

## HOUSING AUTHORITY OF THE COUNTY OF ALAMEDA

### HOUSING COMMISSION SPECIAL MEETING AGENDA

**Special Meeting Date/Time:** April 15, 2026 at 8:00 a.m.

**Meeting Location:** HACA Board Room, 22941 Atherton Street Hayward, CA 94541-6633

**Remote Participation Link:** <https://us02web.zoom.us/j/88460095724>

#### MEETING AGENDA

- Item No. 1:** Call to Order and Roll Call
- Item No. 2:** Closed Session  
*Pursuant to Government Code §54957.6  
Contract Negotiations with SEIU Local 1021 and the Housing Authority of the County of Alameda*
- Item No. 3:** Approve the Minutes of the March 11, 2026 Regular Meeting (Action)
- Item No. 4:** Public Comment  
*On matters not on the agenda.*
- Item No. 5:** Executive Director's Report (Information Only)
- Item No. 6:** New Business
- Item No.6-1:** Resolution Approving Memorandum of Understanding (MOU) with SEIU Local 1021 for July 1, 2025 - June 30, 2028 (Action)
- Item No.6-2:** Resolution Approving Amendments to the Housing Commission Bylaws (Action)
- Item No.6-3:** Programs Activity Report (Information Only)
- Item No.7:** Communications (Information Only)
- Item No.8:** Commissioner Reports (Information Only)
- Item No.9:** Adjournment

*Housing Commission meetings are held in person and open to the public. Members of the public may also participate virtually by Zoom. The Housing Commission does not guarantee that the public's Zoom access will be free from interruption or technical difficulties. Should Zoom not be available, the Chairperson may, at his/her discretion, continue the meeting in person if no Housing Commissioner is participating in the meeting through teleconference. If a Housing Commissioner is participating in the meeting through teleconference, and Zoom access is interrupted, then the Housing Commission shall take no further action in open session until Zoom access is restored.*

*In-person attendees who wish to speak on a matter are invited to request a speaker slip from the Housing Commission Secretary, fill it out, and return it to the Secretary as soon as possible. Remote attendees who wish to address the Commission by Zoom should click on "raise hand" when the item they wish to speak on is called. The Secretary will activate and unmute speakers in turn.*

*Written comments may be submitted at least 24 hours in advance of the meeting to [melissat@haca.net](mailto:melissat@haca.net). If emailing a written comment on a specific agenda item, please include your full name and the agenda item number. All attendees who wish to comment on a matter NOT on the Housing Commission's agenda must wait until the Chairperson calls the Public Comment item. Comments on specific agenda items will take place when the Chairperson calls for public comments on that agenda item. There is a time limit of three minutes for each public speaker. The Chairperson has the discretion to further limit this time if warranted by the number of public speakers.*

*Persons requesting accommodation for a disability should contact [melissat@haca.net](mailto:melissat@haca.net) at least 24 hours prior to the meeting.*

*All reports and supporting material for the meeting are available on the internet at <https://www.haca.net/housing-commission/> and in the Office of the Secretary at 22941 Atherton Street.*

# **CLOSED SESSION**

## **April 15, 2026**

**Pursuant to Government Code §54957.6  
Contract Negotiations with SEIU Local 1021 and the Housing Authority of the  
County of Alameda**

**HOUSING COMMISSION**  
**MEETING MINUTES**

**March 11, 2026**

**HOUSING AUTHORITY OF THE COUNTY OF ALAMEDA  
HOUSING COMMISSION REGULAR MEETING  
SUMMARY ACTION MINUTES**

**Regular Meeting Date and Time:** March 11, 2026, at 8:00 a.m.

**Meeting Location:** HACA Board Room, 22941 Atherton Street, Hayward, CA 94541

**Remote Participation Link:** <https://us02web.zoom.us/j/88460095724>

**MEETING AGENDA**

**Agenda Item No. 1: Call to order and Roll Call**

Vice Chairperson Scott Sakakihara called the meeting to order at 8:00 a.m.

Roll Call:

**Present in the Board Room:**

Commissioner Pete Ballew  
Commissioner Seema Chawla  
Commissioner Mark Gerry  
Commissioner Terrance Grindall  
Commissioner Helen Mayfield  
Commissioner Michael McCorriston  
Commissioner Scott Sakakihara (Vice Chairperson)

**Excused:**

Commissioner Angela Finley  
Commissioner Daniel Goldstein (Chairperson)  
Commissioner Peggy McQuaid  
Commissioner Yang Shao

**Absent:**

Commissioner Courtney Welch

**Agenda Item No. 2: Public Hearing: HACA's Annual Public Housing Agency (PHA) Plan for the July 1, 2026-June 30,2027 Fiscal Year**

Vice Chairperson Sakakihara opened the public hearing at 8:00 a.m. and called for comments on HACA's proposed Annual PHA Plan for the July 1, 2026-June 30, 2027 fiscal year.

**Public Comment:**

None.

There were no comments received during the hearing. Vice Chairperson Sakakihara closed the public hearing at 8:01 a.m.

**Agenda Item No. 3: Approve the Minutes of the February 11, 2026 Regular Meeting (Action)**

Report received. Melissa Taesali, Executive Assistant, stated for the record that there was correction to item Agenda Item No.7 under “Commissioner Reports.” She indicated there was a typo in the report from Commissioner Ballew regarding the rent subsidy program and that the city mentioned should be San Leandro and not San Diego.

**Recommendation:**

Approve the minutes of the February 11, 2026 Regular meeting with the stated correction.

**Motion and Second:**

Commissioners Ballew (motion) and Mayfield (second).

Ayes: All.

Motion passed. **APPROVED AS RECOMMENDED.**

**Agenda Item No.4: Public Comment - *On Matters not on the Agenda***

None.

**Agenda Item No.5: Executive Director’s Report (Information Only)**

Laura Broussard Rosen, Executive Director, presented her report. Ms. Broussard Rosen updated the Housing Commission on the status of the recruitments for HACA’s vacant management positions. She reported that the application periods for both the Administrative Analyst and the Procurement and Purchasing Manager positions have closed. Ms. Broussard Rosen reported that HACA is working with its consultant, CPS HR, to plan the next steps for the initial round of interviews for both positions.

Ms. Broussard Rosen also updated the Housing Commission on the status of the Emergency Housing Voucher (EHV) Program. She reported that 129 families have successfully transitioned to the Housing Choice Voucher (HCV) Program and 54 families to the Mainstream Program. Ms. Broussard Rosen noted that there are 2 remaining families in HACA’s jurisdiction, as well as 14 additional families residing in other jurisdictions, who still need to transition to other programs.

Ms. Broussard Rosen also reported that there have been recent updates to the Ralph M. Brown Act (Brown Act) and the Housing Commission bylaws have not been updated since the 1980s. She indicated that staff is doing a comprehensive review of the current bylaws with counsel and that a substantive update is forthcoming. Ms. Broussard Rosen noted that staff anticipates presenting the proposed amendments at the April or May commission meeting and will provide the Housing Commission with the draft of the amended bylaws prior to that presentation.

**Commission Discussion:**

None.

**Agenda Item No.6: New Business**

**Agenda Item No.6-1: Approve HACA’s Annual Public Housing Agency (PHA) Plan for the July 1, 2026-June 30, 2027 Fiscal Year (Action)**

Laura Broussard Rosen introduced this item. Jennifer Cado, Senior Administrative Analyst, presented the staff report. Ms. Cado reported that the U.S. Department of Housing and Urban Development

(HUD) requires each Public Housing Agency (PHA) to prepare and submit a Public Housing Agency Plan (PHA Plan), which includes a 5-year plan and annual plans until the next 5-year plan is due. She further reported the PHA Plan outlines HACA's policies, programs, operations, and strategies for addressing local housing needs.

Ms. Cado stated that HACA's PHA Plan for the 2026-2027 fiscal year is due to HUD by April 17, 2026. She reported that the required public hearing to accept comments on the proposed PHA Plan was held at the beginning of the meeting and that no public comments were received.

Ms. Cado explained that HACA's PHA plan was prepared using HUD's required 7-page template and directed the commission to "Attachment A" in the agenda packet. She provided an overview of the previously approved 5-year PHA plan and summarized HACA's progress toward its strategic goals.

Ms. Cado also summarized the input received at the meetings that were held with the Resident Advisory Board (RAB). She noted that while some RAB members had some comments that staff addressed during the RAB meetings and through follow-up discussions, these comments did not result in any changes to the proposed PHA Plan.

#### **Recommendation:**

Approve HACA's Annual Public Housing Agency (PHA) Plan for the July 1, 2026-June 30, 2027 fiscal year and authorize its submittal to HUD by the April 17, 2026 deadline.

#### **Commission Discussion:**

None.

#### **Motion and Second:**

Commissioners Grindall (motion) and McCorriston (second).

6 ayes: Commissioners Ballew, Chawla, Gerry, Grindall, McCorriston, and Sakakihara.

1 abstention: Commissioner Mayfield.

Motion passed. **APPROVED AS RECOMMENDED.**

*Before proceeding to the next item on the agenda, Vice Chair Sakakihara announced that the Housing Commission would return to Agenda Item No.4, Public Comment, as several HACA employees, attending as members of the public, had entered the Board Room.*

#### **Agenda Item No.4: Public Comment - On Matters not on the Agenda**

Dee Tandas, a HACA Administrative Clerk, and resident of Union City, commented on the ongoing labor contract negotiations between SEIU Local 1021 and HACA. Ms. Tandas described her role and responsibilities as an Administrative Clerk at HACA and emphasized that the cost-of-living adjustment should be distributed evenly among all staff.

#### **Commission Discussion:**

Vice Chair, Sakakihara, thanked Ms. Tandas for her comments, for taking time to attend the meeting, and expressed appreciation for her work. He emphasized that the commission's inability to discuss the matter at this time was not due to a lack of interest but a matter of meeting procedure, since the topic is not on the meeting agenda.

### **Agenda Item No.6-2: Quarterly Budget Status Report (Information Only)**

Mansoorali Hudda, presented the staff report. Report received.

#### **Commission Discussion:**

Commissioner Ballew and Mr. Hudda discussed HACA's reserves. Mr. Hudda talked about the Housing Development Fund (HDF) and the funding for Preserving Alameda County Housing, Inc. He described how each of the funds work and their intended purpose. Commissioner Ballew asked if the cost to assist the families who had to transition from the EHV Program to other housing programs had an impact on HACA's reserves. Mr. Ali explained that HACA was not required to use any of its administrative revenues to transition the EHV families to other programs and these transitions were funded by Housing Assistance Payment (HAP) revenues.

### **Item No.6-3: Presentation: Recognition of HACA's Years of Service Awards Recipients (Information Only)**

Ms. Broussard Rosen presented the staff report. Ms. Broussard Rosen recognized several HACA employees who achieved 5, 10, and 15 years of service with HACA. She noted that while these employees were initially recognized at HACA's end-of-the-year gathering that was held in December, she wanted to formally honor and recognize all of these employees before the Housing Commission.

