



CONTRA COSTA COUNTY

AGENDA

Byron Municipal Advisory Council

Tuesday, February 24, 2026

6:00 PM

St. Anne Church, 2800 Camino Diablo,
Byron, CA 94514

1. **Roll Call and Introductions**
2. **Pledge of Allegiance**
3. **Public comment on any item under the jurisdiction of the Committee and not on this agenda (speakers may be limited to three minutes).**
4. **Agency Reports**
 - a. Contra Costa County Office of the Sheriff - TBD
Contra Costa County Fire Protection District - TBD
California Highway Patrol - TBD
Office of Supervisor Diane Burgis - Claire Alaura, Deputy Chief of Staff, and Wendy F. Rubio, District Representative
5. **Consent Items: Items are subject to removal from the Consent Calendar by request of any Byron MAC member. Items removed from the Consent Calendar will be considered with the Discussion Items.**
 - a. APPROVE Record of Action - November 2025 [26-664](#)
Attachments: [MeetingMinutesNovember 2025](#)
6. **Discussion Items**
 - a. APPROVE a date for the 2026 Byron Community Clean-up Day in partnership with Mt. Diablo Resource Recovery
7. **Councilmember Comments**
8. **Correspondence**
 - a. RECEIVE Byron MAC February 2026 Correspondence [26-665](#)
Attachments: [Byron MAC February 2026 Correspondence](#)

- b. RECEIVE Advisory Body Training Certification, CCC Brown Act Update Memo, [26-666](#)
Brown Act and CCC Advisory Body Handbook

Attachments: [Training Certification 2025 Updated](#)
[2026-01-05 Teleconference and Accommodations Memo](#)
[Brown Act \(January 2026\)](#)
[CCC Advisory Body Handbook](#)

9. Future Agenda Items

10. Adjourn

The next meeting is currently scheduled for March 24, 2026.

The Committee will provide reasonable accommodations for persons with disabilities planning to attend the Committee meetings. Contact the staff person listed below at least 72 hours before the meeting. Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the County to a majority of members of the Committee less than 96 hours prior to that meeting are available for public inspection at 3361 Walnut Boulevard, Suite 140, Brentwood, CA 94513 during normal business hours. Staff reports related to items on the agenda are also accessible online at www.contracosta.ca.gov. Public comment may be submitted via electronic mail on agenda items at least one full work day prior to the published meeting time.

For Additional Information Contact: Claire Alaura, Deputy Chief of Staff, (925) 655-2330 or claire.alaura@bos.cccounty.us.



CONTRA COSTA COUNTY

1025 ESCOBAR STREET
MARTINEZ, CA 94553

Staff Report

File #: 26-664

Agenda Date: 2/24/2026

Agenda #: a.

Advisory Board: Byron MAC

Subject: APPROVE Record of Action - November 2025

Recommendation(s)/Next Step(s):

APPROVE Record of Action - November 2025

CONTRA COSTA COUNTY

*1025 ESCOBAR STREET
MARTINEZ, CA 94553*



Meeting Minutes

Tuesday, November 18, 2025

6:00 PM

St. Anne Church, 2800 Camino Diablo, Byron, CA 94514

Byron Municipal Advisory Council

1. Roll Call and Introductions**Present**

Dennis Lopez, Mike Nisen, Ron Schmit, Linda Thuman, and Paula Wherity

2. Pledge of Allegiance**3. Public comment on any item under the jurisdiction of the Committee and not on this agenda (speakers may be limited to three minutes).**

Claire Alaura, Office of Supervisor Burgis, reported a public comment was left off the minutes for the October 28, 2025 meeting:

Kris Pereira - Shared the activity surrounding the YAI House on Camino Diablo Road and how it was negatively impacting the neighbors and street.

Chet - Was thankful for the cleanup at the house near the bar, stating the bushes had been cleared.

4. Agency Reports

- a. Contra Costa County Office of the Sheriff - TBD
- Contra Costa County Fire Protection District - TBD
- California Highway Patrol - TBD
- Office of Supervisor Diane Burgis - Claire Alaura, Senior District Representative

Contra Costa Office of the Sheriff - No report given.

Contra Costa County Fire Protection District - Michelle Rinehart, County Coordinator Wildfire Mitigation and Grants, provided an update on the District's activities.

California Highway Patrol - No report given.

Office of Supervisor Diane Burgis - Claire Alaura, Senior District Representative, provided an update and with the assistance of the Byron MAC board, presented certificates of recognition to Rob Scheidel (Byron Fabrication Shop), Mike Nissen (Evans Brothers, Inc.), and Capt. Charlene Jacquez for their help with the Byron Community Clean-up Day. A special resolution was also presented to Capt. Jacquez for her promotion and contribution to the safety of the unincorporated areas of District 3.

5. Consent Items: Items are subject to removal from the Consent Calendar by request of any Byron MAC member. Items removed from the Consent Calendar will be considered with the Discussion Items.

a.

[25-4882](#)

Attachments:

[MeetingMinutesOctober 2025](#)

approved

Motion:

Thuman

Second:

Schmit

Aye:

Lopez, Nisen, Schmit, Thuman, and Wherity

Result:

Passed

6. Discussion Items

- a. RECEIVE update from Contra Costa County Code Enforcement

Code Enforcement Officers, Larry Tolson and Christopher Wilson, provided an update and answered questions on code enforcement activity in Byron.

b.

[25-4883](#)

Attachments: [Advisory Body Annual Report - Byron MAC PDF](#)

approved

Motion: Nisen

Second: Lopez

Aye: Lopez, Nisen, Schmit, Thuman, and Wherity

Result: Passed

- c. SELECT Byron MAC 2026 Chair and Vice-Chair

Linda Thuman was selected as the Byron MAC 2026 Chair. Mike Nissen was selected as the Byron MAC 2026 Vice-Chair.

approved

Motion: Lopez

Second: Wherity

Aye: Lopez, Nisen, Schmit, Thuman, and Wherity

Result: Passed

7. Councilmember Comments

Councilmember Schmidt announced a current Giving Wreath program, the food pantry was collecting non-perishable food items at the St. Vincent de Paul bins located in the Community Center, and a future paper shredding event in April.

Councilmember Wherity shared information on the East Contra Costa Historical Society's Christmas on the Farm event scheduled for December 7th, and the Byron Holiday and Caboose Lighting was scheduled for December 11th from 5-7 pm.

Councilmember Nissen thanked those in attendance for coming to and participating in the Byron MAC meetings.

Councilmember Lopez mentioned this past year had a lot of issues and thanked County staff for their work.

8. Correspondence

[25-4884](#)

Attachments: [Byron MAC November 2025 Correspondence](#)

received

9. Future Agenda Items

A request was made for a presentation from the Contra Costa County Fire Protection District on the fire severity zones or Zone Zero at a future meeting.

Adjourn

Meeting adjourned at 7:12 pm.

The next meeting is currently scheduled for January 27, 2026.

The Committee will provide reasonable accommodations for persons with disabilities planning to attend the Committee meetings. Contact the staff person listed below at least 72 hours before the meeting. Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the County to a majority of members of the Committee less than 96 hours prior to that meeting are available for public inspection at 3361 Walnut Boulevard, Suite 140, Brentwood, CA 94513 during normal business hours. Staff reports related to items on the agenda are also accessible online at www.contracosta.ca.gov. Public comment may be submitted via electronic mail on agenda items at least one full work day prior to the published meeting time.

For Additional Information Contact: Claire Alaura, Senior District Representative, (925) 655-2330 or claire.alaura@bos.cccounty.us



CONTRA COSTA COUNTY

1025 ESCOBAR STREET
MARTINEZ, CA 94553

Staff Report

File #: 26-665

Agenda Date: 2/24/2026

Agenda #: a.

Advisory Board: Byron MAC

Subject: RECEIVE Byron MAC February 2026 Correspondence

Recommendation(s)/Next Step(s):

RECEIVE Byron MAC February 2026 Correspondence



CONTRA COSTA COUNTY

AGENDA

Contra Costa County Planning Commission

Wednesday, February 25, 2026

6:30 PM

30 Muir Road, Martinez

Contra Costa County Planning Commission Meeting - CANCELED

**THE NEXT MEETING OF THE CONTRA COSTA COUNTY PLANNING COMMISSION
WILL BE HELD ON WEDNESDAY, MARCH 11, 2026.**



CONTRA COSTA COUNTY

AGENDA

Contra Costa County Planning Commission

Wednesday, February 11, 2026

6:30 PM

30 Muir Road, Martinez

Contra Costa County Planning Commission - CANCELED

Next meeting is scheduled for Wednesday, February 25, 2026 at 6:30 p.m.

For more information, contact Hiliana Li at 925-655-2860.



CONTRA COSTA COUNTY

AGENDA

Contra Costa County Zoning Administrator

Monday, February 2, 2026

1:30 PM

30 Muir Road, Martinez

Zoom: <https://cccouny-us.zoom.us/j/85491390617>

Webinar ID: 854 9139 0617 Call in: (855) 758-1310 or (408) 961-3928

The Zoning Administrator meeting will be accessible in-person, via telephone, and via live-streaming to all members of the public. Zoning Administrator meetings can be viewed live online at:
http://contra-costa.granicus.com/ViewPublisher.php?view_id=13.

Persons who wish to address the Zoning Administrator during public comment or with respect to an item on the agenda may comment in person or may call in during the meeting by dialing (855)758-1310 US Toll Free or (408) 961-3928. A caller should indicate they wish to speak on an agenda item, by pushing "#2" on their phone. Access via Zoom is also available using the following link <https://cccouny-us.zoom.us/j/85491390617> Webinar ID: 854 9139 0617.

Those participating via Zoom should indicate they wish to speak on an agenda item by using the “raise your hand” feature in the Zoom app. Public comments may also be submitted before the meeting by email at planninghearing@dcd.cccouny.us or by voicemail at (925) 655-2860.

Commenters will generally be limited to three (3) minutes each. Comments submitted by email or voicemail will be included in the record of the meeting but will not be read or played aloud during the meeting. The Zoning Administrator may reduce the amount of time allotted per commenter at the beginning of each item or public comment period depending on the number of commenters and the business of the day. The Zoning Administrator may alter the order of agenda items at the meeting. Your patience is appreciated.

The Community Development Division of the Department of Conservation and Development will provide reasonable accommodations to those persons needing translation services and for persons with disabilities who wish to participate in Zoning Administrator meetings. Please contact Hiliana Li at least 48 hours before the meeting at (925) 655-2860.

1. PUBLIC COMMENTS
2. ANNUAL COMPLIANCE REVIEW: PUBLIC HEARING

-
- 2a.** SHAPELL INDUSTRIES (Applicant and Owner), County File #SA25-0006: This is a public hearing on the Thirty-First Annual Compliance Report for project year 2025, dated November 25, 2025, prepared and submitted by Shapell Industries to summarize its compliance with the (Agreements to Settle Litigation Relating to the Dougherty Valley General Plan Amendment, Specific Plan, and Environmental Impact Report), dated May 11, 1994, by and between Contra Costa County, the City of San Ramon, the Town of Danville, and Windemere BLC, LLC and Shapell Industries, Inc. relative to the development known as Dougherty Valley Specific Plan. AV [26-343](#)
- Attachments:** [Attachment 1 - RESOLUTION 1-2026 -SA-2025](#)
[Attachment 2 -2025 Annual Compliance Report](#)
- 2b.** DEVELOPMENT AGREEMENT ANNUAL REVIEW – SHAPELL INDUSTRIES (Applicant and Owner), County File #AR25-0117: This is a public hearing on the Project Year 2025. Annual Review of the Shapell Industries Development Agreement dated April 8, 1996, by and between the County of Contra Costa and Shapell Industries relative to the Gale Ranch Development Agreement (Phases II-IV). The subject property consists of 973 acres located on both sides of Dougherty Road, east of the Country Club at Gale Ranch Project boundary and west of Alamo Creek, in the Dougherty Valley, San Ramon area. (P-1) (ZA:W-19, V-19) (CT 3551) (Parcel #206-040-002,-003,-004; 206-240-003,-010; 217-060-025; 206-080-010). AV [26-344](#)
- Attachments:** [Attachment 1 - RESOLUTION 2-2026- DA-2025](#)
[Attachment 2 -2025 Annual Compliance Report](#)
- 3.** LAND USE PERMIT: PUBLIC HEARING
- 3a.** U-HAUL (Applicant), AMERCO REAL ESTATE COMPANY AND U-HAUL TAX DEPARTMENT (Owners), County File CDLP24-02007. The applicant requests approval of a Land Use Permit to establish a new, 5,709-square-foot U-Haul retail business within an existing U-Haul warehouse. The application includes Sign Review to allow six exterior wall signs totaling 416 square feet to be installed on the front of the warehouse. The project site is located at 4658 Evora Road in the Bay Point area of unincorporated Contra Costa County. (Zoning: L-I Light Industrial District) (Assessor's Parcel Numbers: 099-160-026, 099-160-027) (CONTINUED TO 02.18.2026) NS [26-345](#)

- 3b. THE ARTIST TREE V LLC (Applicant) - PAMELA BISHOP TRUST (Owner), County File #CDLP25-02046: The applicant requests approval of a Land Use Permit to allow for a five-year renewal of a licensed cannabis retailer and delivery business operation “The Artist Tree” within an existing building that was previously approved under CDLP20-02016. There are no modifications or changes to the existing business proposed at this time. The project site is addressed as 4100 San Pablo Dam Road in the El Sobrante area of the County. (Zoning: P-1 Planned Unit District) (APN: 420-191-021) EL [26-346](#)

Attachments: [Attachment A CDLP25-02046 Findings and COA](#)
[Attachment B - Maps](#)
[Attachment C - Cannabis Licenses](#)
[Attachment D - Applicant Statement Regarding Delay in LUP Renewal](#)
[Attachment E - Agency Comments](#)

4. VARIANCE: PUBLIC HEARING

- 4a. ROBERT WEEDON (Applicant & Owner), County File #CDVR25-01053: The applicant requests approval of a Variance application to allow for a 15’ front setback from Hadden Road (where 25’ is the minimum required) and a 14’ secondary frontage setback from Blackwood Drive (where 20’ is the minimum required) for the construction of a 192-square-foot shed. The project also includes a small lot design review for the shed on a lot of substandard area. The subject property is located at 2189 Hadden Road in the unincorporated Walnut Creek area of Contra Costa County (Zoning: Single-Family Residential, R-20) (APN: 183-182-025).EL [26-347](#)

Attachments: [Attachment A - CDVR25-01053 Permit and Findings and Conditions](#)
[Attachment B - Maps](#)
[Attachment C - Agency Comments](#)
[Attachment D - Site Photos](#)
[Attachment E - CDVR25-01053 Plans 12.16.2025](#)

PLEASE NOTE: THE NEXT MEETING OF THE CONTRA COSTA COUNTY ZONING ADMINISTRATOR WILL BE HELD ON WEDNESDAY, FEBRUARY 18, 2026.



CONTRA COSTA COUNTY

AGENDA

Contra Costa County Planning Commission

Wednesday, January 28, 2026

6:30 PM

30 Muir Road, Martinez

CONTRA COSTA COUNTY PLANNING COMMISSION MEETING CANCELED

THE NEXT MEETING OF THE CONTRA COSTA COUNTY PLANNING COMMISSION WILL BE HELD ON WEDNESDAY, FEBRUARY 11, 2026.



CONTRA COSTA COUNTY

AGENDA

Contra Costa County Zoning Administrator

Wednesday, January 21, 2026

1:30 PM

30 Muir Road, Martinez, CA

Zoom: <https://cccouny-us.zoom.us/j/85491390617>

Webinar ID: 854 9139 0617 Call in: (855) 758-1310 or (408) 961-3928

The Zoning Administrator meeting will be accessible in-person, via telephone, and via live-streaming to all members of the public. Zoning Administrator meetings can be viewed live online at: http://contra-costa.granicus.com/ViewPublisher.php?view_id=13.

Persons who wish to address the Zoning Administrator during public comment or with respect to an item on the agenda may comment in person or may call in during the meeting by dialing (855)758-1310 US Toll Free or (408) 961-3928. A caller should indicate they wish to speak on an agenda item, by pushing "#2" on their phone. Access via Zoom is also available using the following link <https://cccouny-us.zoom.us/j/85491390617> Webinar ID: 854 9139 0617.

Those participating via Zoom should indicate they wish to speak on an agenda item by using the "raise your hand" feature in the Zoom app. Public comments may also be submitted before the meeting by email at planninghearing@dcd.cccounty.us or by voicemail at (925) 655-2860.

Commenters will generally be limited to three (3) minutes each. Comments submitted by email or voicemail will be included in the record of the meeting but will not be read or played aloud during the meeting. The Zoning Administrator may reduce the amount of time allotted per commenter at the beginning of each item or public comment period depending on the number of commenters and the business of the day. The Zoning Administrator may alter the order of agenda items at the meeting. Your patience is appreciated.

The Community Development Division of the Department of Conservation and Development will provide reasonable accommodations to those persons needing translation services and for persons with disabilities who wish to participate in Zoning Administrator meetings. Please contact Hiliana Li at least 48 hours before the meeting at (925) 655-2860.

1. PUBLIC COMMENTS

2. DEVELOPMENT PLAN: CONTINUED PUBLIC HEARING

- 2a.** NUMAIR ALI (Applicant) - ALI SHAKIL AND ANITA A TRUST (Owner), 26-200
County File #CDDP22-03021: The applicant requests approval of a Development Plan to construct eight townhome units within two separate three-story buildings and to install associated improvements (e.g. pavement, utilities, stormwater conveyance). Building 1 will be approximately 10,995 square feet and building 2 will be approximately 6,615 square feet. The project includes a Tree permit for the removal of five code-protected Trees, ranging in size from 7" to 30" DBH and consisting of a Deodar Cedar, a Douglas Fir, a Pear and two Olive Trees. The project includes grading approximately 200 cubic yards of cut and 750 cubic yards of fill. The project includes a request for a deviation to the El Sobrante P-1 development standards to allow for a 33'-6 1/2" height (where 27' is the maximum height allowed). The project also includes a request for an exception to Division 914, Collect and Convey requirements. The project site is addressed as 4301 Appian Way, in the El Sobrante area of the County. (Zoning: P-1, Planned Unit Development) (APN: 425-142-030) (Continued from 12.15.2025 WRN) EL

Attachments: [Attachment A CONTINUED CDDP22-03031 Findings & Conditions](#)
[Attachment B - CDDP22-03021 ZA Staff Report and Attachments](#)
[Attachment C - CDDP22-03021 Revised Elevations](#)

3. LAND USE PERMIT: PUBLIC HEARING

- 3a.** ISABEL CHAVEZ, NETWORK CONNEX (Applicant) - ARTHUR ROAD ASSOCIATES (Owner), County File #CDLP25-02025: The applicant requests approval of a Land Use Permit to allow for the continuing operation of an existing T-Mobile wireless telecommunications facility with no modifications proposed to the facility. The subject property is located at 183 Arthur Road in the unincorporated area of Martinez in Contra Costa County. (APN: 380-041-008, Zoning: L-I Light Industrial District) CP 26-201

Attachments: [Attachment 1 - Findings COAs](#)
[Attachment 2 - Maps and Plans](#)
[Attachment 3 - Agency Comments](#)
[Attachment 4 - CDLP15-02050 Final Action](#)

4. DEVELOPMENT PLAN: PUBLIC HEARING

- 4a. BETTY SANCHEZ, DUCHENEY CONSTRUCTION, INC. (Applicant) - THE LAKES AT DISCOVERY BAY (Property owner); County File #CDDP25-03020: A request for approval of a Development Plan to construct a replacement guardhouse and drive isle canopy structure for The Lakes at Discovery Bay, Single Family Home Community. The project site is located at the start of Fallman Boulevard off Bixler Road in the Discovery Bay area of unincorporated Contra Costa County. Zoning: Planned-Unit (P-1) District; APN: 011-241-012 AS 26-202

Attachments: [Attachment A Findings and Conditions of Approval](#)
[Attachment B Maps](#)
[Attachment C Site Photos](#)
[Attachment D Project Plans](#)
[Attachment E Agency Comments](#)
[Attachment F Public Hearing Requests](#)
[Attachment G Final Development Plan CDDP91-03025](#)
[Attachment H Applicant Powerpoint and Materials](#)
[Attachment I Public Comments](#)

5. VARIANCE: PUBLIC HEARING

- 5a. JAMIE GROETSCH, THE ARCHITECTS OFFICE (Applicant) - STEPHEN C LOWRY TRE (Owner), County File CDVR25-01041: The applicant requests approval of a Development Plan for a Kensington Design Review to allow a gross floor area of 2,828 square feet (where the maximum gross floor area is 2,000 square feet) for the construction of a new, approximately 135-square-foot second story uncovered deck built over a lower level patio area located at the rear of an existing single-family residence and a Variance to allow a 9'-11" secondary frontage setback (where 15' is the minimum) for the construction of a new, uncovered deck. The subject property is located at 242 Yale Avenue in the Kensington area in Contra Costa County. (APN: 570-071-005, Zoning: R-6 Single-Family Residential District, -TOV Tree Obstruction of Views Combining District, -K Kensington Combining District) CP 26-203

Attachments: [Attachment 1 - Findings COAs](#)
[Attachment 2 - Maps](#)
[Attachment 3 - Agency Comments](#)
[Attachment 4 - Project Plans](#)

PLEASE NOTE: THE NEXT MEETING OF THE CONTRA COSTA COUNTY ZONING ADMINISTRATOR WILL BE HELD ON MONDAY, FEBRUARY 2, 2026.



CONTRA COSTA COUNTY

AGENDA

Contra Costa County Planning Commission

Wednesday, January 14, 2026

6:30 PM

30 Muir Road, Martinez, California

Zoom: <https://cccouny-us.zoom.us/j/81302368821> Webinar ID: 813 0236 8821

Call in: (855) 758-1310 or (408) 961-3928

CHAIR: Kevin Van Buskirk

VICE-CHAIR: Bhupen Amin

COMMISSIONERS: Donna Allen, Bob Mankin, Ross Hillesheim, Sanjiv Bhandari

The public may attend this meeting in person at the above location. The public may also attend this meeting remotely via Zoom or call-in. Login information and call-in information is provided below. Persons wishing to view the meeting but not participate may view the meeting live online at: <https://www.contracosta.ca.gov/4314/County-Planning-Commission>.

Persons who wish to address the Planning Commission during public comment or with respect to an item on the agenda may comment in person or may call in during the meeting by dialing (855) 758-1310 US Toll Free or (408)961-3928 US. A caller should indicate they wish to speak on an agenda item, by pushing "#2" on their phone. Access via Zoom is also available using the following link <https://cccouny-us.zoom.us/j/83831039285> Webinar ID: 838 3103 9285. Those participating via Zoom should indicate they wish to speak on an agenda item by using the "raise your hand" feature in the Zoom app. Public comments may also be submitted before the meeting by email at planninghearing@dcd.cccouny.us or by voicemail at (925) 655-2860.

All public comments will be limited to 3 minutes per speaker. Public comments may also be submitted before the meeting by email at planninghearing@dcd.cccouny.us, or by voicemail at (925) 655-2860. Comments submitted by email or voicemail will be included in the record of the meeting but will not be read or played aloud during the meeting.

For assistance with remote access, please contact County staff at (925) 494-4516

Any disclosable public records related to an item on a regular meeting agenda and distributed by County staff to a majority of the Planning Commissioners less than 96 hours prior to the meeting are available for inspection at 30 Muir Road, Martinez, CA 94553, during normal business hours.

The Community Development Division of the Department of Conservation and Development will provide reasonable accommodations to those persons needing translation services and for persons with disabilities who wish to participate in County Planning Commission meetings. Please contact County staff at least 48 hours before the meeting at (925) 655-2860.

1. PLEDGE OF ALLEGIANCE
2. CONTINUED PUBLIC HEARING.

- 2a. ELLEN BULLA, SYCAMORE COURT HOME ASSOCIATION (Appellant), ROD SCHLENKER, INSURANCE AUTO AUCTIONS, INC. (Applicant), NGL SF BAY STORAGE & TRANSFER, LLC (Owner), County File CDDP18-03005. This is an appeal of the Zoning Administrator's decision to approve a development plan for the expansion of an existing Insurance Auto Auctions storage facility onto an adjacent vacant 10.35-acre property. The proposed expansion would allow the storage of an additional 1,136 vehicles bringing the total number of vehicles permitted to be stored at the facility to approximately 4,436 vehicles. The development plan approval includes approval of deviations to the Bay Point P-1 Development Standards for 7.5% of the subject lot to be landscaped (where 10% of the site is required to be landscaped) and to allow a 0-foot side yard setback (where a minimum of 10 feet is required) and a 3-foot street side yard setback (where a minimum of 10 feet is required) for portions of an 8-foot-tall metal screen wall extending along the eastern and southern property boundaries. In addition the applicant requests approval of a tree permit for the removal of 41 code-protected trees ranging in size from 7" to 60" in diameter, and the granting of an exception to the collect and convey requirements of Division 914 of the County Code. Consideration of the appeal is continued from the December 10, 2025 County Planning Commission meeting. The Commission will also consider a mitigated negative declaration prepared for the project under the California Environmental Quality Act. The project site is located at 2770 Willow Pass Road in the Bay Point area of unincorporated Contra Costa County. (Zoning: Bay Point P-1 Planned Unit District) (Assessor's Parcel Number: 098-240-031) (Continued from 12.10.2025) GF

[25-5451](#)

Attachments: [Attachment A Findings and COAs final revised](#)
[Attachment B Letter of Appeal](#)
[Attachment C Maps](#)
[Attachment D Project Plans](#)
[Attachment E Updated Landscaping Plan](#)
[Attachment F CDDP18-03005 Staff Report ZA 7_6_22](#)
[Attachment G CDDP18-03005 Staff Report ZA Continuation 11_17_22](#)
[Attachment H Agency Comments](#)
[Attachment I CDDP18-03005 MND](#)
[Attachment J CDDP18-03005 MMRP](#)
[Attachment K CDDP18-03005 CEQA Comments](#)

3. PUBLIC COMMENTS
4. STAFF REPORT
5. COMMISSIONERS' COMMENTS

6. COMMUNICATIONS

THE NEXT MEETING OF THE CONTRA COSTA COUNTY PLANNING COMMISSION WILL BE HELD ON WEDNESDAY, JANUARY 28, 2026.



CONTRA COSTA COUNTY

AGENDA

Contra Costa County Zoning Administrator

Monday, January 5, 2026

1:30 PM

30 Muir Road, Martinez

Zoom: <https://cccouny-us.zoom.us/j/85491390617>

Webinar ID: 854 9139 0617 Call in: (855) 758-1310 or (408) 961-3928

The Zoning Administrator meeting will be accessible in-person, via telephone, and via live-streaming to all members of the public. Zoning Administrator meetings can be viewed live online at:
http://contra-costa.granicus.com/ViewPublisher.php?view_id=13.

Persons who wish to address the Zoning Administrator during public comment or with respect to an item on the agenda may comment in person or may call in during the meeting by dialing (855)758-1310 US Toll Free or (408) 961-3928. A caller should indicate they wish to speak on an agenda item, by pushing "#2" on their phone. Access via Zoom is also available using the following link <https://cccouny-us.zoom.us/j/85491390617> Webinar ID: 854 9139 0617.

Those participating via Zoom should indicate they wish to speak on an agenda item by using the “raise your hand” feature in the Zoom app. Public comments may also be submitted before the meeting by email at planninghearing@dcd.cccounty.us or by voicemail at (925) 655-2860.

Commenters will generally be limited to three (3) minutes each. Comments submitted by email or voicemail will be included in the record of the meeting but will not be read or played aloud during the meeting. The Zoning Administrator may reduce the amount of time allotted per commenter at the beginning of each item or public comment period depending on the number of commenters and the business of the day. The Zoning Administrator may alter the order of agenda items at the meeting. Your patience is appreciated.

The Community Development Division of the Department of Conservation and Development will provide reasonable accommodations to those persons needing translation services and for persons with disabilities who wish to participate in Zoning Administrator meetings. Please contact Hiliana Li at least 48 hours before the meeting at (925) 655-2860.

