve to meet the needs of tomorrow. While the District has a strong history of performance, continued planning is essential to support future needs and community expectations. The challenges addressed in the Strategic Plan ensure that the District is well prepared to meet future needs and maintain high-quality service.

The next five years will present challenges for Helendale as we face a range of external pressures, tightening resource constraints, and the ongoing need to maintain reliable, high quality service. In addition, new and evolving regulatory requirements will place added pressure on our systems, requiring greater administrative capacity, compliance oversight, and adaptability. While we are not forecasting a crisis, we must be prepared to

anticipate and manage challenges proactively to protect our operations and ensure long term stability. We have managed our resources effectively and continued planning will ensure we remain well prepared for whatever lies ahead. Preparing for the future is responsible management, and this strategic plan positions us to be ready, resilient, and responsive when challenges arise.

We take pride in our reputation for integrity and a work ethic that will continue to define our organization. Our staff can be relied upon for almost any job, a reflection of the team's strength, capability, and consistent commitment to dedicated, professional service.

While our performance to date reflects a strong foundation of service and reliability, we recognize the importance of addressing emerging issues. By confronting these challenges now, we position ourselves to build on our success and continue delivering excellence to the community.

This Strategic Plan looks ahead to the next five years and helps guide how the District prepares for what comes next. It builds on what we do well today while keeping us focused on providing reliable service as community needs change.

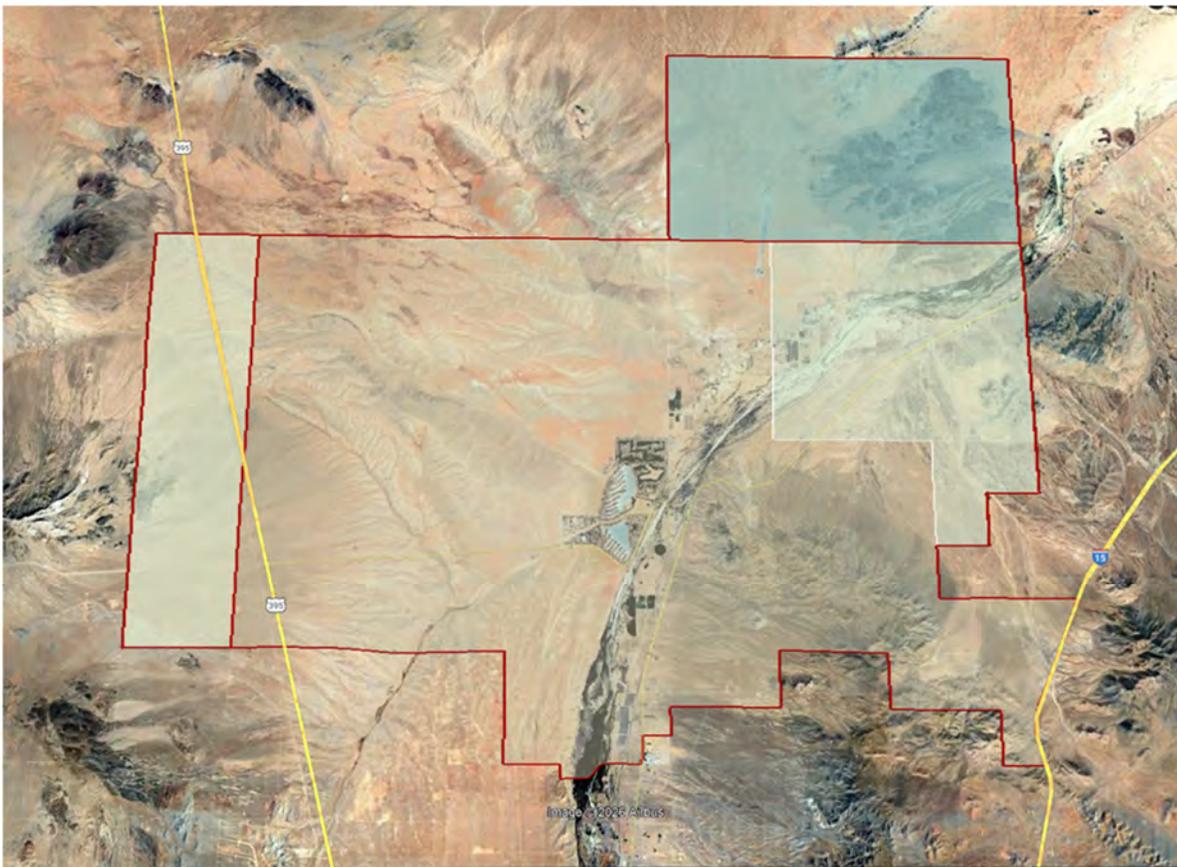
# Background

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Helendale is a small, unincorporated community located in San Bernardino County, California, along historic Route 66 between Victorville and Barstow. Geographically, the District's boundaries cover 129 square miles. While most of the CSD's customers live within the Silver Lakes Association, a portion of the customer base is located outside the Association in the broader rural desert region. The population is estimated at approximately 6,500 residents, making it a close-knit but geographically spread-out community. Its location offers wide open space, scenic desert landscapes, and a quieter lifestyle compared to nearby urban centers—while still being within commuting distance of Victor Valley.

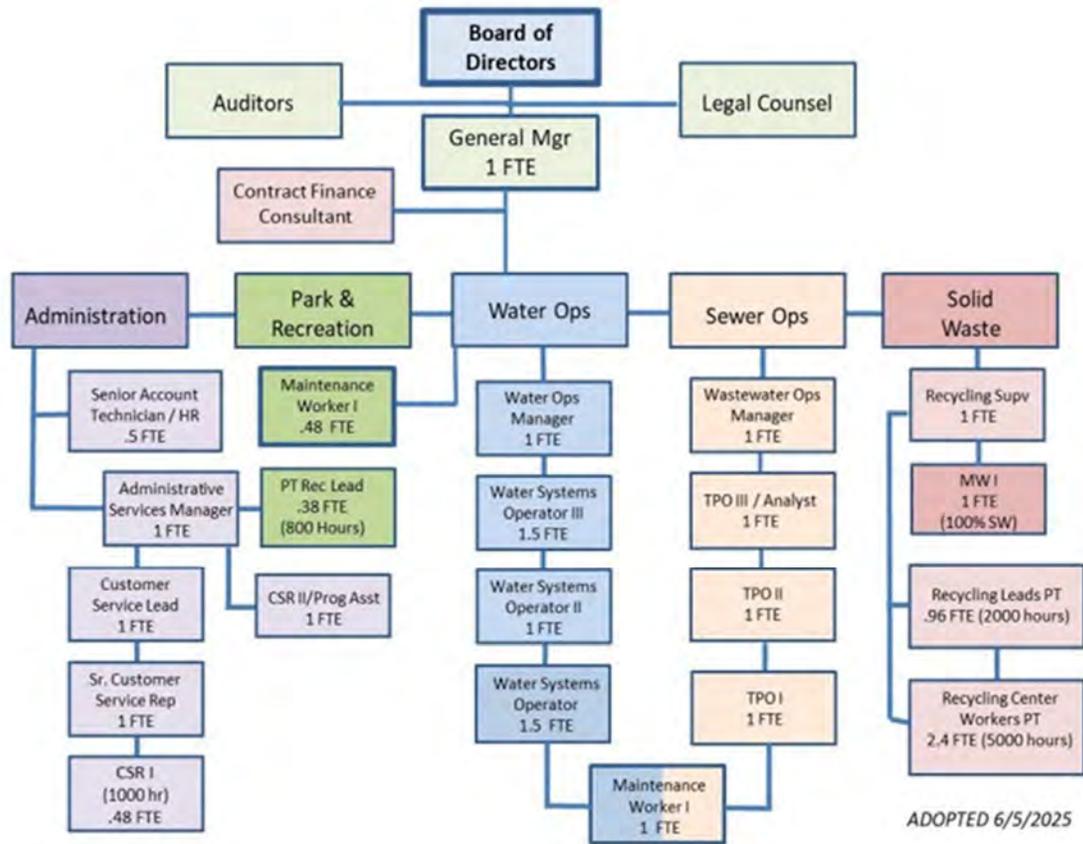
Helendale's rural setting brings both strengths and challenges that directly shape the Strategic Plan for the Helendale Community Services District (HCSD). On the positive side, the small size fosters strong community identity, volunteerism, and resident engagement in parks, recreation, and local governance. However, rural isolation also creates constraints like limited revenue base, higher infrastructure costs, workforce recruitment challenges, and longer emergency response times. Over the past five years, Helendale's population and housing trends have remained relatively stable, with modest population fluctuations, a consistently high rate of homeownership, and a median age that remains above national averages (38.9). Housing growth has been gradual, and vacancy rates have remained relatively steady, indicating a stable but slow-growing community. Looking ahead, these conditions suggest continued demand for reliable utilities, well-maintained infrastructure, and accessible parks and recreation services, while maintaining affordability for residents.