The employees who were present at the meeting were invited to stand and these employees were applauded by the Housing Commission. Ms. Broussard Rosen also mentioned and recognized HACA Accountant, Diana Soriano, who was inadvertently omitted from the staff report, for her 10 years of service with HACA.

#### **Commission Discussion:**

Vice Chair Sakakihara thanked all the awardees for their years of service and dedication. Commissioner Grindall echoed Vice Chair Sakakihara's comments and congratulated the employees on their years of service milestones.

### **Item No.6-4: Program Activity Report (Information Only)**

Daniel Taylor presented the staff report. Mr. Taylor highlighted the recent accomplishments of a Family Self-Sufficiency (FSS) Program participant. He described her exceptional perseverance and progress toward her FSS goals and announced that she was recently awarded the Christine Steiner Inspiration Award and recognized for her achievements at the *It's Your Time to Shine* event held in February.

#### **Commission Discussion:**

Vice Chair Sakakihara congratulated the FSS Program participant on her accomplishments.

### **Agenda Item No.7: Communications (Information Only)**

Ms. Broussard Rosen reported that Kemit Mawakana, Deputy Executive Director, and Commissioner Peggy McQuaid are currently in Washington, D.C. attending the 2026 National Association of Redevelopment and Housing Officials (NAHRO) Washington conference.

**Agenda Item No.7: Commissioner Reports (Information Only)**

Commissioners Ballew, Grindall, and McCorriston reported that they will not be able to attend the Regular meeting scheduled for April 8 due to scheduling conflicts. Ms. Broussard Rosen indicated that staff will reach out to the Housing Commission to coordinate a different date for the April meeting.

**Agenda Item No.8: Adjournment**

There being no further business to discuss, Vice Chair Sakakihara adjourned the meeting at 8:29 a.m.

Respectfully submitted,

Melissa Taesali  
Executive Assistant/Housing Commission Clerk

**EXECUTIVE DIRECTOR'S**  
**REPORT**

**April 15, 2026**

# HOUSING AUTHORITY OF THE COUNTY OF ALAMEDA

## EXECUTIVE DIRECTOR'S REPORT

Meeting Date: April 15, 2026

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### **HACA Management Position Recruitments**

HACA is currently working with CPS HR Consulting for active recruitments for the Administrative Analyst and the Procurement & Purchasing Manager positions. HACA is now planning for final interviews with top candidates for both positions.

### **Emergency Housing Voucher (EHV) Program Update**

In December 2025, HACA began transitioning approximately 200 EHV families to either HCV or Mainstream programs, based on their specific program eligibility. HACA continues to work to transition two remaining families in its jurisdiction as soon as possible. HACA also continues to work with other housing authorities to plan for transitions of approximately 15 families currently living in other jurisdictions.

# **NEW BUSINESS**

**April 15, 2026**

## HOUSING AUTHORITY OF THE COUNTY OF ALAMEDA

### AGENDA STATEMENT

Meeting Date: April 15, 2026

Agenda Item No.6-1 : Resolution Approving Memorandum of Understanding (MOU) with SEIU Local 1021 for July 1, 2025 to June 30, 2028

Exhibits Attached:           - Resolution No. 01-26  
                                      - Signed Tentative Agreements

Recommendation:       Adopt Resolution Approving Successor MOU for July 1, 2025 to June 30, 2028

Financial Statement:   \$121,952 for represented employees for Fiscal Year 2025-2026

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#### **BACKGROUND**

The current Memorandum of Understanding (MOU) between the Housing Authority of the County of Alameda (HACA) and Service Employees International Union (SEIU) Local 1021, which represents all full-time non-management employees, expired on June 30, 2025. The negotiating parties reached tentative agreement and the Union's negotiating team submitted the tentative agreement to the membership, which approved it. The new successor (MOU) is for a three (3)-year term from July 1, 2025 through June 30, 2028.

#### **DISCUSSION AND ANALYSIS**

The substantive changes regarding the negotiated terms of the successor MOU are outlined in the attached signed Tentative Agreements. All other substantive terms and provisions remain the same.

Costs for subsequent fiscal years will be included in the budgets for the respective years.

#### **RECOMMENDATION**

Staff recommends the Housing Commission adopt a resolution approving the terms of the MOU with SEIU Local 1021 as reflected in the attached pages.

**HOUSING AUTHORITY OF THE COUNTY OF ALAMEDA**

**RESOLUTION NO. 01-26**

**APPROVING MEMORANDUM OF UNDERSTANDING (MOU) WITH  
SEIU LOCAL 1021 FOR JULY 1, 2025 - JUNE 30, 2028**

**WHEREAS**, the Housing Authority of the County of Alameda (“Authority”) recognizes Service Employees International Union (SEIU) Local 1021 as the exclusive representative for the Authority’s general employees bargaining unit, for fiscal years 2025-2028; and

**WHEREAS**, the Parties sought agreement on a three-year successor Memorandum of Understanding (MOU) and held discussions regarding the change in compensation and other terms; and

**WHEREAS**, the Parties have now come to agreement on a successor MOU for a term from July 1, 2025 to June 30, 2028;

**NOW, THEREFORE, BE IT RESOLVED**, that the Housing Commission of the Housing Authority of the County of Alameda does hereby approve and authorize the Executive Director to delegate the execution of the Memorandum of Understanding with SEIU Local 1021 for the fiscal years 2025-2028 as presented at this meeting.

**PASSED, APPROVED AND ADOPTED** by the Housing Commission of the Housing Authority of the County of Alameda on this 15<sup>th</sup> day of April 2026 by the following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**EXCUSED:**

**ABSENT:**

**Attest:**

\_\_\_\_\_  
Daniel Goldstein  
Housing Commission Chairperson

\_\_\_\_\_  
Laura Broussard Rosen  
Executive Director/Secretary

**Adopted:** \_\_\_\_\_

## Housing Authority of Alameda County and SEIU Local 1021

### 2025 Labor Negotiations

#### Authority Proposal 1 – Version 4

**Date:** January 14, 2026

**MOU Sections:** 12 – Wages, 13(D) – Bilingual Incentive, 13(E) – Standby, 15 – Personal Vehicles, 30(B) – Work Boots & 35 - Term

#### **PROPOSAL:**

The Authority makes the following package proposal for a successor MOU with a term from July 1, 2025 to June 30, 2028. This is a package offer and must be accepted or declined as a whole. This proposal assumes the successor MOU will include language for tentative agreements listed below.

1. **Wages:** The Authority will increase base wages for all represented job classifications by 3.0% effective the first full pay period following Commission adoption of the successor MOU. All base wage increases will be implemented pursuant to the existing five-step wage scale (no new sixth step).

In addition to the 3.0% base wage increase, the Authority will make a one-time payment to each employee in the amount of \$1,000.00 per person minus applicable payroll deductions. This payment will be received during the first full pay period following Commission adoption of the successor MOU.

The Authority will increase base wages for all represented job classifications by 3.0% effective June 6, 2026.

2. **Wage Reopener:** The Union may request to initiate negotiations concerning base wages for Fiscal Year 2027-2028 on or about March 1, 2027.
3. **Bilingual:** The Authority will increase the bilingual incentive pay for approved staff from \$50.00 per pay period to \$75.00 per pay period.
4. **Standby:** The Authority will increase standby duty compensation by \$1.00 per hour, growing that compensation from \$5.00 per hour to \$6.00 per hour.
5. **Boots:** The Authority will increase the annual boot reimbursement from \$200.00 to \$300.00.

**MOU LANGUAGE:**

**SECTION 12. WAGES**

**B. BASE WAGE INCREASES.**

The Housing Authority will increase base wages for all classifications represented by the bargaining unit as follows:

~~3.0%~~4.0% effective the first full pay period following Housing Commission adoption of the successor Memorandum of Understanding. Each employee will also be paid \$1,000.00 minus applicable payroll deductions on a one-time basis effective the first full pay period following Housing Commission adoption of the successor Memorandum of Understanding.

~~3.0%~~4.0% effective ~~June 6, 2026~~June 10, 2023.

~~4.0% effective June 8, 2024.~~ The Union Either Party may request on or about March 1, 2027 to open negotiations concerning base wages.

**SECTION 13. PREMIUM CONDITIONS**

**D. BILINGUAL PAY.**

Upon the recommendation of the department manager and the approval of the Executive Director, an employee occupying a position designated as requiring fluency in a language other than English shall receive ~~seventy-five dollars (\$75.00)~~ fifty dollars (\$50.00) per pay period. ~~If the County of Alameda raises this benefit for SEIU represented employees above what the Housing Authority pays during the term of this Memorandum of Understanding, Housing Authority bilingual employees will receive the same bilingual compensation.~~

**E. STAND-BY DUTY PAY.**

**4. Stand-by Duty Hourly Rate**

Stand-by duty is that amount of time that a Housing Maintenance Worker is required to be on stand-by during off-duty time. Stand-by duty pay is compensable at the rate of ~~\$6.00~~\$5.00 per hour.

**SECTION 30. UNIFORM ALLOWANCE**

**B. WORK BOOTS.**

Each tenured employee shall receive a reimbursement of the actual cost, not to exceed three hundred dollars (\$300.00)~~two hundred dollars (\$200.00)~~ for non-slip, thick soled, high top, leather, work boots once every twelve (12) months. Such uniforms and work boots must be worn in the performance of maintenance duties unless waived by the employee's supervisor.

Temporary employees shall be eligible for the uniform shirts after six (6) months and shall return said shirts to the Housing Authority at the end of their temporary employment if they do not become tenured.

**SECTION 35. TERM OF MEMORANDUM**

This Memorandum of Understanding shall become effective as of July 1, ~~2025~~~~2022~~ except as otherwise provided herein, upon the approval of the Housing Authority of the County of Alameda Housing Commission and shall remain in effect up to and including June 30, ~~2028~~~~2025~~. This term comes with the mandate that the Parties commence successor Memorandum of Understanding negotiations no later than ~~January 1, 2028~~~~January 6, 2025~~.

**TENTATIVE AGREEMENTS**

The successor MOU will include new or updated language concerning the following subjects:

- 1) Section 3 – Orientations & Information (Authority Proposal 2) as tentatively agreed on July 11, 2025.
- 2) Section 6(C) – Time & Attendance Policy (Authority Proposal 3) MOU will be amended as provided in version two of the Authority's proposal made on November 18, 2025, and will further specify that the parties will immediately meet and confer regarding the time and attendance policy.
- 3) Section 11(F) – Medical Documentation (Authority Proposal 5) as tentatively agreed on July 11, 2025.
- 4) Section 11(G) – Kin Care (Authority Proposal 9) as tentatively agreed on July 11, 2025.
- 5) Section 17 – Affirmative Action Committee (Authority Proposal 13) as tentatively agreed on October 30, 2025.