1. PUBLIC COMMENTS
2. VARIANCE: CONTINUED PUBLIC HEARING

- 2a. DARRIN DERITA (Applicant) - DARRIN DERITA & TINA M. STRAUB DERITA (Owners), County File #CDVR25-01036. The applicant requests approval of a Variance Permit to allow a 19-foot front setback (where 25 feet is required) and small lot design review for the construction of an approximately 106-square-foot addition to an existing garage and improvements to an approximately 200-square-foot living space addition constructed within the garage without permits. The applicant also requests approval of small lot design review for the construction of an approximately 1,255 square-foot living space addition on the eastern side of the home located on a substandard lot. The subject property is located at 236 Angela Avenue in the Alamo area of Contra Costa County. (Zoning: R-20, Single-Family Residential); (Assessor's Parcel Number: 192-090-007) (Continued from 12.15.2025 WRN) SS [25-5452](#)

Attachments: [Findings COA VR25-1036](#)

3. LAND USE PERMIT: PUBLIC HEARING

- 3a. ISABEL CHAVEZ FOR T MOBILE (Applicant) - TINA THOMAS TRUST (Property Owner); County File #CDLP25-02008: A request for approval of a Land Use Permit to allow the continued operation of an existing T Mobile wireless telecommunications facility that is located on a PG&E tower. The subject property is located at 4723 Suzanne Drive in the unincorporated Pittsburg area of Contra Costa County. Zoning: Agricultural Preserve (A-4) District; APN: 089-050-056 DV [25-5453](#)

Attachments: [Attachment 1 Findings and Conditions of Approval](#)
[Attachment 2 Maps](#)
[Attachment 3 Project Plans](#)

- 3b. JACLYN BELLICITTI, CENTERLINE COMMUNICATIONS (Applicant) - TINA M. THOMAS TRUST (Owner), County File # CDLP23-02030. The applicant requests approval of a Land Use Permit modification of file #CDLP25-02008 to allow an expansion of the lease area and a Variance to allow an approximately 10-foot side yard (where 50 feet is the minimum) for the installation of ground-level electrical equipment for an existing T-Mobile telecommunications facility. The project is located 4723 Suzanne Drive in the unincorporated Pittsburg area of the Contra Costa County. (Zoning: Agricultural Preserve, A-4); (Assessor's Parcel Number: 089-050-056) SS [25-5454](#)

Attachments: [Attachment 1 - Findings and COA CDLP23-02030](#)
[Attachment 2 - Maps CDLP23-02030](#)
[Attachment 3 - Agency Comments CDLP23-02030](#)
[Attachment 4 - Project Plans CDLP23-02030](#)

PLEASE NOTE: THE NEXT MEETING OF THE CONTRA COSTA COUNTY ZONING ADMINISTRATOR WILL BE HELD ON WEDNESDAY, JANUARY 21, 2026.



CONTRA COSTA COUNTY

AGENDA

Contra Costa County Zoning Administrator

Monday, December 15, 2025

1:30 PM

30 Muir Road, Martinez

Zoom: <https://cccouny-us.zoom.us/j/83831039285> Webinar ID: 838 3103 9285 Call in: (855) 758-1310 or (408)961-3928

The Zoning Administrator meeting will be accessible in-person, via telephone, and via live-streaming to all members of the public. Zoning Administrator meetings can be viewed live online at: http://contra-costa.granicus.com/ViewPublisher.php?view_id=13.

Persons who wish to address the Zoning Administrator during public comment or with respect to an item on the agenda may comment in person or may call in during the meeting by dialing (855) 758-1310 US Toll Free or (408)961-3928 US. A caller should indicate they wish to speak on an agenda item, by pushing "#2" on their phone. Access via Zoom is also available using the following link <https://cccouny-us.zoom.us/j/83831039285> Webinar ID: 838 3103 9285. Those participating via Zoom should indicate they wish to speak on an agenda item by using the "raise your hand" feature in the Zoom app. Public comments may also be submitted before the meeting by email at planninghearing@dcd.cccouny.us or by voicemail at (925) 655-2860.

Commenters will generally be limited to three (3) minutes each. Comments submitted by email or voicemail will be included in the record of the meeting but will not be read or played aloud during the meeting. The Zoning Administrator may reduce the amount of time allotted per commenter at the beginning of each item or public comment period depending on the number of commenters and the business of the day. The Zoning Administrator may alter the order of agenda items at the meeting. Your patience is appreciated.

The Community Development Division of the Department of Conservation and Development will provide reasonable accommodations to those persons needing translation services and for persons with disabilities who wish to participate in Zoning Administrator meetings. Please contact Hiliana Li at least 48 hours before the meeting at (925) 655-2860.

1. PUBLIC COMMENTS
2. MINOR SUBDIVISION: PUBLIC HEARING

- 2a. SONJA BACHUS ON BEHALF OF INMAN LAW GROUP, LLP AND ERIC GIROD (Applicant) - RON ELVIDGE (Owner), County File #CDMS21-00012: [25-5237](#)
The applicant requests approval of a tentative parcel map for a one lot subdivision for condominium conversion to allow for the creation of two commercial condominium units and the remainder for parking and common area (Parcel A). Condominium Unit 1 will be approximately 14,903 square feet and Condominium Unit 2 will be approximately 4,728 square feet. Parcel A will be approximately 37,870 square feet. There is an existing commercial building on the property and there are no proposed improvements or modifications to the site. There are no changes to the two businesses currently occupying the commercial building. The project site is addressed as 100 1st Ave North, in the Pacheco area of the County. (Zoning: R-B, Retail Business District) (APN: 125-032-031) EL

Attachments: [Attachment A CDMS21-00012 Findings and COA](#)
[Attachment B CDMS21-00012 Condominium Documents](#)
[Attachment C CDMS21-00012 Building Inspection Report](#)
[Attachment D CDMS21-00012 Maps](#)
[Attachment E CDMS21-00012 Agency Comments](#)
[Attachment F CDMS21-00012 Plans final](#)

3. LAND USE PERMIT: PUBLIC HEARING

- 3a. SGI PACHECO LLC – DBA STIIZY (Applicant) - RON ELVIDGE (Owner), County File #CDLP25-02034: The applicant requests approval of a Land Use Permit to allow for a five-year renewal of a licensed cannabis retail and delivery operations “STIIZY” within an existing building that was previously approved under CDLP20-02003. There are no modifications or changes to the existing business proposed at this time. The project site is addressed as 5753 Pacheco Blvd in the Pacheco area of the County. (Zoning: R-B, Retail Business District) (APN: 125-032-031) EL [25-5238](#)

Attachments: [Attachment A CDLP25-02034 Findings and COA](#)
[Attachment B CDLP25-02034 maps](#)
[Attachment C CDLP25-02034 Current License](#)
[Attachment D CDLP25-02034 Agency Comments](#)

4. DEVELOPMENT PLAN: PUBLIC HEARING

- 4a. NUMAIR ALI (Applicant) - ALI SHAKIL AND ANITA A TRUST (Owner), County File #CDDP22-03021: The applicant requests approval of a Development Plan to construct eight townhome units within two separate three-story buildings and to install associated improvements (e.g. pavement, utilities, stormwater conveyance). Building 1 will be approximately 10,995 square feet and building 2 will be approximately 6,615 square feet. The project includes a Tree permit for the removal of five code-protected Trees, ranging in size from 7" to 30" DBH and consisting of a Deodar Cedar, a Douglas Fir, a Pear and two Olive Trees. The project includes grading approximately 200 cubic yards of cut and 750 cubic yards of fill. The project includes a request for a deviation to the El Sobrante P-1 development standards to allow for a 33'-6 1/2" height (where 27' is the maximum height allowed). The project also includes a request for an exception to Division 914, Collect and Convey requirements. The project site is addressed as 4301 Appian Way, in the El Sobrante area of the County. (Zoning: P-1, Planned Unit Development) (APN: 425-142-030) EL

[25-5239](#)

Attachments: [Attachment A CDDP22-03031 Findings & Conditions](#)
[Attachment B CEQA Public Comments](#)
[Attachment C Initial Study,MND,MMRP](#)
[Attachment D Maps](#)
[Attachment E Agency Comment Packet](#)
[Attachment F Special Reports](#)
[Attachment G 4.22.2025 plans](#)

5. VARIANCE: PUBLIC HEARING

- 5a. DARRIN DERITA (Applicant) - DARRIN DERITA & TINA M. STRAUB DERITA (Owners), County File #CDVR25-01036. The applicant requests approval of a Variance Permit to allow a 19-foot front setback (where 25 feet is required) and small lot design review for the construction of an approximately 106-square-foot addition to an existing garage and improvements to an approximately 200-square-foot living space addition constructed within the garage without permits. The applicant also requests approval of small lot design review for the construction of an approximately 1,255 square-foot living space addition on the eastern side of the home located on a substandard lot. The subject property is located at 236 Angela Avenue in the Alamo area of Contra Costa County. (Zoning: R-20, Single-Family Residential); (Assessor's Parcel Number: 192-090-007) SS

[25-5240](#)

Attachments: [Attachment 1 - Findings and COA CDVR25-01036](#)
[Attachment 2 - Maps CDVR25-01036](#)
[Attachment 3 - Agency Comments CDVR25-01036](#)
[Attachment 4 - Applicant Written Statement CDVR25-01036](#)
[Attachment 5 - Project Plans CDVR25-01036](#)

PLEASE NOTE: THE NEXT MEETING OF THE CONTRA COSTA COUNTY ZONING ADMINISTRATOR WILL BE HELD ON MONDAY, JANUARY 5, 2026.



CONTRA COSTA COUNTY

AGENDA

Contra Costa County Zoning Administrator

Monday, December 15, 2025

1:30 PM

30 Muir Road, Martinez

Zoom: <https://cccouny-us.zoom.us/j/83831039285> Call in: (888) 278-0254 Access Code 198675

The Zoning Administrator meeting will be accessible in-person, via telephone, and via live-streaming to all members of the public. Zoning Administrator meetings can be viewed live online at: http://contra-costa.granicus.com/ViewPublisher.php?view_id=13.

Persons who wish to address the Zoning Administrator during public comment or with respect to an item on the agenda may comment in person or may call in during the meeting by dialing (888) 278-0254, followed by the access code 198675##. A caller should indicate they wish to speak on an agenda item, by pushing "#2" on their phone. Access via Zoom is also available using the following link <https://cccouny-us.zoom.us/j/83831039285>. Those participating via Zoom should indicate they wish to speak on an agenda item by using the "raise your hand" feature in the Zoom app. Public comments may also be submitted before the meeting by email at planninghearing@dcd.cccounty.us or by voicemail at (925) 655-2860.

Commenters will generally be limited to three (3) minutes each. Comments submitted by email or voicemail will be included in the record of the meeting but will not be read or played aloud during the meeting. The Zoning Administrator may reduce the amount of time allotted per commenter at the beginning of each item or public comment period depending on the number of commenters and the business of the day. The Zoning Administrator may alter the order of agenda items at the meeting. Your patience is appreciated.

The Community Development Division of the Department of Conservation and Development will provide reasonable accommodations to those persons needing translation services and for persons with disabilities who wish to participate in Zoning Administrator meetings. Please contact Hiliana Li at least 48 hours before the meeting at (925) 655-2860.

1. PUBLIC COMMENTS
2. MINOR SUBDIVISION: PUBLIC HEARING

- 2a. SONJA BACHUS ON BEHALF OF INMAN LAW GROUP, LLP AND ERIC GIROD (Applicant) - RON ELVIDGE (Owner), County File #CDMS21-00012: [25-5237](#)
The applicant requests approval of a tentative parcel map for a one lot subdivision for condominium conversion to allow for the creation of two commercial condominium units and the remainder for parking and common area (Parcel A). Condominium Unit 1 will be approximately 14,903 square feet and Condominium Unit 2 will be approximately 4,728 square feet. Parcel A will be approximately 37,870 square feet. There is an existing commercial building on the property and there are no proposed improvements or modifications to the site. There are no changes to the two businesses currently occupying the commercial building. The project site is addressed as 100 1st Ave North, in the Pacheco area of the County. (Zoning: R-B, Retail Business District) (APN: 125-032-031) EL

Attachments: [Attachment A CDMS21-00012 Findings and COA](#)
[Attachment B CDMS21-00012 Condominium Documents](#)
[Attachment C CDMS21-00012 Building Inspection Report](#)
[Attachment D CDMS21-00012 Maps](#)
[Attachment E CDMS21-00012 Agency Comments](#)
[Attachment F CDMS21-00012 Plans final](#)

3. LAND USE PERMIT: PUBLIC HEARING

- 3a. SGI PACHECO LLC – DBA STIIZY (Applicant) - RON ELVIDGE (Owner), County File #CDLP25-02034: The applicant requests approval of a Land Use Permit to allow for a five-year renewal of a licensed cannabis retail and delivery operations “STIIZY” within an existing building that was previously approved under CDLP20-02003. There are no modifications or changes to the existing business proposed at this time. The project site is addressed as 5753 Pacheco Blvd in the Pacheco area of the County. (Zoning: R-B, Retail Business District) (APN: 125-032-031) EL [25-5238](#)

Attachments: [Attachment A CDLP25-02034 Findings and COA](#)
[Attachment B CDLP25-02034 maps](#)
[Attachment C CDLP25-02034 Current License](#)
[Attachment D CDLP25-02034 Agency Comments](#)

4. DEVELOPMENT PLAN: PUBLIC HEARING

- 4a. NUMAIR ALI (Applicant) - ALI SHAKIL AND ANITA A TRUST (Owner), County File #CDDP22-03021: The applicant requests approval of a Development Plan to construct eight townhome units within two separate three-story buildings and to install associated improvements (e.g. pavement, utilities, stormwater conveyance). Building 1 will be approximately 10,995 square feet and building 2 will be approximately 6,615 square feet. The project includes a Tree permit for the removal of five code-protected Trees, ranging in size from 7" to 30" DBH and consisting of a Deodar Cedar, a Douglas Fir, a Pear and two Olive Trees. The project includes grading approximately 200 cubic yards of cut and 750 cubic yards of fill. The project includes a request for a deviation to the El Sobrante P-1 development standards to allow for a 33'-6 1/2" height (where 27' is the maximum height allowed). The project also includes a request for an exception to Division 914, Collect and Convey requirements. The project site is addressed as 4301 Appian Way, in the El Sobrante area of the County. (Zoning: P-1, Planned Unit Development) (APN: 425-142-030) EL [25-5239](#)

Attachments: [Attachment A CDDP22-03031 Findings & Conditions](#)
[Attachment B CEQA Public Comments](#)
[Attachment C Initial Study.MND.MMRP](#)
[Attachment D Maps](#)
[Attachment E Agency Comment Packet](#)
[Attachment F Special Reports](#)
[Attachment G 4.22.2025 plans](#)

5. VARIANCE: PUBLIC HEARING

- 5a. DARRIN DERITA (Applicant) - DARRIN DERITA & TINA M. STRAUB DERITA (Owners), County File #CDVR25-01036. The applicant requests approval of a Variance Permit to allow a 19-foot front setback (where 25 feet is required) and small lot design review for the construction of an approximately 106-square-foot addition to an existing garage and improvements to an approximately 200-square-foot living space addition constructed within the garage without permits. The applicant also requests approval of small lot design review for the construction of an approximately 1,255 square-foot living space addition on the eastern side of the home located on a substandard lot. The subject property is located at 236 Angela Avenue in the Alamo area of Contra Costa County. (Zoning: R-20, Single-Family Residential); (Assessor's Parcel Number: 192-090-007) SS [25-5240](#)

Attachments: [Attachment 1 - Findings and COA CDVR25-01036](#)
[Attachment 2 - Maps CDVR25-01036](#)
[Attachment 3 - Agency Comments CDVR25-01036](#)
[Attachment 4 - Applicant Written Statement CDVR25-01036](#)
[Attachment 5 - Project Plans CDVR25-01036](#)

PLEASE NOTE: THE NEXT MEETING OF THE CONTRA COSTA COUNTY ZONING ADMINISTRATOR WILL BE HELD ON MONDAY, JANUARY 5, 2026.



CONTRA COSTA COUNTY

AGENDA

Contra Costa County Planning Commission

Wednesday, December 10, 2025

6:30 PM

30 Muir Road, Martinez, CA

Zoom: <https://cccouny-us.zoom.us/j/84769800896> | Call in: (888)278-0254 Access code: 198675

CHAIR: Kevin Van Buskirk

VICE-CHAIR: Bhupen Amin

COMMISSIONERS: Jeffrey Wright, Donna Allen, Bob Mankin, Ross Hillesheim, Sanjiv Bhandari

The public may attend this meeting in person at the above location. The public may also attend this meeting remotely via Zoom or call-in. Login information and call-in information is provided below. Persons wishing to view the meeting but not participate may view the meeting live online at: <https://www.contracosta.ca.gov/4314/County-Planning-Commission>.

Persons who wish to address the Commission during public comment on matters within the Commission's jurisdiction that are not on the agenda, or who wish to comment with respect to an item on the agenda, may comment in person, via Zoom, or via call-in. Those participating in person should come to the podium when called upon. Those participating via Zoom should indicate they wish to speak by using the "raise your hand" feature in the Zoom app. Those calling in should indicate they wish to speak by pushing "#2" on their phone.

All public comments will be limited to 3 minutes per speaker. Public comments may also be submitted before the meeting by email at planninghearing@dcd.cccounty.us, or by voicemail at (925) 655-2860. Comments submitted by email or voicemail will be included in the record of the meeting but will not be read or played aloud during the meeting.

For assistance with remote access, please contact County staff at (925) 494-4516

Any disclosable public records related to an item on a regular meeting agenda and distributed by County staff to a majority of the Planning Commissioners less than 96 hours prior to the meeting are available for inspection at 30 Muir Road, Martinez, CA 94553, during normal business hours.

The Community Development Division of the Department of Conservation and Development will provide reasonable accommodations to those persons needing translation services and for persons with disabilities who wish to participate in County Planning Commission meetings. Please contact County staff at least 48 hours before the meeting at (925) 655-2860.

1. PLEDGE OF ALLEGIANCE

2. SUBDIVISION MAP EXTENSIONS

- 2a.** PACIFIC WEST COMMUNITIES (Applicant) – CONTRA COSTA COUNTY (Owner), County Files CDMS21-00005 and CDLP21-02015. The applicant requests a three (3) year extension of the period of time for filing a parcel map, to December 14, 2028, for the Orbisonia Village Project, consisting of four new parcels, and a Land Use Permit – Development Plan Combination Permit for the development of a three-phase mixed-use project including up to 384 units, not to exceed 165 units in phase one, a 20,900 sq. ft. public library, and 10,900 sq. ft. of commercial space, that was approved under Minor Subdivision CDMS21-00005 and Land Use – Development Plan Combination Permit CDLP21-02015. The project site is bound by Bailey Road to the west, State Route 4 to the north, Ambrose Park to the east, and West Leland Road to the south in the Bay Point area of unincorporated Contra Costa County. (Zoning: Bay Point P-1 Planned Unit District) (Assessor's Parcel Number: 094-026-007 (Primary)) JL

[25-5014](#)

Attachments: [Attachment A MS21-00005 CDLP21-02015 Plans 08.17.2022](#)
[Attachment B CDMS21-00005 CDLP21-02015 APPROVED PERMIT](#)

3. PUBLIC HEARINGS

- 3a. BENOIT MCVEIGH, DK ENGINEERING (Applicant) - GEORGE M. MOORE (Owner), County File CDRZ23-03271, CDMS23-00005. The applicant requests approval of a rezone from an A-2, General Agricultural (A-2) District to R-40 Single-Family Residential (R-40) District, and a vesting tentative map to subdivide the subject 2-acre property into two lots, an approximately 0.95-acre Parcel A and an approximately 1.05-acre Parcel B. The applicant has requested variances to the requirements of the R-40 zoning district standards to allow a 0-foot front setback and an 8-foot side yard for the construction of retaining Wall #1 and to allow a 5-foot front setback for the construction of retaining Wall #3. The applicant also requests an exception to County Title 9 standards requiring the undergrounding of existing utilities along the Green Valley Road frontage. Site improvements include expanding the existing driveway where it connects to Green Valley Road, installing new utilities and infrastructure, and constructing stormwater and drainage infrastructure. The applicant also requests approval of a tree permit for the removal of eight code-protected trees and to allow work within the driplines of four code-protected trees for the demolition of an existing barn, grading including ±330 cubic yards (CYS) of cut and ±540 CYS of fill for a net 210 CYS, construction of retaining walls and site improvements, and construction of a new two-story residence on proposed Parcel B. An existing residence on proposed Parcel A would remain unchanged. The project is located at 1921 Green Valley Road in the Alamo area of Contra Costa County. (Zoning: A-2 General Agricultural District); (Assessor's Parcel Numbers: 194-070-015, 194-070-018) SS

[25-5013](#)

Attachments: [Attachment 1 - Findings and COA CDRZ23-03271_CDMS23-00005](#)
[Attachment 2 - Proposed Zoning Map PreOrdinance RZ233271](#)
[Attachment 3 - Maps CDRZ23-03271_CDMS23-00005](#)
[Attachment 4 - Agency Comments CDRZ23-03271_CDMS23-00005](#)
[Attachment 5 - CEQA Public Comments](#)
[CDRZ23-03271_CDMS23-00005](#)
[Attachment 6 - Initial Study-MND 11-17-25](#)
[CDRZ23-03271_CDMS23-00005](#)
[Attachment 7 - Applicant Acceptance of Mitigations](#)
[CDRZ23-03271_CDMS23-00005](#)
[Attachment 8 - MMRP 11-17-2025 CDRZ23-03271_CDMS23-00005](#)
[Attachment 9 - Project Plans CDRZ23-03271_CDMS23-00005](#)
[Attachment 10 - Presentation Slides CDRZ23-03271_CDMS23-00005](#)

- 3b.** ELLEN BULLA, SYCAMORE COURT HOME ASSOCIATION (Appellant), ROD SCHLENKER, INSURANCE AUTO AUCTIONS, INC. (Applicant), NGL SF BAY STORAGE & TRANSFER, LLC (Owner), County File CDDP18-03005. This is an appeal of the Zoning Administrator's decision to approve a development plan for the expansion of an existing Insurance Auto Auctions storage facility onto an adjacent vacant 10.35-acre property. The proposed expansion would allow the storage of an additional 1,136 vehicles bringing the total number of vehicles permitted to be stored at the facility to approximately 4,436 vehicles. The development plan approval includes approval of a deviation to the Bay Point P-1 Development Standards for 7.5% of the subject lot to be landscaped (where 10% of the site is required to be landscaped), approval of a tree permit for the removal of 41 code-protected trees ranging in size from 7" to 60" in diameter, and the granting of an exception to the collect and convey requirements of Division 914 of the County Code. The Commission will also consider a mitigated negative declaration prepared for the project under the California Environmental Quality Act. The project site is located at 2770 Willow Pass Road in the Bay Point area of unincorporated Contra Costa County. (Zoning: Bay Point P-1 Planned Unit District) (Assessor's Parcel Number: 098-240-031) GF

[25-5015](#)

Attachments: [Attachment A Findings and COAs](#)
[Attachment B Letter of Appeal](#)
[Attachment C Maps](#)
[Attachment D Project Plans](#)
[Attachment E Updated Landscaping Plan](#)
[Attachment F CDDP18-03005 Staff Report ZA 7_6_22](#)
[Attachment G CDDP18-03005 Staff Report ZA Continuation 11_17_22](#)
[Attachment H Agency Comments](#)
[Attachment I CDDP18-03005 MND](#)
[Attachment J CDDP18-03005 MMRP](#)
[Attachment K CDDP18-03005 CEQA Comments](#)

4. PUBLIC COMMENTS
5. STAFF REPORT
6. COMMISSIONERS' COMMENTS
7. COMMUNICATIONS

THE NEXT MEETING OF THE CONTRA COSTA COUNTY PLANNING COMMISSION WILL BE HELD ON WEDNESDAY, JANUARY 14, 2026.



CONTRA COSTA COUNTY

AGENDA

Contra Costa County Zoning Administrator

Monday, December 1, 2025

1:30 PM

30 Muir Road, Martinez

Zoom: <https://cccouny-us.zoom.us/j/83831039285> Call in: (888) 278-0254 Access Code 198675

The Zoning Administrator meeting will be accessible in-person, via telephone, and via live-streaming to all members of the public. Zoning Administrator meetings can be viewed live online at: http://contra-costa.granicus.com/ViewPublisher.php?view_id=13.

Persons who wish to address the Zoning Administrator during public comment or with respect to an item on the agenda may comment in person or may call in during the meeting by dialing (888) 278-0254, followed by the access code 198675##. A caller should indicate they wish to speak on an agenda item, by pushing "#2" on their phone. Access via Zoom is also available using the following link <https://cccouny-us.zoom.us/j/83831039285>. Those participating via Zoom should indicate they wish to speak on an agenda item by using the "raise your hand" feature in the Zoom app. Public comments may also be submitted before the meeting by email at planninghearing@dcd.cccounty.us or by voicemail at (925) 655-2860.

Commenters will generally be limited to three (3) minutes each. Comments submitted by email or voicemail will be included in the record of the meeting but will not be read or played aloud during the meeting. The Zoning Administrator may reduce the amount of time allotted per commenter at the beginning of each item or public comment period depending on the number of commenters and the business of the day. The Zoning Administrator may alter the order of agenda items at the meeting. Your patience is appreciated.

The Community Development Division of the Department of Conservation and Development will provide reasonable accommodations to those persons needing translation services and for persons with disabilities who wish to participate in Zoning Administrator meetings. Please contact Hiliana Li at least 48 hours before the meeting at (925) 655-2860.

1. PUBLIC COMMENTS
2. LAND USE PERMIT: PUBLIC HEARING

- 2a.** TOM LINN (Applicant) - VARMA, LLC (Owner), County File #CDLP25-02006: [25-4955](#)
The applicant is requesting a Land Use Permit modification amending Land Use Permit #CDLP94-02009 for the purpose of adding a 960-square-foot modular building to an existing childcare facility on the subject property. The existing facility provides care for children aged 2-6 years old within two existing buildings totaling 4,060 square feet in area. The proposed 960-square-foot modular building would be utilized to provide care for up to 12 additional infant-aged children. The project also includes a request for tree permit approval authorizing dripline encroachment for one (1) eucalyptus tree for the construction of retaining wall and stairway improvements shown on the site plan. Lastly, the project includes a request to legalize an existing 1,080-square-foot shade structure located adjacent to the existing childcare facility, as well as landscaping improvements along the property's Appian Way frontage. The subject property is located at 716 Appian Way in the El Sobrante Area of Unincorporated Contra Costa County. (Zoning: R-7 Single-Family Residential District) (APN: 430-181-006) AV
Attachments: [01 CDLP25-02006 Findings and COAs](#)
[02 Maps Plans](#)
[03 Agency Comments](#)
- 2b.** T-MOBILE (Applicant) - US Sprint (Property Owner), County File CDLP25-02026: [25-4956](#)
The applicant requests approval of a Land Use Permit application for the continued operation of an existing T-Mobile wireless telecommunications facility that was established under Land Use Permit CDLP83-02003. No modifications of the wireless facility are proposed. The project site is located at 8851 Manning Road in the Livermore area of unincorporated Contra Costa County. (Zoning: A-80 Exclusive Agricultural District) (Assessor's Parcel Number: 006-200-004) AS
Attachments: [Attachment A Findings and COAs](#)
[Attachment B Maps](#)
[Attachment C Project Plans](#)
[Attachment D Photos](#)
[Attachment E RF-EME Report](#)
[Attachment F Agency Comments](#)
- 2c.** U-HAUL (Applicant and Owner), County File #CDLP24-02007. [25-4957](#)
The applicant requests approval of a Land Use Permit to establish a new, 5,709-square-foot U-Haul retail business within an existing U-Haul warehouse and six exterior wall signs totaling 416 square feet to be installed on the front of the warehouse located in the unincorporated Bay Point area of Contra Costa County. (Zoning: L-I) (Assessor's Parcel Numbers: 099-160-026 and 099-160-027) (CANCELLED) NS

PLEASE NOTE: THE NEXT MEETING OF THE CONTRA COSTA COUNTY ZONING ADMINISTRATOR WILL BE HELD ON MONDAY, DECEMBER 15, 2025.



CONTRA COSTA COUNTY

1025 ESCOBAR STREET
MARTINEZ, CA 94553

Staff Report

File #: 26-666

Agenda Date: 2/24/2026

Agenda #: b.

Advisory Board: Byron MAC

Subject: RECEIVE Advisory Body Training Certification, CCC Brown Act Update Memo, Brown Act and CCC Advisory Body Handbook

Recommendation(s)/Next Step(s):

RECEIVE Advisory Body Training Certification, CCC Brown Act Update Memo, Brown Act and CCC Advisory Body Handbook

Training Certification for Members of County Advisory Bodies



Contra Costa County's independent and advisory body members are required to take three trainings within three months of appointment and every two years thereafter.

Instructions:

1. **Brown Act & Better Government Ordinance Training:** This training is available as a [video](#) and [materials packet](#), or as an in-person training. Contact the Clerk of the Board at ClerkoftheBoard@cob.cccounty.us or (925) 655-2000 for more information.
2. **Ethics Training:** Ethics training, also referred to as AB 1234 Local Government Official Training, is provided by the Fair Political Practices Commission (FPPC). To complete this training, please [create an account](#) and retain the certificate generated from the FPPC at the end of the training.
3. **Implicit Bias Training:** Implicit Bias Training is provided by the City of Richmond through a learning pathway series of [articles and videos](#).

Alternatively, evidence of completion of comparable training from other jurisdictions within the most recent two years can be accepted and will satisfy of the County's training requirement for any of the above courses.

Certification

By signing below, I certify that on _____ (date), I have watched or attended the entire training titled "**The Brown Act And Better Government Ordinance**" OR have completed an alternative training program.