These factors reinforce the importance of a forward-looking Strategic Plan that emphasizes infrastructure reliability, financial sustainability, workforce stability, and community engagement to ensure Helendale remains both resilient and welcoming as it evolves.



# Organizational Structure

As a small rural special district, the Helendale Community Services District operates with an efficient organizational structure designed to maximize effectiveness while maintaining essential public services. Staff bring deep technical and institutional knowledge across water, wastewater, parks and recreation, and administrative functions—expertise that is central to the District’s reliability and performance. Because the team is small, succession planning, recruitment, and workload management remain important considerations. Over the next five years, supporting employee development, retention, and operational continuity will be critical to sustaining service levels and long term resilience.



## General Managers



Alex Aviles



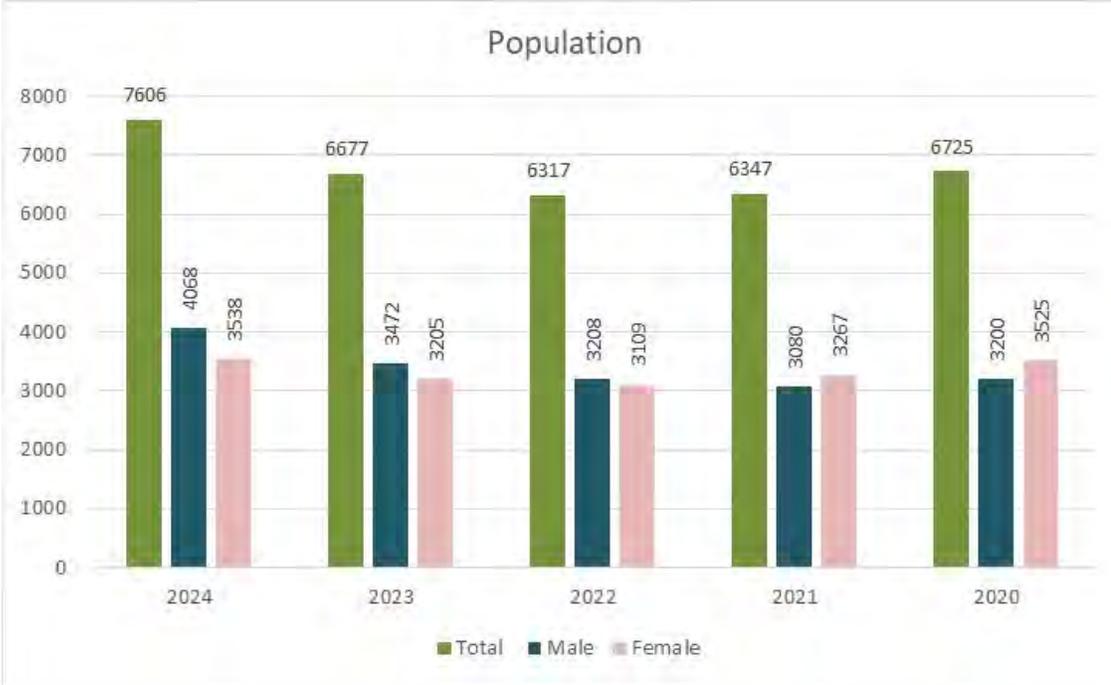
Craig Carlson



Cheryl Vermette

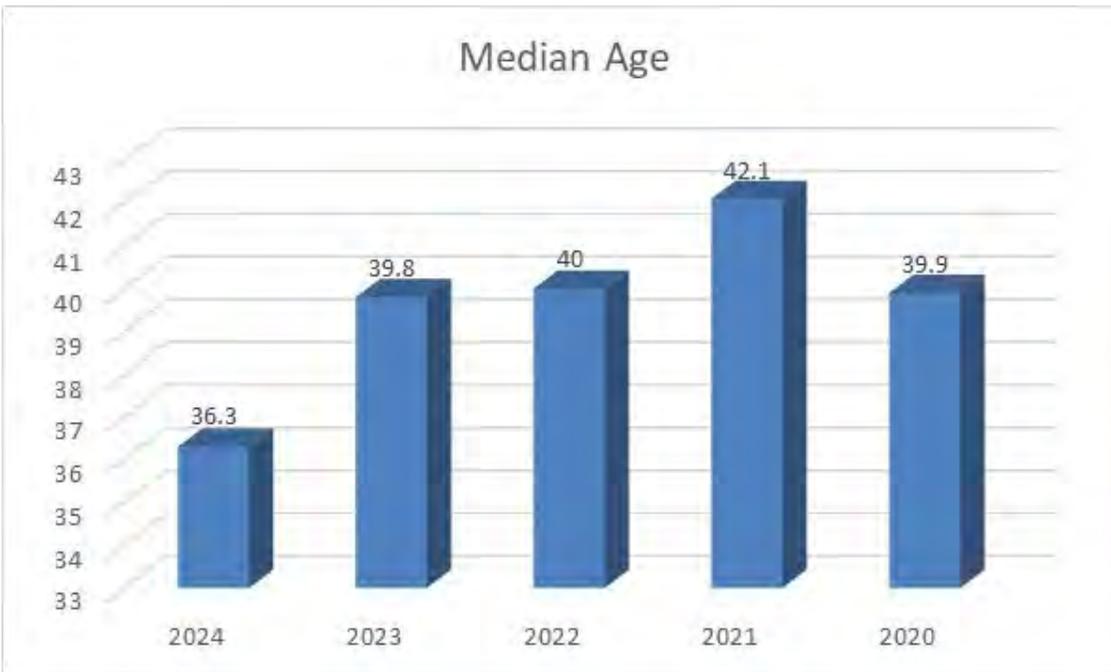
# Demographics

The population of Helendale, California, was 6,317 as of the 2020 Census. Located in San Bernardino County, this unincorporated community experienced a 5.6% year-over-year change in its demographics. The largest age group is 25 to 44, representing 28% of the population, while the 45-64 and over-65 groups also have significant representation.