6) New Section – Performance Evaluations (Authority Proposal 6) as tentatively agreed on July 11, 2025.

7) New Section – Management Rights (Authority Proposal 14) as counter-proposed by the Union on October 30, 2025.

For the Authority: *Jack Hughes*  
Jack Hughes (Jan 26, 2026 22:25:11 PST) For the Union: *Julio Corral*

Date: 1/26/2026

Date: 01/26/2026

Provided  
5-29-25

## Housing Authority of Alameda County and SEIU Local 1021

### 2025 Labor Negotiations

#### Authority Proposal 2

Date: May 29, 2025

MOU Section: 3 – Union Security

TA JWH  
6-18-25

#### Proposal:

The Authority proposes to replace the current union security language with legally up-to-date new employee orientation and employee information provisions. Current Article 3 will be replaced in its entirety. The Authority notes that union security is an evolving area of law. The Authority therefore seeks flexible language that will be interpreted to be consistent with the law if and when it changes. This Proposal has the effect of responding to Union Proposal 1.

#### MOU Language:

### “SECTION 3. NEW EMPLOYEE ORIENTATION AND EMPLOYEE INFORMATION

#### A. New Employee Orientation Meetings

All newly hired bargaining unit employees attend a new employee orientation meeting. In full satisfaction of California Government Code Section 3556 (both current and effective June 30, 2027), the Authority will provide up to thirty minutes of paid time during new employee orientation meetings for the Union to meet in private with new employees. New employee orientation meetings will occur within thirty calendar days of each employee's first day of employment at the Authority. The Authority will provide the Union's designated Business Agent at least ten calendar days' notice, unless provided otherwise by law, via electronic mail of the date and location of new employee orientation meetings and the Union's time slot for its private meeting.

#### B. New Employee Information

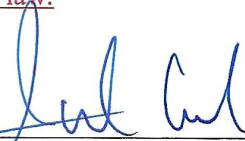
In full satisfaction of California Government Code Section 3558, the Authority will provide the following information to the Union via electronic mail concerning new employees within thirty calendar days of each employee's first day of employment at the Authority: (1) employee's first and last name, (2) job title, (3) department, (4) physical work location, (5) work telephone number, (6) home telephone number (if known), (7) personal cellular telephone number (if

known), (8) personal electronic mail address (if known), and (9) home address. This list will automatically change to match any future changes to applicable law.”

For the Authority:



For the Union:



Date:

6-18-25

Date:

7/11/25

Provided via email  
11-18-25

**Housing Authority of Alameda County and SEIU Local 1021  
2025 Labor Negotiations**

**Authority Proposal 3 – Version 2**

**Date: November 18, 2025**

**MOU Section: 6(C) and the Housing Authority Time & Attendance Policy**

**Proposal:**

The Authority proposes to remove Section 6(C) and update its Time & Attendance Policy (attached).

**MOU Language:**

**“C. HOURS OF WORK DEFINED**

~~Time and attendance, including but not limited to hours of work, are defined in Housing Authority policy as negotiated between the Housing Authority and the Union. Hours worked, including all hours suffered to be worked, shall include all time not under the control of the employee whether such hours are worked in the Housing Authority's work place or in some other place where the employee is carrying out the duties of the Housing Authority.~~

- ~~1. All employees shall punch in at the beginning of the work day. Employees who punch in on time need not punch in or out the rest of the day.~~
- ~~2. Employees who punch in late must have their time cards signed by their department supervisor or the supervisor's designee and punch in and out for lunch and at the end of the day.~~
- ~~3. The Housing Authority reserves the right to require any employee who is habitually late returning from lunch to punch in and out until his or her behavior is corrected.”~~

For the Authority: \_\_\_\_\_ For the Union: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Provided 6-27-25

**Housing Authority of Alameda County and SEIU Local 1021**

**2025 Labor Negotiations**

**Authority Proposal 5 – Version 2**

**Date: June 27, 2025**

**MOU Section: 11(F) – Medical Documentation**

TA Jult  
6-27-25

**Proposal:**

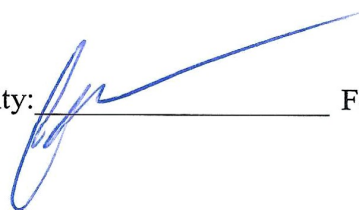
The Authority proposes to link the medical documentation associated with sick leave to existing Personnel Rule 19.7. The Rule authorizes requests for corroborating medical evidence after a three-day absence.

**MOU Language:**

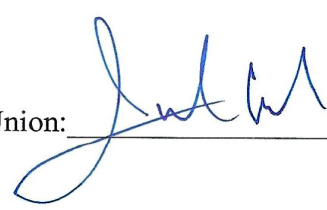
**“F. MEDICAL DOCUMENTATION.**

The Executive Director or designee, as a condition of approving sick leave, may require medical evidence of sickness or injury acceptable to the Housing Authority after three days of sick leave pursuant to Personnel Rule 19.7.”

For the Authority:



For the Union:



Date:

6-27-25

Date:

7/11/25

Provided  
5-29-23

## Housing Authority of Alameda County and SEIU Local 1021

### 2025 Labor Negotiations

Authority Proposal 9

Date: May 29, 2025

MOU Section: 11(G) – Kin Care

CA

#### Proposal:

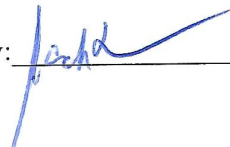
The Authority proposes to move Kin Care to Personnel Rule 19.11 (attached) because this benefit is provided by California Labor Code Section and is therefore subject to periodic legal updates. Furthermore, the Authority would like to improve the benefit to allow employees to use unlimited accrued sick leave (in contrast to the current sixty-hour limit) in the event of a family illness and it would like to do so under a Rule that will apply to all employees.

#### MOU Language:

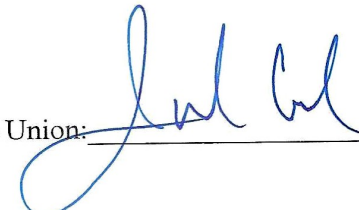
~~“G. KIN CARE.~~

~~An employee shall be entitled to up to sixty (60) hours per calendar year of accrued paid sick leave to attend to the illness of their child, grandchild, parent, spouse or registered domestic partner (see Addendum A), or sibling. For the purpose of this section, “child” shall include biological, foster, adopted, stepchild, legal ward, child of a registered domestic partner or a child of a person standing in loco parentis. For the purpose of this section, parent shall include biological, foster, adoptive, stepparent or legal guardian. To qualify for sick leave under this section, the absence must be consistent with the uses of sick leave in Section 11.A.”~~

For the Authority: \_\_\_\_\_



For the Union: \_\_\_\_\_



Date: June 10, 2026

Date: 7/11/25

## **HACA Personnel Rule Section 19.11**

### **Section 19.11      KIN CARE**

An employee shall be entitled to ~~up to 60 hours per calendar year~~ of **unlimited** accrued paid sick leave to attend to the illness of their child, grandchild, parent, spouse; or (registered) domestic partner. For the purpose of this section, child shall include biological, foster, adopted, stepchild, legal ward, child of a (registered) domestic partner or a child of a person standing in loco parentis. For the purpose of this section, parent shall include biological, foster, adoptive, stepparent or legal guardian.

Provided  
5-29-25

Housing Authority of Alameda County and SEIU Local 1021  
2025 Labor Negotiations

Authority Proposal 13

Date: May 29, 2025

MOU Section: 17 – Affirmative Action Committee

CA Jult  
10-30-25

Proposal:

The Authority proposes to remove Section 17. California’s voters adopted Proposition 209 in 1996 rendering affirmative action unlawful. Section 17 has remained in the MOU as an inactive provision. The Authority proposes to remove it because it is clearly out-of-date.

MOU Language:

~~“SECTION 17. AFFIRMATIVE ACTION COMMITTEE~~

~~A. APPOINTMENT OF COMMITTEE.~~

~~The Unions may appoint a committee consisting of two employees as Union representatives to meet with the Affirmative Action Officer.~~

~~B. MEETINGS.~~

~~The Affirmative Action Committee shall meet by mutual agreement of the parties, at times and places to be decided by the parties.~~

~~C. RECOMMENDATIONS.~~

~~The recommendations and deliberations of said Committee shall be advisory on the Housing Authority including its departments, commissions, and personnel.~~

~~D. GOALS.~~

~~The goals and objectives of said Committee shall be those set forth in the Housing Commission Resolution #531 adopted on April 10, 1991.”~~

For the Authority:

For the Union:

\_\_\_\_\_

Date:

10-30-25

Date:

\_\_\_\_\_

Provided 5-29-25

**Housing Authority of Alameda County and SEIU Local 1021**

**2025 Labor Negotiations**

**Authority Proposal 6**

**Date:** May 29, 2025

TA  
with  
6-18-25

**MOU Section:** None – Performance Evaluations

**Proposal:**

The Authority proposes to amend Personnel Rule 12.11 to make it express that each employee will receive a written performance evaluation.

**MOU Language:**

“Section 12.11 – PERFORMANCE EVALUATION

A Performance Evaluation will be conducted for each employee, by the employee’s immediate supervisor, on or about his/her anniversary date each year. When an employee receives a Performance Evaluation, the employee shall have the right to rebut his/her evaluation in writing. The rebuttal is to be submitted to the employee's immediate supervisor who will forward it through channels to become an integral part of the evaluation in the personnel folder.”

For the Authority:

For the Union:

Date:

6-18-25

Date:

7/11/25

**SEIU Local 1021  
Authority Proposal #14  
HACA  
10/30/2025**

Management Rights

Section TBD

Management Rights except as specifically modified or altered by the provisions of this Memorandum of Understanding, the management of the Housing Authority of the County of Alameda retains all its rights, responsibilities, and powers without any other limitation. These retained rights, other than those specifically modified in this Memorandum of Understanding, are not subject to review pursuant to the grievance and arbitration procedure contained in this MOU.

For the Authority: *Jack Hughes*  
Jack Hughes (Jan 26, 2026 22:19:05 PST) For the Union: *Julio Corral*

Date: 1/26/2026

Date: 01/26/2026

## HOUSING AUTHORITY OF THE COUNTY OF ALAMEDA

### AGENDA STATEMENT

Meeting Date: April 15, 2026

Agenda Item No.6-2: Resolution Approving Amendments to the Housing Commission Bylaws

Exhibits Attached:

- Housing Commission Meeting location list
- Resolution No. 02-26
- Attachment A: Ralph M. Brown Act (Government Code Sections 54950 to 54963O)
- Attachment B: Redline and Clean Versions of the Housing Commission Bylaws

Recommendation: Adopt Resolution No. 02-26

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#### BACKGROUND

On October 3, 2025, Senate Bill 707 (SB707) was signed into law and introduced significant changes to the way many public agencies conduct their meetings. SB707 amends numerous provisions of the Ralph M. Brown Act (Brown Act) and many of these updates became effective on January 1, 2026.