By signing below, I certify that on _____ (date), I completed the Fair Political Practices Commission (FPPC) training "**Ethics for Local Government Officials**." I have received the certificate of completion OR have completed an alternative training program.

By signing below, I certify that on _____ (date), I completed the "**Implicit Bias Learning Pathway**" OR have completed an alternative training program.

(Name of Advisory Body)

(Name of Member)

(Date)

****RETURN THIS CERTIFICATION TO STAFF FOR YOUR ADVISORY BODY****

Your training completion status will be included in your advisory body's Annual Report and Triennial Review to the Contra Costa County Board of Supervisors. The chair or staff to your advisory body must keep all certifications on file.



**Office of the County Counsel
Contra Costa County**

1025 Escobar Street, Third Floor
Martinez, CA 94553
Phone: (925) 655-2200
Fax: (925) 655-2263

Date: December 22, 2025

To: Staff to Advisory Bodies

From: Thomas L. Geiger, County Counsel
By: Hannah M. Shafsky, Deputy County Counsel

TS for AMS

Re: **Brown Act Update on Alternative Remote Teleconferencing Option and Remote Participation as a Reasonable Accommodation**

This memo describes two changes to Brown Act rules that allow advisory body members to participate in meetings remotely. Senate Bill 707 ("SB 707"), effective January 1, 2026, amends the Brown Act's alternative remote teleconference meeting procedures by adding new reasons for a remote appearance for "just cause." The attached chart provides a detailed summary of all requirements for "just cause" teleconferencing as well as the requirements for traditional teleconferencing, which have not changed.

SB 707 also expressly allows members of legislative bodies to participate in meetings remotely as a reasonable accommodation for a disability.

Changes to Alternative Teleconferencing Procedures

Under the Brown Act, advisory body members may participate in meetings remotely for a "just cause" reason. SB 707 eliminates the "emergency circumstances" provision and adds the following three reasons for a remote appearance for "just cause":

- (1) An immunocompromised child, parent, grandparent, grandchild, sibling, spouse, or domestic partner of the advisory body member that requires the member to participate remotely.
- (2) Military service obligations that result in an advisory body member being unable to attend in person because they are under official written orders for duty required as a member of the California National Guard or U.S. Military Reserve organization that requires the member to be at least 50 miles outside the boundaries of the local agency.
- (3) A physical or family medical emergency that prevents an advisory body member from attending in person.

The language in subsection (3) is the same language that previously permitted a member to request to appear remotely for "emergency circumstances," which required

the body to act on the request.¹ There is no requirement that the body take action to allow the member to attend remotely for any “just cause” reason, including for a medical emergency.

If a member participates remotely for “just cause,” the meeting minutes must identify the specific just cause provision that the member relied upon to participate remotely.

SB 707 retains the requirements that at least a quorum of members of the body participate in person and that the quorum meets in a single, physical location clearly identified on the agenda that is open to the public and situated within the agency’s territorial jurisdiction.

SB 707 limits the number of times a member may appear remotely for just cause as follows:

- (1) two meetings per year if the body regularly meets once per month or less;
- (2) five meetings per year if the body regularly meets twice per month; and
- (3) seven times per year if the body regularly meets three or more times per month.

These provisions will remain in effect until January 1, 2030.

There are no substantive changes to the rules regarding the traditional teleconferencing option.

Remote Attendance as a Reasonable Accommodation

SB 707 also permits a member of a legislative body with a disability² to participate in a meeting remotely as a reasonable accommodation. To do so, the member is required to:

- (1) Participate through both audio and visual technology, except that any member with a disability may participate through audio technology only if a physical condition related to the disability results in a need to participate off camera; and
- (2) Disclose at the meeting before any action is taken whether any other individuals 18 or older are present in the room with the member and the general nature of the member’s relationship with the individual(s).

¹ The “emergency circumstances” provision is no longer a separate reason for remote attendance, since “medical emergency” is now a “just cause” reason.

² SB 707 defines “disability” as a “physical 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.” (Gov. Code, § 54953(e)(1).)

Remote participation as a reasonable accommodation is treated as in-person attendance at the physical location for all purposes, including any requirement that a quorum of the body participate from the same location.

Procedure for Requesting Remote Attendance as a Reasonable Accommodation

Before an advisory body member with a qualifying disability attends a meeting remotely, the member must request to appear remotely as a reasonable accommodation and receive approval from the Clerk of the Board.

To request this accommodation, the member must submit a written request to the Clerk of the Board at least one week before the time of the first meeting for which remote attendance is requested. The request may be in a letter or via email, with the phrase “Advisory Body Reasonable Accommodation” in the subject line. Requests should be sent to clerkoftheboard@cob.cccounty.us. The Clerk of the Board will evaluate and approve or deny the request using the following criteria:

1. The request to attend remotely as a reasonable accommodation must include the following:
 1. A self-attestation that the accommodation is needed as a result of a disability.
 2. A general description explaining the need for the accommodation, which need not exceed 20 words. The member does not need to submit medical documentation or disclose a medical diagnosis or disability.
 3. The duration of the requested accommodation.
 4. The name of the advisory body on which the member sits.
2. In consultation with the member with a disability, the Clerk of the Board will determine if the request is approved and the most effective way to provide the accommodation. Responses to reasonable accommodation requests will be provided in writing in a timely manner before the start of the specific meeting. Otherwise, the response will be provided orally, followed by written confirmation.
3. If the Clerk of the Board approves remote appearance as a reasonable accommodation, the member may appear remotely at meetings for the approved duration of the accommodation. Members may be granted a teleconferencing accommodation on a permanent basis or a temporary basis. The duration will be determined in accordance with the member’s disability-related needs. For temporary disabilities, the member may need to seek recertification from time to time, as determined by the Clerk of the Board.

Procedures for Attending Meetings Remotely as a Reasonable Accommodation

During every meeting that a member attends remotely as an approved reasonable accommodation, the member must:

1. use two-way, real-time video and audio streaming; and
2. disclose the presence of other adults at the remote location and nature of the member's relationship with these individuals.

When a member attends a meeting remotely as an approved reasonable accommodation, the following Brown Act requirements are waived with respect to the remote location:

1. Including the teleconference location in the notice and agenda;
2. Posting the meeting agenda at the teleconference location; and
3. Allowing public access to the teleconference location.

HMS:

Attachment: Teleconference Meeting Options Chart

cc: Board of Supervisors
Monica Nino, County Administrator
Jami Morritt, Chief Assistant Clerk of the Board

H:\2025\County Administrator\updated teleconferencing and reasonable accommodation guidance - final.docx

Teleconference/Remote Meeting Options

	Traditional Teleconferencing (Gov. Code, § 54953(b).)	Alternative Teleconferencing (Gov. Code, §§ 54953.8, 54953.8.3)
Applicable Timeframe	Available anytime.	Available between <u>January 1, 2026</u> and <u>January 1, 2030</u>.
Who May Appear Remotely and Quorum Requirements	Individual board members, if at least a quorum of the members of the body participate from locations within the jurisdictional boundaries of the body.	- Individual board members if: - a quorum of the members of the body participates in person; and - the quorum meets in a single, physical location clearly identified on the agenda that is open to the public and situated within the agency's jurisdiction.
Bases for Remote Appearance	Applies when a board member is unable to attend in person.	- A member may appear remotely for "Just Cause," which is any of the following: - A need to care for a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner; - A contagious illness that prevents a member from attending in person; - A need related to a physical or mental disability that is not otherwise accommodated for; - Travel while on official business of the 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; - Military service obligations that result in a member being unable to attend in person because they are under official written orders for duty required as a member of the California National Guard or U.S. Military Reserve organization that requires the member to be at least 50 miles outside the boundaries of the local agency; and - a physical or family medical emergency that prevents a member from attending in person.

	Traditional Teleconferencing (Gov. Code, § 54953(b).)	Alternative Teleconferencing (Gov. Code, §§ 54953.8, 54953.8.3)
Notification Requirements	▪ No additional requirements.	▪ The member must notify the body at the earliest possible opportunity, including at the start of a regular meeting, of the need to participate remotely. ▪ The member must provide a general description of the circumstances relating to their need to appear remotely. ▪ There is no requirement that the body take any action. ▪ The member is not required to disclose any medical diagnosis or disability, or any personal medical information that is otherwise confidential.
Agenda and Public Access and Comment Requirements	▪ The teleconference location must be open to the public. ▪ The agenda must be posted at all meeting locations, including the teleconference location. ▪ The agenda must identify all meeting locations, including the teleconference location. ▪ The agenda must provide for public comment at all meeting locations, including the teleconference location.	▪ Must provide notice and post agendas as otherwise required under the Brown Act and must indicate on the notice how the public may access the meeting and offer comment. ▪ The agenda must include an opportunity for all persons to attend and address the body via a call-in option, an internet-based service option, and at the in-person location. ▪ The law does not require that the agency post an agenda at the remote location, include the address of the remote location, or provide for public access to the remote location. ▪ The body may not require public comments to be submitted in advance and must allow the public to address the body and comment in real time. ▪ An individual may be required to register for public comment before being allowed to comment, where the body uses a third-party platform (like Zoom) for the meeting.

	Traditional Teleconferencing (Gov. Code, § 54953(b).)	Alternative Teleconferencing (Gov. Code, §§ 54953.8, 54953.8.3)
Voting Requirements	▪ Members must vote by rollcall.	▪ Members must vote by rollcall.
Technological Requirements		▪ The public must be able to remotely hear and visually observe the meeting, and remotely address the body. Thus, the body must provide either: (1) a two-way audiovisual platform; or (2) a two-way telephonic service and a live webcasting of the meeting. A two-way audiovisual platform may be structured to disable the use of video for the public participants.
Other Requirements		▪ If a member participates remotely, the member must also: (1) Publicly disclose at the meeting before any action is taken, whether any other individuals 18 years or older are in the room at the remote location with the member and the general nature of the member's relationship with such individuals; and (2) Participate through both audio and visual technology. ▪ If the broadcasting of the meeting to the public by phone or internet service is disrupted, or a disruption within the local agency's control prevents members of the public from commenting using the phone or internet service, the body shall not take any action at the meeting, until public access to the meeting via the phone option or the internet service option is restored. Actions taken on agenda items during a disruption that prevents the body from broadcasting the meeting may be challenged pursuant to Section 54960.1. ▪ The body must have and implement a procedure for receiving and quickly resolving

	Traditional Teleconferencing (Gov. Code, § 54953(b).)	Alternative Teleconferencing (Gov. Code, §§ 54953.8, 54953.8.3)
		reasonable accommodation requests for individuals with disabilities. Any doubt should be resolved in favor of accessibility. ▪ The meeting minutes must identify the specific just cause provision (with reference to the specific provision of law) that each member relied upon to participate remotely.
Limitations on Frequency of Remote Appearances	▪ None.	▪ A member may participate remotely for “just cause” for no more than the following number of meetings: (1) 2 meetings per year, if the body regularly meets once per month or less; (2) 5 meetings per year, if the legislative body regularly meets twice per month; and (3) 7 meetings per year, if the body regularly meets three or more times per month.

Note: If a member participates remotely as a reasonable accommodation for a disability, it is considered in-person attendance.

Code: Section: [Up^](#) [Add To My Favorites](#)**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.

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.

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.

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.

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.

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.)

CONTRA COSTA COUNTY

ADVISORY BODY HANDBOOK

GUIDELINES & RESOURCES
FOR BOARDS, COMMITTEES, COMMISSIONS, AND
COUNCILS GOVERNED BY THE CONTRA COSTA
COUNTY BOARD OF SUPERVISORS

Revised October 2021

Contra Costa County
Clerk of the Board of Supervisors
(925) 655-2000
ClerkoftheBoard@cob.cccounty.us



TABLE OF CONTENTS

I. WELCOME AND INTRODUCTION	5
About the Advisory Body Handbook	5
Overview of Roles	5
Clerk of the Board of Supervisors	5
Departmental Staff and Committee Liaisons.....	5
II. GOVERNANCE AND SCOPE OF AUTHORITY	6
Types of Boards, Committees, Commissions, and Councils.....	6
Discretionary vs. Mandated Bodies	6
Independent Bodies.....	6
Municipal Advisory Councils.....	6
Advisory Body Governance	6
Advisory Body Mandate or Purpose	7
Governing Documents	7
Establishing Ordinance or Resolution.....	7
Bylaws	7
Advisory Body Reports.....	7
Annual Report	7
Triennial Sunset Review.....	8
Limits and Scope of Authority	8
Scope of Authority	8
Limits on Authority.....	9
Legislative Advocacy	9
Other Limits	9
III. REQUIREMENTS FOR PARTICIPATION.....	9
Oaths of Office	9
Training Requirements	10
Brown Act & Better Governance Ordinance Training.....	10
Ethics for Local Government Officials (Assembly Bill 1234) Training	10
IV. ETHICS/CONFLICT OF INTEREST CODES.....	11
Recusal to Avoid a Conflict of Interest.....	11
Local Ethics Requirements	12
State Ethics Requirements	12
Conflict of Interest Codes	12
Appointee Responsibilities	13
Staff Responsibilities	13
V. CONDUCTING PUBLIC MEETINGS.....	13
Meeting Requirements Under The Brown Act & Better Governance Ordinance.....	13
Open Meeting Requirements	14
Prohibition on Serial Meetings	14
Quorum Requirement.....	14

Agenda Preparation & Distribution	15
Checklist of Agenda Posting Requirements	15
Posting Electronic Agendas and Minutes on County Website.....	15
Cancelling A Meeting.....	16
Checklist for Notices of Adjournment/Cancellation	16
Closed Meetings.....	16
Special Meetings	16
Teleconference Meetings	16
Documentation of Committee Actions (Minutes or Record of Action)	16
Format of Meeting Minutes.....	17
VI. EFFECTIVE ADMINISTRATION OF COUNTY ADVISORY BODIES	17
Responsibilities of Advisory Body Members	17
Understanding and Contributing to the Committee’s Purpose, Priorities, and Goals	17
Reviewing Agendas and Supporting Documents	17
Conduct at Meetings.....	17
Absence from Meetings.....	17
Updating Contact Information.....	18
Responsibilities of County Staff Liaisons.....	18
Managing Committee Agendas & Minutes	18
Electronic Agendas and Minutes on County Website	19
Identify and Publish Location of Physical Records.....	19
Records Retention Policies.....	19
Permanent Records Archive	19
30 Day Communications File Under Better Government Ordinance	19
Records Retention Schedule for Advisory Committees.....	19
Public Records Requests	20
Managing the Advisory Body’s Roster	20
Types of Seats	20
VII. APPOINTMENT PROCEDURES.....	20
Recruitment	20
Applications	20
Submitting Applications.....	21
Processing Applications	21
Review of Applications.....	21
Managing Appointments	21
Advisory Boards or Committees	22
Independent Boards or Committees.....	22
Managing Resignations & Vacancies	22
Scheduled Vacancies	22
Unscheduled Vacancies	22
VIII. APPENDICES.....	23
Section I: Welcome & Introduction	
Appendix 1: List of Advisory Bodies from Resolution 2020/1.....	24
Appendix 2: List of Independent Bodies from Resolution 2020/2.....	26

Section II: Governance and Scope of Authority Section	
Appendix 3: Municipal Advisory Council (MAC) Policies	27
Appendix 4: Template for Annual Report	40
Appendix 5: Triennial Sunset Review Process	42
Appendix 6: Limits on Legislative Advocacy and Rules for Mandated Bodies	43
Section III: Requirements for Participation	
Appendix 7: Oath of Office Form	47
Appendix 8: Training Certification Form	48
Appendix 9: List of Bodies Required to Complete AB 1234 Training Every Two Years.....	49
Section IV: Ethics & Conflict of Interest Codes	
Appendix 10: Conflict of Interest and Open Meetings Policies (Resolution 2002/376)	50
Appendix 11: Conflict of Interest Appointment Policies (Resolution 2021/234)	52
Appendix 12: Guidance on Conflict of Interest Codes	53
Section V: Conducting Public Meetings	
Appendix 13: Selected Brown Act/Better Government Ordinance Provisions.....	57
Appendix 14: Physical & Online Agenda Posting Requirements.....	66
Appendix 15: Instructions for Posting to the County’s Website “Agenda Center”	70
Appendix 16: Teleconference Meeting Basic Requirements (NOTE: Non-COVID-19).....	73
Appendix 17: Legally Required Format for Recording Committee Votes	74
Appendix 18: How to Prepare Minutes.....	75
Section VI: Effective Administration of Boards, Commissions, and Committees	
Appendix 19: Records Retention Policy for County Advisory Committees	78
Appendix 20: Recommended Documents for Committee Files.....	81
Appendix 21: Information to Include on Rosters and Distribution Lists.....	82
Section VII: Appointment Procedures	
Appendix 22: Sample Recruitment Press Release	83
Appendix 23: Creating a Recruitment Calendar and Recommended Recruitment Activities	84
Appendix 24: Application Form	86
Appendix 25: Samples Board Orders for Appointments, Reappointments, and Vacancies	89
Appendix 26: Appointment Procedures for Advisory Bodies (Resolution 2020/1)	91
Appendix 27: Appointment Procedures for Independent Bodies (Resolution 2020/2)	96

I. WELCOME AND INTRODUCTION

Members of citizens' advisory bodies to the Contra Costa County Board of Supervisors provide an important service to the government of Contra Costa County. They provide citizens' perspectives and community feedback to the Board of Supervisors on a wide variety of services and programs that directly affect the community's quality of life. Advisory bodies provide important forums for citizen input through activities such as gathering data, recommending alternatives, and evaluating the impact of governmental decisions on the public.

The training material that follows will often include references to certain official documents and other County resources. All the relevant information from these resources cannot easily be summarized in a single "handbook" or training session. Advisory body members, as well as County staff who serve as liaisons, should be familiar with all the County resources and policies that have been published over time to guide the administration of the County's advisory bodies. The Advisory Body Handbook has been created to provide easy reference to these important resources.

About the Advisory Body Handbook

The Advisory Body Handbook provides information about the laws, policies, and procedures that apply to the County's boards, commissions, committees, and councils—collectively called advisory bodies. As described in greater detail below, the Board of Supervisors makes appointments to two main types of bodies. Advisory bodies are advisory to and governed by the Board, whereas independent bodies are not governed by the Board. While there are some differences between the administration of the two, they are generally collectively referred to as "advisory bodies" or "committees" in this handbook. A list of advisory bodies is available in Exhibit A of [Resolution 2020/1 \(Appendix 1\)](#) and a list of independent and quasi-independent bodies is available in Exhibit A of [Resolution 2020/2 \(Appendix 2\)](#).

Overview of Roles

Clerk of the Board of Supervisors

The Office of the Clerk of the Board of Supervisors (COB) maintains all official records of the Board of Supervisor's actions and policies pertaining to each County advisory body, such as official rosters and records of all appointments and terms of office.

Each staff liaison should periodically compare the committee's internal data with the public information about the committee that is issued by the Clerk of the Board, especially on the County website. Information that is inconsistent should be brought to the attention of the Clerk of the Board, in order to correct any disparities.

Departmental Staff and Committee Liaisons

All advisory bodies have a designated county employee who serves as a liaison to the committee, either from a department, Supervisor's District Office, or the County Administrator's Office.

Additional assistance on committee matters may be obtained by contacting the county liaison or staff person. Staff support persons are encouraged to seek clarification if needed by contacting the County Administrator's Office or the Clerk of the Board's Office.

II. GOVERNANCE AND SCOPE OF AUTHORITY

The specific role or function of each commission, board, committee, or council in county government depends primarily on the reason (including the legal basis) the body was established. It is very important for each appointee to understand the committee's function, as provided in legislation, and the source of its governing authority.

Types of Boards, Committees, Commissions, and Councils

Discretionary vs. Mandated Bodies

The primary purpose of a citizen's advisory body in Contra Costa County is to assist and advise the Board of Supervisors in its decision-making process. Advisory bodies are established to assess the impact of County services and programs on the community, to identify specific community needs, and to make advisory recommendations to the Board of Supervisors on issues related to each body's assigned purpose or charge.

Many advisory bodies are established solely "at the discretion" of the Board of Supervisors to serve a purpose that is designated by the Board of Supervisors. On the other hand, some committees are not "discretionary" because they are legally required, or "mandated," by federal or state laws. However, most of the mandated committees that are required under state or federal law are still governed by the Board of Supervisors.

Independent Bodies

The Board of Supervisors also makes appointments to certain independent boards, committees, commissions, and councils that serve as independent decision-makers. Some examples of independent boards and commissions include the County Planning Commission, the Assessment Appeals Board, and the Merit Board. Many applicable policies and a list of independent bodies are found in [Resolution 2020/2 \(Appendix 27\)](#).

Municipal Advisory Councils

Municipal Advisory Councils (MACs) are established pursuant to state law ([Government Code § 31010](#)) to advise the Board of Supervisors on the unincorporated areas of the County; in these areas, there is no city government to provide services or address residents' concerns.

Each Municipal Advisory Council (MAC) has a separate establishing resolution of the Board of Supervisors which describes its mandate and purpose. The Board of Supervisors has also adopted policies to ensure consistency among Contra Costa County's MACs. Policies affecting MACs appear in [Appendix 3](#), which may be amended from time to time. County staff liaisons should be attentive to the specific needs and legal requirements of the MACs and contact Clerk of the Board or County Administrator's Office as needed with ongoing questions or problems.

Advisory Body Governance

County advisory bodies may not engage in activities that conflict with federal, state, or local law, or with policies that have been established by the Board of Supervisors. Advisory bodies should seek to fulfill the goals and objectives for which they were created. They should not engage in activities or projects that are not specifically authorized by the Board of Supervisors.

Advisory body members must collaborate with their designated County staff liaisons to ensure compliance with all legal and administrative requirements.

Advisory Body Mandate or Purpose

All advisory body members should become familiar with the establishing ordinance or resolution as approved by the Board of Supervisors. In addition, the body itself will usually produce bylaws that describe its rules and operating procedures, an Annual Report to describe its activities and achievements, and an annual work plan to establish ongoing goals and priorities. These are discussed in more detail below.

Governing Documents

Committee members should become familiar with all of the following documents. Members should strive continually to work collaboratively, based on these documents and guidelines, to achieve the committee's established objectives.

a) Establishing Ordinance or Resolution

The Board of Supervisors usually creates a County board, committee, commission, or council by approving the advisory body's "establishing resolution" or "establishing ordinance." This action serves to establish the body's overall purpose, its membership structure, the specific requirements for membership, and related oversight matters.

b) Bylaws

Advisory body bylaws are developed by the body and are reviewed and approved by the Board of Supervisors before they take effect. The bylaws provide guidelines about essential organizational matters such as the number of seats, number of meetings, requirements for a quorum, qualifications and/or residency requirements for specific seats, methods of selecting officers, and designation of any subcommittees (and their responsibilities). If possible, the bylaws should provide for the selection of a member to serve as Secretary to coordinate with County staff concerning the advisory body's administrative needs and operating procedures.

Bylaws should be understood and carefully observed by members of advisory bodies and their County liaisons. Advisory body members and their County staff liaisons should contact the County Administrator's Office whenever organizational changes are considered by a committee that could require amendments to its bylaws.

Advisory Body Reports

a) Annual Report

Each advisory committee, board, commission, or council established by the Board of Supervisors is required to prepare an Annual Report by December of each year. Some objectives of the Annual Report are to:

- Review past accomplishments related to fulfilling the advisory body's mandate(s).
- Identify new goals as needed in order to focus the advisory body on its mission.
- Communicate to the Board of Supervisors and the public concerning the activities and impact of the advisory body in the community.

All Annual Reports must be submitted to the Board of Supervisors for review and approval. Committee staff should forward the Annual Report before the second Tuesday in December to the County Administrator's Office for placement on the Board of Supervisor's agenda for review. Reports not received by January 31 will be delinquent.

A template for the Annual Report is available in [Appendix 4](#). The Annual Report to the Board of Supervisors should include the following:

- Activities and accomplishments of the year (estimated length: 1 page)
- Work Plan and goals for the coming year (estimated length: 1/2 page)
- Attendance report of advisory body members (estimated length: 1/4 page)
- Advisory Body Records (estimated length: 1/4 page)
- The name of the person responsible for maintaining the advisory body records archive
- Where records are located and how they can be requested
- Copies of training certifications for appointees during the report period

b) Triennial Sunset Review

The Board of Supervisors conducts a "Triennial Sunset Review" to review the boards, committees, commissions, and councils that it has established. The resolution establishing the Triennial Review and related materials appear in [Appendix 5](#).

Every year the Board of Supervisors will review and evaluate one-third of the board, committees, commissions, and councils that it has established. Therefore, each individual advisory body will be reviewed once every three years. The sunset review enables the Board of Supervisors to evaluate the purpose, scope, and effectiveness of each body, review any legislative or policy changes that may have occurred, and consider proposed changes to areas such as the advisory body's mandate, membership, or long-term goals.

The sunset review process is initiated by the Clerk of the Board of the Supervisors. Survey materials are sent to the selected advisory bodies and responses must be submitted to the Clerk of the Board of Supervisors before December 1. The submitted materials are reviewed by the Internal Operations Committee (IOC) of the Board of Supervisors. The IOC recommendations are then submitted to the full Board of Supervisors for consideration.

Limits and Scope of Authority

Advisory bodies and other boards, commissions, committees, or councils that have been created by the Board of Supervisors must strictly observe the scope and limits on their authority that are outlined in the advisory body's governing documents. The following section will review some of these restrictions in more detail.

Scope of Authority

Unless otherwise specified by statute, advisory bodies serve at the pleasure of the Board of Supervisors in an advisory capacity only and have no authority to establish policy, make decisions, or create fiscal or other obligations of the County.

Each advisory body's governing resolution specifies the body's scope of authority and generally describes the expected range of activities the committee is authorized to undertake. Each committee, board, commission, or council must adhere to its defined scope of authority.

Advisory body members must be familiar with the body's adopted bylaws and must abide by these policies, as well as the requirements of the Board of Supervisors that are outlined in the Advisory Body Handbook.

Limits on Authority

Certain activities may not be undertaken by advisory bodies unless expressly provided in their establishing legislation or otherwise authorized by the Board of Supervisors.

a) Legislative Advocacy

Members of mandated boards, commissions, committees, and councils should review the Board of Supervisor's policy on "Legislative Advocacy by Mandated Advisory Bodies" that was adopted on October 14, 2008 (Board Order C.31) which appears in [Appendix 6](#). An advisory body may not take any action that would imply the County's support or opposition to proposed legislation in the absence of, or inconsistent with, adopted Board positions. Only the Board of Supervisors can send letters on a piece of legislation. The only exception is when a state or federally mandated advisory body has followed the specified protocol (see Board Order C.31 referenced above).

b) Other Limits

Advisory bodies may not engage in any of the following:

- Establishing bank accounts, or cash handling of any kind.
- Expenditure or commitment of County funds (MAC expenditures require prior approval of District Supervisor).
- Contracting for goods or services, of any kind.
- Setting and/or waiving of County fees.
- Personnel actions, including hiring staff or independent contractors.
- Closed meetings of any kind.
- Engaging in any type of legislative or public advocacy as a committee or committee member - except in an advisory capacity to the Board of Supervisors.

III. REQUIREMENTS FOR PARTICIPATION

There are many important legal requirements that must be satisfied by appointees to the County's advisory bodies which are prerequisites to participation. Several of these are described below. Any questions about these requirements should be directed to the advisory body's County staff liaison or the Office of the Clerk of the Board of Supervisors.

Oaths of Office

A formal Oath of Office is required, as provided in California law, for public officials in California. Whether an oath is required for a member of an advisory body or other appointee of the Board of Supervisors depends on the advisory body's specific role in government. However, oaths of office are not required for members of boards, committees, commissions, or councils that have been established by the Board of Supervisors as discretionary advisory committees. Oaths of office usually are required

for members of boards, commissions, committees, and councils that exercise independent decision-making authority (such as the Assessment Appeals Board and the Merit Board). The need for the oath should be determined in consultation with the advisory body's County staff liaison.

In contrast to Board of Supervisor's advisory committees, members of certain "mandated" committees, as well as members of independent boards, commissions, committees, and councils (including those whose local governing authority is the Board of Supervisors) usually are required to execute the Oath of Office for public officials.

For committees, boards, commissions, or councils whose appointees require an Oath of Office, oaths should be taken as soon as possible after the Board of Supervisors approves the appointment. The County staff liaison to the advisory body is responsible for distributing the Oath of Office form to the new appointee, if required. New appointees to such "policy bodies" should contact the chairperson, committee secretary, or staff of the committee to confirm the Oath of Office requirement. Such appointees are required to complete and affirm the Oath of Office before a notary public, or before a Deputy Clerk in the Clerk of the Board of Supervisor's Office. The Oath of Office form appears in [Appendix 7](#).

The original signed and notarized Oath of Office should be retained by the advisory body as an official record for the period of time indicated in the Advisory Body Record Retention Schedule. As soon as it is executed, a copy of the signed and notarized Oath of Office should be sent to the Clerk of the Board of Supervisors as evidence of compliance.