## Population

Helendale's population has remained relatively stable over the past five years, fluctuating within a narrow range. After a decline from 6,725 in 2020 to 6,317 in 2022, the community shows signs of modest recovery, reaching an estimated 7,606 in 2024. Male and female populations remain closely balanced, with females consistently representing a slightly larger share of residents. Overall, the trend suggests a small but stable community with gradual recent growth.



## Median Age

The median age in Helendale has remained consistently high, reflecting the community's strong presence of middle-aged and older adults. Median age peaked at 42.1 in 2021 before gradually declining to an estimated 36.3 in 2024. This recent decrease suggests a modest influx of younger residents or families while still maintaining an older-leaning population compared with national averages.

# Demographics

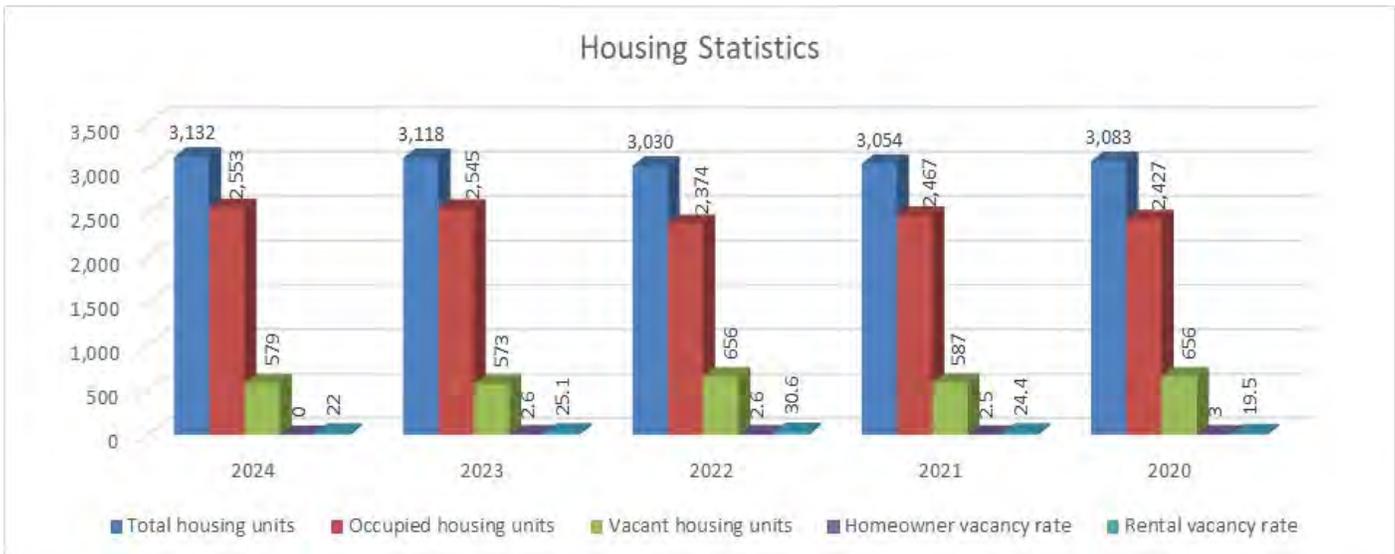
## Owners vs. Renters

Homeownership continues to dominate Helendale’s housing profile. From 2020 to 2024, owner-occupied households consistently outnumber renter households by a large margin. While the number of renters has increased slightly over time, the community remains primarily owner-occupied, indicating long-term residency patterns and housing stability.



## Housing Statistics

Total housing units have gradually increased from 3,083 in 2020 to an estimated 3,132 in 2024, indicating slow but steady housing growth. Most units remain occupied, with vacancy levels remaining relatively low and stable. Both homeowner and rental vacancy rates show only minor fluctuations, suggesting a steady housing market with consistent demand.



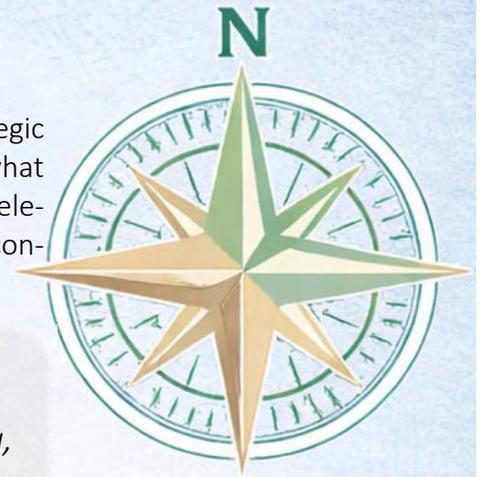
## Census / ACS Data Methodology

The demographic and housing estimates presented in this report are derived from the U.S. Census Bureau’s Decennial Census and the American Community Survey (ACS). The Decennial Census provides official population counts collected every ten years (most recently 2020), while the ACS provides annually updated estimates based on continuous household sampling. For small communities such as Helendale, ACS 5-year estimates are commonly used because they combine multiple years of survey responses to produce statistically reliable data for population, age, housing, and tenure characteristics. Annual values shown between census years represent ACS-based estimates and projections derived from these rolling multi-year datasets.

# Purpose

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This Strategic Plan defines the District’s Mission, Vision, Core Values, Strategic Goals, and Objectives, establishing a clear foundation for who we are, what we aim to achieve, and how we serve the community. Together, these elements guide decision-making, shape organizational culture, and support consistent service delivery.



*As conditions, expectations, and risks continue to change, the Plan establishes a shared framework to guide decision-making, prioritize resources, and strengthen long-term resilience.*

The Plan provides direction as the District responds to evolving operational, regulatory, and community needs. It establishes clear priorities and defines how the District will allocate resources, deliver services, and evaluate results. By aligning long-term aspirations with actionable goals and measurable outcomes, the Plan supports reliable services and community well-being.

Directors, management, and staff will work collectively to implement and regularly review priority initiatives that advance these goals. While the Plan establishes long-term direction, it remains adaptable so the District can respond thoughtfully to emerging needs, opportunities, and challenges.

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## **MISSION**

**To provide fiscally prudent, sustainable public services and value-added opportunities**

## **VISION**

**To be the community of choice for living in the High Desert**

## **VALUES**

**Transparency, integrity, innovation, collaboration, fiduciary responsibility, and work ethic**



# SWOT Analysis

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As part of the strategic planning process, the District conducted a Strengths, Weaknesses, Opportunities, and Threats (SWOT) analysis to better understand internal capabilities and external conditions that may affect its ability to achieve long-term goals. The SWOT analysis provides a structured framework for evaluating operational performance, organizational capacity, infrastructure, financial sustainability, and community expectations. Insights gained through this analysis informed the development of the Strategic Goals, Objectives, and priority initiatives by highlighting areas to build upon, challenges to address, opportunities to pursue, and risks to mitigate. The SWOT analysis serves as an important foundation for aligning the Strategic Plan with current realities while positioning the District for long-term resilience and success.