In light of these changes and given that the Housing Commission's bylaws have not been updated in over 40 years, this is an appropriate and timely opportunity to review our meeting procedures and amend the Housing Commission's bylaws to incorporate the applicable provisions of SB707, update existing language, improve overall organization of the articles in the bylaws, and ensure that they are in alignment with current processes and practices.

#### DISCUSSION

While certain provisions of SB707 do not apply to HACA, there are several new requirements that affect the Housing Commission and its standing committees (the Personnel Committee and the Budget/Audit/Negotiations Committee). Among the most significant requirements are the following:

- Providing all commissioners with a copy of the Brown Act (see Attachment A).
- Posting the meeting agendas online, which is already a current practice and requires no change.
- Maintaining and making available a list of meeting locations. The list of meeting locations is attached and will be posted on the HACA website at: <https://www.haca.net/housing-commission/>
- Documenting remote participation in the meeting minutes and the basis for the remote participation.

Additionally, while the traditional Brown Act teleconferencing rules remain unchanged, SB707 consolidates the prior pandemic-era teleconferencing rules and exceptions and provides expanded flexibility for remote participation. Below is a summary of the options for remote participation, which incorporates the updates made through SB 707:

**Remote participation under the traditional Brown Act:**

- The meeting agenda must be posted at the teleconference location.
- The commissioner’s remote location must be identified in the meeting notice and/or meeting agenda.
- Commissioner does not have to disclose if other individuals, age 18 or older, are present in the room and the commissioner’s relationship to this person.
- The public must be allowed to attend, in person, at the commissioner’s remote location.
- There is no limit on the number of commissioners that can use this option at the same time.
- There is no limit to the number of times a commissioner can use this option per calendar year.
- Commissioners do not have to use both audio and visual technology. Audio only is acceptable.
- A quorum of the Housing Commission must attend from within HACA’s jurisdiction, although members may appear remotely in separate locations.

**Remote participation as a Reasonable Accommodation:**

The Brown Act now expressly provides that teleconference may be utilized as a reasonable accommodation with the following requirements:

- The meeting agenda does not have to be posted at the commissioner’s remote location.
- The commissioner’s remote location does not have to be identified in the meeting agenda.
- The public does not have to be allowed to attend, in person, at the commissioner’s remote location.
- There is no limit on the number of commissioners that can use this option at the same time.
- There is no limit to the number of times a commissioner can use this option per calendar year.
- Commissioner should participate through both audio/visual technology, unless a qualifying disability under the ADA prevents use of video.
- Commissioner must disclose if other individuals, age 18 or older, are present in the room and the commissioner’s relationship to this person.
- Remote participation through a reasonable accommodation is treated as the equivalent to in-person attendance , including for counting quorum.

**Other Remote Participation**

SB707 provides a list of circumstances under which a commissioner may participate in a meeting remotely without complying with traditional Brown Act requirements for

teleconferencing. SB707 consolidates the “just cause” and “emergency” provisions for remote participation in Assembly Bill 2449 (AB2449), which are now referred to as “just cause”. The circumstances that constitute “just cause” include any of the following:

- Childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely.
- A contagious illness that prevents a member from attending in person.
- A need related to a physical or mental condition that is not subject to reasonable accommodation for a disability.
- Travel while on official business of the legislative body or another state or local agency.
- An immunocompromised child, parent, grandparent, grandchild, sibling, spouse, or domestic partner of the member that requires the member to participate remotely.
- A physical or family medical emergency that prevents a member from attending in person.
- 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.
- The meeting minutes must identify both that the commissioner participated remotely due to “just cause” and record the specific just cause. No protected health information will be disclosed.

The remaining requirements are generally similar to the provisions of AB2449:

- The meeting agenda does not have to be posted at the commissioner’s remote location.
- The commissioner’s remote location does not have to be identified in the meeting agenda.
- The public does not have to be allowed to attend, in person, at the commissioner’s remote location.
- Commissioners **may only use this option for 2 meetings per calendar year.**
- Commissioners must use **both** audio/visual technology.
- Commissioner must disclose if other individuals, age 18 or older, are present in the room and the commissioner’s relationship to this person.
- At least a quorum of the Housing Commission (7 commissioners) must be present, in person, at one physical location within HACA’s jurisdiction. Therefore, there is a limit to the number of commissioners who can use this option at the same time.

In conjunction with these recent updates to the Brown Act, staff conducted a review of the Housing Commission’s bylaws. With guidance from Alameda County Office of County Counsel (County Counsel), staff proposes the following amendments (See Attachment B):

#### **PREAMBLE (REMOVE)**

Staff is proposing to remove the preamble since much of the historical content is already captured in other sections of the bylaws.

**ARTICLE I. DEFINITONS**

Definitions have been revised to better align with Authority Commission Resolution No. 203, adopted on May 8, 1979, which established the delegation of authority and setting of responsibilities for the Housing Commission.

**ARTICLE II. DELEGATION OF POWERS (proposed title change: "JURISDICTION")**

Staff is proposing to revise the content of this section to improve organization and more clearly define the authority and responsibilities of the Housing Commission.

**ARTICLE III. MEMBERSHIP**

Amendments to this article clarify and streamline language related to appointments, terms of office, and maintenance of membership.

**ARTICLE IV. OFFICERS**

Revisions to this article update the process for electing officers, including proposing a change to hold elections in June rather than July. This update would allow the elected officers to be appointed in time to fully preside over the regular July meeting, at the start of HACA's fiscal year. Additional minor language updates are also proposed.

**ARTICLE V. MEETINGS AND RULES**

This article includes substantive updates to incorporate new requirements under SB707, as well as revisions to provisions governing the conduct of meetings, public comment procedures, quorum requirements, meeting notices, meeting minutes, and meeting schedule.

**ARTICLE VI. COMMITTEES**

The proposed amendments to this article update information regarding the Housing Commission's standing committees, including the addition of the Budget/Audit/Negotiations Committee.

**ARTICLE VII. AMENDMENTS TO BYLAWS and ARTICLE VIII. SEVERABILITY**

Revisions to these articles are technical and are intended to improve clarity and consistency.

**RECOMMENDATION**

Staff recommends that the Housing Commission adopt Resolution No. 02-26 approving the proposed amendments to the Housing Commission bylaws.



### **Housing Commission Meeting Location List**

The meetings of the HACA Housing Commission and its subcommittees are primarily held at the following location:

#### **IN-PERSON PARTICIPATION:**

HACA Main Office  
Board Room  
22941 Atherton Street  
Hayward, California 94541

#### **REMOTE/TELECONFERENCE PARTICIPATION:**

Members of the public may observe and participate in meetings remotely via teleconference through virtual platforms such as Zoom or Microsoft Teams. The link to the meetings will be listed in the meeting agendas and on the HACA website.

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If you require the use of an assistive listening device, a reasonable modification or accommodation for a disability, please contact the Housing Commission clerk 48 hours prior to the meeting date at [melissat@haca.net](mailto:melissat@haca.net) call (510) 727-8511.

If you require language interpretation services, please contact the Housing Commission clerk 72 hours prior to the meeting start time.

**HOUSING AUTHORITY OF THE COUNTY OF ALAMEDA**

**RESOLUTION NO. 02-26**

**APPROVING AMENDMENTS TO THE HOUSING COMMISSION BYLAWS**

**WHEREAS**, on October 3, 2025, Senate Bill 707(SB707) was signed into law; and

**WHEREAS**, SB707 amends numerous provisions of the Ralph M. Brown Act (Government Code Sections 54950 to 549630) (“Brown Act”); and

**WHEREAS**, many of these updates became effective January 1, 2026 introducing changes to the way that many public agencies conduct their meetings; and

**WHEREAS**, the Housing Authority of the County of Alameda (“HACA”) Housing Commission bylaws were last updated on March 12, 1986 and

**WHEREAS**, HACA staff, with guidance from the Alameda County Office of County Counsel (“County Counsel”) have conducted a comprehensive review of the Housing Commission bylaws; and

**WHEREAS**, staff is proposing to amend the Housing Commission bylaws to incorporate the applicable provisions of SB707, update existing language, improve overall organization of the bylaw’s articles, and ensure that the bylaws are in alignment with processes and practice.

**NOW, THEREFORE BE IT RESOLVED**, that the Housing Commission of the Housing Authority of the County of Alameda does hereby approve the proposed amendments to the Housing Commission bylaws.

**PASSED, APPROVED, AND ADOPTED** by the Housing Commission of the Housing Authority of the County of Alameda on this 15<sup>th</sup> day of April 2026 by the following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**EXCUSED:**

**ABSENT:**

**Attest:**

\_\_\_\_\_  
Daniel Goldstein  
Housing Commission Chairperson

\_\_\_\_\_  
Laura Broussard Rosen  
Executive Director/Secretary

**Adopted:** \_\_\_\_\_

# **PROGRAMS ACTIVITY**

## **REPORT**

**April 15, 2026**

**HOUSING AUTHORITY OF THE COUNTY OF ALAMEDA**

**AGENDA STATEMENT**

Meeting Date: April 15, 2026

Agenda Item No.6-3: Programs Activity Report

Exhibits Attached: Section 8 Contract and Housing Assistance Payments (HAP) Report; Section 8 Average Contract Rent Report; FSS Program Monthly Report

Recommendation: Receive Report

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**SECTION 8 HOUSING CHOICE VOUCHERS (HCV)**

- **Lease-Up:** The chart below provides the number of Section 8 HCV program units under contract. This number includes HACA vouchers and portability clients for which we are being billed by the receiving housing authority but excludes portability clients for which we are billing the initial housing authority.

	4/1/2026	3/1/2025	4/1/2024
	6,920	7,129	6,893

- **HCV Program Utilization:** The chart below provides the average HAP subsidy, average tenant-paid portion, and average contract rent. These amounts include HACA vouchers, but do not include incoming and outgoing portability clients.

	4/1/2026	3/1/2025	4/1/2024
Average HAP Subsidy	\$1,963	\$1,909	\$1,824
Average Tenant-Paid Rent	\$604	\$589	\$612
Average Contract Rent	\$2,568	\$2,498	\$2,437

- ❖ The chart below provides the outgoing billed portability contracts (i.e., HACA voucher holders who are housed in another housing authority’s jurisdiction) and incoming portability contracts where HACA billed other housing authorities.

	4/1/2026	3/1/2025	4/1/2024
Outgoing Billed Portability Contracts	141	73	83
Incoming Portability Contracts	291	95	60

- ❖ PACH has 230 project-based voucher (PBV) units. The chart below provides the number of these units that are leased.