Training Requirements

Members of advisory bodies who are appointed by the Board of Supervisors are required to complete two mandatory trainings within three months of appointment. After completing the trainings, members should complete the training certification form available in [Appendix 8](#). The original training certificates should be retained by the advisory body. A copy of each signed training certificate should be provided to the Clerk of the Board of Supervisors to show compliance, or copies for all newly appointed members may instead be submitted annually with the committee's Annual Report.

Brown Act & Better Government Ordinance Training

All advisory body members must view the "Brown Act and Better Government Ordinance" video (or attend an in-person training) within three months of appointment. The video is available through the County website at <https://www.contracosta.ca.gov/7632/Training-Resources>. Please contact the Clerk of the Board for in-person training opportunities.

Ethics for Local Government Officials (Assembly Bill 1234) Training

All advisory body members must also complete training on public service ethics laws and principles within three months of appointment. Thereafter, only advisory bodies whose members receive compensation, salary, stipends, or expense reimbursements must renew the training every two years, per California law ([AB 1234](#), [Government Code § 53234 et. seq.](#)).

Each appointee should complete the AB 1234 ethics training and provide the original certificate of completion to the advisory body's staff. County advisory body staff must retain the original document for the required retention period (five years under [Government Code § 53235.2\(b\)](#))

Advisory body staff should submit a copy of each AB 1234 training certificate to the Clerk of the Board's Office to confirm compliance. Copies of the certificates should also be included in the advisory body's Annual Report to the Board of Supervisors.

The AB 1234 training program is self-guided and is not provided directly by the County. The program is available on the internet through the California Fair Political Practices Commission:

<http://localethics.fppc.ca.gov/ab1234>

Only members of the following boards and commissions are required to renew the AB 1234 training every two years (see [Appendix 9](#)):

- Advisory Council on Aging
- Assessment Appeals Board
- Economic Opportunity Council
- In-Home Supportive Services Public Authority Advisory Committee
- Contra Costa County Planning Commission
- Contra Costa County Mental Health Commission
- Contra Costa County Merit Board
- Workforce Development Board

IV. ETHICS/ CONFLICT OF INTEREST CODES

State and local conflict of interest laws are complex and should be studied carefully by those to whom they apply. Board of Supervisor's appointees are required to become familiar with state and local ethics requirements by completing the online training, "Ethics for Local Officials", administered by the Fair Political Practices Commission (FPPC). See the "Training Requirements" section for more information.

In addition to the online training provided by the FPPC, the following materials should be reviewed by new appointees and committee staff:

- [Appendix 10](#): Policies Concerning Conflict of Interest and Open Meetings ([Resolution 2002/376](#))
- [Appendix 11](#): Policies Concerning Conflict of Interest ([Resolution 2021/234](#))
- [Appendix 12](#): Guidance on Conflict of Interest Codes

All committee members should avoid the appearance of a conflict of interest even when the committee's decisions are advisory. Committee members should recuse themselves from decisions (i.e. choose not to participate) if they have a financial interest that would be affected by the decision or recommendation. Committee members who participate in making decisions are required to be included in the agency's Conflict of Interest Code and to file a financial disclosure statement (Form 700) annually.

Questions concerning these requirements should be submitted to the committee's staff liaison or (by staff) to the County Counsel's Office. Questions concerning how to complete the Form 700 should be directed to the Fair Political Practices Commission.

Recusal to Avoid a Conflict of Interest

The County Counsel's Office has developed the following guidelines for any committee member who has financial interests that could potentially create a conflict of interest:

- Publicly (orally) identify the financial interest that gives rise to the conflict of interest, or potential conflict of interest, in detail sufficient to be understood by the public. This public identification must be made part of the official public record (i.e. the meeting minutes).
- State each type of economic interest held (e.g. investment, business position, interest in real property, personal financial effect, or the receipt or promise of income or gifts) which is involved in the decision and gives rise to the conflict of interest.
- Recuse yourself from discussing and voting on the matter after public identification of the conflict of interest has been provided. You shall not be counted toward achieving a quorum while the item is discussed.
- Leave the room before the discussion of the item until after the discussion, vote, and any other disposition of the matter is concluded, unless the matter has been placed on the portion of the agenda reserved for uncontested matters (i.e. it is not necessary to leave the room if the conflict-of-interest item is listed on the Consent calendar).

Local Ethics Requirements

[Resolution 2002/376](#), "Policy for Board Appointees Concerning Conflict of Interest and Open Meetings," ([Appendix 10](#)) describes the Board of Supervisor's policy concerning conflicts of interest and open meeting requirements. One of the most important provisions cited in the resolution is the "common law" principle that all appointees "should so conduct the public business as to avoid even any appearance of conflict of interest."

While some entities are required to develop Conflict of Interest Codes, advisory committees established at the discretion of the Board of Supervisors do not ordinarily have Conflict of Interest Codes, and members of such bodies therefore are not usually required to disclose related financial interests on Form 700s (see the "California Political Reform Act of 1974" section below for more information).

Nonetheless, as a general rule (as stated in [Resolution 2002/376](#)), advisory committee and Municipal Advisory Council members must identify and disclose any of their personal financial interests that could be affected if the Board of Supervisors were to approve the committee's advisory recommendations. Committee members should also elect not to participate (i.e. recuse themselves) if they hold personal financial interests which would be affected by any formal recommendation made by the committee.

State Ethics Requirements

Conflict of Interest Codes

Government officials in California who participate in making decisions (as defined under the law and in related regulations) are required to comply with conflict of interest and financial disclosure requirements that were enacted through the California Political Reform Act of 1974 ([Cal. Gov. Code §§ 87300 - 87314](#)).

Among the requirements of the California Political Reform Act are the following:

- Government officials and employees who have - or may have - a financial interest in an issue may not participate in decisions in which their financial interest could be affected.
- Government officials and employees who make or participate in making decisions, as defined under the law, must file annual financial disclosure statements (called a Form 700) that are

related to the positions in which they serve. The disclosure documents are public records. Information about filing requirements should be addressed to the committee staff.

- The officials or employees who must file financial disclosure statements based on their position and the types of financial interests that each official is required to disclose, are outlined in each agency's "Conflict of Interest Code."
- Every agency having a Conflict of Interest Code must prepare and file a "Biennial Notice" at least once every two years to make any needed changes and bring the Conflict of Interest Code up to date. Any changes must be approved by the Board of Supervisors.

Additional guidance prepared by the County Counsel's Office for managing Conflict of Interest Codes is available in [Appendix 12](#). All committee liaisons should become familiar with the administrative requirements for Conflict of Interest Codes.

Appointee Responsibilities

Board of Supervisor's appointees to boards, commissions, committees, and councils are required to become familiar with the requirements of the California Political Reform Act by completing the Fair Political Practices Commission training, "Ethics for Local Officials".

To ensure compliance with California's Political Reform Act of 1974, each appointee to any board, commission, committee, or council in Contra Costa County should determine in consultation with committee staff whether the committee has a Conflict of Interest Code and whether the committee member is required to file a financial disclosure statement (Form 700).

Staff Responsibilities

One of the most important functions of committee staff is to review the committee's Conflict of Interest Code, if applicable, at least once every two years. This "Biennial Review" is conducted either to identify changes that are needed for the Conflict of Interest Code, or to certify that no changes are necessary. Any proposed changes to the Conflict of Interest Code must be approved by the Board of Supervisors in order to take effect. Committee staff should ensure they are listed as a filing liaison with the Clerk of the Board's Office. The Clerk of the Board's Office will notify all filing liaisons of each Biennial Review deadline (usually October 1 of every even-numbered year).

All staff liaisons to committees that have Conflict of Interest Codes must understand the components of the codes and how to prepare the required Biennial Notice. The administrative requirements for managing the Conflict of Interest Code are summarized in [Appendix 12](#) based on information provided by the County Counsel's Office.

V. CONDUCTING PUBLIC MEETINGS

There are many different policies and laws governing how to conduct public meetings. If you have questions concerning the legal requirements for conducting public meetings that are not addressed either in the Advisory Body Handbook (including County Counsel memoranda in the Appendices) or County training video, you should contact your committee's County staff or District Office liaison.

Meeting Requirements Under The Brown Act and Better Government Ordinance

Meetings of boards, committees, commissions, and councils established by the Board of Supervisors are public meetings. There are many legal requirements that must be met before an advisory body can convene a meeting or conduct public business. All public business must be conducted only during open,

public meetings as defined in the California [Government Code § 54950 et. seq.](#) (the "Brown Act") and the County's [Better Government Ordinance](#) (BGO).

Complete information about requirements of the Brown Act and BGO appears in County Counsel guidelines issued March 29, 2012 (see [Appendix 13](#)), and in the training video, "[The Brown Act and the Better Government Ordinance](#)." These resources should be consulted as often as needed to ensure that all applicable legal requirements are met.

Open Meeting Requirements

The term "meeting" includes any congregation of a majority of the members of a legislative body at the same time and place to hear, discuss, or deliberate upon any matter which is under the subject matter jurisdiction of the agency. Under this definition, gatherings of a legislative body in which issues under the subject matter jurisdiction of the body are discussed, decided, or voted upon are meetings subject to the Brown Act.

In 2003 the California Attorney General wrote (in published guidelines) that, " . . . [t]he body need not take any action in order for a gathering to be defined as a meeting. A gathering is a meeting if a majority of the members of the body merely receive information or discuss their views on an issue. A meeting also covers a body's deliberations, including the consideration, analysis or debate of any issue, and any vote which may ultimately be taken."

Prohibition on Serial Meetings

The Brown Act also prohibits "serial meetings." This prohibition must be carefully observed. In 2003 the California Attorney General described serial meetings as follows:

"The Act specifically prohibits any use of direct communication, personal intermediaries, or technological devices that is employed by a majority of the members of a legislative body to develop a collective concurrence as to action to be taken. Most often, this type of meeting is conducted through a series of communications by individual members or less than a quorum groups, ultimately involving a majority of the body's members. These meetings are called serial meetings."

Serial meetings can happen accidentally -- for instance, if a committee member first discusses committee business outside a public meeting with a person (who may or may not be a committee member), who then repeats the information during a later discussion with other committee members, "ultimately involving a majority."

In order to involve the public fully in the committee's deliberations and decisions, the committee members should avoid outside discussion among one another, or with third persons who could become "personal intermediaries," concerning items of committee business. Committee members should also avoid discussing subject matter, outside a public meeting, that may come before the committee as official business in the future.

Quorum Requirement

A quorum must be present before the committee can consider or take any official action. A quorum is defined as the minimum number of members of the advisory body who must be present before a meeting can be held. A quorum is usually calculated as "a majority of all seats on the committee, whether vacant or filled." Any advisory body that uses any other definition of a quorum should obtain approval from the Clerk of the Board of Supervisor's Office.

The definition of the number of members in a quorum, as well as the total number of seats on the body, is usually specified in the committee's bylaws. A quorum is not defined as a majority of "filled" seats.

If the minimum number of members needed to establish a quorum is not present, the meeting cannot be held for lack of a quorum. Similarly, if members in attendance leave a meeting, resulting in the loss of a quorum, then the meeting must be adjourned. In these instances, official notice of cancellation or adjournment of the meeting must be posted to inform the public of the outcome. See details below under "Cancelling a Meeting."

Agenda Preparation and Distribution

Agenda requirements must be strictly observed in order to conduct a public meeting under California law.

Checklist of Agenda Posting Requirements

The following minimum requirements must be observed when an agenda is issued:

- Agendas must be published at least 96 hours before the meeting. The 96-hour requirement under the County Better Government Ordinance is longer than the 72-hour period required under the Brown Act.
- A physical copy must be posted in a location "freely accessible to the public" for 96 hours.
- An electronic copy must be posted on the County website for at least 96 hours. If agendas are not posted in accordance with all the criteria above, no meeting can be held.

[Appendix 14](#) provides more information about physical and online agenda posting requirements.

Posting Electronic Agendas and Minutes on County Website

Committee staff should contact the Clerk of the Board for details and guidance on how to gain access to the AgendaCenter on the county website for posting meeting agendas and minutes. Advisory bodies are required to post agendas to the AgendaCenter, regardless of whether they are also posted on another website. [Appendix 15](#) contains instructions for posting to the AgendaCenter.

Each agenda must:

- List the full name of the advisory body, and the specific time, date, and location of the meeting.
- Provide an opportunity for public comment before an action is taken on each item.
- Describe each item of business to be considered in specific terms. Agenda items cannot be considered if the description on the agenda is not sufficient to identify the subject.
- Contain information about accessibility for the disabled.
- Provide contact information for obtaining all public documents, including staff reports or other briefings, prepared for the meeting.

No changes to the agenda or published supporting documents can be made after the final agenda is published.

Under the Better Government Ordinance staff is required to send an agenda packet to each advisory body member and individuals on the distribution list at least 96 hours in advance of the meeting (i.e. when the agenda is published). This is an important step that enables each member to review materials in order to prepare for the meeting.

No discussion of agenda items can occur among committee members before the meeting. It is a violation of the Brown Act for members to "deliberate" or otherwise communicate about business items, except in a public meeting that satisfies the Brown Act requirements.

Cancelling a Meeting

Notice of cancellation must be issued for any meeting that is cancelled after the agenda has been published, including meetings that convene but do not achieve a quorum.

Checklist for Notices of Adjournment/Cancellation:

- a) Indicate that the meeting scheduled for (date) has been cancelled.
- b) Provide the date, time, and location of the next meeting (if known). Also include contact information so that the public can contact you to obtain more information if needed.
- c) Within 24 hours of adjournment, post the notice at the meeting location.
- d) Distribute the notice to all of the advisory body members, and to all other parties or groups on the agenda subscription list.
- e) Post the Notice of Adjournment/Cancellation on the advisory body's website (if applicable) and on the County's website/AgendaCenter.

Closed Meetings

Certain independent policy-making boards and commissions may hold closed meetings under very limited circumstances and must follow specific procedures. Advisory boards, committees, commissions, and councils that have been established by the Board of Supervisors are not authorized to hold closed meetings.

Special Meetings

Special meetings require 24-hour public notice, and 24-hour notice to members and all public contacts. The agenda must include a general description of matters to be considered or discussed. Advisory bodies to the Board of Supervisors are strongly discouraged from holding special meetings.

Teleconference Meetings

The Brown Act contains strict requirements for teleconference meetings, summarized in [Appendix 16](#). Please note that these guidelines do not account for changes in law as a result of the COVID-19 pandemic. Please contact your County Counsel liaison or the Clerk of the Board's Office for questions on teleconferencing.

Documentation of Committee Actions (Minutes or Record of Action)

Minutes of the previous meeting should be formally reviewed at each of the committee's meetings, revised if substantially incorrect, and approved by a vote of the committee as the official record of its activities. Final minutes of every meeting must be produced and published by every committee in "hard copy" and electronic formats.

A complete physical (printed, paper) copy of the minutes must be retained permanently in the committee's permanent records archive. Electronic copies of the committee's minutes must be posted (like agendas) to the AgendaCenter of the County website.

Format of Meeting Minutes

It is most important that the minutes accurately record the committee's official decisions and actions. Minutes should include a brief description of any motion considered (whether or not it is approved) and must record the vote taken on the motion. Votes must be recorded in the minutes using the format required in California law. Minutes must be prepared using the legally required format—which includes rollcall votes—described in [Appendix 17](#) and [Appendix 18](#).

Attendance, absence, or late arrivals of committee members should be recorded in the minutes. The minutes may include the major points made during the discussion, although not all discussion is recorded. Public visitors are not required to sign in and their presence or absence at the meeting should not be included in the minutes.

Following the meeting, the vote should be made public by posting the adopted minutes or record of actions for each meeting in the same physical location where meeting agendas are posted, and by posting an electronic copy of the minutes on the County's website/AgendaCenter.

IV. EFFECTIVE ADMINISTRATION OF COUNTY ADVISORY BODIES

Responsibilities of Advisory Body Members

Understanding and Contributing to the Committee's Purpose, Priorities, and Goals

Committee members should strive to fulfill the committee's purpose, priorities, and goals. The committee's mandate is reflected in the establishing legislation and in committee bylaws.

Reviewing Agendas and Supporting Documents

Committee members should review all materials, including agendas and supporting documents, in advance of meetings. Be prepared to ask questions as needed and to discuss the items on the agenda as part of committee deliberations. Your active participation is important.

Conduct at Meetings

Committee members should be aware of, and adhere to, appropriate meeting behavior. Members of the County's boards, commissions, committees, and councils should strive at all times to work constructively with other committee members, to respect and consider alternative points of view, and to engage actively in committee business. The following specific guidelines should be observed:

- Be attentive, respectful, and courteous to members of the public and fellow committee members.
- Avoid interrupting persons who are speaking.
- Avoid any personal remarks; focus on the subject matter.

Your professionalism will help the committee gain respect and influence.

Absence from Meetings

Regular attendance at meetings is vital to the overall effectiveness of the committee. Always notify the staff and chairperson of any expected absences.

The most important reason that regular attendance is needed is the requirement for every committee to establish a quorum at each meeting in order to conduct its business. In the absence of a quorum (the minimum number of members), the meeting must be cancelled. If the quorum is not present at the

meeting roll call, the meeting must be cancelled. If one or more members leave during the meeting and a quorum is not present after they leave, the meeting must be adjourned.

Nevertheless, there will be occasions when it is not possible for a member to attend a meeting, or when a member must leave during a meeting. In this situation, the committee member should contact the committee chair or staff person as soon as the absence can be anticipated to advise the committee of the expected absence.

Updating Contact Information

Any change of contact information of a committee member must be sent to the County staff liaison for the committee to ensure continued effective communication.

Responsibilities of County Staff Liaisons

The exact role of a committee's County staff liaison should be agreed upon between the staff liaison, any other departmental representatives with authority over the committee, and the committee itself. The staff liaison role may be revised as circumstances require.

The role of a committee staff liaison usually will include the following activities, but can be adjusted based on the specific needs of each committee:

- Prepare meeting notices, agendas, and supporting documents for timely distribution.
- Post all committee agenda packets and minutes at a physical location (usually where the meeting is held) that is accessible to the public for 96 hours continuously prior to the meeting.
- Post all committee agenda packets and minutes on the County's website/AgendaCenter as soon as they are published; this must occur in addition to any links to other webpages where committee information appears.
- Distribute copies of agenda materials to all members of the committee at the same time the materials are published, as required by the County's Better Government Ordinance.
- Prepare minutes that accurately reflect actions and decisions taken at meetings.
- Manage procedures for appointments, resignations, and vacancies in collaboration with County Administrator and District Office staff and ensure compliance with policies and statutes.
- Assist the committee in conducting ongoing recruitment and outreach to maximize public opportunities to apply for membership as vacancies occur.
- Revise committee bylaws as necessary.
- Administer the committee's Conflict of Interest Code and manage Biennial Notices, if required.
- Maintain committee attendance records.
- Maintain the committee's archive of public records, including permanent copies of agendas and minutes, training certifications, oaths of office, and Form 700s, as required.
- Coordinate administration of oaths of office, if required.
- Collaborate with the County Administrator's Office and Office of the Clerk of the Board to prepare and submit status reports about committee activities to the Board of Supervisors for action or review. These include Annual Reports, the Triennial Sunset Review, and other reports as needed.

Managing Committee Agendas & Minutes

It is important for each committee to assign responsibility either to the staff or to a committee Secretary

(or other member) to prepare and distribute agendas with supporting documents and to create and distribute minutes of meetings in accordance with the provisions of the Brown Act and the County Better Government Ordinance.

A committee, board, commission, or council that does not have dedicated County staff support must nonetheless prepare and distribute its meeting notices, agendas, and minutes as required by the Brown Act and the County Better Government Ordinance.

a) *Electronic Agendas and Minutes on County Website*

An electronic copy of every meeting agenda, as well as minutes, must be published by committee staff on the County's website. In order to gain access to the Meeting Agenda Center on the County website, committee staff liaisons should contact the Clerk of the Board's Office. The County website includes a section called the "Public Meetings Agenda Center", often called the "AgendaCenter", for this purpose. Committees may post agendas and minutes on other web pages if they choose, but the documents must also be posted electronically in the County's official AgendaCenter, as required by Resolution No. [2020/1](#) and [2020/2](#). Committee support staff may contact Media Relations/CCTV or the Clerk of the Board's Office for instructions on how to post agendas and official minutes, once approved, to the County website.

b) *Identify and Publish Location of Physical Records*

The physical location or contact information where members of the public may request copies of the committee's public records should be included on the committee's agendas, and in the Annual Report.

Records Retention Policies

Permanent Records Archive

Every committee is expected to develop a permanent physical archive for its public records (in particular, "hard copies" of agendas, minutes, and any correspondence addressed to the committee) and to make the public records available upon request, as required by the California Government Code and the County's Better Government Ordinance.

30-Day Communications File Under Better Government Ordinance

Under the County's Better Government Ordinance, all advisory bodies are required to maintain a correspondence file of all communications received over the previous thirty (30) days and to make this file easily available for inspection. California law further requires that all communications addressed to the committee must be retained in the committee's archive for two (2) years.

Records Retention Schedule for Advisory Committees

[Resolution No. 2014/444](#) (see [Appendix 19](#)) requires advisory bodies to maintain their official documents and other records for specified periods of time to comply with legal requirements.

The resolution includes a schedule which indicates the time period that each type of document must be retained by the committee. Once the retention period has expired for each document, it may be destroyed. Some types of documents are permanent, including agendas and minutes, and may not be destroyed.

Public Records Requests

Most advisory bodies will have few records other than agendas and minutes. [Appendix 20](#) provides recommended documents for committee files.

Public records requests should be addressed immediately. Under the Contra Costa County Better Government Ordinance, the County's advisory bodies must respond in writing to any public records request within one (1) business day. This is a much shorter time period for response than the 10-day period that is allowed under the California Public Records Act.

If an advisory body requires further assistance with a request for information under the Public Records Act, the committee's County staff (or District Office liaison) should contact the County Administrator's Office or County Counsel's Office immediately for additional information or assistance. If you have questions about records administration requirements for your committee, please contact your committee's County staff liaison or the Clerk of the Board.

Managing the Advisory Body's Roster

In order to distribute agendas and meeting materials to the correct parties in a timely manner, advisory body staff must maintain accurate rosters and distribution lists. Additionally, rosters are essential for proper committee administration. Rosters can provide information on when to recruit for various seats, on member attendance, and to ensure that member training requirements are met. [Appendix 21](#) provides more information on what to include on rosters and distribution lists.

Types of Seats

The Board makes appointments to two types of committee seats: "District Seats" (nominated by the District Supervisor generally based on District residence) and "At-Large Seats" (usually open to all County residents). Some committee seats have more specific technical or educational requirements based on the needs of the committee. Committee seats are listed in the enabling legislation and in the committee's bylaws as approved by the Board of Supervisors. No changes in seat characteristics may be made except by the Board of Supervisors.

V. APPOINTMENT PROCEDURES

Recruitment

Recruitment should be as widespread and broad based as possible, using all avenues available. Copies of any recruitment announcement issued by the committee should be sent to the Clerk of the Board of Supervisors for posting in the County building (see [Appendix 22](#) for a sample recruitment press release). Suitable recruitment posting locations include public libraries, the County webpage, and public interest announcements in local newspapers or other media. Social media should only be used to recruit applicants provided that an announcement also appears on the County website. [Appendix 23](#) provides information on creating a recruitment calendar and recommended recruitment activities.

Applications

Applications for all seats should be filed initially with the Clerk of the Board's Office, which will distribute applications to the appropriate contact person for the committee. Applications may also be made directly to the committee staff if a copy is provided to the Clerk of the Board immediately. All applications must specify the committee (and if possible, the specific seat) the applicant wishes to be considered for.

Submitting Applications

Applications for advisory boards & commissions may be submitted by either one of two methods:

1. **PDF application** (available [here](#) and in [Appendix 24](#)): Can be submitted by email, mail, or by hand-delivery to the Clerk of the Board of Supervisors.
2. **Online application** (available through Granicus at this link): <https://contra-costa.granicus.com/boards/forms/321/apply/>

If an applicant experiences any issues applying through either method, they should contact the Clerk of the Board of Supervisors at (925) 655-2000 or ClerkOfTheBoard@cob.cccounty.us.

Processing Applications

The Clerk of the Board monitors and processes applications for service daily. Applications are forwarded to the appropriate county staff or nominating authority for review, generally within one to two business days of receipt. When an applicant applies through Granicus, they will receive an automatically generated confirmation email. When an applicant applies using the PDF or emailed application, they will receive a phone call or email from the Clerk of the Board's Office confirming their submission. Additional steps, including arranging interviews and contacting applicants regarding the status of their application after receipt, are the responsibility of the nominating authority or committee staff.

Review of Applications

Applications for seats are initially reviewed either by a standing committee of the Board of Supervisors, by a Supervisor's District Office (for District seats only), or, in some cases, by a subcommittee of the advisory body itself, followed by a formal recommendation of applicant(s) to a standing committee or to the full Board of Supervisors.

Staff to each individual committee, board, commission, or council should be familiar with the specific appointment processing procedure that applies to the seats on that committee, including any requirements for applications to be reviewed by a standing committee prior to consideration by the full Board.

Managing Appointments

Committee staff liaisons must coordinate with the County Administrator's Office to arrange for Board Orders (i.e., recommending appointments) to go before the standing committee (when required) and Board of Supervisors for approval, including submitting complete application materials for review. Sample formats for appointment Board Order documents appear in [Appendix 25](#).

Appointment procedures were adopted by the Board of Supervisors in two separate Resolutions, [Resolution 2020/1](#) (advisory bodies—[Appendix 26](#)) and [Resolution 2020/2](#) (independent bodies—[Appendix 27](#)). They should be consulted for specific guidance concerning the County's appointment procedures. Committee staff should coordinate with the County Administrator's Office and Office of the Clerk of the Board to coordinate the appointment process pursuant to the guidelines that appear in the appropriate Board resolution.

County policy requires that, unless otherwise provided in the law, appointees must reside or work in Contra Costa County.

Advisory Boards or Committees

[Resolution 2020/1](#) governs procedures for appointments to advisory committees, boards, and commissions created by the Board of Supervisors.

Independent Boards or Committees

[Resolution 2020/2](#) describes procedures for appointments to independent boards, committees, commissions, and special districts, including appointments that are first reviewed by a Board Standing Committee(s).

For any questions concerning the resolutions or the procedures to follow to submit applications to the Board of Supervisors for consideration, contact the Clerk of the Board.

Managing Resignations & Vacancies

Some committee members may find it necessary to resign before their term expires. Committee members who wish to resign should notify committee staff as soon as possible. A resignation results in an “unscheduled vacancy” which must be reported to the Board of Supervisors. See the “Unscheduled Vacancies” section below for information on procedures to follow in this case.

There are two types of vacancies. The difference depends on whether the seat term has expired when the vacancy occurs.

Scheduled Vacancies

A scheduled vacancy occurs automatically when the seat term expires. By December 31 of every year, the Clerk of the Board posts a list on the County website showing the scheduled vacancies (including the scheduled seat expiration dates) that will occur during the following calendar year. In addition, the Clerk of the Board updates all the official rosters maintained on the County website weekly to reflect vacancies resulting from expired terms as they occur. Scheduled vacancies do not require a Board Order and will be automatically updated by the Clerk of the Board.

Unscheduled Vacancies

An unscheduled vacancy occurs when a committee member leaves the committee for any reason before the end of the appointed term of office. Unscheduled vacancies must be recognized officially by the Board of Supervisors through a Board Order. State law, [Cal. Gov. Code §54974 \(a\)](#), requires that an official notice of the vacancy must be posted by the Clerk of the Board within twenty (20) days of when the vacancy occurs. The vacancy notice must be posted for at least ten (10) business days before a new appointment can be approved. Committee staff should notify the Clerk of the Board’s Office **as soon as an unscheduled vacancy occurs** to ensure the notice is posted within the statutory time frames.

Committee staff should submit a draft Board Order for unscheduled vacancies to the County Administrator's Office, or other applicable department, to add the required vacancy announcement to the Board of Supervisor's agenda. Unscheduled vacancies cannot be filled until the required 10-day posting is complete following approval of the agenda item. The subsequent appointment to fill the vacated seat requires a separate Board Order. A sample format for Board Orders to announce an unscheduled vacancy is found in [Appendix 25](#).

VII. APPENDICES

Appendices, including source documents and templates, begin on the following page. See the Table of Contents for a full list of appendices.