## Strengths

1. Healthy Financial Reserves, Prudent Fiscal Management, and Comprehensive Capital Improvement Planning
2. Skilled and Certified Workforce with Long Tenure
3. Strong Community Engagement, Partnerships, and Recreational Programming
4. Community Growth
5. Exceptional at Overcoming Obstacles and Problem Solving

## Weaknesses

1. Recruitment and Retention Challenges
2. Limited External and Political Support
3. Funding Constraints and Rising Costs
4. Loss of Institutional Knowledge and Effective Communication
5. Rural Location and Limited Resources



## Opportunities

1. Expansion of Infrastructure
2. Integrating technology for Improved Operational Efficiency and Customer Service
3. Community Growth
4. Partnerships and Regional Collaboration
5. Engagement with Regulatory and Business Communities

## Threats

1. Regulatory and Environmental Compliance Changes
2. Leadership Transition and Employee Retention
3. Infrastructure Vulnerability to Disasters and System Disruptions
4. Rising Costs
5. Rural Location and Limited Resources

# GOAL 1: Maintain Water Quality, Service Reliability, Customer Experience, and Community Well Being

Strategy	Actions
<b>Strengthen the District's Ability to Attract a High Quality Workforce</b>	<p>Maintain and update all job descriptions</p> <p>Advertise open positions through online job boards, professional associations, and social media.</p> <p>Establish outreach to trade schools, certification programs, community colleges and professional organizations for potential candidates.</p> <p>Maintain inclusive hiring practices to recruit qualified candidates aligned with the District's mission and values.</p>
<b>Maintain Competitive Compensation and Benefits</b>	<p>Conduct informal salary and benefit comparisons and update salary ranges to reflect certifications, skill levels, and market conditions.</p>
<b>Strengthen Internal Capacity Through Succession Planning</b>	<p>Identify key positions and evaluate the risk of vacancies.</p> <p>Develop and document standard operating procedures.</p> <p>Create succession and professional development plans for key positions.</p> <p>Document institutional knowledge.</p>
<b>Strengthen Organizational Culture and Retention</b>	<p>Hold semi-annual staff engagement events and ensure Board and management participation.</p> <p>Conduct monthly employee check-ins.</p> <p>Implement a staff feedback system.</p>
<b>Ensure employees maintain job-specific skills through ongoing training and professional development</b>	<p>Identify required regulatory, safety, and job-specific training for each position and develop an annual training plan for each position.</p> <p>Require each employee to complete at least one job-related training annually.</p> <p>Provide onboarding and refresher training as needed.</p> <p>Support cross-training and professional certifications to strengthen workforce flexibility and resilience.</p>

Target Completion Date	Who is Responsible	Key Performance Indicators
Ongoing; reviewed annually	General Managers	<ul style="list-style-type: none"> <li>100% of job descriptions updated by 2027 and reviewed annually</li> <li>Create a list of job boards and posting sites</li> <li>Database of professional organizations created by 2027</li> <li>≥ 80% of recruitments filled within 90 days</li> <li>≥ 60% of recruitments attract qualified applicants</li> <li>≥ 85% retention rate for new hires</li> </ul>
Every 2-3 years or as needed in conjunction with the budget process	General Managers Board of Directors (budget approval)	<ul style="list-style-type: none"> <li>100% of positions reviewed for market alignment</li> <li>≥ 80% of positions within ±10% of market median</li> <li>&lt; 10% of turnover attributed to compensation</li> <li>100% of compensation adjustments implemented within approved budget parameters</li> </ul>
Evaluation completed by 2027 SOP's created by 2028 Reviewed and update annually	General Managers	<ul style="list-style-type: none"> <li>Critical roles assessed and assigned a risk level</li> <li>≥ 90% of critical functions have current SOPs.</li> <li>≥ 80% of critical roles have at least one identified and trained internal successor</li> </ul>
Ongoing; reviewed annually	General Managers	<ul style="list-style-type: none"> <li>Voluntary employee turnover rate ≤ 10% annually</li> <li>≥ 90% of monthly employee check-ins completed</li> <li>≥ 75% employee engagement or satisfaction on annual feedback</li> <li>≥ 75% employee participation in at least one optional staff engagement activity annually</li> </ul>
Training framework developed by 2027; Training annually	General Managers	<ul style="list-style-type: none"> <li>≥ 95% of employees complete at least one job-specific training annually</li> <li>100% of critical operational functions have at least two trained employees</li> <li>≥ 90% on-time completion of required regulatory and safety training</li> <li>Zero service interruptions or regulatory findings attributed to training deficiencies</li> </ul>

# GOAL 2: Reduce Vulnerabilities and Mitigate Risks in Infrastructure to Ensure Safe, Reliable, and Continuous Access to Essential Services

Strategy	Actions
<b>Strengthen and Develop Emergency Preparedness and Disaster Response Planning</b>	<p>Develop a comprehensive Emergency Preparedness and Disaster Response Plan that addresses earthquakes, wildfires, power outages, cyberattacks, and system failures.</p> <p>Define staff roles and responsibilities for emergency response.</p> <p>Establish multi-channel emergency communication procedures.</p> <p>Review and prepare public notification templates.</p> <p>Conduct staff training and preparedness drills.</p> <p>Strengthen operational readiness through interagency coordination.</p>
<b>Assess Risks and Strengthen Infrastructure Resilience</b>	<p>Routinely inspect infrastructure to identify risks and prioritize maintenance and upgrades.</p> <p>Invest in capital improvements, maintenance, and system redundancy to reduce service disruptions and extend asset life.</p> <p>Integrate resilience and infrastructure sustainability into capital planning, budgeting, and decision-making.</p>
<b>Maintain Infrastructure Reliability Through Preventive Maintenance</b>	<p>Establish districtwide preventive maintenance standards to protect critical infrastructure and reduce service interruptions.</p> <p>Direct resources toward maintenance activities that preserve asset value, manage risk, and support reliable service delivery.</p> <p>Ensure the District's workforce, tools, and funding levels are sufficient to sustain effective preventive maintenance programs.</p> <p>Monitor system reliability and maintenance performance to guide policy decisions and long-term investment strategies.</p>
<b>Upgrade Systems and Build Redundancy</b>	<p>Identify critical systems and single points of failure to prioritize upgrades and redundancy improvements.</p> <p>Phase system upgrades and redundancy improvements through the Capital Improvement Plan to balance risk reduction, cost, and operational impact.</p> <p>Ensure critical facilities and services have appropriate backup capacity to maintain operations during outages, failures, or emergencies.</p> <p>Review system performance and incident history to adjust upgrade priorities and guide future investment decisions.</p>

## Target Completion Date

## Who is Responsible

## Key Performance Indicators

Emergency Operations Plan reviewed by June 30 each year & updated as needed  
Roles & assignments confirmed annually by June 30  
Districtwide emergency response drill completed annually  
Identify partner agencies by 2027

General Managers  
Operations and Maintenance  
Analyst

>90 % of facilities have emergency procedures and contact lists.  
Average time to issue public notification during service disruption <6 hours.  
Average restoration time following emergency events <24 hours.  
>90% of designated emergency staff trained in district procedures.  
Maintain active working relationships with partner agencies

Create inventory and inspection cycle by 2027  
Identify high priority redundancy needs by 2027  
Integrate infrastructure and redundancy needs into the CIP annually

General Managers  
Department Leads  
Analyst

Critical infrastructure assets inventoried and assigned a basic condition rating (Good / Fair / Poor)  
Annual infrastructure condition and risk report completed  
High-priority capital and redundancy projects identified and incorporated into the CIP annually  
Reduction in unplanned service interruptions

Preventative Maintenance tracking system implemented and baselines established by 2027  
Asset list finalized by 2027—95% maintenance documented by 2028  
2027 failure and emergency repair baseline established

Department Leads  
General Managers  
Analyst

Complete at least 90% of scheduled maintenance on our most critical equipment.  
At least 95% of critical systems have current maintenance records.  
Annual decrease in emergency repairs due to improved maintenance.