4/1/2026	3/1/2025	4/1/2024
230	219	219

- **Section 8 Contract Reports:** Copies of the Contract Reports are attached. The Section 8 Contract and HAP Report includes HACA certificates, HACA vouchers and portability clients for which we are billing the initial housing authority. The Section 8 Average Contract Rent Report includes HACA vouchers and portability clients for which we are billing the initial housing authority.
- **Landlord Rental Listings:** As of April 6, 2026, there were 52 active properties listed.

	5/5/25	6/2/25	7/7/25	8/5/25	9/2/25	9/29/25
<b>Units</b>	55	68	66	61	61	70
	10/31/25	12/1/25	1/5/26	2/2/26	3/2/26	4/6/26
<b>Units</b>	58	56	46	45	43	52

- **HCV Housing Quality Standards (HQS) Inspections and Abatements:** The chart below provides quarterly information on HQS inspections and HQS abatements.

	Q1 2026		Q4 2025		Q3 2025	
Scheduled Annual Inspections	1,083		1,523		1,471	
Passed the Day Inspected	682	63%	1,008	66%	1,082	74%
Failed Inspection	189	17%	164	11%	164	11%
No Shows	202	19%	331	22%	208	14%
Moved Out Prior to Inspection	9	1%	18	1%	15	1%
HAP Abatements for Non-Compliance with HQS	28		97		88	

**HOUSING AUTHORITY OF THE COUNTY OF ALAMEDA**  
**Section 8 Contract and HAP Report for the Month of March 2026**

City	Certificates		Vouchers		MARCH 2026 TOTAL		MARCH 2025	MARCH 2024
	Number	HAP*	Number	HAP**	Number	HAP		
		based on avg \$2,161		based on avg \$1,960				
Albany	0	\$0	17	\$33,320	17	\$33,320	12	9
Castro Valley	5	\$10,805	290	\$568,400	295	\$579,205	256	247
Dublin	7	\$15,127	501	\$981,960	508	\$997,087	481	437
Emeryville	0	\$0	201	\$393,960	201	\$393,960	191	163
Fremont	23	\$49,703	1,231	\$2,412,760	1,254	\$2,462,463	1,284	1,259
Hayward	33	\$71,313	1,937	\$3,796,520	1,970	\$3,867,833	2,025	1,960
Newark	4	\$8,644	251	\$491,960	255	\$500,604	276	288
Pleasanton	3	\$6,483	342	\$670,320	345	\$676,803	340	307
San Leandro	17	\$36,737	1,433	\$2,808,680	1,450	\$2,845,417	1,491	1,448
San Lorenzo	0	\$0	173	\$339,080	173	\$339,080	182	173
Union City	5	\$10,805	708	\$1,387,680	713	\$1,398,485	719	700
<b>TOTALS</b>	<b>97</b>	<b>209,617</b>	<b>7,084</b>	<b>13,884,640</b>	<b>7,181</b>	<b>14,094,257</b>	<b>7,257</b>	<b>6,991</b>

\*Based on an average March Housing Assistance Payment (HAP) of \$2161 per certificate contract

\*\*Based on an average March Housing Assistance Payment (HAP) of \$1,960 per voucher contract

**HOUSING AUTHORITY OF THE COUNTY OF ALAMEDA**  
**Section 8 Average Contract Rent Report for the Month of March 2026**

<b>City</b>	<b>Number of HAP Contracts (HCV Only)</b>	<b>Average Contract Rent</b>	<b>Average HAP Paid by HACA</b>	<b>Average Rent Paid by Family</b>	<b>Average Family-Paid Rent as a Percentage of Average Contract Rent</b>
Albany	17	\$2,175	\$1,635	\$540	25%
Castro Valley	290	\$2,524	\$1,902	\$621	25%
Dublin	501	\$2,735	\$2,091	\$644	24%
Emeryville	201	\$2,171	\$1,652	\$518	24%
Fremont	1,231	\$2,745	\$2,126	\$619	23%
Hayward*	1,937	\$2,462	\$1,844	\$618	25%
Newark	251	\$2,794	\$2,165	\$627	22%
Pleasanton	342	\$2,439	\$1,954	\$484	20%
San Leandro	1,433	\$2,452	\$1,877	\$574	23%
San Lorenzo	173	\$2,717	\$2,035	\$681	25%
Union City	708	\$2,762	\$2,089	\$674	24%

\*Includes units in the unincorporated cities of Ashland, Cherryland, Fairview, and Hayward Acres

Some rents may vary by \$1 due to rounding

This report includes HACA vouchers and portability clients for which we are billing the initial housing authority.

**HOUSING AUTHORITY OF THE COUNTY OF ALAMEDA**

**AGENDA STATEMENT**

**Meeting Date: April 15, 2026**

Subject: Family Self-Sufficiency (FSS) Program Summary

Exhibits Attached: None

Recommendation: Receive Report

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**FAMILY SELF-SUFFICIENCY (FSS) PROGRAM NEWS**

**FSS PROGRAM ACTIVITIES**

**Program Coordinating Committee (PCC)**

On Wednesday, March 11, 2026, the FSS team held its quarterly Program Coordinating Committee (PCC) meeting. The PCC consists of representatives from Alameda County agencies, non-profit organizations, and FSS participants, all working together to provide guidance and strengthen the FSS program. During the meeting, PCC members shared updates from their respective agencies and exchanged valuable information. The next PCC meeting is scheduled for Wednesday, June 10, 2026, from 3:00 p.m. to 4:30 p.m.

**FSS PROGRAM SUMMARY**

<b>Program Summary</b>	<b>March 2026</b>
Total Clients Under Contract:	184
Graduates:	3
Escrow Disbursed:	\$14,751.31
Ports In:	0
Ports Out:	0
Terminations:	1
New Contracts:	2
Case Management Referrals:	16
Job Referrals:	31

# **ATTACHMENT A**

**Ralph M. Brown Act (Government Code Sections 54950 to 549630)**


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

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

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

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

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

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

(A) Have in place a system for electronically accepting and fulfilling requests for meeting agendas and documents pursuant to Section 54954.1 through email or through an integrated agenda management

platform. Information about how to make a request using this system shall be accessible through a prominent direct link posted on the primary internet website home page of the eligible legislative body.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- (i) For an eligible legislative body that is a city council or county board of supervisors, the applicable population shall be the population of the city or county.
- (ii) For an eligible legislative body of a special district, the applicable population shall be either of the following, at the discretion of the board of directors of the special district:
- (I) The population of the county with the greatest population within the boundaries of the special district.
- (II) The population of the service area of the special district, if the special district has the data to determine what languages spoken by the population within its service area meet the requirements of paragraph (A).
- (C) If more than three languages meet the criteria set forth in subparagraph (A), "applicable languages" shall mean the three languages described in subparagraph (A) that are spoken by the largest percentage of the population.
- (D) An eligible legislative body may elect to determine the applicable languages based upon a source other than the most recent American Community Survey if it makes a finding, based upon substantial evidence, that the other source provides equally or more reliable data for the territory over which the eligible legislative body exercises jurisdiction.
- (2) "Eligible legislative body" means any of the following:
- (A) A city council of a city with a population of 30,000 or more.
- (B) A county board of supervisors of a county, or city and county, with a population of 30,000 or more.
- (C) A city council of a city located in a county with a population of 600,000 or more.
- (D) The board of directors of a special district that has an internet website and meets any of the following conditions:
- (i) The boundaries of the special district include the entirety of a county with a population of 600,000 or more, and the special district has over 200 full-time equivalent employees.
- (ii) The special district has over 1,000 full-time equivalent employees.
- (iii) The special district has annual revenues, based on the most recent Financial Transaction Report data published by the California State Controller, that exceed four hundred million dollars (\$400,000,000), adjusted annually for inflation commencing January 1, 2027, as measured by the percentage change in the California Consumer Price Index from January 1 of the prior year to January 1 of the current year, and the special district employs over 200 full-time equivalent employees.
- (3) "Two-way audiovisual platform" means an online platform that provides participants with the ability to participate in a meeting via both an interactive video conference and a two-way telephonic service.
- (4) "Two-way telephonic service" means a telephone service that does not require internet access and allows participants to dial a telephone number to listen and verbally participate.
- (f) This section shall become operative on July 1, 2026.
- (g) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.
- (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 confidential, including, but not limited to, an independent living program.

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

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

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

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

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

(b) For purposes of this section, "eligible community college student organization" means a student body association organized pursuant to Section 76060 of the Education Code, or any other student-run community college organization that is required to comply with the meeting requirements of this chapter, that is in any community college recognized within the California Community Colleges system and includes the Student Senate for California Community Colleges.

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

*(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 Section 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, 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 grandjury.

(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.)*

# **ATTACHMENT B**

**Redline and Clean Versions of the Housing Commission Bylaws**

## BYLAWS OF THE HOUSING COMMISSION

### *PREAMBLE*

~~The Housing Authority of the County of Alameda was established by the Board of Supervisors Resolution #126500 on August 15, 1968, pursuant to Section 34240 of the Health and Safety Code of the State of California.~~

~~Pursuant to Ordinance #77-94 adopted November 2, 1977, the Board of Supervisors of the County of Alameda established a Housing Commission.~~

~~The Housing Authority of the County of Alameda provides housing assistance to low and moderate income families and individuals in the County of Alameda, with the exception of those areas lying within the city limits of Alameda, Berkeley, Livermore, Oakland and Piedmont.~~

~~It is the mission of the Housing Commission to provide and maintain assisted rental housing and housing services for families with incomes of less than 80% of the median income for the Housing Authority's service area. The Housing Authority shall make the most effective and economical possible use of its resources in fulfilling this goal.~~

~~In its operation, the Housing Authority should treat all individuals, applicants, tenants, owners, and staff with respect and dignity. All contacts should encourage individual responsibility.~~

~~The Housing Commission will be available to assist cities in the development of housing and community development programs for low and moderate income families in their communities.~~

~~In order to meet its goals, the Housing Authority will continuously examine current operations in order to make them effective.~~

## ARTICLE I

### DEFINITIONS

#### ARTICLE I. DEFINITIONS

1. Authority or HACA: The Housing Authority of the County of Alameda, a public entity established pursuant to Section 34240 of the Health & Safety Code, State of California.