[Appendix 1: List of Advisory Bodies Per Resolution 2020/1](#)

RESOLUTION NO. 2020/1 EXHIBIT A

List of Applicable Advisory Bodies

Advisory Council on Aging
Agricultural Advisory Task Force
Alamo Municipal Advisory Council
Alcohol and Other Drugs Advisory Board
Arts & Culture Commission of Contra Costa County
Aviation Advisory Committee
Bay Point Municipal Advisory Council
Bethel Island Municipal Advisory Council
Byron Municipal Advisory Council
Commission for Women
Contra Costa County Fire Protection District Fire Advisory Commission*
Contra Costa County Planning Commission*
Council on Homelessness
County Service Area P-2A (Blackhawk Police Services) Citizens Advisory Committee
County Service Area P-2B Citizens Advisory Committee (Alamo Police Services Advisory Committee)
County Service Area P-5 (Roundhill) Citizens Advisory Committee
County Service Area P-6 (Discovery Bay Zones) Citizen Advisory Committee
County Service Area R-10 (Rodeo) Citizens Advisory Committee
Countywide Bicycle Advisory Committee
Crockett-Carquinez Fire Protection District Advisory Fire Commission
Diablo Municipal Advisory Council
East Richmond Heights Municipal Advisory Council
Economic Opportunity Council
El Sobrante Municipal Advisory Council
Emergency Medical Care Committee
Equal Employment Opportunity Advisory Council
Family & Children's Trust Committee
Fish & Wildlife Committee
Hazardous Materials Commission
Historical Landmarks Advisory Committee
Integrated Pest Management Advisory Committee
Iron Horse Corridor Management Program Advisory Committee
Juvenile Justice Coordinating Council
Keller Canyon Mitigation Fund Review Committee
Kensington Municipal Advisory Council
Knightsen Town Advisory Council
Library Commission
Local Planning and Advisory Council for Early Care and Education (LPC)
Managed Care Commission

Mental Health Commission
North Richmond Municipal Advisory Council
Pacheco Municipal Advisory Council
Public Law Library Board of Trustees
Racial Justice Oversight Body
Rodeo Municipal Advisory Council
Sustainability Commission
Treasury Oversight Committee*

Last Updated: January 7, 2020

*Interviews for the Contra Costa County Fire Protection District Fire Advisory Commission, Planning Commission and Treasury Oversight Committee will always be conducted by a Board Committee.

[Appendix 2: List of Independent Bodies Per Resolution 2020/2](#)

RESOLUTION NO. 2020/2 EXHIBIT A

List of Applicable Independent or Quasi-Independent Bodies

A. Decision-Making Bodies

Airport Land Use Commission
Alamo-Lafayette Cemetery District Board of Directors
Assessment Appeals Board
Byron-Brentwood-Knightsen Union Cemetery District Board of Trustees
Contra Costa County Employees' Retirement Association (CCCERA)*
East Contra Costa Fire Protection District Board of Directors
First 5 Contra Costa Children and Families Commission
Housing Authority Board of Commissioners
Merit Board
Mosquito & Vector Control District Board of Trustees (Contra Costa County)
Resource Conservation District Board of Directors (Contra Costa County)
Tri-Delta Transit Authority Board of Directors
Western Contra Costa Transit Authority Board of Directors
Workforce Development Board (Contra Costa County)

B. Advisory to independent bodies

Affordable Housing Finance Committee
Contra Costa Transportation Authority (CCTA) Citizen Advisory Committee
County Connection Citizens Advisory Committee
Countywide Redevelopment Successor Agency Oversight Board*
East Bay Regional Park District Park Advisory Committee
In-Home Supportive Service Public Authority Advisory Committee
Contra Costa Solid Waste Local Enforcement Agency (LEA) Independent Hearing Panel
North Richmond Waste and Recovery Mitigation Fee Committee
Regional Measure 3 (RM3) Independent Oversight Committee*

Last Updated: January 7, 2020

*Interviews for the following will always be conducted by a Board Committee:

- Contra Costa County Employees' Retirement Association (CCCERA),
- Countywide Redevelopment Successor Agency Oversight Board, and
- Regional Measure 3 Independent Oversight Committee.



MUNICIPAL ADVISORY COUNCIL POLICIES

Originally adopted by the

Contra Costa County Board of Supervisors on December 16, 2008

Upon the recommendation of the Ad Hoc MAC Committee

amended by the Board on January 14, 2014 and April 19, 2016

Upon the recommendation of the County Administrator

amended by the Board on July 12, 2016

Upon the recommendation of Supervisor Glover

and amended January 7, 2020

Upon the recommendation of the Internal Operations Committee

Table of Contents

<i>Introduction</i>	3
MAC Member Appointments	3
MAC Member Termination	4
MAC Alternate Positions	5
MAC Membership Size	5
MAC Committees	6
MAC Meeting Location, Frequency, and Length	6
MAC Training Requirements	7
Administrative Staff Support of MACs	8
MAC Funding	8
MAC Operating Procedures--Creating Agendas, Posting Agendas, Records of Action, and File Storage	9
MAC External Communications and Representations	10
MAC Annual Reports, Including Work Plans	11
MAC Boundaries	11
Community Service District Board Members as MAC Members	12

Introduction

In recognition of the need by unincorporated communities for increased influence with their county boards of supervisors, municipal advisory councils have been organized in some counties under authorization of a 1971 legislative statute. Such a council is an advisory body of local citizens appointed by the board of supervisors with the purpose of representing the community to the board. Although a municipal advisory council is a Board of Supervisors-established advisory body, it has no fiscal authority or administrative organization. Because it lacks authority to implement its position directly, it seeks to accomplish its goals through county government. These councils face two ways: toward the county, offering the views of the community; and toward the community, supplying information about county proposals and a place where individuals can air opinions on community problems and perhaps receive assistance and guidance. The councils hold public meetings, survey community opinion and speak for the community to the board of supervisors. The most common subject of activity is land-use planning.

The following policy was adopted for the purpose of improving consistency among the County's Municipal Advisory Councils (MACs). Previously, there had been little consistency in the membership composition, method of member selection, staff support, activities conducted, methods of community outreach, and fiscal resources among the MACs. While some of these variances may have appropriately reflected the inherent differences in the communities served, a policy framework for the operating rules and procedures of the MACs ensure that the MACs are effectively serving their advisory purpose and, in that regard, are accurately representing the concerns and recommendations of the community.

1. MAC Member Appointments

Resolution No. 2020/1 ("Appointments to, Formation of, and Requirements for Board Advisory Bodies") states: "Except for county officers and employees serving in an official capacity, all advisory body members shall have specific terms of appointment as prescribed by statute or as fixed by the Board. Unless otherwise specified, appointees shall serve four-year terms, and terms should be staggered to limit the number of scheduled vacancies at any one time."

MAC members are appointed by the Board of Supervisors, upon nomination by the District Supervisor. Often, after the expiration of a member term, the member continues to serve in the seat until re-appointment or dismissal. Although the continuation of service may seem efficient from the perspective of having a seat filled, it can create the impression that re-appointment is an automatic process.

- a. There should be no automatic re-appointment of MAC members.

- b. At the expiration of the term, the MAC member appointment should be terminated, and the MAC member should not hold over.
- c. The District Supervisor may choose whether to re-nominate an incumbent member or nominate a new member. Any re-nomination or nomination must be approved by the Board of Supervisors.
- d. Effective January 2009, MAC member terms shall be coterminous to the term of office of the District Supervisor nominating the member. Appointments should be made within 60 days of the beginning of the District Supervisor's term.
- e. In the case of newly-elected Supervisors, MAC members can carry over their positions for a period not to exceed 90 days, to allow time for a Supervisor to recruit and make position selections and nominations to the Board of Supervisors.

2. MAC Member Termination

Each appointed member of the MAC serves at the pleasure of the Board of Supervisors and may be removed, at will, by a majority vote of the Board. The rescission of an appointment by the Board is rare. However, policies should be in place in the event that a MAC member acts inappropriately toward other MAC members, staff, or the public; acts outside the authority of the MAC; or has persistent problems with attendance.

- a. MAC members may be removed from their appointments at will upon recommendation by the District Supervisor to the Board of Supervisors.
- b. MAC members should express concerns about any inappropriate behavior by a member to the District Supervisor.
- c. If an issue arises, a District Supervisor may meet with or send a letter to the MAC member and the MAC Chair, advising the member of the concern and indicating that a failure to correct the inappropriate behavior may lead to removal.
- d. The MAC member should receive written notice of a recommendation for removal, of the date and time of the meeting at which the Board will consider the matter, and of the opportunity for public comment to the Board before action on the matter.
- e. If a MAC member or alternate has been absent from two consecutive meetings, the secretary or administrative support staff should advise the member or alternate that absence from three consecutive regular meetings of the MAC may result in a recommendation of termination to the Board of Supervisors.
- f. Where it appears that there will be sufficient members to hold a meeting but at the actual time of the meeting a quorum cannot be reached and the meeting is

canceled, those members or alternates who are absent will have an absence counted against them.

3. MAC Alternate Positions

Alternates can serve a useful purpose by assisting with the achievement of a quorum. However, a policy of automatic appointment of the alternate in the event of a vacancy may discourage other interested individuals from applying for appointment. Moreover, appointments should not be made automatically, in respect of District Supervisor responsibility for member nominations.

- a. Alternate positions do not automatically assume a member position when a vacancy arises. Alternates, however, may be nominated to fill a member vacancy to the Board of Supervisors by the District Supervisor.
- b. The District Supervisor may recommend to the Board establishment of up to two alternate positions for a 5 member MAC and one alternate position for a 7 member MAC.

4. MAC Youth Representative

The District Supervisor may recommend to the Board establishment of one non-voting youth representative position on any MAC. This non-voting position shall not affect quorum requirements.

5. MAC Membership Size

MACs are currently comprised of either 5 or 7 voting members with one, two, or no alternates, and are sized to correlate with the size of the community they represent, and to provide greater consistency among the MACs and equalize administrative support requirements. MACs that represent unincorporated communities whose population is less than 4,000 should have a membership of no more than 5 voting members.

MAC	District	Current Size
Alamo	II	7
Bay Point	V	7
Bethel Island	III	5
Byron	III	5
Diablo	III	5
El Sobrante	I	7
Kensington	I	5&2alts

Knightsen	III	5
North Richmond	I	7
Pacheco	V	5 & 1 alt.*
Rodeo	V	5

5. MAC Committees

Some MACs have established committees (or subcommittees) to address particular subject areas considered by the MAC. However, contrary to requirements, the committees have not always operated in accordance with MAC operating procedures, the Brown Act, and the County's Better Government Ordinance. Unless these policies and procedures are followed, the MAC, the public and the Board of Supervisors may not be well served by the committees.

- a. MACs may establish a single-purpose committee (or subcommittee) when needed. The committee (or subcommittee) shall be composed solely of less than a quorum of the MAC and chaired by one of its members. Members of the public who are not MAC members may not serve on a committee or subcommittee.
- b. A specific charge or outline of responsibilities shall be established for the committee (or subcommittee) by the MAC in its Board-approved annual work plan. A target date shall be established through the annual Work Plan for report back to the MAC. The maximum life of the committee (or subcommittee) shall be one year, with annual review, and possible extension by the MAC through the annual Work Plan.
- c. The committee (or subcommittee) shall operate in accordance with MAC operating procedures, the Brown Act, and the County's Better Government Ordinance.
- d. Meeting agendas for committees (or subcommittees) shall be posted and records of action should be maintained and posted as well.

6. MAC Meeting Frequency, Location, Length, Operations

Current policy in the MAC establishing resolutions indicates that MACs "shall hold regular meetings *at least monthly* at an established time and place." (*Italics added.*) Many MACs meet twice a month, with additional committee meetings. The frequency and length of meetings increase the cost and requirements of administrative support for the MACs. However, MACs should meet as needed to ensure timely and effective input on land use matters.

- a. MACs shall establish a standard meeting schedule for the year as part of its Board of Supervisors-approved annual work plan, making changes in consultation with the District Supervisor's office.
- b. MAC meetings should be held at a time and place convenient and accessible to MAC members, the community, and administrative support staff.
- c. Generally, MAC meetings should not exceed three (3) hours in length.
- d. MACs shall fully comply with the Board of Supervisors' policy concerning conflict of interest and open meetings (Resolution No. 2002/376).
- e. The MACs shall agendaize and respond to items that are referred to them in a timely manner (i.e., within 30 days of referral) such that their review does not delay the County consideration of the matter.
- f. Time limits may be imposed in the course of the meeting by the Chair. In general, speakers should be prepared to make their points known within three minutes.
- g. The agenda should reflect and the MAC Chair should remind the public at the start of each meeting that the MAC is an advisory body to the Board of Supervisors.

7. MAC Training Requirements

The staffs of the County Administrator's Office (CAO), Auditor-Controller and County Counsel annually train advisory body and MAC members on operating procedures, fiscal procedures, the Brown Act, the County's Better Government Ordinance, and County government in general. Training provides MAC members with resources and knowledge to operate efficiently and effectively.

- a. MAC members must attend a training offered by the CAO staff at least once during the first two years of his/her term, preferably in the first year, and must view the video training "The Brown Act and Better Government Act—What You Need to Know" within 60 days of their appointment by the Board of Supervisors.
- b. MAC members are encouraged to attend the annual advisory body training and should receive an orientation on MAC member duties and responsibilities by District and/or CAO staff before their first meeting. CAO staff will develop and distribute a MAC Handbook to members, as well as a guide to the Brown Act.
- c. Within three months of appointment, each MAC member shall complete the prescribed training on compliance with conflict of interest and open meeting laws and shall certify that he or she has completed such training. Training certificates should be maintained by the District administrative support staff.

- d. MAC chairs and/or treasurers must receive fiscal training offered by the Auditor-Controller's Office and CAO staff before assuming their position.

8. Administrative Staff Support of MACs

Administrative support resources have varied widely among MACs. Some MACs have handled their own administrative matters; others have been supported by District staff or a contractor. To ensure effectiveness, all MACs need some level of administrative support services provided by either District staff or through an independent contractor.

- a. Each District Supervisor should determine if their MACs will receive administrative support services from District staff or an independent contractor retained by the District.
- b. In all cases, District staff should be responsible for fiscal oversight of the MACs.
- c. Administrative support services to the MACs could include some or all of the following:
 - i. MAC agenda preparation, posting, and distribution.
 - ii. Attendance at MAC meetings and arranging for County staff attendance, as needed.
 - iii. Preparing responses to inquiries made during public comment.
 - iv. Preparing responses of requests from MAC members.
 - v. Records of action posting and distribution.
 - vi. Filing and maintaining training certifications.
 - vii. Fiscal oversight of the MAC budget and establishment of Petty Cash fund.

9. MAC Funding

- a. Each District Office should be provided \$3,000 annually per MAC for support of MAC operations. Prior to FY 2014/15, funding was not available for this purpose; however, the Board allocated operations funding for FY 2014/15. Non-General Fund support for MAC operations should be identified during those periods when County General Fund support is unavailable.
- b. Funding will be restricted to the following uses: clerical support, telephone expenses, post office box expenses, postage, print and mailing services, and community meeting expenses. Funding may not be expended on other items not directly related to the functions and activities specified in the Board-approved annual work plan.

- c. MACs are encouraged to seek and apply for funding from other non-County sources to supplement their budget.

10. MAC Operating Procedures--Creating Agendas, Posting Agendas, Records of Action, and File Storage

Not every MAC has consistently operated in adherence with a set of operating rules, the Brown Act, the County's Better Government Ordinance, the Board of Supervisors' policy concerning conflict of interest and open meetings (Resolution No. 2002/376), and the Board's policy governing appointments to boards, committees, and commissions (Resolution 2020/1). Without adherence to policies and rules, public participation and the provision of public information is hampered. In addition, the District Supervisor and Board of Supervisors may not be well served by a lack of timely and accurate information.

- a. The agenda for a MAC meeting should be created by the MAC Chair in consultation with the administrative support staff. The County Administrator's Office will provide an agenda template. The Agenda should include a statement that the MAC is an advisory body to the Board of Supervisors.
- b. The agenda for a MAC meeting shall be posted in accordance with the Brown Act and the County's Better Government Ordinance.
- c. District staff is encouraged to post the agenda and record of actions on the District webpage and must post the agenda in the Public Meetings Agenda Center.
- d. Materials distributed for the meeting must be available for viewing at a specified location that is a public place, accessible during normal business hours, at least 96 hours before a scheduled meeting. In addition, a sufficient number of copies of meeting materials (a minimum of 10) should be available at the meeting for MAC members and the public.
- e. The MAC should keep a record of its actions in a form prescribed by the County's Better Government Ordinance: "Each County body must keep a record of its meeting. Though the record need not be verbatim, i.e., a tape-recording, it must accurately reflect the agenda and the decisions made in the meeting." (Ord. § 25-2.205).
- f. The Record of Actions should be approved by the MAC and submitted to the District Supervisor office no later than one month after their approval. The County Administrator's Office will provide a template for Records of Actions.

- g. Storage space for MAC files should be provided at District Supervisor offices where feasible. For transition purposes, District Supervisors should have access to at least two years of records. If there is insufficient space in the District offices, the County Administrator's Office can assist with the provision of storage space at a centralized location.
- h. MACs will not maintain Conflict of Interest Codes; however, as Board of Supervisors appointees, MAC members are required to follow Resolution No. 2002/376, the Policy for Board Appointees on Conflict of Interest and Open Meetings, which states, "*All Board Appointees should so conduct the public business as to avoid even any appearance of conflict of interest.*"

11. MAC External Communications and Representations

MACs advise the Board of Supervisors on land use and planning matters affecting their communities of interest and may represent their communities before the Board of Supervisors, the Planning Commission and the Zoning Administrator on such issues as land use, planning, and zoning. MACs may also represent the community before the Local Agency Formation Commission on proposed boundary changes affecting the community.

MACs may advise the Board of Supervisors on services which are or may be provided to the community by Contra Costa County or other local government agencies. Such services include, but are not limited to, public health, safety, welfare, public works, and planning. MACs may also provide input and reports to the Board, County staff or any County hearing body on issues of concern to the community.

However, it is understood that the Board of Supervisors is the final decision making authority with respect to issues concerning the community and that the Council shall serve solely in an advisory capacity.

- a. Except as specified, the MAC and its individual members acting on behalf of the MAC, may not represent the community to any federal, state, other county, city, special district or school district, agency or commission, or any other organization on any matter concerning the community.
- b. Individual MAC members cannot represent the MAC's positions unless such representation has been expressly authorized by a vote of the MAC. When an individual member is authorized to represent the MAC's position to the Board of Supervisors, Planning Commission, Zoning Administrator, or LAFCo, that member should speak only to those topics which have been expressly authorized by the MAC and only with respect to the issues MACs are authorized to address.
- c. The MAC may not, as a body, take positions on candidates for any public office or take positions on any legislative matter.

- d. On any business cards, letterhead, or printed material from the MAC, the MAC should be identified as an advisory body to the Board of Supervisors, and the contact information for the District Supervisor should be included.

12. MAC Annual Reports, Including Work Plans

Work Plans had not been regularly submitted by the MACs; however, they are a good planning tool and help focus the MAC's time and attention. With respect to "Responsibilities of Advisory Bodies," Board Resolution 2011/497 states: "Each advisory body shall submit an Annual Report to the Board on its activities, accomplishments, membership attendance, required training/certification (if any), and proposed work plan or objectives for the following year, in December."

- a. In January 2014, the Board expanded the scope of the annual report to include a section on receipt and expenditure of funds, by line item/expenditure category.
- b. Each MAC should be reminded of its annual reporting responsibilities by administrative staff support.
- c. MAC annual reports, including work plans, should be reviewed by the District Supervisor who will recommend appropriate action by the Board of Supervisors.
- d. Each MAC should consult with District staff when developing its annual work plan.
- e. Failure to submit the required annual report and work plan may result in consideration of MAC dissolution.

13. MAC Boundaries

The current MAC boundaries do not necessarily reflect the "community of interest" for every MAC. A few MACs are surrounded by a combination of established boundaries (city or special district boundaries) or natural boundaries. However, others are partially surrounded by cities but may include industrial or agricultural land outside the Urban Limit Line. Others include lesser inhabited rural areas or government-owned areas (such as an airport, special district lands, transitional military bases, etc.).

In addition, there had previously been no apparent common or consistent rationale for the MAC boundaries. There are unique characteristics of each area; however, the boundaries should reflect the true "community of interest" for each MAC. Therefore, the following

criteria are established to redraw the MAC boundaries, as necessary, to achieve this objective.

The area for which the MACs will serve and discharge their duties and powers is the unincorporated area described on the attached maps which reflect the following criteria:

- a. Use of Borders: The unincorporated community of interest may be bounded by established borders such as county and city limit lines, special district boundaries (including, but not limited to, park and water districts), census tracts, geographic features such as highways or waterways, and/or the adopted Urban Limit Line. *Borders are followed to the extent practicable and to the extent that they reflect the generally recognized "community of interest."*
- b. Population Density and Community Affiliation: Population density and recognized population centers should be considered in determining boundaries (where established borders do not exist). The unincorporated community of interest should also include the neighborhoods or residential areas commonly or traditionally affiliated with the name of the community. *Uninhabited or sparsely populated rural or agricultural areas should generally be excluded unless there are known or anticipated matters of public health, safety, welfare, public works, and/or planning.*
- c. Areas of special interest: When an unincorporated community of interest is adjacent to industrial areas or facilities (e.g., refineries, power plants, gas fields), these areas should be included if there are known or anticipated matters of public health, safety, welfare, public works, and/or planning. When an unincorporated community of interest is adjacent to government-owned lands (e.g., airports, special district lands, transitional military bases, etc.), these areas should be included only if there are known or anticipated matters of public health, safety, welfare, public works, and/or planning.

14. Community Service District (CSD) Board Members as MAC Members

The MAC and the CSD are separate bodies and cannot be combined into a single public entity¹. However, the Board of Supervisors can create a MAC and specify that the members of the MAC shall be those persons serving as Directors of the CSD. (This was accomplished in April 2007 for the Diablo MAC.)

¹ At its March 12, 1997 meeting, the Contra Costa Local Agency Formation Commission (LAFCo) passed Resolution 96-19 that addressed termination of the Discovery Bay Municipal Advisory Council and stated that its advisory functions would be assumed by the Discovery Bay CSD Board of Directors. Subsequent to that action, the Board of Supervisors passed Resolution 97-295 terminating the Discovery Bay Municipal Advisory Council effective December 1, 1998 and acknowledging that DBCSD would assume the advisory functions previously performed by the MAC: "In order to create a smooth transition of 'in- progress' advisory functions to the newly created DBCSD, the Discovery Bay Municipal Advisory Council shall be terminated on December 1, 1998, and its advisory responsibilities shall be assumed by the DBCSD Board of Directors."

In April 2009, the Board amended its Better Government Ordinance (BGO) to exempt MACs whose membership composition is the same as the elected members of a CSD in order to eliminate any conflicts in open meeting and operating requirements between the County and a CSD. The exemption relates only to the BGO; MACs whose membership comprises a CSD board must still comply with the Brown Act and Public Records Act.

When the Board of Supervisors designates that a MAC shall have the same membership composition as a CSD Board, the CSD Board can then submit an application to the Local Agency Formation Commission (LAFCo) to activate its latent power to finance the operation of a MAC. After receiving LAFCo's approval, the Board of Directors may, by ordinance, order the exercise of that power. (Gov. Code §§ 61100 (ad); 61106). For such bodies:

- a. The "Membership" provision of the MAC's establishing resolution should be amended to specify that the Council would consist of five members who shall be the current elected members of the CSD, appointed by the Board of Supervisors, upon nomination by the District Supervisor.
- b. The "Term of Office" provision of the MAC's establishing resolution should be amended to specify that a MAC member's term shall be the same as his or her term of office on the CSD Board of Directors. Also, vacancies would not be filled through the Board of Supervisors appointment process. Rather, they would be filled based upon the result of CSD elections.
- c. The "Removal from Office" provision of the MAC's establishing resolution should be deleted, as it would not be consistent with representation by elected CSD Board members serving ex officio as members of the MAC.
- d. The "Quorum and Vote Necessary for Action" provision of the MAC's establishing resolution should be deleted, as it is more efficient for the MAC members to operate pursuant to the quorum and vote requirements of the CSD.
- e. The MAC's "Territorial Area," or boundaries, should be modified to be coterminous with that of the CSD unless there are compelling reasons for separate boundaries owing to the CSD's service requirements or the identification of the MAC's "community of interest."
- f. Notwithstanding the above amendments, the MAC should continue to operate as a County advisory body, subject to the County's operating procedures and policies for MACs and other advisory bodies, including the County's Better Government Ordinance.



ADVISORY BODY ANNUAL REPORT

Advisory Body Name: _____
Advisory Body Meeting Time/Location: _____
Chair (during the reporting period): _____
Staff Person (during the reporting period): _____
Reporting Period: _____

I. Activities

(estimated response length: 1/2 page)

Describe the activities for the past year including areas of study, work, special events, collaborations, etc.

II. Accomplishments

(estimated response length: 1/2 page)

Describe the accomplishments for the past year, particularly in reference to your work plan and objectives.

III. Attendance/Representation

(estimated response length: 1/4 page)

Describe your membership in terms of seat vacancies, diversity, level of participation, and frequency of achieving a quorum at meetings.

IV. Training/Certification

(estimated response length: 1/4 page)

Describe any training that was provided or conducted, and any certifications received, either as a requirement or done on an elective basis by members. NOTE: Please forward copies of any training certifications to the Clerk of the Board.

V. Proposed Work Plan/Objectives for Next Year

(estimated response length: 1/2 page)

Describe the advisory body's workplan, including specific objectives to be achieved in the upcoming year.

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA
and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 06/26/2012 by the following vote:

AYES: ☒ 5 **John Gioia**
Candace Andersen
Mary N. Piepho
Karen Mitchoff
Federal D. Glover

NOES: ☐

ABSENT: ☐

ABSTAIN: ☐

RECUSE: ☐

Resolution No. 2012/261



**ESTABLISHING A TRIENNIAL REVIEW PROCESS FOR THE EVALUATION OF CERTAIN COUNTY BOARDS,
COMMITTEES AND COMMISSIONS**

1. Sunset Reviews:

Sunset Review dates shall be applied to all bodies which are formed by the Board of Supervisors by federal or state mandate, County Ordinance, Joint Powers Agreement, Regulatory Code, Board Order, or Board Resolution.

2. Exceptions:

Those bodies, such as Task Forces, where a discontinuance date is included in the establishing authority, and this date is within four (4) calendar years of the establishment of such a body, shall not be subject to sunset review under this policy.

3. Schedule of Sunset Reviews:

Each fiscal year, the Clerk of the Board shall schedule one third of the active bodies for review. Bodies established at the discretion of the Board of Supervisors shall be prioritized for review.

4. Sunset Review Process:

a. The Clerk of the Board shall notify bodies scheduled for review by July 1 that they are subject to Sunset Review. Staff and body Chairs will both be notified.

b. The body shall, by December 1 of that same year, review establishing ordinance, policy, or resolution as scheduled; develop recommendations for continuance, deletion or revisions, and provide a written report (not to exceed 3 pages) to the Clerk of the Board of Supervisors.

c. This report shall include:

- i. An evaluation of the body's level of involvement in County programs relative to the duties and responsibilities defined in their establishing authority;
- ii. Actions accomplished or completed on issues assigned to the body by the Board of Supervisors, and/or status of goals set by the body;
- iii. The justification for continuance (if recommended), with appropriate goals and timetables for the term of continuance;
- iv. Citation of the appropriate government codes mandating the body and its activities (where applicable);
- v. A recommendation from the staff of the body (where applicable) regarding revisions and statement of body's effectiveness.
- vi. A recommendation from the Department Head regarding continuance or deletion of body.

d. The County Administrator's Office staff with oversight responsibility for the Department under which the body operates will provide a budget analysis of the County cost and the benefit to the County of the body.

e. The Clerk of the Board will package all body, Department, and CAO responses and provide copies to each member of the Board of Supervisors' Internal Operations Committee and the County Administrator.

f. The County Administrator will review body responses, receive input from appropriate departments and agencies, and schedule CAO recommended changes for IO Committee consideration. The IO Committee recommendations for the Board of Supervisors will be provided before or during the next scheduled budget deliberations.

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

Contact: Timothy Ewell, 925-335-1036

ATTESTED: June 26, 2012

David J. Tuck, County Administrator and Clerk of the Board of Supervisors

By: Jany McElhen, Deputy

cc:

Appendix 6: Limits on Legislative Advocacy and Rules for Mandated Bodies

TO: BOARD OF SUPERVISORS

FROM: LEGISLATION COMMITTEE
Supervisor Mary N. Piepho, Chair
Supervisor Susan A. Bonilla



**Contra
Costa
County**

DATE: October 14, 2008

SUBJECT: Legislative Advocacy by Mandated Advisory Bodies

ml

SPECIFIC REQUEST(S) OR RECOMMENDATION(S) & BACKGROUND AND JUSTIFICATION

RECOMMENDATION:

APPROVE an amendment to the Board-adopted policy on the role of advisory boards and commissions in legislation position development and advocacy to provide for legislative advocacy by mandated advisory bodies in adherence to a specified protocol, as recommended by the Legislation Committee of the Board of Supervisors.

FISCAL IMPACT:

No fiscal impacts associated with this action.

BACKGROUND:

At its February 25, 2008 meeting, the Legislation Committee considered and discussed the County's policies and procedures with regard to "Positions on Bills." These policies and procedures were then adopted by the Board of Supervisors on April 22, 2008 as the County's protocol for bill position development, recommendation, adoption, and advocacy.