By 2027 — Identify critical systems, single points of failure, and redundancy priorities.  
Establish baseline performance metrics.  
By 2029 — Achieve redundancy or backup coverage for priority critical systems.  
By 2030 — Maintain zero critical service interruptions due to single-point failures.

Department Supervisors/Leads  
General Managers

≥ 90% of critical systems evaluated for single points of failure  
At least 75% of our priority systems will have backup plans in place and written down.  
Review redundancy needs annually and include them in the Capital Improvement Plan as needed.

# GOAL 3: Enhance Technology to Streamline Customer Experience, Improve Service Reliability & Optimize Resources for the Community

Strategy	Actions
<b>Strengthen and Develop Emergency Preparedness and Disaster Response Planning</b>	<p>Streamline billing, accounting, customer service, and internal workflows using Tyler Technologies.</p> <p>Conduct annual system performance reviews to ensure efficiency and reliability.</p> <p>Provide staff with yearly refresher training to maintain proficiency and support continuous improvement.</p>
<b>GIS and Asset Management</b>	<p>Maximize the use of the existing GIS system to support informed decision making, capital infrastructure planning, keep an up-to-date map of equipment and facilities, and monitor routine maintenance.</p> <p>Ensure that all staff who work with the GIS system attend at least one training or workshop each year to support skill development and effective system use.</p>
<b>Enhance Customer Experience and Digital Access</b>	<p>Have user-friendly digital tools that simplify access to services, increase transparency, and support timely communication.</p> <p>Ensure customers can securely make online payments, sign up for services via a simple digital form, submit service requests or report issues through mobile or web platforms, and access account information 24/7 through a secure portal.</p> <p>Review and update the District website and customer portal annually to ensure clear navigation, mobile responsiveness, and ADA compliance.</p> <p>Add or improve features such as FAQs, online forms, and instructional resources like how-to guides or short videos.</p>
<b>SCADA and Field Operations</b>	<p>Upgrade and expand SCADA (Supervisory Control and Data Acquisition) systems to improve monitoring and response capabilities for water and wastewater facilities.</p>
<b>Cybersecurity and Data Protection</b>	<p>Develop cybersecurity protocols and conduct annual training for all employees.</p> <p>Perform semiannual system vulnerability assessments.</p> <p>Implement secure data backup protocols.</p> <p>Explore AI applications to improve customer service and data analysis.</p> <p>Ensure one Board member or management staff attend at least one AI-related training annually.</p> <p>Review ethical and privacy considerations before implementation.</p>

**Target Completion Date**

**Who is Responsible**

**Key Performance Indicators**

Manual processes identified by 2027, 90% of manual process streamlined by 2029  
Baseline established by 2027. 25% reduction by 2029  
Training tracker established by 2027. Maintain 100% annually  
Annual system review

General Managers  
Department Leads  
IT

Reduction of processes handled digitally instead of manually  
Reduction in billing or data entry errors due to manual processes  
100% of designated staff completing annual system training.  
System performance review

Infrastructure list finalized by 2027—update annually.  
GIS data review annually.  
GIS training roster established and first training completed by 2027.

Department /Leads Analyst  
General Managers

Critical infrastructure mapped and verified  
Infrastructure maps used to support annual capital planning (Yes/No)  
% of mapped infrastructure reviewed and updated annually

Identify priority services by 2027, update website portal by 2027 with >90% of common services available online.  
Identify a method for tracking response time for customer service requests, improve response time by 20% by 2029  
Annually review ADA compliance

General Managers  
Administration  
IT

90% of common services available online  
Average initial response to customer service requests within 1 business day  
Annual website and ADA compliance review completed

Roadmap for upgrades completed by 2027. 75% of sites monitored remotely by 2029.  
Alarm response protocols documented by

Department Managers / Supervisors/Leads  
General Managers

75% of priority facilities monitored remotely  
Decreased response time to high-priority system alerts  
Reduction in preventable service interruptions identified early

Cybersecurity policy and training program implemented by 2027.  
No cybersecurity breaches annually  
25% annual reduction in identified vulnerabilities  
Backup and restore test completed by 2027—continued annually.

General Managers  
IT Support Staff

100% of employees complete annual cybersecurity training  
Semiannual vulnerability assessments completed  
No successful cybersecurity breaches resulting in data loss or service disruption  
Annual reduction in identified system vulnerabilities

# GOAL 4: Strengthen Long-Term Financial Sustainability and Strategic Partnerships to Responsibly Manage Public Funds, Maintain Rate Stability, and Expand Resources and Representation for the Community

Strategy	Actions
<b>Budget, Capital Improvement and Financial Management</b>	<p>Align the annual budget with strategic priorities.</p> <p>Provide monthly financial updates to the Board to ensure transparency</p> <p>Maximize internal resources by using in-house staff for projects when feasible.</p> <p>Maintain and update the 5-year Capital Improvement Plan (CIP) annually to reflect infrastructure needs, timelines, growth projections, and funding strategies.</p>
<b>Grant Funding and Financial Assistance</b>	<p>Pursue grants and low-interest loans for capital projects.</p> <p>Maintain a grant tracking database.</p>
<b>Fiscal Responsibility and Long-Term Planning</b>	<p>Maintain reserve balances per District policy.</p> <p>Evaluate opportunities for debt reduction and refinancing.</p>
<b>Partnership Development and Engagement</b>	<p>Build and maintain relationships with local, state, and federal representatives to support funding opportunities, collaboration, and community advocacy.</p> <p>Participate in regional and community meetings to strengthen partnerships and stay informed on issues affecting the District.</p> <p>Host community engagement opportunities such as town halls to improve transparency and communication.</p> <p>Maintain ongoing engagement with local organizations, public safety partners, and community groups.</p>
<b>Long-term financial forecasting &amp; scenario planning</b>	<p>Maintain a five-year financial forecast to plan for long-term stability and potential risks.</p> <p>Conduct periodic rate reviews to ensure adequate cost recovery, maintain reserve levels within policy, and support long-term capital infrastructure funding</p>

Target Completion Date	Who is Responsible	Key Performance Indicators
<p>Adopt budget annually by May  Monthly financial reports presented to the Board  CIP updated annually  Budget variance monitored annually  Annually no findings related to fiscal mismanagement.</p>	<p>General Managers  Finance  Board of Directors (Oversight)</p>	<p>Budget adopted prior to the start of each fiscal year  Monthly financial reports presented to Board  CIP updated annually and aligned with Strategic Plan  Budget-to-actual variance maintained within acceptable range (<math>\pm 15\%</math>)  No audit findings related to fiscal mismanagement</p>
<p>Grant tracking database established by 2027  Grant Applications: Ongoing</p>	<p>General Managers  Finance Department</p>	<p>At least one application submitted annually  Grant tracking database established by 2027 and updated quarterly thereafter.</p>
<p>Reserve Review: Annually  Debt Review: Annually</p>	<p>General Manager  Finance Department  Board of Directors</p>	<p>Reserve balances maintained at or above adopted policy amounts  Debt-to-revenue ratio maintained within Board-approved thresholds  Five-year financial forecast updated annually during the budget cycle  Annual audit completed with no material weaknesses or significant findings</p>
<p>Town hall meeting hosted: At least one annually    Meetings with county, state, and federal representatives: Annually    Partnership and regional engagement review: Annually</p>	<p>General Managers  Board of Directors</p>	<p>Ongoing engagement with county, state, and federal representatives, including meeting attendance or annual coordination.  At least one community town hall hosted annually  Number of active strategic partnerships maintained or expanded annually.  Documented participation in regional or community discussions annually.</p>
<p>Five-year financial forecast updated annually during budget cycle.  Review rates at least every three years or as needed based on financial forecast</p>	<p>General Managers  Finance  Board of Directors</p>	<p>Five-year financial forecast updated annually.  Rate adjustments reviewed as needed to ensure alignment with operating costs and CIP funding needs.</p>