~~Section 1. “Governing Body” shall mean the Board of Commissioners of the Housing Authority of the County of Alameda.~~

2. Board or Governing Body: The Alameda County Board of Supervisors.

~~3. Section 2. “Board of Commissioners” Authority Commission: shall mean~~  
~~the Alameda County Board of Supervisions plus two (2) Housing Authority~~  
~~HACA tenants commissioners, , one of whom must be over the age of 62.~~

~~Section 3. “Authority” shall mean the Housing Authority of the County of Alameda, a public entity established pursuant to Section 34240 to the Health & Safety Code, State of California.~~

4. Brown Act: California Government Code 54950, et. seq, commonly known as the Ralph M. Brown Act.

5. Commission or Housing Commission: Collectively, the members of the Housing Commission of HACA.

6. Commissioner: A member of the Housing Commission.

~~Section 4. “Commission” shall collectively mean member of the Housing Commission, established pursuant to Sections 34240 and 34292 of the Health & Safety Code, State of California.~~

~~7. Section 5. “Executive Director” shall mean the Executive Director of the Housing Authority of the County of Alameda HACA.~~

~~8. Section 6. “Office of the Commission” shall mean the offices of the Housing Authority of the County of Alameda HACA, located at 22941 Atherton Street, Hayward, California 94542-6633.~~

## ARTICLE II

#### ARTICLE II. DELEGATION OF POWERS JURISDICTION

The Board established the Authority on August 15, 1968, through Board Resolution No. 126500, pursuant to Section 34240 of the Health and Safety Code of the State of California (“Code”). At that time, the Board declared itself to be the commissioner of the

Authority. On November 29, 1977, the Board adopted Ordinance No. 77-94, creating a separate Housing Commission to have those powers set forth in Code section 34292 and such powers as may be delegated to it, including carrying out responsibilities set forth in the Code when reference is made to the Authority. The Authority Commission has adopted resolutions delegating powers as follows.

The Authority Commission did *not* delegate responsibility and authority to the Commission to review and approve the following matters:

~~Section 1. A. The Governing Body delegates to the Commission the powers and duties set forth in Article 4, Chapter 1, Part 2, Division 24 of the Health & Safety Code of the State of California, and authorizes said Commission to function pursuant to these sections and subsequent amendments, to include carrying out responsibilities set forth in the Code wherein reference is made to the Authority.~~

~~Notwithstanding, this general delegation of powers and duties to the Commission, the Governing Body did not delegate responsibility and authority to review and approve matters described in the following sections and/or conditions said delegation as noted herein:~~

**ARTICLE II** ——— **Continued**

**DELEGATION OF POWERS**

1. Code (1) — Section 34311(a) – authority to
  - a. sue and be sued;
  - b. , (b) have a seal and alter it, and
  - c. (c) have perpetual succession; ~~are powers not delegated. Sub-part “(d)” relating to the making of or executing of contracts is delegated. Sub-part “(e)” relating to the making of regulations is delegated.~~
2. Code section 34315d - acquisition of real property by eminent domain.
3. Code section 34316 - investment of funds; purchase of own bonds.
4. Code section 34316.1 - application of Government Code to deposit funds.
5. Code section 34325 - eminent domain authority.

The authority to issue bonds pursuant to Article 5, Chapter 1, Part 2, Division 24 of the Code was not delegated and shall be exercised by the Authority Commission. The Commission may, however, recommend actions relating thereto.

The Authority Commission has delegated responsibility to the Commission for the following Code Sections:

1. Code section 34311-
  - a. Sub-part “(d)” the making of or executing of contracts is delegated.
  - b. Sub-part “(e)” the making of regulations is delegated.
2. The Authority Commission delegated to the Commission the authority set forth in Chapter 2, Part 2, Division 24 of the Code titled the “Housing Cooperation Law.”
3. The Governing Body delegated to the Commission the authority set forth in Chapter 3, Part 2, Division 24 of the Code titled the “Housing Operations Law.”

~~B. — Section 34315d — Acquisition of real property by eminent domain is not delegated.~~

~~C. — Section 34325 — Eminent domain authority is not delegated.~~

~~Section 2. — The authority to issue bonds pursuant to Article 5, Chapter 1, Part 2, Division 24 of the Health & Safety Code shall be exercised by the~~

~~Governing Body. The Commission may recommend such action as the issuance of bonds or conditions relating thereto.~~

~~Section 3. The Governing Body delegated to the Commission the authority set forth in Chapter 2, Part 2, Division 24 of the Health & Safety Code titled the "Housing Cooperation Law."~~

~~Section 4. The Governing Body delegated to the Commission the authority set forth in Chapter 3, Part 2, Division 24 of the Health & Safety Code titled the "Housing Operations Law."~~

~~Section 5. **Employees of the Housing Authority**~~

~~\_\_\_\_\_ The Governing Body delegated to the Commission authority to adopt policies and regulations for the Authority not inconsistent with State and Federal law and regulation on all matters and including matters relating to housing program operations, fiscal matters, personnel matters, and other general administrative practices of the Authority, subject to the conditions set forth in Governing Body Resolution #203, dated May 8, 1979, and Resolution #210 dated October 6, 1981.~~

**ARTICLE II** ~~Continued~~

**DELEGATION OF POWERS**

**1. Section 6. Procedure for Review**

All actions of the Commission may be reviewed by the Governing Body or the Authority Commission upon a request pursuant to this section. When such a request is made, the Commission's action shall not be final until action is taken by the Governing Body or Authority Commission, or by withdrawal of the request for review.

A request for review shall be made within ten (10) days after the Commission action. Notwithstanding the provisions of this section, any actions specifically deemed by the Commission as an urgency action shall be final after three (3) business days on the measure unless a review is requested pursuant to this section with three (3) business days.

The Executive Director shall provide notice to the Governing Body and the County Administrator on the first business day following Commission action.

An action of the Commission may be reviewed by the Authority Commission or Governing Body upon the written request of the Governing Body as a whole, any one member of the Governing Body, or the County Administrator. No cause for review need be stated when a request is made.

**ARTICLE III. MEMBERSHIP**

**MEMBERSHIP**

**~~Section 1.~~ Appointment**

The Commission shall consist of twelve (12) members as follows:

- ~~One (1)~~ One (1) representative from each city in which the ~~Alameda County Housing~~ Authority operates a housing program; ~~;~~
- ~~One (1)~~ One (1) representative from the ~~Alameda County~~ unincorporated area of Alameda County; ~~;~~ and
- ~~One (1) two~~ One (1) ~~tenants of the Alameda County Housing Authority,~~ a HACA Housing Program; and
- ~~One (1) tenant of a HACA Housing Program who~~ One (1) tenant of a HACA Housing Program who ~~-of whom~~ shall be over 62 years of age.

**1. Appointment**

- a. Each city in which the Authority operates a housing program shall nominate a representative to the Commission.

- ~~a.~~
- b. The Executive Director ~~of the Housing Authority~~ shall nominate tenant representatives.
- c. A member of the Board shall nominate a representative for the unincorporated area.
- d. All nominations shall be submitted to the ~~Governing Body Board~~ for final approval.

## 2. Section 2.      **Terms of Office**

- Commissioners shall serve four (4) year terms at the pleasure of the Governing Body.
- Tenant Commissioners shall serve two (2) year terms in accordance with Section 34290 of the ~~Health & Safety~~ Code.

## 3. Section 3.      **Maintenance of Membership**

~~Persons a~~ Appointed members of the Commission shall continue to serve except for:

- a. Expiration of the term.
- b. Voluntary resignation from the Commission.
- c. Failure to maintain residence in the city or unincorporated area which they represent, or, in the case of Tenant Commissioners, ceasing to be a program participant in the Authority's housing programs.
- ~~e.d.~~ Absence from two (2) consecutive regular meetings **without** consent from the Chairperson.
- ~~d.~~ ~~Absence from three (3) regular meetings within a six-month period with consent from the Chairperson.~~
- ~~e.~~ ~~Failure to maintain residence in the city or area which he/she represents or for Tenant Commissioners, ceasing to be a program participant in the Alameda County Housing Authority's housing programs.~~
- ~~f.e.~~ Those instances where the city requests that the Commissioner be an elected official of their city and the Commissioner fails to maintain elected office. The city ~~is~~ then ~~authorized~~ has the discretion to nominate a new representative for the Governing Body's consideration: to serve the remainder of the existing term.
- ~~g.f.~~ If a Commissioner fails to maintain membership for any of the reasons stated above, the Chairperson shall:
  - (1) advise the Commissioner in writing with a copy to the appropriate city, of their failure to maintain the conditions for membership;
  - (2) the Commissioner so advised will have an opportunity to respond to the Chairperson; and
  - (3) if the membership problem cannot be resolved, the Chairperson shall advise the city and the Board ~~of Supervisors~~ of the Commissioner's failure to maintain membership and request that some action be taken.

g. Final action to appoint members to the Commission or terminate Commission membership may only be taken by the Board.

**ARTICLE III** ~~Continued~~

**MEMBERSHIP**

4. Section 4. **Vacancies**

Vacancies on the Commission arising from the provisions of Section 3 shall be filled by nomination and appointment in accordance with the procedures set forth in Section 1 and shall be for the unexpired term.

**ARTICLE IV. OFFICERS**

**OFFICERS**

1. Section 1. **Election**

The Commission, by majority vote, shall elect for a term of one (1) year, a Chairperson and Vice-Chairperson from among its members. No members of the Commission shall serve more than two successive full terms as Chairperson.

The election of the Chairperson and Vice Chairperson shall take place at the regular meeting date in June for term beginning in July to coincide with the beginning of the Authority's fiscal year.

2. Section 2. **Chairperson**

The Chairperson shall preside at all meetings of the Commission, and be responsible for the conduct of the meetings, ~~the development of agendas,~~ and other duties normally associated with a Chairperson.

3. Section 3. **Vice-Chairperson**

The Vice - Chairperson shall perform those duties assigned by the Chairperson, and act for the Chairperson in the latter's absence. If for any reason the Chairperson cannot continue, the Vice-Chairperson shall perform such duties as are imposed on the Chairperson until such time as the Commission shall select a new Chairperson.

4. Section 4. **Executive Secretary**

The Executive Director ~~of the Housing Authority,~~ and/or his/her ~~their~~ designated representative shall serve as Secretary to the Commission.

## **ARTICLE V. MEETING AND RULES**

### **1. Conduct of Business**

All meetings shall be conducted in accordance with Robert's Rules of Order and must comply with the Brown Act. To the extent any provision herein conflicts with the Brown Act, including due to any future amendment to the Brown Act or sunset of specific Brown Act provisions, the operative requirements in the Brown Act shall prevail and be automatically deemed incorporated by reference. Except as expressly provided under the Brown Act, meetings shall be public and shall follow an agenda prepared by the Executive Director and/or their designee.

### **2. Public Comment**

The public is welcome at all Housing Commission meetings. The Chair may use the following nonexclusive instructions for attendees to provide for an orderly meeting. The Chairperson may also use any other regulations that are approved by the Housing Commission, specified in the Brown Act, or determined to be necessary by the Chairperson to run an orderly meeting in a particular circumstance. The Chairperson may modify instructions for clarity and to assist the public in effectively participating in the meeting.