Subsequent to the adoption of these policies and procedures, staff was advised of advocacy activity by various advisory boards and commissions that may have been inconsistent with the protocol. The protocol includes the following excerpt with respect to the role of advisory boards and commissions and the communication of County positions. (Areas of concern have been highlighted and italicized for the purposes of this report.)

5. Role of Board Committees and Advisory Boards and Commissions

b. County Advisory Boards and Commissions

Like County departments, County Advisory Board and Commission members possess a high level of knowledge and expertise and can provide detailed impact analyses of issues affecting the County. As advisors, board and commission members are encouraged to alert the Board of Supervisors of relevant issues and bills. To that end, County Advisory Board and Commission members are encouraged to:

CONTINUED ON ATTACHMENT: YES

SIGNATURE: *[Signature]*

RECOMMENDATION OF COUNTY ADMINISTRATOR X
APPROVE _____ OTHER _____

RECOMMENDATION OF BOARD COMMITTEE

SIGNATURE(S): *[Signature]*

ACTION OF BOARD ON *October 14 2008*

APPROVED AS RECOMMENDED X

OTHER _____

VOTE OF SUPERVISORS

X UNANIMOUS (ABSENT 12)
AYES: _____ NOES: _____
ABSENT: _____ ABSTAIN: _____

Contact: L. DeLaney 5-1097

Co: Legislation Committee (Suprs. Piepho & Bonilla)

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF AN ACTION TAKEN AND ENTERED ON MINUTES OF THE BOARD OF SUPERVISORS ON THE DATE SHOWN.

ATTESTED *October 14 2008*

DAVID TWA, CLERK OF THE BOARD OF SUPERVISORS

BY: 43 *[Signature]*

[Return to Table of Contents](#)

- Identify and analyze legislative issues of concern to board/commission subject areas. For those issues of importance, the staff person to the board/commission should alert any relevant County department and the CAO's staff (or Transportation Planning staff) about the issue and provide an analysis. **Public opinion and/or advocacy about the issue should not proceed without Board of Supervisors action on the issue.**
- The analyses should briefly describe the issue and consider both programmatic and fiscal impacts to service delivery as well as impacts on those served. Should the CAO's office (or Transportation Planning staff) determine that the issue conforms with a pre-existing Board policy position, the CAO's staff and the board/commission staff will work collaboratively to draft a Board Order and position letter for signature by the Chair of the Board. Should the CAO's staff determine that the issue does not conform with a pre-existing policy, the issue will be placed on the next Legislative Committee, standing committee, or Board agenda, as needed.

6. **Communication of position to legislative delegation and legislative committee members**

It is the primary responsibility of the CAO's legislative staff and Transportation Planning staff, in coordination with the federal and state advocates, to advance the official County position on bills as they progress through the legislative process. However, this advocacy may require and include the participation of Board members, the CAO, Department heads, and other designated County staff as appropriate.

Advocacy activities and communication of official County positions may include direct interaction with members of the Legislature and their staff; Legislative Committees and their staff; the Administration and State and federal agencies; statewide organizations, as well as local or regional governmental bodies.

A Department or Advisory Board/Commission may not take any action that would imply the County's support or opposition to any pending legislation in the absence of, or inconsistent with, adopted Board positions.

Any time a County employee appears before a state, federal or local body to express a personal opinion or make a public comment, that individual must state for the record that they are speaking as a private citizen and not as an employee of the County or a representative of the Department for which they work. Further, written personal opinions shall not appear on County or department stationery/letterhead.

These procedures do not apply to elected officials who have been independently elected to represent the County and its residents. However, elected Department heads are encouraged to continue the best practice of open communication with the Board of Supervisors, CAO and CAO staff on important state and federal issues. In addition, the support of our elected officials on behalf of County policy positions can be a persuasive factor when dealing with state and federal representatives, and efforts to maintain this cooperative spirit will be given high priority by the CAO and CAO's staff.

With regard to written correspondence:

- Following action by the Board of Supervisors on legislative matters, the CAO's staff (or Transportation Planning staff) shall coordinate with the Board Chair and federal/state advocates to forward copies of such action to appropriate state and federal representatives, committees, and agencies.
- Letters of support or opposition to legislation will be prepared and coordinated with departments by the CAO's staff in accordance with Board-adopted positions.
- ***Written correspondence on behalf of the County to elected officials at the federal, state, or local level shall be transmitted over the signature of the Board Chair.***
- ***Only the Board of Supervisors can send position letters on a particular piece of legislation.*** Of course individual Board members and other elected officials have the right to express their positions on bills on behalf of themselves (but not the County).

DISCUSSION:

The amendment would clarify that state or federally mandated advisory boards or commissions may engage in legislation position development and advocacy according to the following protocol:

- Positions may be taken only insofar as they are not inconsistent with Board-adopted policies or positions; Staff of the mandated advisory body must review the position recommendation for consistency with the Board-adopted State/Federal Platforms and advise the board/commission if an inconsistency exists; and
- Positions must be consistent with an adopted advisory body platform that is included in the Board-adopted State and Federal legislative platforms; and
- Positions must be communicated in a manner that clearly states through the use of a disclaimer/disclosure on any stationery and in the body of the letter that the advisory board or commission is advisory to the Board of Supervisors and that any comments, recommendations, opinions, and positions made by the board or commission or its individual members do not represent the official position of the County or any of its officers; and
- Position letters must be distributed by the CAO's staff, who will include in its distribution the Board of Supervisors and any relevant Board committee.

With this amendment to the Board-adopted protocol on position development and advocacy for advisory boards or commissions that are state or federally mandated, these boards or commissions can continue to perform their advocacy efforts in a manner that is consistent with the positions and priorities of the Board of Supervisors and not purporting to represent the positions of the Board of Supervisors or its members.

The state and/or federally mandated advisory bodies to which this protocol would apply include:

1	Advisory Council on Aging, Contra Costa County
2	Airport Land Use Commission
3	Assessment Appeals Board
4	CCC Law Library Board of Trustees
5	Economic Opportunity Council
6	First 5 Contra Costa Children & Families Commission
7	In-Home Supportive Services Authority Advisory Committee
8	Local Child Care & Development Planning Council
9	Mental Health Commission, Contra Costa County
10	Merit Board
11	Relocation Appeals Board of Contra Costa County
12	Workforce Development Board

With regard to the County's requirements in state law for reporting lobbying or advocacy activities of advisory body members or staff to those advisory bodies/commissions, staff reviewed the matter with its state lobbyist, Nielsen Merksamer. An attorney for the firm provided the following information:

California Government Code 86116 provides that "Every person described in Section 86115 shall file periodic reports containing the following information: . . .

(h) (1) Except as set forth in paragraph (2), the total of all other payments to influence legislative or administrative action including overhead expenses and all payments to employees who spend 10 percent or more of their compensated time in any one month in activities related to influencing legislative or administrative action."

FPPC Regulation 18616 provides further: "(f) Other Payments to Influence Legislative or Administrative Action. All persons who file periodic reports under Government Code section 86116 shall report the total of all other payments to influence legislative or administrative action made by the filer during the reporting period. The total amount reported shall include the following: (1) Compensation of Employees Other Than Lobbyists. This shall include a proportionate share of the compensation paid to employees other than lobbyists who are engaged for 10 percent or more of their compensated time in a calendar month in or in connection with the activities described in subdivision (a)(4) of this regulation. Such employees include those providing research services and those preparing materials to be used by a lobbyist or to be used in direct communication or in soliciting or urging others to engage in direct communication for the primary purpose of influencing legislative or administrative action. Compensation includes gross wages paid plus any benefits which are in lieu of wages such as the granting of stock options or the purchase of annuities. It does not include, however, routine fringe benefits, such as the employer's contribution to health plans, retirement plans, etc., which are made on behalf of all employees nor does it include the payment of the employer's payroll taxes."

Because staff who support the mandated advisory bodies/commissions are not expected to spend 10% or more of their compensated time in any one month in activities related to influencing legislative or administrative action, it is unlikely that there will be reportable expenditures for these advisory body advocacy activities. However, staff will be requested to provide the information if there are reportable expenditures.

Staff also discussed with its lobbyists whether Contra Costa County would be required to report matters lobbied by unpaid volunteer advisory board members on its quarterly lobby report (Form 635). It was not clear from the statute, regulations, or FPPC material, so we called FPPC Technical Assistance, who confirmed the answer was "yes." Therefore, in order for the matters to be reported correctly, the position letters must be distributed through the CAO's office, which coordinates the preparation of the quarterly lobby reports.



CERTIFICATE OF APPOINTMENT AND OATH OF OFFICE

State of California
County of Contra Costa

I, Monica Nino, County Administrator and Clerk of the Board of Supervisors of Contra Costa County, hereby certify in Martinez, in said County, on this ____ day of _____, 20xx, First Name, Last Name, assumed the position of Position to the Department.

IN WITNESS WHEREOF, I hereunto affix my
hand and the Seal of said Board of Supervisors
this ____ day of _____, 20xx

Monica Nino, Clerk of the Board of Supervisors

By: _____
Deputy Clerk

State of California
County of Contra Costa

I, _____, so solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic, that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California, that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

Signature

Subscribed and sworn to before me, this ____ day of _____, 20xx.

Signature

CC: Clerk Recorder (2 copies)

CERTIFICATE OF APPOINTMENT AND OATH OF OFFICE



Training Certification for Members of County Advisory Bodies

Members of Contra Costa County's independent and advisory bodies are required to take two trainings.

Instructions:

1. **Brown Act & Better Government Ordinance Training:** Brown Act and Better Government Ordinance Training must be completed within three months of appointment, and every two years thereafter. This training is available as a video on the Clerk of the Board website, or as an in-person training. Contact the Clerk to find out about opportunities for in-person training.
2. **Ethics Training:** Ethics training, also referred to as AB 1234 Local Government Official Training, is provided by the Fair Political Practices Commission (FPPC). This training is available on their website, and generates a certificate upon completion. Please retain the certificate from the FPPC. Advisory body members who receive compensation, salary, stipend, or expense reimbursement must complete AB 1234 ethics training every two years. All other advisory body members should complete this training once within the first three months of appointment.

Certification

By signing below, I certify that on _____, I have watched or attended the entire training: **"The Brown Act and Better Government Ordinance."**

By signing below, I certify that on _____, I completed the Fair Political Practices Commission (FPPC) training: **"Ethics for Local Government Officials."** I have received the certificate of completion from the FPPC.

(Name of Member)

(Date)

(Name of Advisory Body)

Appendix 9: List of Bodies Required to Complete AB 1234 Training Every Two Years

Boards, Committees, and Commissions Required to Complete AB 1234 Ethics Training Every Two Years

Members of the following bodies are required to renew their AB 1234 ethics training every two years:

- Advisory Council on Aging
- Advisory Housing Commission
- Assessment Appeals Board
- County Planning Commission
- Economic Opportunity Council
- IHSS Public Authority Advisory Committee
- Mental Health Commission
- Merit Board
- Workforce Development Board

The AB 1234 training program is available from the California Fair Political Practices Commission (FPPC), and can be completed by creating an account on their website: <https://localethics.fppc.ca.gov/login.aspx>

To confirm compliance with the AB 1234 training, the appointee should submit the original certificate to committee staff and email or mail a copy of the certificate to:

ClerkoftheBoard@cob.cccounty.us

OR

**Clerk of the Board of Supervisors
1025 Escobar Street, 1st Floor
Martinez, CA 94553**

Appendix 10: Conflict of Interest and Open Meetings Policies

THE BOARD OF SUPERVISORS CONTRA COSTA COUNTY, CALIFORNIA

Adopted this Resolution on JUNE 18, 2002 by the
following vote:

AYES: SUPERVISORS VILKEMA, GERBER, DeSAULNIER, GLOVER AND GIOIA
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

SUBJECT: Policy for Board Appointees, concerning) RESOLUTION No. 2002/376
Conflict of Interest & Open Meetings.)

1. Avoid Conflicts of Interest.

A. Statutes on Conflicts. Officials, commissioners, and committee members appointed by this Board shall adhere to the principles and rules of the Political Reform Act of 1974 (Government Code §§ 81000 et. seq.), including the following:

- (1) Local government should serve the needs and respond to the wishes of all citizens equally, without regard to their wealth. (Gov. Code, §81001 (a).)
- (2) Public officials should perform their duties in an impartial manner, free from bias caused by financial interests of themselves or their supporters. (Gov. Code, §81001 (b).)
- (3) Public officials should disclose assets and income which may be materially affected by their official actions, and in appropriate circumstances they should be disqualified from acting, in order to avoid conflicts of interest. (Gov. Code, §81002 (c).)

B. Common Law Policy on Conflicts. All Board Appointees should so conduct the public business as to avoid even any appearance of conflict of interest. (See, e.g., *Kimura v. Roberts* (1979) 89 Cal.App. 3d 871.)

2. Hold Open Meetings. Officials, commissioners, and committee members appointed by this Board shall conduct their advisory body meetings in an open fashion that fosters public participation.

A. Ralph M. Brown Act. California's "open meeting law" is the Ralph M. Brown Act. (Gov. Code, §§ 54950 et. seq.) This statute declares the general public policy of the State as follows:

"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." (Gov. Code, § 54950.)

This policy is elaborated by requirements that local governmental bodies consider and act on public business in open meetings, which are enforceable by civil remedies and by criminal penalties.

2002/376

B. Better Government Ordinance. This County Ordinance extends open meeting requirements to all Board appointed committees, including temporary, ad hoc advisory committees.

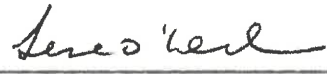
C. Compliance Required. All Board Appointees must comply with the requirements of the Ralph M. Brown Act and Better Government Ordinance applicable to them.

3. Complete Training Program. Within three months of appointment, each Board Appointee shall complete the prescribed training on compliance with conflict of interest and open meeting laws and shall certify that he or she has completed such training.

4. This Resolution replaces Resolution 82/574 in its entirety.

I hereby certify that the foregoing is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: John Sweetea, Clerk of the
Board of Supervisors and County
Administrator

By: 
Deputy

Orig. Dept: County Counsel
cc: County Administrator's Office
County Counsel
District Attorney
All County Departments and
Fire Protection Districts

2002/376

D:\N\STAFF\BoardAppointees.wpd

[Appendix 11: Conflict of Interest Appointment Policies](#)

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 08/03/2021 by the following vote:

AYE: ☐
NO: ☐
ABSENT: ☐
ABSTAIN: ☐
RECUSE: ☐



Resolution No. 2021/234

UPDATING THE POLICY APPLYING TO APPOINTMENTS TO ANY SEATS ON BOARDS, COMMITTEES OR COMMISSIONS FOR WHICH THE BOARD OF SUPERVISORS IS THE APPOINTING AUTHORITY

WHEREAS, appointment to County advisory bodies of family members or others who have a close relationship to a County Supervisor is a matter of policy and within the discretion of the Board of Supervisors; and

WHEREAS the Board of Supervisors wishes to avoid the reality or appearance of improper influence or favoritism; and

WHEREAS the policy adopted by the Board in 2011 made ineligible for appointment some family of Board members whose relationships seem fairly attenuated and do not merit exclusion;

NOW, THEREFORE, BE IT RESOLVED THAT the following modified policy is hereby adopted:

I. SCOPE: This policy applies to appointments to any seats on boards, committees or commissions for which the Contra Costa County Board of Supervisors is the appointing authority.

II. POLICY: A person will not be eligible for appointment if he/she is related to a Board of Supervisors' Member in any of the following relationships:

1. Mother, father, son, and daughter;
 2. Brother, sister, grandmother, grandfather, grandson, and granddaughter;
 3. Husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepson, and stepdaughter;
 4. Registered domestic partner, pursuant to California Family Code section 297.
 5. The relatives, as defined in 1 and 2 above, for a registered domestic partner.
 6. Any person with whom a Board Member shares a financial interest as defined in the Political Reform Act (Gov't Code §87103, Financial Interest), such as a business partner or business associate.
- Candidates shall identify on the standard County application form any of the above-specified relationships with a Board of Supervisors member.

III. This resolution supersedes and replaces Resolution No. 2011/55 adopted by the Board on February 8, 2011.

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

**Contact: Julie DiMaggio Enea (925)
655-2056**

ATTESTED: August 3, 2021

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: Clerk of the Board

[Appendix 12: Guidance on Conflict of Interest Codes](#)

Guidance on Conflict of Interest Codes

The Political Reform Act requires public agencies (i.e. bodies, boards, and commissions) to adopt a conflict-of-interest code.

Each member occupying a "designated position" on the advisory body or committee is required to disclose any investments, interests in real property, sources of income, or business position that could be affected by a public decision in which the member participates, or create a conflict of interest.

A. Components of the Code

The code must have three (3) components:

- 1) Terms of the code
- 2) Designated positions
- 3) Disclosure categories

Component 1: Terms of the Code

- The "terms" of the code refers to the main body of the code, which describes how to report financial interest and disqualification procedures.
- FPPC Regulation 18730 identifies the type of information required in the main body of the code.

Component 2: Designated Positions

- The code must specify and list all positions within the advisory body that either make or participate in making decisions as designated positions.
- People who hold designated positions are referred to as "code filers" and are required to complete Form 700, the financial disclosure form.

Component 3: Disclosure Categories

- The disclosure category identifies types of:
 - Investments
 - Interests in real property
 - Sources of income, and
 - Business positions...

...Which could be affected by any decision made by the committee. Disclosure are required to avoid "even the appearance" of a conflict of interest.

B. Code Approval

- An agency's code becomes effective upon the approval of the agency's code reviewing body.

Guidance on Conflict of Interest Codes

- The Contra Costa County Board of Supervisors is the code reviewing body for agencies which are wholly within the County or established at the discretion of the Board.
- Agencies which are wholly within the County must submit their code to the Board of Supervisors for approval before it becomes effective.

C. Recusal to Avoid a Conflict of Interest

- Recuse (v.): to disqualify or remove (oneself) from participation to avoid a conflict of interest.
- Any member who has, or may appear to have, a conflict of interest because of financial or other interests in the committee's decision, should recuse yourself from voting on the matter.

Public Identification of a Conflict-of-Interest: Procedure to Recuse Oneself in a Meeting

Step 1: Publicly (orally) identify the financial interest that gives rise to the conflict of interest, or potential conflict of interest, in enough detail to be understood by the public. This public identification must be made part of the official public record (i.e. the meeting minutes).

Step 2: State each type of economic interest held (i.e. investment, business position, interest in real property, personal financial effect, or the receipt or promise of income or gifts) which is involved in the decision and gives rise to the conflict of interest.

Step 3: Recuse yourself from discussing and voting on the matter after public identification of the conflict of interest has been provided. You shall not be counted toward achieving a quorum while the item is discussed.

Step 4: Leave the room before the discussion of the item until after the discussion, vote, and any other disposition of the matter is concluded, unless the matter has been placed on the portion of the agenda reserved for uncontested matters (i.e. it is not necessary to leave the room if the conflict of interest item is listed on the Consent calendar).

D. What does the Conflict of Interest Code Mean to Me?

- Members should know if their agency (board, commission, committee, etc.) has a Conflict of Interest Code.
- Members should know if their position is included in the Code's list of designated positions.
- If a member's position is included in the code as a designated position, they are required to file a Form 700.
- Members should read and understand your agency's specific Conflict of Interest Code, since not all positions have the same reporting requirements.

E. Form 700: Statement of Economic Interests

Guidance on Conflict of Interest Codes

What is Form 700?

- Form 700 is a public statement of economic interests: a public disclosure of personal assets and income.
- Form 700 reflects information about sources of income, investments, business positions, real property holdings and gifts.
- Its purpose is to help gauge real or potential conflicts of interest situations that may exist in performing the responsibilities of the public official.
- The information requested on Form 700 and the requirements to file it are mandated by state law, including the Fair Political Practices Act.
 - The Form 700 is created and overseen by the California Fair Political Practices Commission (FPPC).
 - Members of Contra Costa County Commissions will file their Form 700 with the agency designated in their Conflict of Interest Code (often, the County Clerk of the Board).

What Should I Understand the Form 700?

- The public position or positions to which you are appointed might require that you file Form 700.
- If you are serving in such a public position or positions, the state law mandates that you file a Form 700 for each position.

Verifying Your Information

- Each time you fill out or amend Form 700, you will need to sign the form before you file it.
- Your signature means that you attest to the truth of the information your report on Form 700.
- For guidance about the financial disclosures required on Form 700, contact the Fair Political Practices Commission (FPPC), rather than the Clerk of the Board.

Failure to File/Late Filings

- Any person who files a Statement of Economic Interests (Form 700) after the deadline imposed by the Political Reform Act is liable for a late fine pursuant to Government Code Section 91013. Fines issued pursuant to this section shall not exceed \$10 per day to a maximum of \$100.

F. Biennial Notice

The Political Reform Act requires every local government agency to review its conflict-of-interest code biennially (every two years; generally conducted in even-numbered years).

Committee support staff should be familiar with this requirement if it applies.

Guidance on Conflict of Interest Codes

- The Contra Costa County Board of Supervisors is the code reviewing body for County agencies and any other local government agency whose jurisdiction is solely within the county.
- By October 1st every other year (biennially), each local government agency is required to submit a notice, indicating whether or not an amendment to their agency conflict-of-interest code is required.

What if an amendment is required?

- If amendments to an agency's conflict-of-interest code are necessary, committee support staff must provide the following documents:
 - 1) The amended code showing tracked changes, and
 - 2) A clean copy of the revised code must be forwarded to the Contra Costa County Board of Supervisors for approval within 90 days of October 1st.
- Draft amended Conflict of Interest Codes should be submitted to the County Administrator's Office by July 1.
- An agency's amended code is not effective until it has been approved by the Board of Supervisors.

Appendix 13: Selected Brown Act/Better Government Ordinance Provisions

Office of the County Counsel
651 Pine Street, 9th Floor
Martinez, CA 94553

Contra Costa County
Phone: (925) 335-1800
Fax: (925) 646-1078

Date: March 29, 2012

To: County Boards, Commissions and Committees and their
Administrative Officers and Secretaries

From: Sharon L. Anderson, County Counsel
By: Mary Ann McNett Mason, Assistant County Counsel

M. A. M.

Re: Selected Brown Act and Better Government Ordinance Provisions

County advisory bodies are subject to both the Ralph M. Brown Act (Government Code, sections 54950 et. seq.) and the County's expanded open meeting law, the Better Government Ordinance (Contra Costa County Code, Chapter 25-2.) For your information, we provide this summary of the critical provisions of these open meeting laws.

A. Open Meetings. The Brown Act and Better Government Ordinance generally require that all County Board, commission and committee ("County body") meetings be open for public attendance, that all interested persons be permitted to attend and participate, and that meetings be held on noticed dates at fixed times and places and in accordance with posted agendas. Most county bodies provide for regular fixed times and places for meetings. Meetings generally must be held within the jurisdictional limits of the Board of Supervisors and at locations accessible to the public, including disabled persons. (Gov. Code, §§ 54950, 54954(a),(b), 54961; Ord. § 25-2.602.)

B. County Bodies Subject to Open Meeting Laws. The Brown Act applies to all "legislative bodies" of a local agency, i.e., the County. Legislative bodies include: 1) the governing body of the local agency, (e.g., the Board of Supervisors); 2) committees created by statute; 3) committees created by formal action of the Board, whether composed of lay persons or a combination of lay persons and board members; 4) standing committees composed solely of members of the Board which have a continuing subject matter jurisdiction (e.g., permanent subcommittees such as the "Internal Operations" committee); 5) standing committees created by a Board appointed committee and composed solely of members of that body (e.g., a Mental Health Commission subcommittee). (Gov. Code, § 54952 (a), (b).)

The Better Government Ordinance applies to all County bodies subject to the Brown Act *and* to all other Board or committee created County bodies, including temporary, ad hoc advisory committees composed solely of Board members or committee members and appointed to deal with a single topic for only one meeting or a small number of unscheduled meetings. (Ord. § 25-2.202(a), 25-2.204(a), 25-2.205.) County bodies that are not subject to the Brown Act nevertheless must comply with comparable provisions under the Ordinance. (Ord. § 25-2.202(a), 25-2.204(a), 25-2.205.) We caution that very few committees will be exempt from both the Act

and the Ordinance and that the safer course of action is to assume that both open meeting laws apply.

Bodies subject to the Brown Act and the Ordinance do not include advisory committees to a single individual which are formed by the unilateral action of that individual, e.g., a committee to assist the County Administrator or a single Supervisor and do not include committees made up entirely of County staff. (56 Ops.Cal.Atty.Gen. 14 (1973); Ord. § 25-2.202.) However, unless composed entirely of County staff, a permanent advisory committee created by the County Administrator or a department head must permit the public to attend its meetings upon request to the extent possible consistent with the facilities and the purpose of the gathering. Meetings of these committees need not be formally noticed or provide for public comment. (Ord. § 25-2.204 (d), (e).)

C. Definition of "Meeting". "Meetings" include:

* Any congregation of a majority of members of a County body at the same place and location (including teleconference locations) to hear, discuss, deliberate or take action on any item within the body's subject matter jurisdiction. (Gov. Code, 54952.2 (a).)

* Any serial use of communication, personal intermediaries, or technological devices through which a majority of the body's members discuss, deliberate, or take action on an item. (For example, for a five person body, such an illegal "serial" meeting could occur where committee member A e-mails committee member B about his position on a committee issue and B forwards A's e-mail to committee member C.) A mere series of e-mails or telephone calls by a majority of the body about one of its business items violates the Brown Act. (Gov. Code, § 54952.2 (b).)

D. Social and Ceremonial Occasions. Meetings generally do not include social or ceremonial occasions, provided that a majority of the members do not discuss among themselves business within the subject matter jurisdiction of the legislative body of the local agency. (Gov. Code, § 54952.2(c)(5).) However, when a County body, as a body, sponsors a social, recreational or ceremonial occasion, such as a holiday party, and a majority of the body is invited to attend, the occasion must be accessible to the public upon request, to the extent possible consistent with the facilities and the purpose of the gathering. The occasion need not be noticed formally, conducted at a particular location or provide for public comment. (Ord. § 25-2.204 (d) (2), (e).)

E. Regular Meetings- Agenda Posting Requirements and Related Provisions.

1. Enhanced Agenda Notice Requirement. Under the Brown Act, agendas must be posted at least 72 hours before each scheduled regular meeting. (Gov. Code, § 54954.2

(a.) However, the Better Government Ordinance extends this posting period an additional day. (Ord. § 25.2-206 (a).) Thus, at least 96 hours before each scheduled regular meeting, an agenda containing a brief general description of each item of business to be transacted at the public body's meeting, including items to be discussed in closed session, must be posted. The description generally need not exceed 20 words. The agenda must specify the time and location of the regular meeting.

The agenda must be physically posted in a location freely accessible to members of the public during the entire 96 hour period. (Gov. Code, § 54954.2(a); Ord. § 25.2-206 (a); 78 Ops.Cal.Atty.Gen.328 (1995).) In addition, certain bodies must *also* post their agendas on the their website, or arrange for posting on the County's website 96 hours in advance of the meeting. (Gov. Code, § 54951, 54954.2 (d); see attached memorandum, **Internet and Physical Agenda Posting Required for Certain Bodies.**)

If an item is not specified on the agenda, the County body may not act on or discuss that item, or add that item to the agenda as an urgency item, except as set forth below in subsections 3 and 4. (Gov. Code, § 54954.2 (a), (b); Ord. § 25.2-205.)

2. Deadline for Staff Materials. At least 96 hours in advance of a regular scheduled meeting, all staff reports and other materials prepared or forwarded by staff that provide background information and recommendations on agenda items must be made available to the public and to members of the body. (Ord. § 25-2.206 (a).) In the case of items that are placed on the agenda for a scheduled meeting at a prior meeting occurring not more than seven days before the scheduled meeting, supporting written staff materials may be made available 24 hours before the scheduled meeting. (Ord. § 25-2.206 (a).)