GOAL 5: Enhance Community Growth and Quality of Life by Expanding Inclusive Programs, Revitalizing Public Spaces, and Fostering Meaningful Engagement— Positioning Helendale as a Vibrant, Connected, and Desirable Place to Live

Strategy	Actions
<b>Communication and Transparency</b>	Expand outreach through newsletters, social media, and public workshops Increase frequency of community updates Improve accessibility of information for all residents
<b>Customer Service Excellence</b>	Establish service response standards Track customer satisfaction through surveys and feedback tools Train staff in customer communication best practices
<b>Recreation and Enrichment Programs</b>	Continue expanding high-quality recreation programs and family events Evaluate participation trends to guide new program development Support planning and design of a future recreation and senior center
<b>Volunteerism and Community Involvement</b>	Enhance and promote volunteer opportunities Organize community clean-up events Track volunteer participation and engagement levels
<b>Community Events and Outreach</b>	Continue signature events (Concerts in the Park, Safety Night, Youth Sports) Host at least one town hall annually Expand event marketing and accessibility Create and publish annual event calendar

Target Completion Date	Who is Responsible	Key Performance Indicators
<p>Communications plan established by 2027  Community workshops or town halls hosted at least annually beginning 2027  Website and social media analytics tracked beginning 2027</p>	<p>General Managers  Administration</p>	<p>Year-over-year increase in social media engagement  Attendance tracked for all workshops and town halls  Resident satisfaction with communication efforts maintained or improved  Year-over-year increase in public participation</p>
<p>Customer service response standards established by 2027  Ongoing monitoring and improvement beginning 2027</p>	<p>All Staff  Oversight: General Managers</p>	<p>Average initial response to service requests within 1 business day  Customer satisfaction ratings maintained at ≥ 85%.  Reduction in unresolved service issues annually.  Annual improvement trends demonstrated in survey feedback.</p>
<p>Recreation program expansion ongoing beginning 2027  Participation trends reviewed annually beginning 2027  Recreation and senior center planning milestones achieved by 2027</p>	<p>General Managers  Recreation Staff</p>	<p>Stable or increased participation in recreation programs year-over-year  Number of new recreation programs launched annually.  Recreation and senior center planning milestones achieved.  Positive resident feedback trends related to recreation programs.</p>
<p>Volunteer registration and tracking system established by 2027  Volunteer program implementation and expansion ongoing beginning 2027</p>	<p>General Managers  Recreation Staff  Administration</p>	<p>Number of active volunteers tracked annually.  Participation in community clean-up and volunteer events tracked annually.  Volunteer retention improved year-over-year.</p>
<p>Signature events and outreach activities ongoing beginning 2027  Annual community event calendar published beginning 2027</p>	<p>General Managers  Recreation Staff  Administration</p>	<p>Event attendance levels tracked annually.  Diversity of participation tracked annually.  Resident satisfaction ratings for events maintained or improved.  Improved resident awareness of District programs as reflected by participation</p>

# Economic Forecast

## Five-Year Economic Forecast (FY2026–FY2030)

Helendale Community Services District enters FY2026 in a stable but transition-oriented financial position. The District maintains approximately \$9 million in reserves designated for infrastructure investment and continues to manage a declining debt portfolio, with approximately \$2.96 million remaining after FY2026. The budget incorporates a cost-of-living adjustment (COLA) influenced by the regional CPI, reflecting ongoing inflationary pressure in labor and operational expenses.

## Regional and Economic Context

Regional forecasts for the Inland Empire project modest economic growth through 2026, followed by gradual stabilization in the latter part of the decade. Inflation is expected to ease toward the low-2% range, but public-sector cost drivers—particularly labor, utilities, and construction—are projected to remain elevated relative to historical norms.

**For planning purposes, the District should anticipate:**

### Capital Improvements:

Due to regulatory mandates, the District will be required to invest in approximately \$5 million in capital improvements to deal with PFAS treatment and remediation. Additional regulatory pressures are forthcoming for wastewater with the future potential of upgrading the plant to tertiary treatment for beneficial uses at a cost of approximately \$12 million.

**Labor and benefits growth:** 4%–5% annually

**Utilities, chemicals, and contracted services:** 3%–6% annually

**Construction and infrastructure costs:** 4%–6% annually

These assumptions indicate that operating costs are likely to increase at a faster pace than organically growing revenues unless rate adjustments are implemented.

## Capital Investment Outlook (Primary Financial Driver)

The District's Five-Year Capital Improvement Program (CIP) represents the most significant fiscal variable during this period.

### Water Fund

Five-year capital commitments exceed \$8.4 million. Projects include regulatory compliance, system reliability, and infrastructure modernization.

### Wastewater Fund

Capital investments exceed \$8.2 million over five years, with steady investment across all fiscal years.

## Parks Fund

The Parks capital program includes a substantial \$2.85 million over the next five year. Parks operations rely heavily on discretionary revenues such as franchise fees, property tax allocations, and lease payments.

## Enterprise Fund Stability

Water and Wastewater operations remain structurally stable due to enterprise rate structures; however, regulatory requirements (including water quality compliance) and aging infrastructure necessitate continued capital investment.

Maintaining appropriate reserve thresholds within enterprise funds will be essential to borrowing capacity, rate stability, and emergency response capability.

## Five-Year Fiscal Outlook

Under a best-case economic scenario, Helendale CSD is expected to:

Maintain balanced operations annually

Experience moderate upward pressure on operating costs

See gradual erosion of reserves during peak capital years

Face key policy decisions regarding capital timing and rate adjustments

The District's overall financial position remains stable, but sustainability will depend on disciplined capital prioritization, proactive revenue planning and supportive rate structure.

## Strategic Financial Considerations for the Board

1. Align multi-year rate adjustments with inflation and infrastructure needs.
2. Prioritize and phase large capital projects.
3. Maintain minimum reserve thresholds within enterprise funds.
4. Pursue grant funding to offset local capital burden.

## Overall Conclusion

Helendale CSD is financially stable with strong reserve levels and manageable debt. However, the next five years represent a strategic capital investment cycle that will require careful financial stewardship. The District's long-term resilience will depend on aligning capital planning, rate strategy, and reserve policy with evolving economic conditions.

Without phased project implementation, external funding sources, or structured financing strategies, reserve balances will decline during peak construction years. Strategic rate planning, disciplined capital scheduling, and aggressive pursuit of grants—particularly for water regulatory compliance and parks infrastructure—will be essential to maintaining long-term financial resilience.

# Helendale Community Services District Strategic Plan at a Glance

## FOUNDATION

### Mission

Provide fiscally prudent, sustainable public services and value added opportunities.

### Vision

To be the community of choice for living in the High Desert.

### Values

Transparency, Integrity, Innovation, Collaboration, Work Ethic and Fiduciary Responsibility.