- To facilitate the calling of public speakers, in-person attendees who wish to speak on a matter are invited to request a speaker slip, fill it out, and return it at the start of the meeting.
- Written comments may be submitted at least 24 hours in advance for the meeting to the email address provided on the posted meeting agenda.
- In-person and remote attendees who wish to comment on a matter NOT on the Housing Commission's meeting agenda must wait until the Chairperson calls for the public comment agenda item. Comments on specific agenda items will take place when the Chairperson calls for public comment on that agenda item.
- There is a time limit of 3 minutes for each public speaker. The Chairperson has the discretion to further limit this time if warranted, for example, due to the number of public speakers.
- The Brown Act restricts the Housing Commission from discussing and/or acting on matters that are not on the meeting agenda. Matters not on the agenda that are raised during public comment may be referred to staff.

### **3. Quorum**

Fifty percent (50%) plus one (1) of the total membership of the Housing Commission shall constitute a quorum for the transaction of business, except that less than a quorum may adjourn from time to time.

- a. Action shall be taken by formal motion or resolution.
- b. Each Housing Commission member shall have one (1) vote.
- c. Proxy votes are not permitted.

- d. A simple majority vote of those present and constituting a quorum is sufficient to pass a motion.

#### **4. Meeting Notices**

Meeting notices/agendas shall comply with the Brown Act.

The HACA Executive Director or their designee will email the meeting agenda packet to the Commissioners and will notify interested parties when the meeting agenda packet is available on the HACA website for viewing and/or download and provide the link.

#### **5. Minutes**

The Commission shall approve any meeting minutes. Minutes of all meetings shall be kept and filed by the Executive Director or their designee. Copies of the approved minutes shall be provided to the Commissioners, Governing Body, County Administrator, and the City Managers of participating cities.

#### **6. Meeting Schedule**

### **MEETINGS AND RULES**

#### **~~Section 1. Annual Meeting~~**

~~The Annual Meeting of the Commission shall be held on the regular meeting date in **July**, at which time the election of officers shall take place.~~

#### **~~a. Section 2. Regular Meetings~~**

~~The Commission's **R**regular **M**meetings are held on the second (2<sup>nd</sup>) **W**ednesday of every month. ~~shall be held monthly with time and place and date set by resolution of the Commission.~~~~

#### **~~b. Section 3. Special Meetings~~**

~~Special meetings may be called by the Executive Director or their designee, the Commission Chairperson, ~~or at the request of a quorum majority of the members of the Commission,~~ stating the purpose, time and place of the meeting.~~

The only business transacted shall be limited to items and subjects set forth in the ~~Notice of Special Meeting.~~ special meeting agenda.

#### **c. Closed Session**

Closed sessions may be held only when permitted by the Brown Act.

#### **7. Meeting Location**

The Office of the Commission will be used for Commission meetings and subcommittee meetings, although the Commission or Executive Director may

designate another meeting location to meet the specific needs of a particular meeting. From time to time, the Commission may also generally identify and make available other meeting locations that may be available for meetings.

## **8. Teleconference**

Attendance at meetings must be in person, unless a Commissioner is allowed to teleconference pursuant to this section or during a proclaimed state of emergency. Attendance via teleconference as a reasonable accommodation under the Brown Act (Government Code section 54953, subd. (c)) is not subject to this section and is addressed in Section 9, below.

If expressly allowed by the Brown Act under Government Code section 54953.8, such as when there is "just cause" as defined under Government Code section 54953.8.3, a Commissioner may be authorized to use a teleconference platform, such as Zoom or Microsoft Teams, for participation.

The reasons that constitute "just cause" are:

- 1) Childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely.
- 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 reasonable accommodation for a disability.
- 4) Travel while on official business of the legislative body or another state or local agency.
- 5) An immuno-compromised 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.

If a Commissioner is teleconferencing due to just cause:

- 1) The Commissioner must disclose if other individuals who are 18 years of age or older are present and the Commissioner's relationship with that adult.
- 2) At least a quorum of the Commission must be present at the physical location that is open to the public in the agency's jurisdiction.
- 3) The Commissioner may teleconference for just cause no more than 2 meetings per calendar year
- 4) The Commissioner must use both audio and video.
- 5) The meeting minutes must identify the member that is participating remotely due to just cause and the specific just cause.

The Commissioner must consult with the Executive Director or their designee as soon as possible to determine whether such participation is permitted under the Brown Act, and must take all required steps, including providing an adequate general description of the grounds for remote participation. If Government Code section 54953.8 or any related section sunsets, then the relevant portions of the Bylaws shall concurrently sunset and automatically be of no further effect.

If there is no basis for a member's remote participation under Government Code section 54953.8, a Commissioner wishing to utilize teleconferencing must notify the Executive Director or their designee at least one week prior to the affected meeting date. The Commissioner's notification must include a teleconferencing location that is accessible to the public, and the public must be allowed to attend at the Commissioner's remote location. The Executive Director shall identify the teleconference location in the agenda of the meeting and facilitate posting of the agenda at the teleconference location.

The Executive Director may reject a request from a Commissioner for teleconference participation that does not appear to meet the requirements of the Brown Act or that would pose an obstacle to compliance with the Brown Act.

## **9. Reasonable Accommodation**

- 1) The commissioner should participate through both audio / visual technology, unless a disability as defined under the American Disabilities Act prevents the use of video.
- 2) A member participating remotely as a reasonable accommodation must disclose whether anyone age 18 years of age or older is present and the member's relationship with that adult.

~~A. Written notice shall be given seventy two (72) hours in advance of the meeting to each Commission member, local newspapers of general circulation and anyone filing written request for notice. Notice of meetings shall comply in all respects with Section 54950 et seq., of the Government Code, known commonly as the Ralph M. Brown Act.~~

### ~~Section 4. **Executive Sessions**~~

~~Executive sessions may be held only for those purposes permitted by the Ralph M. Brown Act.~~

### ~~Section 5. **Rules**~~

~~All meetings shall be conducted in accordance with Robert's Rules of Order Revised.~~

### ~~Section 6. **Conduct of Business**~~

~~All meetings shall be public and shall follow an agenda prepared by the Executive Director.~~

**ARTICLE V** — Continued

**MEETINGS AND RULES**

Section 6. — **Conduct of Business**

- A. — ~~Written notices of meetings shall be sent at least five (5) days in advance of a regular meeting to all members of the Commission. Commission reports, reports from the Executive Director and other agenda material shall be included in the mailing when available.~~
- B. — ~~Advance publicity shall be given to reasonably insure that the public will be notified of all Commission meetings; such will include notice to all various newspapers.~~
- C. — ~~Opportunity for discussion of all material mailed in advance shall be included in the agenda.~~
- D. — ~~Each meeting shall provide opportunity for new business to be introduced from the floor and from the public whether or not it has been included in the advance written agenda.~~
- E. — ~~The agenda of the regular meetings shall include minutes of the previous regular meeting. Minutes of all meetings shall be kept and filed with the Housing Authority. Copies shall be provided to Commissioners, Governing Body, County Administrator and City Managers of participating cities.~~

Section 7. — **Quorum**

~~Fifty percent (50%) plus one (1) of those currently appointed shall constitute a quorum for the transaction of business, except that less than a quorum may adjourn from time to time.~~

- A. — ~~Actions shall be by formal motion or resolution.~~
- B. — ~~Each Commissioner shall have one (1) vote.~~
- C. — ~~Proxy votes shall not be permitted.~~

**ARTICLE VI. COMMITTEES**

**COMMITTEES**

~~There shall be such special committees as the Commission may establish subcommittees from time to time. The only standing sub-committees to the Commission shall be the Personnel Committee (PC) and the Budget/Audit/Negotiations (BAN) Committee. Any temporary ad hoc committees must include fewer than a quorum of Commission members and be for a limited purpose and duration. The Commission shall make appointments~~

**ARTICLE VII. AMENDMENTS TO BYLAWS**

**~~AMENDMENTS TO BYLAWS~~**

These Bylaws may be amended by a two-thirds (2/3) vote of the Commission members ~~members~~ present at the meeting of the Commission, ~~provided notice of the proposed amendment (s) is/are to be considered.~~

**ARTICLE VIII. SEVERABILITY**

**~~SEVERABILITY~~**

If an article, section, paragraph, sentence, clause, or phrase of these Bylaws is held for any reason to be illegal, unconstitutional, or null and void, such decision shall not affect the validity of the remaining portion of these Bylaws.

**ADOPTED:            March 08, 1978  
                             Resolution #14**

**AMENDED:            October 18, 1978  
                             Resolution #55**

**AMENDED:            March 12, 1986  
                             Resolution #340**

**AMENDED:            April 15, 2026  
                             Resolution No. 01-26**

# **BYLAWS OF THE HOUSING COMMISSION**

DRAFT

## BYLAWS OF THE HOUSING COMMISSION

### ARTICLE I. DEFINITIONS

1. **Authority** or **HACA**: The Housing Authority of the County of Alameda, a public entity established pursuant to Section 34240 of the Health & Safety Code, State of California.
2. **Board** or **Governing Body**: The Alameda County Board of Supervisors.
3. **Authority Commission**: The Alameda County Board of Supervisions plus two HACA tenant commissioners, one of whom must be over the age of 62.
4. **Brown Act**: California Government Code 54950, et. seq, commonly known as the Ralph M. Brown Act.
5. **Commission** or **Housing Commission**: Collectively, the members of the Housing Commission of HACA.
6. **Commissioner**: A member of the Housing Commission.
7. **Executive Director** The Executive Director of HACA.
8. **Office of the Commission** The offices of HACA, located at 22941 Atherton Street, Hayward, California 94542-6633.

### ARTICLE II. JURISDICTION

The Board established the Authority on August 15, 1968, through Board Resolution No. 126500, pursuant to Section 34240 of the Health and Safety Code of the State of California ("Code"). At that time, the Board declared itself to be the commissioner of the Authority.

On November 29, 1977, the Board adopted Ordinance No. 77-94, creating a separate Housing Commission to have those powers set forth in Code section 34292 and such powers as may be delegated to it, including carrying out responsibilities set forth in the Code when reference is made to the Authority. The Authority Commission has adopted resolutions delegating powers as follows.

The Authority Commission did *not* delegate responsibility and authority to the Commission to review and approve the following matters:

1. Code section 34311 – authority to
  - a. sue and be sued;
  - b. have a seal and alter it; and
  - c. have perpetual succession.
2. Code section 34315d - acquisition of real property by eminent domain.
3. Code section 34316 - investment of funds; purchase of own bonds.

4. Code section 34316.1 - application of Government Code to deposit funds.
5. Code section 34325 - eminent domain authority.

The authority to issue bonds pursuant to Article 5, Chapter 1, Part 2, Division 24 of the Code was not delegated and shall be exercised by the Authority Commission. The Commission may, however, recommend actions relating thereto.