3. Exceptions to the Better Government Ordinance 96 hour agenda notice and staff material deadline. Under limited circumstances, the County body may waive the requirement that an agenda and supporting staff reports must be made available to the public and to members of the body at least 96 hours before the meeting. Upon a determination by *three-fourths* vote of the body that it is essential to waive the time limits *and* after receiving from staff a written explanation as to why the agenda and/or staff reports could not be made available 96 hours in advance, the body may waive the time limits. (Ord. § 25-2.206 (a).) *Notwithstanding a waiver of the Better Government Ordinance requirements, the 72 hour agenda notice requirements and exceptions thereto of the Brown Act continue to apply to all County bodies covered by the Act.*

4. Exceptions to Brown Act 72 hour agenda notice.

a. "Brief Response" to Public Comment: Reference to Staff. (Gov. Code, § 54954.2 (a).) A County body may engage in certain limited activities that are not discussion of

or action on, non-agenda items. If an item not on the agenda is raised by a member of the public during the “public comment” portion of the meeting, members of the County body may “briefly respond.” Until a court has construed “briefly respond,” we recommend that County bodies interpret the right to respond narrowly, and keep responses limited. On any matter, either in response to questions posed by members of the public or on their own initiative, members of County bodies may ask questions for clarification. In addition, subject to the body’s rules or procedures, members of County bodies may provide a reference to staff or other resources for factual information, may request that staff report back at a subsequent meeting on a matter, or may request that staff place a matter on a future agenda. (Gov. Code, § 54954.2 (a).)

b. Limits on Discussion and Action on Non-Agenda Items. (Gov. Code, § 54954.2 (b). Discussion may occur and action may be taken on items which are not set forth on the posted agenda where, prior to discussion or action, the body publicly identifies the item and:

(1) The majority of members of the body vote and find that an emergency exists which involves a work stoppage or other activity which severely impairs public health, safety or both or a crippling disaster which severely impairs public health and safety or both, or

(2) Upon a determination by a two-thirds vote of the body (or, if less than two-thirds of the members are present, a unanimous vote of the 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 after the agenda was posted*, or

(3) The item was posted for a prior meeting, but action on the item was continued to the present meeting, which is not more than five calendar days after the meeting for which the item was posted. (Gov. Code, § 54954.2 (b).)

We caution that these exceptions will rarely apply in the case of County advisory bodies.

F. Special Meeting Notice Requirements. The Brown Act law requires that notice of a special meeting be provided by 24 hour advance written notice to each member of the public body (unless notice has been appropriately waived) and to each local newspaper, radio or television station which had requested notice in writing. Notice may be given by personal delivery or *by any other means* (i.e., facsimile or e-mail). In addition, the call and notice of the special meeting must be physically posted at least 24 hours prior to the meeting in a location that is freely accessible to members of the public. Bodies subject to the internet posting requirement must also simultaneously post the special meeting agenda on their website, or if they don’t have a website, on the County’s website. The notice must identify the time and place of the meeting and the business to be transacted. Only the business set forth in the notice may be transacted at the

meeting. (Gov. Code, § 54956.)

1. Public Input. The notice for the special meeting must provide an opportunity for public comment on the item which is the subject of the special meeting before the public body acts on that item. (Gov. Code, § 54956.)

G. Emergency Meeting Notice Requirements. The Brown Act allows the calling of emergency meetings in specified circumstances (work stoppages, crippling disasters, or other activities which will severely impair public health, safety or both, as determined by a majority of the public body) without complying with the special meeting 24 hour notice or 24 hour posting requirements. If telephone services are functioning, each newspaper and radio or television station that has filed a request for special notice must be noticed by telephone at least one hour prior to the emergency meeting. (Gov. Code, § 54956.5 (a) (1), (b).)

In the case of dire emergencies (crippling disaster, mass destruction, terrorist act, threatened terrorist act that poses immediate and significant peril as determined by a majority of the public body), even the one hour notice to media outlets is eliminated. If telephone services are functioning, telephone notice of the meeting must be given to the media outlets at or near the time that the chair notifies members of the body of the meeting. (Gov. Code, § 54956.5 (a) (2), (b).)

As to any emergency meeting, if telephone services are not functioning, as soon after the meeting as possible, newspapers and radio or television stations must be notified of the meeting, of its purpose, and of any action taken at it. In addition, as soon after the meeting as possible, the minutes of the emergency meeting must be posted for a minimum of 10 days in a public place. (Gov. Code, § 54956.5 (e).)

H. Public Input.

1. Provide Opportunity to Comment. Every agenda must provide an opportunity for members of the public to directly address the body on 1) items that are within the subject matter jurisdiction of the body, even if they are not on the agenda and 2) items on the agenda. The opportunity to comment on agenda items must be afforded *before or during* the body's consideration of the item. (Gov. Code, § 54954.3(a); Ord. § 25-2.205 (c).) To ensure that the public is not denied the opportunity to comment on specific agenda items, and to enhance the flow of the meeting, we suggest that the public comment period as to all items usually be scheduled for the beginning of the meeting.

If a member of the public addresses an item not appearing on the posted agenda, no response, discussion, or action on that item may occur except as set forth in section E,

subparts 3 and 4 above.

2. No Prohibition of Criticism. During a meeting, the County body may not abridge or prohibit public criticism of the County's policies, procedures, programs, or services, and may not abridge or prohibit public criticism of acts or omissions of the body. However, the body may apply its adopted rules of procedure concerning time per speaker. (Gov. Code, § 54954.3 (a); Ord. § 25-2.604.)

3. Overflow Capacity. If the number of spectators at a meeting of the Board of Supervisors, or of a permanent board or commission, or of a permanent subcommittee of the Board, exceeds the legal capacity of the meeting room, the public address system must broadcast into an adjacent area to permit the overflow audience to hear the meeting. If this is not possible, the meeting must be adjourned to a facility with sufficient capacity to accommodate the entire audience. (Ord. § 25-2.602.)

I. Teleconferencing. A body may hold meetings by "teleconference," that is, a meeting of a body whose members are in different locations, connected electronically through audio and/or video. During the teleconference, at least a quorum of the members of the body must participate from locations within the boundaries of the body. Teleconferencing may be used for all purposes in connection with a public meeting, including voting. All votes taken during a teleconferenced meeting must be by roll call. Each teleconference location must be identified in the agenda for the meeting, and each teleconference location must be accessible to the public. The agenda must permit members of the public to address the body directly at each teleconference location. Agendas must be posted at all teleconference locations. (Gov. Code, § 54953 (b).)

J. Record of Meetings. Each County body must keep a record of its meetings. Though the record need not be verbatim, i.e., a tape-recording, it must accurately reflect the agenda and the decisions made in the meeting. (Ord. § 25-2.205 (d).)

K. Assistance for Persons with Disabilities on Request. Upon request, agendas, agenda packets, and other writings distributed to the public body must be made available in appropriate alternative formats to persons with disabilities as required by the federal Americans with Disabilities Act. In addition, every public body agenda, including all subcommittee agendas, must include information regarding how, to whom, and when a request for disability-related modification or accommodation, including auxiliary aides or services, may be made by a person with a disability who requires a modification or accommodation to participate in a meeting. (Gov. Code, §§ 54954.1; 54954.2 (a); 54957.5 (b).)

L. Distributed Materials as Public Records. Except for certain writings exempt

from disclosure under the California Public Records Act, documents distributed to the County body by staff or any other person for consideration at a public meeting are public records. If presented during a meeting during discussion on an agenda item, such records must be immediately available for public inspection. If presented during a meeting prior to commencement of discussion on the agenda item to which the records relate, such non-exempt documents must be made available to the public for inspection before and during discussion on the agenda item. (Gov. Code, § 54957.5(a),(c); Ord. § 25-2.206 (c).)

Before a meeting, except for records that are exempt by law from disclosure, any county record that is intended for distribution to the body, even if not yet distributed to the body, must be available for public inspection and copying upon request. (Ord. § 25-2.206 (b).)

M. Provision of Agenda Materials Required.

1. Written Request for Packet. The Brown Act permits a member of the public to place a standing request that copies of the agenda or of the agenda packet be mailed to him. Such request must be made in writing and will apply for the entire calendar year in which it is filed. The body must mail the requested materials at the time the agenda is posted, or upon distribution to a majority of the members of the County body, whichever is first. Thus, if the agenda packet is mailed to members of the county body a week before the meeting, the packet must be mailed simultaneously to a requestor. (Gov. Code, § 54954.1.)

2. Materials Distributed Less Than 72 Hours Before Meeting. If a document related to an open session agenda item on a regular meeting agenda is distributed to a majority of the body less than 72 hours before the meeting, the document must be made available to the public at a specified location at the same time it is provided to the body. Each meeting agenda must specify the location where such documents will be available for public inspection. (Gov. Code, § 54957.5 (b) (2).) Inasmuch as the County's Better Government Ordinance requires that the agenda and supporting staff reports be made available to the public and members of the body at least 96 hours before a regular meeting, there should be few occasions on which a document is distributed less than 72 hours before a meeting.

Please note that these two State law requirements apply, even if a legislative body subject to the Better Government Ordinance acts by a three-fourths vote to waive ordinance requirements that the agenda and supporting staff reports must be made available to the public 96 hours in advance of the meeting. (Ord. § 25-2.206 (a).)

2. Fees for Provision of Packet. The County body may establish a fee for provision of agenda packets. (Gov. Code, § 54954.1.) However, the Better Government Ordinance imposes a limitation on fees for duplication of agendas and related materials. Bodies considering establishment of a fee for mailing of the agenda or agenda packet should be sure

such fee conforms to these limitations. While a body may charge actual mailing costs, a body may not charge for copying meeting agendas and related materials that are twenty or fewer pages per document. A fee of one cent per page may be charged for a copy of agendas and related materials that contain more than twenty pages per document. (Ord., §§ 25-2.206 (d); 25-4.610.)

N. *Closed Sessions*. There are a number of express grounds (to receive legal advice concerning threatened or pending litigation, etc.) authorizing adjournment of a County body from a public meeting to a closed session. However, this office envisions only the rarest of situations arising in which the public bodies that it advises other than the Board of Supervisors or legislative special district bodies would be permitted to go into closed session. For this reason, we suggest that if the County body feels a closed session may be justified the body should authorize its chairperson or staff to contact this office to discuss whether a closed session is appropriate, how it should be noticed, and how action taken should be reported out.

1. Agenda Notice Requirements. Regular meeting agendas and special meeting notices must include a brief, general description of the matters to be discussed in closed session. (Gov. Code, §§ 54954.2, 54956.) The Brown Act provides agenda descriptions for each of the various closed session topics. While the Act does not require use of these descriptions, their use provides a “safe harbor” against challenges to the adequacy of the notice. (Gov. Code, § 54954.5.)

2. Announcing and Reporting Out. Before conducting a closed session, the body must announce in open session the items to be discussed. Disclosure may be made by reference to the agenda item number or letter. (Gov. Code, § 54957.7(a).) After completing closed session, the public body must reconvene in open session and make a public report of certain specified actions. The content of the report depends upon the nature of the closed session. Generally, in addition to other matters, where action is taken the County body must report out the vote or abstention of every member present. (Gov. Code, §§ 54957.1.)

3. Closed Session Prohibited for Temporary Bodies. A County body subject to the Better Government Ordinance, but not otherwise subject to the Brown Act, (i.e., a temporary ad hoc committee composed solely of members of the county body) may not hold a closed session. It must conduct all meetings in open session. (Ord., § 25-2.205 (a).)

O. Procedure to Void Actions Taken in Violation of the Brown Act’s Requirements. The Brown Act sets forth a procedure for invalidating actions of a covered public body taken in violation of that Act. (Gov. Code, § 54960.1.) The procedure provides that before any interested person may initiate legal action to obtain a judicial determination of whether the public body has violated the Act and that any action taken is null and void, the person must make a written demand on the public body to cure the alleged defect. If your body received such a demand, it

immediately should be brought to the attention of the County Counsel's Office.

Should the interested party file and succeed in litigation, the court can award costs and reasonable attorneys fees against the County body. (Gov. Code, § 54960.5.)

P. *Criminal Penalty for Unlawful Meeting*. Each member of a body who attends a meeting of that body where action is taken in violation of any provision of the Brown Act, 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 the Brown Act, is guilty of a misdemeanor. (Gov. Code, § 54959.)

Conclusion. As can be seen from the foregoing, it is very important that your County body properly prepare agendas and provide required notice of its meetings. If these procedural matters are not done correctly, interested parties may use legal process to void actions taken at an improperly noticed meeting. If your body has any particular questions concerning these requirements, please have your chairperson or administrative staff contact this office for clarification.

MAM/am

attachment

cc: Members, Board of Supervisors, District Offices
County Administrator
Clerk of the Board
Thomas Kensok, Senior Deputy District Attorney
County Department Heads

H:\BRNACT\selected brown act provisions 2012.wpd

Appendix 14: Physical & Online Agenda Posting Requirements

Office of the County Counsel
651 Pine Street, 9th Floor
Martinez, CA 94553

Contra Costa County
Phone: (925) 335-1800
Fax: (925) 646-1078

Date: February 21, 2012

To: County Boards, Commissions, and Committees

From: Sharon L. Anderson, County Counsel
By: Mary Ann McNett Mason, Assistant County Counsel *M. A. M.*

Re: Internet and Physical Agenda Posting Required for Certain Bodies

For your information, we summarize a recent amendment to the Ralph M. Brown Act, the open meeting law.

PHYSICAL AND INTERNET AGENDA POSTING REQUIRED

Effective January 1, 2012, State law requires that certain public bodies post regular and special meeting agendas on their websites. **This is not a substitute for physically posting the agenda. Agendas must be posted both on the website and on the building.** (Gov. Code, §§ 54954.2, 54956.) County bodies must post regular meeting agendas at least 96 hours before the regular meeting and must post special meeting agendas at least 24 hours before the special meeting. The same time limits apply to both physical and internet posting.

This new internet posting requirement applies to governing bodies of local agencies such as the Board of Supervisors or a joint powers agency governing board. Additionally, the new requirement applies to statutory bodies such as the County Planning Commission and Municipal Advisory Councils, and to certain bodies whose membership is compensated for service *and* includes a Supervisor or other member of a statutory body, such as the Internal Operations Committee. (Gov. Code, §§ 54951, 54954.2 (d), 54956 (c).) A comprehensive list of County bodies subject to the new internet posting requirement is attached. (See list, **Bodies That Must Post Agendas Physically and on Website.**)

If a listed body does *not* have its own website, it must arrange to have its agenda posted on the County's website 96 hours before regular meetings and 24 hours before special meetings. A body without a website must deliver a hard copy of its agenda to the Clerk of the Board, attention Arsenio Escadero, Senior Management Analyst, **at least one full business day** before the required posting deadline. Bodies that have websites should forward links for their websites to the Clerk of the Board who will create a master index of such websites on the County's website.

NO POSTING, NO MEETING

If a body on the attached list fails to timely post its agenda physically in a location

that is freely accessible to the public *and* on its website (or the County's website,) the body may not hold its meeting. (Gov. Code, §§ 54954.2 , 54956 .)

H:\BRNACT\2-12update.wpd

MAM/am

attachment

cc: Members, Board of Supervisors

County Administrator

Attn: Terry Speiker, Chief Assistant County Administrator

Attn: Lara Delaney, Senior Management Analyst

Department Heads and Fire Chiefs

Executive Director, Housing Authority

2020 Clerk's Addendum

All advisory bodies listed in Resolution no. 2020/1 are required to post online in the County's Public Meetings Agenda Center site by Res. 2020/1 in addition to the bodies that are listed below.

All independent and governing bodies are also required to post online by state law.

Bodies That Must Post Agendas Physically and on Website:

Advisory Council on Aging
Airport Land Use Commission
Airports Committee
Alamo Municipal Advisory Council
Assessment Appeals Board
Bay Point Municipal Advisory Council
Bethel Island Municipal Advisory Council
Board of Directors Contra Costa County Fire Protection District
Board of Directors Crockett-Carquinez Fire Protection District
Board of Supervisors
Byron Municipal Advisory Council
Contra Costa Centre Municipal Advisory Council
Contra Costa County Flood Control and Water Conservation District Governing Board
Contra Costa County Housing Authority Board of Commissioners
Contra Costa County In-home Supportive Services Public Authority
Contra Costa County Mental Health Commission
Contra Costa County Merit Board
Contra Costa County Planning Commission
Contra Costa County Public Financing Authority Governing Board
Contra Costa County Public Law library Board of Trustees
Contra Costa County Redevelopment Successor Agency Oversight Board
Contra Costa County Workforce Development Board
Contra Costa Health Plan Joint Conference Committee
Contra Costa Health Plan Oversight Committee
Diablo Municipal Advisory Council
Dougherty Valley Oversight Committee
East Contra Costa County Habitat Conservancy, Governing Board
Economic Opportunity Council
El Sobrante Municipal Advisory Council
Family and Human Services Committee
Finance Committee
First 5 Contra Costa Children and Families Commission
Hazardous Materials Commission
Internal Operations Committee
Keller Canyon Mitigation Fund Review Committee
Kensington Municipal Advisory Council
Knightsen Town Advisory Council
Legislation Committee
Local Child Care & Development Planning Council
Medical Services Joint Conference Committee

North Richmond Municipal Advisory Council
North Richmond Waste and Recovery Mitigation Fee Committee
Open Space/Parks & East Bay Regional Parks District Liaison Committee
Pacheco Municipal Advisory Council
Public Protection Committee
Relocation Appeals Board of Contra Costa County
Rodeo Municipal Advisory Council
Transportation, Water, and Infrastructure Committee
Treasury Oversight Committee

[Appendix 15: Instructions for Posting to the County's Website "Agenda Center"](#)

[Uploading Agendas to the County Website](#)

1. The County's Public website includes a centralized page where all advisory body agendas can be posted, called the "Public Meetings Agenda Center": <https://www.contracosta.ca.gov/AgendaCenter>
2. Beginning in March 2020, all advisory boards & commissions listed in Resolution 2020/1 will be required to post their meeting agendas to the Public Meetings Agenda Center at least 96 hours ahead of their meetings, in addition to the existing physical posting and distribution requirements.

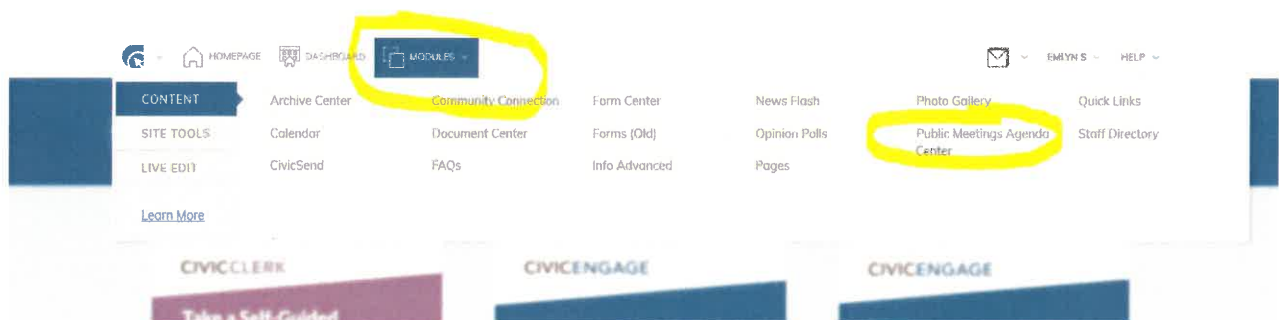
[Signed Resolution No. 2020/1](#)

[List of Applicable Boards & commissions \(Bodies\)](#)

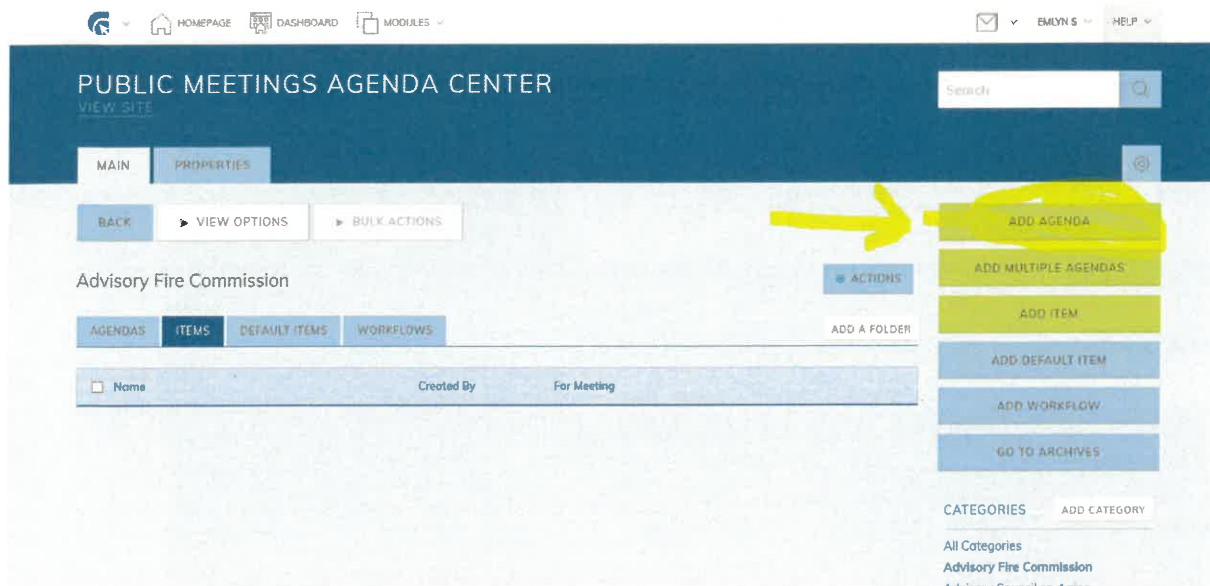
3. Clerk of the Board of Supervisors has created this handout and a video to assist advisory body staff persons with the process of uploading their agendas to the Public Meetings Agenda Center.

You can also view the step-by-step instructions in the following [Instructional Video](#).

4. To post the advisory body's agenda on the County's webpage, you—or your designated departmental webmaster--will first need to log in: <https://www.contracosta.ca.gov/admin>
5. Click the "Modules" icon in the banner menu, and then "Public Meetings Agenda Center". Note that you will not be able to see the Public Meetings Agenda Center Module if you do not have access. Your departmental PIO or the Office of Communications and Media can assist you in configuring your permissions.



6. In the Public Meetings Agenda Center, click on the Advisory Body's name.
7. Then, Click "ADD AGENDA" button on the righthand side of the page.



8. Now, complete the fields with the following basic information:

- **Meeting Date**
- **Upload an agenda:** Check the box for “Upload an agenda.”
- **Write a description:** A recommended format is to include the document type (agenda or agenda and materials packet), meeting date, and the name of the advisory body.
 - Example: “Agenda and materials packet for the January 1, 2020 meeting of the Advisory Fire Commission of the Contra Costa County Fire Protection District”.

9. Scroll down the page to Upload File – For Agenda. Click “Browse...”. Follow the prompts to upload your file. Ensure that you check the “Convert to PDF” box if your file is not already saved as a PDF. Create a compatible file name for your document, such as ADVISORY BODY NAME AGENDA (PDF).

The screenshot shows a web form for uploading a file for an agenda. It includes a 'Description' text area with a character count, an optional 'Link to Media' field, a 'Media Type' section with radio buttons for 'Video' and 'Audio', and two 'Upload File' sections. The first section is for uploading a file 'For Agenda' and the second is 'For Minutes'. Both sections have a 'Browse...' button and a 'Convert to PDF' checkbox.

Description

You have 255 characters left.

Link to Media (Optional)

If you have uploaded media online (e.g. Media Center, YouTube, Vimeo, etc...), paste the link here.

Open in new window

Media Type

☒ Video

☐ Audio

This determines the icon used to link to the media.

Upload File - For Agenda

No file selected.

☐ Convert to PDF

Upload File - For Minutes

No file selected.

☐ Convert to PDF

10. Scroll back up and click the “SAVE AND PUBLISH” button. Follow the prompts to publish your agenda.
11. Be sure to share and post your agenda as you normally would, in addition to the web posting you have just completed.
12. Questions or concerns? Please contact Lauren Hull in the Clerk of the Board of Supervisors at (925) 655-2000 or ClerkoftheBoard@cob.cccounty.us.

Basic Requirements for Teleconferencing a Meeting

Teleconference meetings must be conducted in accordance with the procedures set forth in Government Code §54953(b). All other teleconference meetings are prohibited

What is a Teleconference meeting?

- One or more of the *members* of the body attend the meeting from a remote location via electronic means. Members may be connected by audio or by both audio and video.

What are the main requirements of holding a teleconference meeting?

The main requirements of Government Code §54953(b) include:

- At least a quorum of members must participate from public locations within County or the geographic boundaries of the advisory body.
- For each meeting location (including *all* teleconference locations):
 - The address of each meeting location must be listed in the meeting notice and agenda.
 - An agenda must be posted at each meeting location (including all teleconference sites).
 - Each location must be fully accessible to the public.
 - Each location must be Americans with Disabilities Act (ADA)-compliant.
 - The public's right to testify (make public comments) at each location must be ensured.
 - All votes taken must be conducted by roll call.

Can I teleconference from my car?

A member cannot participate via teleconference from their car. A member's car is not an acceptable teleconference meeting location because it does not meet the requirements of Government Code §54953(b). Among other problems, a car is generally not ADA-compliant, open to the public, with an address that can be listed on the agenda and meeting notice.

Can I teleconference my home?

A member only can only participate from locations that meet the requirements of Government Code §54953(b). The location must be open to the public, listed on the agenda, ADA-compliant, and members of the public must be ensured the right to make public comments from the teleconference meeting location. For these reasons, teleconferencing from the member's home is inadvisable.

Please contact the Clerk of the Board or County Counsel prior to planning a teleconference meeting so that we can help you ensure that all the necessary legal requirements are met.

[Appendix 17: Legally Required Format for Recording Committee Votes](#)

Format and Basics of Recording Votes in the Minutes (Record of Action)

Legally Required Format for Recording Committee Votes

Under California law, committees are **required to use the following format** (in the committee minutes) to record committee votes:

Votes must be publicly reported by law

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. (Government Code Sec. 54953(c)(2)). See memo from County Counsel dated January 15, 2014 for additional information.

Votes on each action must be recorded for every member

For each vote on an agenda item, the minutes or record of actions must state how each individual board or committee member voted.

A Roll-Call format is required

Use the following format to record all committee votes:

AYES: (list last names of member voting 'aye')
NOES: (list last names of members voting 'no')
ABSENT: (list last names of members absent)
ABSTAIN (list last names of members who abstained)"

Example:
AYES: (Washington, Kim, Madison, Garcia)
NOES: (Kennedy)
ABSENT: none
ABSTAIN: none

Votes must be recorded and the Minutes must be posted

Make the vote public by posting the adopted minutes or record of actions for each meeting in the same physical location where meeting agendas are posted, and by posting an electronic copy of the Minutes on the County's web page (in the "Public Meetings Agenda Center").

Minutes are a permanent, public record

Minutes must be kept in your committee files in perpetuity and must be made available to the public upon request.

Appendix 18: How to Prepare Minutes

Office of the County Counsel
651 Pine Street, 9th Floor
Martinez, CA 94553

Contra Costa County
Phone: (925) 335-1800
Fax: (925) 646-1078

Date: January 15, 2014

To: David W. Twa, County Administrator,
Attn: Tiffany Lennear, Chief Clerk of the Board of Supervisors,
County Boards, Commissions, and Committees and their Administrative
Officers and Secretaries

From: Sharon L. Anderson, County Counsel
By: Mary Ann McNett Mason, Assistant County Counsel

Re: **Ralph M. Brown Act Amendment Requires Detailed Public Report of
Individual Votes**

For your information, we discuss a recent amendment to the Ralph M. Brown Act, the open meeting law, Statutes of 2013, Chapter 257, effective January 1, 2014. Government Code section 54953, subsection (c) (2) now provides:

“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.”

Previously, the law prohibited public bodies from voting by secret ballot, but did not expressly require that individual votes be reported on open session items, unless the meeting involved a teleconference location.¹ Thus, some agencies would state in their minutes that an item passed, without specifying how the various board members voted. This made it hard for members of the public either not attending the meeting, or watching the meeting of a very large body, to know with certainty how individual members voted on any given item. Government Code section 54953 (c) (2) was added to improve public accountability by requiring agencies to clearly report the vote or abstention of each member present at the meeting.²

A. Specificity in Minutes/Record of Actions Now Required

To comply with this new public reporting requirement, each time a board, committee, or commission votes on an agenda item, the minutes or record of actions must

¹ Gov. Code, § 54953 (b) (2).

² Senate Floor, Bill Analysis, SB 751 (5/28/13); Assembly Committee on Appropriations, Bill Analysis, SB 751 (7/3/13).

state how each individual board or committee member voted. If the member did not vote, the minutes/record of actions must specify whether the member was absent or abstained. To do this, include the following information in the minutes/record of actions for every vote:

AYES: (list names of members voting aye)
NOES: (list names of members voting no)
ABSENT: (list names of members absent)
ABSTAIN: (list names of members who abstained)

A written record of the body's actions must be made available for public review. This is usually done by posting approved minutes or a record of actions.

If bodies pass resolutions or otherwise reflect their actions by annotating individual board orders, these documents must detail the vote in the form shown above. A simple statement of the number of votes pro and con on a resolution or an annotated board order will not suffice. Each board member's name and vote, absence, or abstention also must be listed on the resolutions or board orders.

B. Enhancing Transparency in Open Session

Sometimes when a vote taken in open session is not unanimous, it can be difficult for members of the public attending the meeting to follow. To enhance transparency in this circumstance, it is a good practice to publicly announce the vote immediately after it occurs. After a vote in open session that either is not unanimous or from which a member abstains, the chair may summarize the vote and action taken as follows:

“The motion passes 3-2, with Smith and Jones dissenting. Item x is approved.” or
“The motion passes 4-0, with Smith abstaining. Item x is approved.”
“The motion fails 3-2, with Smith, Jones, and Black voting against. Item x is not approved.”