## WHAT WE DO BEST

- Deliver reliable essential services that protect public health, safety, and community wellbeing
- Operate with strong fiscal discipline, maintaining reserves and aligning budgets with long-term needs
- Maintain regulatory compliance across water, wastewater, and solid waste systems
- Manage and sustain critical infrastructure through preventive maintenance and capital planning
- Employ a skilled, certified workforce with deep institutional knowledge and operational expertise
- Adapt and problem-solve effectively in the face of regulatory, financial, and operational challenges
- Engage the community transparently, supporting quality of life through parks, recreation, and public programs

## ORGANIZATION-WIDE STRATEGIES

- Align resources with strategy by linking budgets and the Capital Improvement Plan to strategic priorities
- Strengthen organizational resilience through training, succession planning, and leadership development.
- Modernize systems and processes to improve reliability, efficiency, compliance, and customer access.
- Reduce risk through preventive maintenance, emergency preparedness, and infrastructure planning.
- Pursue strategic partnerships and funding to leverage resources and offset capital and regulatory costs.
- Engage the community transparently through clear communication, inclusive planning, and accessible programs

## KEY PERFORMANCE INDICATORS

- Regulatory Compliance – 100% compliance with water and wastewater requirements
- Service Reliability – Reduction in unplanned service interruptions
- Infrastructure Performance – Capital Improvement Plan projects completed on schedule
- Operational Efficiency – Increased use of digital systems and reduced manual processes
- Financial Sustainability – Reserves maintained within Board policy and stable rate structure
- External Funding & Partnerships – Grants and partnerships secured annually
- Workforce Stability – Employee retention  $\geq 90\%$  and vacancies filled  $\leq 90$  days
- Organizational Resilience – Cross-training and succession planning in place
- Customer Experience – Positive customer satisfaction and responsiveness trends

## IMPLEMENTATION

- Align operating budgets and the Capital Improvement Plan with strategic goals
- Translate strategy into departmental work plans with clear responsibility and accountability
- Monitor progress using key performance indicators and report results to the Board regularly
- Conduct annual strategic reviews to assess progress, risks, and needed adjustments
- Incorporate strategic priorities into leadership evaluation and management decision-making
- Update the Strategic Plan as conditions change to remain responsive to regulatory, financial, and community needs

## STRATEGIC OBJECTIVES AND GOALS

### **GOAL 1: Maintain Water Quality, Service Reliability, Customer Experience, and Community Well Being**

The community will continue to receive reliable, high-quality, and uninterrupted water, wastewater, solid waste, and parks and recreation services because the District maintains a stable, well-trained, and engaged workforce capable of protecting water quality, preventing service interruptions, managing operational transitions, preserving institutional knowledge, and sustaining consistent service reliability.

### **GOAL 2: Reduce Vulnerabilities and Mitigate Risks in Infrastructure to Ensure Safe, Reliable, and Continuous Access to Essential Services**

The community will continue to receive safe, reliable, and uninterrupted water, wastewater, and essential services because the District proactively maintains, upgrades, and strengthens infrastructure systems; implements comprehensive emergency preparedness and response planning; and collaborates with regional partners to ensure operational resilience under normal conditions and during emergencies.

### **GOAL 3: Enhance Technology to Streamline Customer Experience, Improve Service Reliability, and Optimize Resources for the Community**

Modern technology is central to operational excellence and customer service. The District will leverage innovation, automation, and data-driven systems to improve accuracy, streamline workflows, and expand access for both employees and residents. These investments will enhance transparency, performance, and long-term operational efficiency.

### **GOAL 4: Strengthen Long-Term Financial Sustainability and Strategic Partnerships to Responsibly Manage Public Funds, Maintain Rate Stability, and Expand Resources and Representation for the Community**

The District will ensure long-term financial sustainability through responsible budgeting, proactive capital planning, and diversified funding strategies. By expanding partnerships with regional, state, and federal stakeholders, Helendale CSD will secure additional resources, enhance technical expertise, and ensure strong representation on issues that affect the community.

### **GOAL 5: Enhance Community Growth and Quality of Life by Expanding Inclusive Programs, Revitalizing Public Spaces, and Fostering Meaningful Engagement—Positioning Helendale as a Vibrant, Connected, and Desirable Place to Live**

Helendale CSD's core mission is serving the people who live here. As the community grows, the District is committed to expanding programs and services, improving public spaces, and encouraging meaningful engagement through open communication and inclusive planning. By staying responsive and building strong partnerships, Helendale CSD continues to foster pride, participation, and well-being—making Helendale a community of choice in the High Desert.

## Helendale Community Services District

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The Strategic Plan reflects the District's commitment to responsible governance, fiscal stewardship, and long-term resilience. Helendale CSD will continue protecting water quality, providing solid waste services, strengthening infrastructure, and preserving the quality of life that defines the community of Helendale.

*~ Adopted by the Board of Directors, March 2026 ~*

**Thank you to the Ad Hoc Committee:  
Vice President, George Cardenas  
Director, Gail Guinn  
Whose passion brought this plan to fruition.**



# Helendale Community Services District

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Date: March 5, 2026  
TO: Board of Directors  
FROM: Kimberly Cox, General Manager  
SUBJECT: Agenda item #10  
Discussion and Possible Action Regarding Change Orders for Community Center Solar Project

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**STAFF RECOMMENDATION:**

Staff recommends approval of the Change Orders.

**STAFF REPORT:**

In November 2024, the Board approved a solar project for the Community Center. The construction was completed in July 2025 and has been delayed to due to SCE requirements and timing. We were notified on 2/25/26, that Edison finally has approved the engineering modifications that they required due to the age of the electrical panel.

There are two change orders for the project that need to be approved to ensure enough funds to close out the purchase order once the system is activated. Both CO's are less than 4.5% of the project cost. Typically, the Board allows for a 10% buffer for large construction projects, however, when Staff reviewed the audio for the meeting, no allowance was provided for this project.

**Change Order #2:** \$5,000

In order to protect the warranty for the roof, the manufacturer required a specific type of roof jack for the mounting racks. The contractor split this change order and covered half of the cost.

**Change Order #3:** \$9,450

Due to the age and condition of the existing panel, Edison would not accept the original line tap location for connection. Contractor was required to install a bus bar in the panel instead of using the original lugs that were anticipated to be used. This required additional engineering and the need for SCE sign-off. As of February 25<sup>th</sup>, the new line tap engineering has been approved by Edison and the contractor is scheduling with Edison to shut off power so the new bus bar and line tap can be installed.

The Board may wish to approve an additional amount in the event any other change orders are required.

**FISCAL IMPACT:** \$9,450 (or other amount deemed appropriate by the Board)

**REQUESTED ACTION:** Approve Change orders for Solar Project

**ATTACHMENTS:** Change Order #2 & #3



# COMMERCIAL SOLAR SYSTEM INSTALLATION AGREEMENT

## CHANGE ORDER NO. 2

Owner(s) Name, Project Location, Phone & Email	CHANGE ORDER TOTAL	CONTRACTOR
<b>HELENDALE COMMUNITY SERVICES DISTRICT</b> 26540 Vista Rd Helendale, CA 92342  <b>Kimberly Cox: 760-951-0006</b> kcox@helendalecsd.org	\$5000.00	<b>AMS CONSTRUCTION, Inc</b> 1285 Columbia Avenue, Building A Riverside, CA 92507

In conformance with and as a part of the existing contract, **AMS Construction** is hereby authorized by the **OWNER** hereinafter referred to as "OWNER", or "OWNER'S AUTHORIZED AGENT", to make change(s) to the above project and/or order any additional labor and materials, services, supplies and other items listed below and/or otherwise needed to complete the requirements of the scope of work of this change order.