The Authority Commission has delegated responsibility to the Commission for the following Code Sections:

1. Code section 34311-
  - a. Sub-part “(d)” the making of or executing of contracts is delegated.
  - b. Sub-part “(e)” the making of regulations is delegated.
2. The Authority Commission delegated to the Commission the authority set forth in Chapter 2, Part 2, Division 24 of the Code titled the “Housing Cooperation Law.”
3. The Governing Body delegated to the Commission the authority set forth in Chapter 3, Part 2, Division 24 of the Code titled the “Housing Operations Law.”

#### **Procedure for Review**

All actions of the Commission may be reviewed by the Governing Body or the Authority Commission upon request pursuant to this section. When such a request is made, the Commission’s action shall not be final until action is taken by the Governing Body or Authority Commission, or by withdrawal of the request for review.

A request for review shall be made within ten (10) days after the Commission action. Notwithstanding the provisions of this section, any actions specifically deemed by the Commission as an urgency action shall be final after three (3) business days on the measure unless a review is requested pursuant to this section with three (3) business days.

The Executive Director shall provide notice to the Governing Body and the County Administrator on the first business day following Commission action.

An action of the Commission may be reviewed by the Authority Commission or Governing Body upon the written request of the Governing Body as a whole, any one member of the Governing Body, or the County Administrator. No cause for review need be stated when a request is made.

### ARTICLE III. MEMBERSHIP

The Commission shall consist of twelve (12) members as follows:

- One (1) representative from each city in which the Authority operates a housing program; and
- One (1) representative from the unincorporated area of Alameda County; and
- One (1) tenant of a HACA Housing Program; and
- One (1) tenant of a HACA Housing Program who shall be over 62 years of age.

#### 1. Appointment

- a. Each city in which the Authority operates a housing program shall nominate a representative to the Commission.
- b. The Executive Director shall nominate tenant representatives.
- c. A member of the Board shall nominate a representative for the unincorporated area.
- d. All nominations shall be submitted to the Board for final approval.

#### 2. Terms of Office

- Commissioners shall serve four (4) year terms at the pleasure of the Governing Body.
- Tenant Commissioners shall serve two (2) year terms in accordance with Section 34290 of the Code.

#### 3. Maintenance of Membership

Appointed members of the Commission shall continue to serve except for:

- a. Expiration of the term.
- b. Voluntary resignation from the Commission.
- c. Failure to maintain residence in the city or unincorporated area which they represent, or, in the case of Tenant Commissioners, ceasing to be a program participant in the Authority's housing programs.
- d. Absence from two (2) consecutive regular meetings **without** consent from the Chairperson.
- e. Those instances where the city requests that the Commissioner be an elected official of their city and the Commissioner fails to maintain elected office. The city then has the discretion to nominate a new representative for the Governing Body's consideration to serve the remainder of the existing term.
- f. If a Commissioner fails to maintain membership for any of the reasons stated above, the Chairperson shall:

- 1) advise the Commissioner in writing with a copy to the appropriate city, of their failure to maintain the conditions for membership;
- 2) the Commissioner so advised will have an opportunity to respond to the Chairperson; and
- 3) if the membership problem cannot be resolved, the Chairperson shall advise the city and the Board of the Commissioner's failure to maintain membership and request that some action be taken.

g. Final action to appoint members to the Commission or terminate Commission membership may only be taken by the Board.

#### **4. Vacancies**

Vacancies on the Commission arising from the provisions of Section 3 shall be filled by nomination and appointment in accordance with the procedures set forth in Section 1 and shall be for the unexpired term.

### **ARTICLE IV. OFFICERS**

#### **1. Election**

The Commission, by majority vote, shall elect for a term of one (1) year, a Chairperson and Vice Chairperson from among its members. No members of the Commission shall serve more than two successive full terms as Chairperson.

The election of the Chairperson and Vice Chairperson shall take place at the regular meeting date in June for term beginning in July to coincide with the beginning of the Authority's fiscal year.

#### **2. Chairperson**

The Chairperson shall preside at all meetings of the Commission and be responsible for the conduct of the meetings and other duties normally associated with a Chairperson.

#### **3. Vice Chairperson**

The Vice Chairperson shall perform those duties assigned by the Chairperson, and act for the Chairperson in the latter's absence. If for any reason the Chairperson cannot continue, the Vice-Chairperson shall perform such duties as are imposed on the Chairperson until such time as the Commission shall select a new Chairperson.

#### 4. Secretary

The Executive Director and/or their designated representative shall serve as Secretary to the Commission.

### ARTICLE V. MEETING AND RULES

#### 1. Conduct of Business

All meetings shall be conducted in accordance with Robert's Rules of Order and must comply with the Brown Act. To the extent any provision herein conflicts with the Brown Act, including due to any future amendment to the Brown Act or sunset of specific Brown Act provisions, the operative requirements in the Brown Act shall prevail and be automatically deemed incorporated by reference. Except as expressly provided under the Brown Act, meetings shall be public and shall follow an agenda prepared by the Executive Director and/or their designee.

#### 2. Public Comment

The public is welcome at all Housing Commission meetings. The Chair may use the following nonexclusive instructions for attendees to provide for an orderly meeting. The Chairperson may also use any other regulations that are approved by the Housing Commission, specified in the Brown Act, or determined to be necessary by the Chairperson to run an orderly meeting in a particular circumstance. The Chairperson may modify instructions for clarity and to assist the public in effectively participating in the meeting.

- To facilitate the calling of public speakers, in-person attendees who wish to speak on a matter are invited to request a speaker slip, fill it out, and return it at the start of the meeting.
- Written comments may be submitted at least 24 hours in advance for the meeting to the email address provided on the posted meeting agenda.
- In-person and remote attendees who wish to comment on a matter NOT on the Housing Commission's meeting agenda must wait until the Chairperson calls for the public comment agenda item. Comments on specific agenda items will take place when the Chairperson calls for public comment on that agenda item.
- There is a time limit of 3 minutes for each public speaker. The Chairperson has the discretion to further limit this time if warranted, for example, due to the number of public speakers.
- The Brown Act restricts the Housing Commission from discussing and/or acting on matters that are not on the meeting agenda. Matters not on the agenda that are raised during public comment may be referred to staff.

### 3. Quorum

Fifty percent (50%) plus one (1) of the total membership of the Housing Commission shall constitute a quorum for the transaction of business, except that less than a quorum may adjourn from time to time.

- a. Action shall be taken by formal motion or resolution.
- b. Each Housing Commission member shall have one (1) vote.
- c. Proxy votes are not permitted.
- d. A simple majority vote of those present and constituting a quorum is sufficient to pass a motion.

### 4. Meeting Notices

Meeting notices/agendas shall comply with the Brown Act.

The HACA Executive Director or their designee will email the meeting agenda packet to the Commissioners and will notify interested parties when the meeting agenda packet is available on the HACA website for viewing and/or download and provide the link.

### 5. Minutes

The Commission shall approve any meeting minutes. Minutes of all meetings shall be kept and filed by the Executive Director or their designee. Copies of the approved minutes shall be provided to the Commissioners, Governing Body, County Administrator, and the City Managers of participating cities.

### 6. Meeting Schedule

- a. Regular Meetings  
The Commission's regular meetings are held on the second (2<sup>nd</sup>) Wednesday of every month.
- b. Special Meetings  
Special meetings may be called by the Executive Director or their designee, the Commission Chairperson, a quorum of the Commission. , The only business transacted shall be limited to items and subjects set forth in the special meeting agenda.
- c. Closed Session  
Closed sessions may be held only when permitted by the Brown Act.

### 7. Meeting Location

The Office of the Commission will be used for Commission meetings and subcommittee meetings, although the Commission or Executive Director may designate another meeting location to meet the specific needs of a particular meeting. From time to time, the Commission may also generally identify and make available other meeting locations that may be available for meetings.

## 8. Teleconference

Attendance at meetings must be in person, unless a Commissioner is allowed to teleconference pursuant to this section or during a proclaimed state of emergency. Attendance via teleconference as a reasonable accommodation under the Brown Act (Government Code section 54953, subd. (c)) is not subject to this section and is addressed in Section 9, below.

If expressly allowed by the Brown Act under Government Code section 54953.8, such as when there is "just cause" as defined under Government Code section 54953.8.3, a Commissioner may be authorized to use a teleconference platform, such as Zoom or Microsoft Teams, for participation.

The reasons that constitute "just cause" are:

- 1) Childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely.
- 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 reasonable accommodation for a disability.
- 4) Travel while on official business of the legislative body or another state or local agency.
- 5) An immuno-compromised 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.

If a Commissioner is teleconferencing due to just cause:

- 1) The Commissioner must disclose if other individuals who are 18 years of age or older are present and the Commissioner's relationship with that adult.
- 2) At least a quorum of the Commission must be present at the physical location that is open to the public in the agency's jurisdiction.
- 3) The Commissioner may teleconference for just cause no more than 2 meetings per calendar year.
- 4) The Commissioner must use both audio and video.
- 5) The meeting minutes must identify the member that is participating remotely due to just cause and the specific just cause.

The Commissioner must consult with the Executive Director or their designee as soon as possible to determine whether such participation is permitted under the Brown Act, and must take all required steps, including providing an adequate general description of the grounds for remote participation. If Government Code section 54953.8 or any related

section sunsets, then the relevant portions of the Bylaws shall concurrently sunset and automatically be of no further effect.

If there is no basis for a member's remote participation under Government Code section 54953.8, a Commissioner wishing to utilize teleconferencing must notify the Executive Director or their designee at least one week prior to the affected meeting date. The Commissioner's notification must include a teleconferencing location that is accessible to the public, and the public must be allowed to attend at the Commissioner's remote location. The Executive Director shall identify the teleconference location in the agenda of the meeting and facilitate posting of the agenda at the teleconference location.

The Executive Director may reject a request from a Commissioner for teleconference participation that does not appear to meet the requirements of the Brown Act or that would pose an obstacle to compliance with the Brown Act.

#### **9. Reasonable Accommodation**

- a. The commissioner should participate through both audio / visual technology, unless a disability as defined under the American Disabilities Act prevents the use of video.
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### **ARTICLE VI. COMMITTEES**

The Commission may establish subcommittees from time to time. The only standing subcommittees to the Commission shall be the Personnel Committee (PC) and the Budget/Audit/Negotiations (BAN) Committee. Any temporary ad hoc committees must include fewer than a quorum of Commission members and be for a limited purpose and duration. The Commission shall make appointments

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If an article, section, paragraph, sentence, clause, or phrase of these Bylaws is held for any reason to be illegal, unconstitutional, or null and void, such decision shall not affect the validity of the remaining portion of these Bylaws.

***ADOPTED: March 08, 1978, Resolution #14***

***AMENDED: October 18, 1978, Resolution #55***

***AMENDED: March 12, 1986, Resolution #340***

***AMENDED: April 15, 2026, Resolution No. XX-26***