**A. SCOPE OF THE EXTRA WORK OR CHANGES:**

LINE ITEM	DESCRIPTION OF ADDITIONAL WORK NEEDED
1	EQUIPMENT LOCATION CHANGE: DUE TO COUNTY AND NEEDING TO BUILD A CURB FOR THE BATTERY AND TRANSFORMER, DUE TO SLOPE OF EXTERIOR GROUND, EQUIPMENT WOULD ENCROACH TOO FAR UPON THE DRIVEWAY. SO, WE ARE GOING BACK TO OUR ORIGINAL PLAN OF INSTALLING ALL EQUIPMENT (OTHER THAN THE DISCONNECT) TO THE INTERIOR SIDE OF THE WALL, THAT HOUSES THE ELECTRICAL ROOMS.
2	CHANGE ORDER: DUROLAST HAS A NEW REQUIREMENT THAT THEY WANT BOOTS INSTALLED OVER THE SOLAR FOOTINGS, EVEN THOUGH FOOTINGS COME WITH A 25 YEAR LEAK-PROOF ENCASSING. AMS AGREED TO COVER HALF OF THE COST OF BOOT INSTALLATION (\$5000 AMS WILL COVER, \$5000 ON HELENDALE)
3	

**B. PAYMENTS for this order to be made as follows, and will affect the schedule of progress payments as follows:**

The original Schedule of Payments percentages, noted in the contract under Section 6.3, will remain the same. Any Change Orders will be added to, and incorporated within, SECTION 6.3, and will be included within the next progress payment due.

**C. ENTIRE AGREEMENT.** This Change Order shall be incorporated into the Agreement when it has been approved in writing (via initial text and/or email acknowledgement by Owner/Owner's Agent) and/or when signed by Owner and Contractor, prior to the closeout of all work associated to this property and performed by AMS.

**D. COUNTERPARTS.** This Change Order may be executed simultaneously in two or more counterparts, each of which shall be considered an original instrument. Each counterpart will be considered a valid and binding original. Once signed, any reproduction of this Change Order made by reliable means (e.g., scan, photocopy, facsimile) is considered an original.

**E. EXTENDED DATE OF COMPLETION.** Date of completion as set forth in the existing contract is hereby extended approximately 0 day(s) because of the time necessary to complete this Change Order.

**F. CONTRACT AND CHANGE ORDER PRICE DETAILS.**

**G.**

<b>PREVIOUS</b> contract amount prior to this Change Order:	\$318,027.75
Change Order will result in a <b>DEDUCTION</b> to the original contract price in the lump sum amount of:	\$0.00
This Change Order will result in an <b>INCREASE</b> to the original contract price in the lump sum amount of:	\$5,000.00
<b>REVISED</b> contract total amount including this Change Order	<b>\$323,027.75</b>

**H. CHANGE ORDER CONDITIONS,** This Change Order shall be performed under the same conditions as specified in the existing Contract. Your signature below signifies your agreement and approval of this change order.

**INTENDING TO BE LEGALLY BOUND,** the Parties are executing this Change Order through their legally authorized representative on the date stated below.

\_\_\_\_\_  
 OWNER Name  
 AMS CONSTRUCTION

\_\_\_\_\_  
 OWNER Signature

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 CONTRACTOR

\_\_\_\_\_  
 CONTRACTOR'S Signature

\_\_\_\_\_  
 Date



# COMMERCIAL SOLAR SYSTEM INSTALLATION AGREEMENT

## CHANGE ORDER NO. 3

Owner(s) Name, Project Location, Phone & Email	CHANGE ORDER TOTAL	CONTRACTOR
<b>HELENDALE COMMUNITY SERVICES DISTRICT</b> 26540 Vista Rd Helendale, CA 92342  <b>Kimberly Cox: 760-951-0006</b> kcox@helendalecsd.org	\$9,450.00	<b>AMS CONSTRUCTION, Inc</b> 1285 Columbia Avenue, Building A Riverside, CA 92507

In conformance with and as a part of the existing contract, **AMS Construction** is hereby authorized by the **OWNER** hereinafter referred to as "OWNER", or "OWNER'S AUTHORIZED AGENT", to make change(s) to the above project and/or order any additional labor and materials, services, supplies and other items listed below and/or otherwise needed to complete the requirements of the scope of work of this change order.

### A. SCOPE OF THE EXTRA WORK OR CHANGES:

LINE ITEM	DESCRIPTION OF ADDITIONAL WORK NEEDED
1	<b>THIRD PARTY LINE SIDE TAP SURVEYOR ASSIGNED BY SCE:</b> SCE is requiring a third-party surveyor/inspector to be on site during the performed Line Side Tap. This is a pass-through charge to City of Helendale. They have not selected who the 3 <sup>rd</sup> party surveyor will be, or what their charge is. Once they approve Line Side Tap, we will be advised on who the company is and what the charge is from them. Generally, it will be between \$3300 to \$4500. This is NOT being added to this change order yet and is just for informational updating.
2	<b>ENGINEER ONSITE AND PLANSET REVISION/ADDITION:</b> based on SCE requiring different location of where we are allowed to tie-in to the line side tap, our engineer had to go onsite and further access location point. Additionally, had to correct planset and add two more pages/drawings with measurements and calculations. These are also pass-through charges, and we are not marking them up. Engineer costs for visit/revisions and additional pages with stamps: \$4,850
3	<b>BUSBARS INSTEAD OF LUG CONNECTIONS FOR LINE SIDE TAP:</b> due to new tie-in location, AMS is now required to use busbars instead of lugs. These busbars are made to order. Cost for manufacturing is \$4600.

### B. PAYMENTS for this order to be made as follows, and will affect the schedule of progress payments as follows:

The original Schedule of Payments percentages, noted in the contract under Section 6.3, will remain the same. Any Change Orders will be added to, and incorporated within, SECTION 6.3, and will be included within the next progress payment due.

C. **ENTIRE AGREEMENT.** This Change Order shall be incorporated into the Agreement when it has been approved in writing (via initial text and/or email acknowledgement by Owner/Owner's Agent) and/or when signed by Owner and Contractor, prior to the closeout of all work associated to this property and performed by AMS.

D. **COUNTERPARTS.** This Change Order may be executed simultaneously in two or more counterparts, each of which shall be considered an original instrument. Each counterpart will be considered a valid and binding original. Once signed, any reproduction of this Change Order made by reliable means (e.g., scan, photocopy, facsimile) is considered an original.

E. **EXTENDED DATE OF COMPLETION.** Date of completion as set forth in the existing contract is hereby extended approximately     0     day(s) because of the time necessary to complete this Change Order.

### F. CONTRACT AND CHANGE ORDER PRICE DETAILS.

G.

<b>PREVIOUS</b> contract amount prior to this Change Order:	\$323,027.75
Change Order will result in a <b>DEDUCTION</b> to the original contract price in the lump sum amount of:	\$0.00
This Change Order will result in an <b>INCREASE</b> to the original contract price in the lump sum amount of:	\$9,450.00
<b>REVISED</b> contract total amount including this Change Order	<b>\$332,477.75</b>

H. **CHANGE ORDER CONDITIONS,** This Change Order shall be performed under the same conditions as specified in the existing Contract. Your signature below signifies your agreement and approval of this change order.

**INTENDING TO BE LEGALLY BOUND,** the Parties are executing this Change Order through their legally authorized representative on the date stated below.

OWNER Name

OWNER Signature

Date

AMS CONSTRUCTION

CONTRACTOR

CONTRACTOR'S Signature

Date