C. Report of Vote following Closed Session

Not all boards, committees, and commissions are authorized by the Brown Act to meet in closed session. Legal counsel must always be consulted before listing a closed

session item on an agenda. When a closed session is authorized, and the body reports an action taken in closed session in the minutes/record of actions or other written document, the same format described in Section A above must be used to describe the vote.³

In an oral report of action taken or direction given in a closed session, the vote or abstention of every member present for the closed session must be reported. This applies even if

the vote is unanimous.⁴ For example, the chair or counsel may state:

“In closed session, the board voted unanimously to seek appellate review in the case of *Green v. Miller*.” or

“In closed session, the board voted 3-2, to seek appellate review in the case of *Green v. Miller*, with Smith, Jones, and Black voting aye, and White and Rose dissenting.” or

“In closed session, the board voted unanimously to seek appellate review in the case of *Green v. Miller*, with Black abstaining.

MAM/am

cc: Members, Board of Supervisors
County Administrator
Attn: Terry Speiker, Chief Assistant County Administrator
Julie Enea, Senior Deputy County Administrator
Department Heads
Steven Moawad, Senior Deputy District Attorney

³ Gov. Code, §§ 54953, 54957.1.

⁴ Gov. Code, § 54957.1.

Appendix 19: Records Retention Policy for County Advisory Committees

C.128

To: Board of Supervisors
From: INTERNAL OPERATIONS COMMITTEE
Date: December 2, 2014



Contra
Costa
County

Subject: BOARD ADVISORY BODY RECORDS RETENTION AND DESTRUCTION POLICY & SCHEDULE

RECOMMENDATION(S):

ADOPT Resolution No. 2014/444 authorizing the destruction of certain Advisory Body records, as recommended by the Internal Operations Committee.

FISCAL IMPACT:

None.

BACKGROUND:

To efficiently manage the volume of records generated and received, advisory bodies must dispose of unnecessary records and documents that have no apparent historical significance or further administrative value, are not required to be maintained by state or federal law, and are no longer necessary for their purposes pursuant to Government Code section 26202. Government Code section 26202 allows the Board of Supervisors to authorize the destruction of any record more than two years old without being photographed microfilmed or otherwise reproduced if it is not required by state statute or county charter to be prepared or received, or if it is prepared or received pursuant to state statute or county charter but it is not expressly required by law to be filed or preserved.

CONSEQUENCE OF NEGATIVE ACTION:

If the Resolution is not approved, the Board's advisory bodies would continue to lack formal guidance on the retention and destruction of its records.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

☒ APPROVE

☐ OTHER

☐ RECOMMENDATION OF CNTY
ADMINISTRATOR

☒ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: 12/02/2014

☒ APPROVED AS
RECOMMENDED

☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Mary N. Piepho, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: December 2, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy 78

Contact: VICKY MEAD
925.888.1007

[Return to Table of Contents](#)

ATTACHMENTS

Resolution No. 2014/444

Attachment "A" to Resolution No. 2014/444: Advisory Body Records Retention
Schedule

**Records Retention Schedule for Advisory Bodies
Attachment "A" to Resolution No. 2014/444**

Record Type	Retention Period
Meeting agendas	For the life of the committee, plus two (2) years
Meeting minutes	For the life of the committee, plus two (2) years
Special meeting notices	For the life of the committee, plus two (2) years
Historical records	Permanent
Annual report	Two years
Training certificates of committee members	Two years after a new certificate is issued
Committee applications	Two years after the appointee's term on the committee; for all other applications, two years
Correspondence	Two years
Annual Budget	For lifetime of the committee plus two additional years
Ledger of expenditures	Two years
Expense reimbursements and supporting documents	Two years
Policies and procedures	As long as the policy or procedure is in effect, plus two additional years
Public Records Act requests	Two years
Form 700	Retain during year for which the form was filed, then retain for an additional seven (7) years

[Appendix 20: Recommended Documents for Committee Files](#)

Recommended Documents for Committee Files

As a committee staff person, maintaining the necessary governing documents and meeting records in your committee files will allow you to readily comply with County policies and respond to public records requests.

The list below is intended to guide you in setting up your files and considering other documents that may be helpful to keep on hand. **Please refer to Resolution 2012/444 for reference on which files must be maintained and for how long.**

Recommended documents to keep in your working files include:

Governing Documents

- Copy of the **establishing resolution or ordinance**, along with resolutions or ordinances that modify the establishing document
- **Bylaws**, if they exist, along with the Board Order and supporting documents that indicate when the documents went to the Board of Supervisors for approval
- **Conflict of Interest Code**, if one exists for the board, commission, or committee

Membership and Distribution Information

- **Current Roster** with *current contact information* and *attendance* for all members
- **Distribution List** of any staff, press, and members of the public who have requested your agendas and meeting materials in the past calendar year
- Recommended:
 - Copies of **appointment board orders** (can be found on the BOS agenda site: AgendaQuick) for the current terms and any unscheduled vacancies in the past term
- Original **training certifications** for members (keep two years beyond the end of their term)

Meeting Records

- **Agendas and records of action** (minutes) from each meeting (*to be kept in perpetuity*)

Work Products

- Copies of annual reports, along with the dates that the reports were approved by the Board of Supervisors
- Copies of reports, recommendations, or other work products sent to the Board of Supervisors, a BOS Standing Committee, or a County Department

Other Documents and Reference Materials

- Advisory Body Handbook
- Any other documents that are routinely accessed in the course of committee business

[Appendix 21: Information to Include on Rosters and Distribution Lists](#)

Rosters and Distributions Lists: What Information to Maintain

In order to distribute agendas and meeting materials to the correct parties in a timely manner, advisory body staff must maintain accurate rosters and distribution lists. Additionally, rosters are essential for proper committee administration. Rosters can provide information on when to recruit for various seats, on member attendance, and to ensure that member training requirements are met.

The information below provides guidance on information to be included in your Rosters and Distribution Lists.

Committee Rosters

The Committee Roster lists current members and other pertinent information, as outlined below. The Committee Roster can be maintained in Word, Excel, or other format of your choosing.

- Appointee Name
- Appointee Seat
- Seat term start date
- Appointee start date (date appointed by BOS)
- Meeting dates and attendance
- Term End Date—recommend that you create a calendar with term end dates. Plan to post vacancies 3-months prior to the term expiration dates in order to conduct a recruitment and go through the appointments process without undue delays.
- Appointee contact information:
 - Appointee Phone
 - Email
 - Home address
- If applicable: qualifications for the seat (indicate possession of a required professional license, residency in a district, or other qualification for service in the seat)

Distribution Lists

The Distribution List is list of all individuals who should receive your meeting materials. The Distribution List includes your members, as well as anyone who has requested meeting materials in the past year. Parties on the distribution list must be sent meeting materials at least 96 hours prior to any meeting per the Better Government Ordinance, by the requested method (either email or mail).

- Parties/individuals who have requested your meeting agendas/packets in the past calendar year
 - Name, if provided
 - Date request was made, and the date the request will expire (if applicable)
 - Email or mail address for distributed materials: Either email or mailing address. Email is encouraged as the primary distribution method due to timeliness.
- Other notes on Distribution Lists:
 - All members (appointees) must receive your distributed meeting materials
 - The Distribution List may be updated once annually (or upon the request of a party to be added or removed)



Contra Costa County

County Administrator's Office • 1025 Escobar Street • Martinez, CA 94553 • www.contracosta.ca.gov

NEWS RELEASE

Month DD, YEAR

Contact: Contact Name, (925)-XXX-XXX

workemail@contracosta.ca.gov

LETTERHEAD: Use your department's or committee's letterhead

DATE: Date the press release will be distributed **Commented**

CONTACT INFORMATION: Include contact name, telephone, and email (usually the committee staff person).

WOULD YOU LIKE TO SERVE ON THE

Census 2020 Complete County Steering Committee?

COMMITTEE NAME: Add committee name here

On December 18, 2018 the Contra Costa County Board of Supervisors created the Census 2020 Complete Count Steering Committee to increase awareness and motivate residents to respond to the 2020 Census. The Complete Count Steering Committee will serve as local "census ambassadors" to ensure a complete and accurate count of the community in the 2020 Census.

PARAGRAPH 1: Provide background on committee and committee purpose

Complete Count Steering Committee members should represent the diversity within Contra Costa County, in particular Hard to Count populations. Examples of Hard to Count populations include immigrants and refugees, minority communities, households living in poverty, youth between the age of 0-5 and 18-24, rural residents, seniors/older adults, people with disabilities, LGBTQ, veterans, homeless individuals and families, areas with limited internet access, and households with limited English proficiency. The Complete Count Steering Committee may include representatives from government agencies, community-based organizations, business community, and the faith-based community.

PARAGRAPH 2: Provide membership qualifications and/or information on seats

Complete Count Committee members should be able to think strategically about how to engage residents within Hard to Count populations, help organize community events, communicate through their networks, and make presentations to community groups. They must be able and willing to commit the time required (estimated to be 5-10 hours/month) and regularly attend Complete Count Committee meetings, which will be held monthly in the afternoons. Periodic meetings will be held in the evening or weekends.

PARAGRAPH 3: Provide requirements of service, time commitments, and other qualifications.

Application forms can be obtained from the Clerk of the Board of Supervisors by calling (925) 655-2000 or visiting the County webpage at <https://www.contracosta.ca.gov/3418>. Applications should be returned to the Clerk of the Board of Supervisors, 1025 Escobar Street, 1st Floor, Martinez, CA 94553 or emailed to ClerkoftheBoard@cob.cccounty.us no later than close of business at 5:00 PM on January 23, 2019. Applications will be reviewed, and selection of the Census 2020 Complete Count Steering Committee members will be made by the Board of Supervisors.

APPLICATION DEADLINE: Add the deadline for applications to be received by.

SELECTION PROCESS: Include information on the interview and selection process for your committee.

###

Suggested Recruitment Activities and Timelines:

Advice for Advisory Body Staff

While the Clerk of the Board helps to ensure that the basic legal posting requirements for scheduled and unscheduled vacancies are met, advisory body staff, members, and nominating authorities are encouraged to conduct additional outreach and recruitment efforts.

One recommended tool you can use to help ensure seats are filled in a timely fashion is a recruitment calendar.

A recruitment calendar indicates when your seats expire, and when you need to conduct related recruitment activities in order to fill seats in a timely fashion. You can use any format you choose: Word, Excel, or even a paper wall calendar. Ultimately, you should integrate this information into your advisory body's meeting calendar for planning purposes.

Creating a Recruitment Calendar

- First, list out seats and their expiration dates, chronologically.
- Next, review the appointments process for the seats that are scheduled to become vacant:
 - Which groups conduct interviews?
 - Do the interviews need to be conducted by a Board Standing Committee?
 - Who possesses the nominating authority? Generally, the nominating authority will be either a Board Standing Committee, the Board or Commission itself, or a District Supervisors office. Contact Clerk of the Board or your CAO liaison with any questions.
- Then, denote a recruitment starting point for each seat that is three to four months prior to any expiration.
- For each seat, add dates for the activities 1 through 7 outlined below:

Activities to conduct 3-4 Months ahead of the Scheduled Vacancy

- 1) At the recruitment starting point, plan to conduct the following activities:
 - a. Create a press release, with an application period that closes approximately 2 months prior to the term expiration.
 - b. Distribute the press release to everyone on the distribution list, as well as local press, and groups that may have overlapping interests (such as a professional group, club, or other organization). Contact Clerk of the Board or your department's public information officer for additional assistance.

Activities to conduct 1-2 Months ahead of the Scheduled Vacancy

- 2) 1-2 months ahead of the vacancy, once the recruitment is closed, forward all applications received to the appropriate nominating authority.
- 3) Ensure that interviews are scheduled at an upcoming open, public meeting of the nominating authority (either the advisory body or a Board Standing Committee).

Activities to conduct 1 month ahead of the Scheduled Vacancy

- 4) Ensure that the nominating Board Order has been submitted to AgendaQuick. Monitor the submitted Board Order and track the date that the appointment will go to the Board of Supervisors.

Activities to Conduct Following Board of Supervisors Approval of the Appointment

- 5) Save a copy of the appointment Board Order in your working committee files.
- 6) Update your roster and distribution list for agendas/materials.
- 7) Reach out to the member to inform them of their appointment, and to share with them the requirements of their appointment:
 - a. Send them the meeting calendar
 - b. County Training Requirements
 - i. Brown Act Video
 - ii. Ethics for Local Officials
 - c. Administer Oath of Office (if applicable)



Contra Costa County

Appendix 24: Application Form

Print Form

Please return completed applications to:

Clerk of the Board of Supervisors

1025 Escobar Street, 1st Floor

Martinez, CA 94553

or email to: ClerkofTheBoard@cob.cccounty.us

BOARDS, COMMITTEES, AND COMMISSIONS APPLICATION

First Name	Middle Initial	Last Name	
Home Address - Street	City	State	Postal Code
Primary Phone (best number to reach you)	Email Address		
Resident of Supervisorial District (if out of County, please enter N/A): District Locator Tool			
Do you work in Contra Costa County? ☐ Yes ☐ No If Yes, in which District do you work?			
Current Employer	Job Title	Length of Employment	
How long have you lived or worked in Contra Costa County?			

Board, Committee, or Commission	Seat Name
Have you ever attended a meeting of the advisory board for which you are applying?	
Please check one: ☐ Yes ☐ No If Yes, how many?	

EDUCATION

Check appropriate box if you possess one of the following:

☐ High School Diploma

☐ CA High School Proficiency Certificate

☐ G.E.D. Certificate

Colleges or Universities Attended	Degree Type/ Course of Study/Major	Degree Awarded	
		☐ Yes	☐ No
		☐ Yes	☐ No
		☐ Yes	☐ No

Occupational Licenses Completed:	
Other Trainings Completed:	
	Certificate Awarded for Training?
	☐ Yes ☐ No
	☐ Yes ☐ No

Do you have any obligations that might affect your attendance at scheduled meetings? ☐ Yes ☐ No

If Yes, please explain:

Would you like to be considered for appointment to other advisory bodies for which you may be qualified? ☐ Yes ☐ No

Are you a veteran of the U.S. Armed Forces? ☐ Yes ☐ No

Please explain why you would like to serve on this particular board, committee, or commission.

Describe your qualifications for this appointment. (NOTE: you may also include a copy of your resume).

I am including my resume with this application:

Please check one: ☐ Yes ☐ No

Are you currently or have you ever been appointed to a Contra Costa County advisory board?

Please check one: ☐ Yes ☐ No

If Yes, please list the Contra Costa County advisory board(s) on which you are **currently** serving:

If Yes, please also list the Contra Costa County advisory board(s) on which you have **previously** served:

List any volunteer and community experience, including any boards on which you have served.

Do you have a familial relationship with a member of the Board of Supervisors? (Please refer to the relationships listed under the "Important Information" section on page 3 of this application or Resolution No. 2021/234).

Please check one: ☐ Yes ☐ No

If Yes, please identify the nature of the relationship:

Do you have any financial relationships with the county, such as grants, contracts, or other economic relationships?

Please check one: ☐ Yes ☐ No

If Yes, please identify the nature of the relationship:

I CERTIFY that the statements made by me in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge and understand that all information in this application is publicly accessible. I understand and agree that misstatements and/or omissions of material fact may cause forfeiture of my rights to serve on a board, committee, or commission in Contra Costa County.

Signed:

Date:

Submit this application to: ClerkofTheBoard@cob.cccounty.us **OR** Clerk of the Board
1025 Escobar Street, 1st Floor
Martinez, CA 94553

*Questions about this application? Contact the Clerk of the Board at (925) 655-2000 or by email at
ClerkofTheBoard@cob.cccounty.us*

Important Information

1. This application and any attachments you provide to it is a public document and is subject to the California Public Records Act (CA Government Code §6250-6270).
2. All members of appointed bodies are required to take the advisory body training provided by Contra Costa County.
3. Members of certain boards, commissions, and committees may be required to: 1) file a Statement of Economic Interest Form also known as a Form 700, and 2) complete the State Ethics Training Course as required by AB 1234.
4. Meetings may be held in various locations and some locations may not be accessible by public transportation.
5. Meeting dates and times are subject to change and may occur up to two (2) days per month.
6. Some boards, committees, or commissions may assign members to subcommittees or work groups which may require an additional commitment of time.
7. As indicated in Board Resolution 2021/234, a person will not be eligible for appointment if he/she is related to a Board of Supervisors' member in any of the following relationships: (1) Mother, father, son, and daughter; (2) Brother, sister, grandmother, grandfather, grandson, and granddaughter; (3) Husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepson, and stepdaughter; (4) Registered domestic partner, pursuant to California Family Code section 297; (5) The relatives, as defined in 1 and 2 above, for a registered domestic partner; (6) Any person with whom a Board Member shares a financial interest as defined in the Political Reform Act (Gov't Code §87103, Financial Interest), such as a business partner or business associate.

Appendix 25: Samples Board Orders for Appointments, Reappointments, and Vacancies

Board Orders for Appointments, Reappointments, and Vacancies

In AgendaQuick:

1. Select "Create/Edit Agenda Items" under the "Agenda Items" menu on the left-hand panel
2. Select "Board of Supervisors" under the "Meeting Type" drop-down
3. Select the desired meeting date under the "Meeting Date" drop-down
4. Select "Board Order for Advisory Body Appt/Resignation" under the "Template" drop-down
5. Hit "Go" once your settings are ready

AgendaQuick
FROM DESTINY SOFTWARE

Contra Costa County Agenda Management System

Logoff | Help

Create/Edit Agenda Items

To create a new Agenda Item Request you must first select a meeting type and then a meeting date. If there is more than one available Agenda Item Request template, you will then need to select a Template and then press the 'Go' button.

Meeting Type: Board of Supervisors
Meeting Date: 06/16/2020 - BOARD OF SUPERVISORS
Agenda Item Request: [Search]
*Template: Board Order for Advisory Body Appt/Resignation

* Indicates a required field.
The form cannot be submitted until all required fields are entered.
AgendaQuick by Destiny Software, Inc.
© 2005—2020 Destiny Software Inc. All Rights Reserved

Complete required information in the top section. Then hit save and proceed.

Create/Edit Agenda Items - Board Order for Advisory Body Appt/Resignation

Agenda Item Request has not been saved yet.

*Meeting Date: 06/16/2020 - BOARD OF SUPERVISORS
Meeting Type: Board of Supervisors
Agenda Item Request: [Search]

Cut Off Date: 06/04/2020 NOON

Submitted For: [Redacted]
Submitted By: Emlyn Struthers --- emlyn.struthers@cob.cccounty.us / 5-1919
Department: Clerk of the Board
Division: None
Title: [Redacted]
Agenda Category: Consent
Agenda Sub-category: Appointments & Resignations
BookMark Description: [Redacted]
Time (Duration): Select One

IGNORE - CoB Use Only: [Redacted]

* Official Body: Board of Supervisors
Presenter/Phone, if applicable: [Redacted]
Audio-Visual Needs: [Redacted]
Handling Instructions: [Redacted]

* District: [Redacted]
Status: [Redacted]
* Contact, Phone: CONTACT, phone number [Redacted]
COB Signed By: David J. Two
Board Action (CoB Use Only): [Redacted]
CFDA No.: [Redacted]

Submit Save Phrases

Information Attachments Fiscal Impact Int. Comments Routing

Information

Open All Click on the OPEN ALL button to open all of the Editor Boxes at once.

Suggested Language for Unscheduled Vacancy Board Order

Subject (Title): Declare vacant the seat name on the advisory body name

Recommendations: ACCEPT the resignation of appointee's name, DECLARE a vacancy in the seat name on the advisory body name for a term ending on term ending date, and DIRECT the Clerk of the Board to post the vacancy.

Fiscal Impact: None.

Background: ****Include a brief description of the advisory body. Describe the composition of seats and terms.****

Suggested Agenda Description: ACCEPT the resignation of appointee's name, DECLARE a vacancy in the seat name on the advisory body name for a term ending on term ending date, and DIRECT the Clerk of the Board to post the vacancy.

Suggested Language for an Appointment/Reappointment Board Order

Subject (Title): Appointment(s) to the advisory body name

Recommendations: APPOINT appointee's name to the seat name on the advisory body name, for a term ending on term end date, as recommended by nominating authority.

Fiscal Impact: None.

Background: ****Include a brief description of the advisory body. Describe the composition of seats and terms. Briefly describe the recruitment and selection process undertaken.****

Suggested Agenda Description: APPOINT appointee's name to the seat name on the advisory body name, for a term ending on term end date, as recommended by nominating authority.

Note: For reappointments, change the term "appointments" to "reappointments" and the term "APPOINT" to "REAPPOINT"

Personal Information and Applications attached to Board Orders

- Avoid including personal information in the Board Order as it is published on the internet.
- All applications of appointees should be on file with the Clerk of the Board of Supervisors.
- If you choose to attach an application, please be sure to redact personal information, including the following information:
 - Home address
 - Personal or home phone numbers
 - Personal or home emails
 - Signature

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 01/07/2020 by the following vote:

John Gioia
Candace Andersen
AYE: **Diane Burgis**
Karen Mitchoff
Federal D. Glover

NO:

ABSENT:

ABSTAIN:

RECUSE:



Resolution No. 2020/1

IN THE MATTER OF ADOPTING POLICY GOVERNING APPOINTMENTS TO, FORMATION OF, AND REQUIREMENTS OF BOARDS, COMMITTEES, AND COMMISSIONS THAT ARE ADVISORY TO THE BOARD OF SUPERVISORS

WHEREAS, the Board of Supervisors appoints citizens to boards, committees, and commissions that are advisory to and governed by the Board; and

WHEREAS, the Board of Supervisors wishes to encourage participation of interested citizens in the course of decisions affecting this County; and

WHEREAS, a broad representation of existing concerns and views is desired; and

WHEREAS, the Board of Supervisors finds the appointment of citizens to advisory boards, commissions, or committees to be of value in promoting civic participation;

NOW, THEREFORE, BE IT RESOLVED that the following procedures governing the formation of, and appointments to, boards, commissions, and committees that are advisory to the Board of Supervisors (hereafter "advisory bodies") are adopted:

I. APPLICATION

A. The advisory bodies to which this Resolution applies are listed on Exhibit A, "Advisory Bodies" attached hereto.

II. LOCAL APPOINTMENTS LIST

A. In accordance with the Maddy Local Appointive List Act of 1975 (Government Code Section 54970 et seq.), the Board of Supervisors (hereinafter the "Board") will include in the Local Appointments List prepared by December 31st of every year, a list of all regular and ongoing advisory bodies that have members appointed by the Board.

1. The Local Appointments List will be made available at the following locations: a) in a conspicuous place at the Office of the Clerk of the Board; and b) on the Contra Costa County website.

2. The Local Appointments List will include a) a list of all appointive terms that will expire during the next calendar year; b) a list of all advisory bodies whose members serve at the pleasure of the Board; c) the name of the incumbent, if any; d) the date of appointment for each filled seat; e) the necessary qualifications for service in each seat; f) the date on which the term for the seat expires, if any.

III. APPOINTMENT PROCEDURE

A. The Board makes appointments to two distinct types of seats on its advisory bodies. The following process will be followed for appointments to these two types of seats:

Type 1: Supervisorial District Appointments Applications may be delivered to either the Clerk of the Board or to the District Supervisor's office. Applications received by a Supervisor's office are to be sent to the Clerk of the Board, and a copy is to be

retained by the Supervisor's office. The Clerk of the Board will ensure that the Supervisor has a copy of all applications originally filed with the Clerk of the Board.

Type 2: At Large/Countywide Appointments Applications are sent to the Clerk of the Board. The Clerk of the Board will distribute the applications to the appropriate interviewer. With the exception of the Planning Commission and the Treasury Oversight Committee, bodies may generally conduct their own interviews of applicants, unless provided direction by a Board Committee. When an advisory body conducts interviews, the body's recommendation will be provided to a Board Committee for further review, along with all applications received for the applicable seat. In all cases, the Board Committee decides which applicants to nominate for full Board action.

B. A Board Committee or an individual Supervisor may select a screening committee to assist in interviewing applicants for appointment. Membership subcommittees of Board advisory bodies may serve this purpose.

C. The Board shall strive to maintain an ethnic, economic, and geographic balance to the membership of advisory bodies.

D. Except where federal, State, or County statutes or regulations dictate otherwise, or in exceptional circumstances, the following applicants generally should not be appointed: 1. An applicant who has a family member already serving on the same advisory body. 2. An applicant who would be repeatedly required to recuse himself from the body's business due to a conflict of interest.

E. Except for county officers and employees serving in an official capacity, all advisory body members shall have specific terms of appointment as prescribed by statute or as fixed by the Board. Unless otherwise specified, appointees shall serve four-year terms, and terms should be staggered to limit the number of scheduled vacancies at any one time.

F. All Board appointees to advisory bodies serve at the pleasure of the Board and may be removed during their terms of office by a majority vote of the Board at its pleasure, provided that such action is consistent with conditions imposed by law.

G. An unscheduled vacancy occurs when an appointee leaves or becomes ineligible for his/her seat before his/her term expires. Unscheduled vacancies in seats on advisory bodies which are appointed by the Board will be listed on the Board's agenda within 20 days after the vacancy occurs. The Board will declare the positions vacant and instruct the Clerk of the Board to post the unscheduled vacancies. The Clerk of the Board will create and post the unscheduled vacancy notice within one business day of being instructed to do so by the Board. The notice will be posted at the following locations: 1) in a conspicuous location at the Office of the Clerk of the Board; and 2) on the Contra Costa County website. Additional outreach may be implemented by the Supervisorial District offices, and/or the advisory body. Pursuant to Government Code §54974(a), the Board will not make a final appointment for a minimum of ten working days after the Clerk has posted the unscheduled vacancy notice. If the Board finds an emergency exists, it may fill the unscheduled vacancy immediately, but the appointee will only serve on an acting basis until the final appointment is made.

IV. FORMATION AND DISSOLUTION OF ADVISORY BODIES

A. The Board of Supervisors may form an advisory body for the purpose of rendering advice or recommendations to the Board on issues of importance. The Board of Supervisors may dissolve an advisory body at the Board's discretion, consistent with conditions imposed by law. Commencing July 1, 2012, each advisory body shall be reviewed at least once every three years pursuant to a procedure established by the Board in Resolution 2012/261 or its successor.

B. When the Board creates an advisory body, the Board may determine whether or not the body should adopt a conflict of interest code.

V. RESPONSIBILITIES OF ADVISORY BODIES

A. Each advisory body:

1. Shall operate within its mandate as defined in the Board Order, Resolution, or Ordinance creating the body and any applicable law, and may establish specifically defined objectives consistent with its mandate.
2. Shall elect a chairperson and notify the Clerk of the Board of said selection.
3. Shall establish regularly scheduled meeting times and inform the Clerk of the Board of such schedule.
4. Subject to limitations resulting from statutory requirements, may adopt a set of operating rules (bylaws) addressing attendance requirements for continuing membership, the election of officers, and the establishment of subcommittees composed solely of current members of the advisory body. The operating rules (bylaws) shall not be operative until they have been approved by the Board of Supervisors.
5. Shall maintain necessary records including agendas and meeting minutes (records of action) and ensure that these documents

are made available to the public upon request.

6. Shall comply with by the Ralph M. Brown Act (Gov. Code, §54950, et. Seq.) and the County's Better Government Ordinance (County Ordinance Code Division 25).

7. Shall post meeting agendas on the County's webpage, in addition to the physical posting requirements specified in the Brown Act and Better Government Ordinance, at least 96 hours ahead of any regular meeting, beginning on March 2, 2020.

8. Shall comply with the Board's policy against conflict of interest, as required by state law and County policies, including but not limited to Resolution No. 2002/376 and Resolution 2011/55, or their successors.

9. Shall submit an Annual Report to the Board in December on its activities, accomplishments, membership attendance, required training/certification, and proposed work plan or objectives for the following year, in December. A suggested template for the Annual Report can be found in the Advisory Body Handbook or can be obtained by contacting the Clerk of the Board.

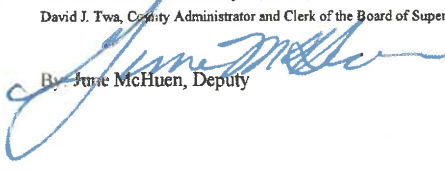
VI. This Resolution supersedes Resolution 2011/497 in its entirety.

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

Contact: Emlyn Struthers, 925-335-1919

ATTESTED: January 7, 2020

David J. Twa, County Administrator and Clerk of the Board of Supervisors

By:  June McHuen, Deputy

cc:

RESOLUTION NO. 2020/1
EXHIBIT A

List of Applicable Advisory Bodies

Advisory Council on Aging
Agricultural Advisory Task Force
Alamo Municipal Advisory Council
Alcohol and Other Drugs Advisory Board
Arts & Culture Commission of Contra Costa County
Aviation Advisory Committee
Bay Point Municipal Advisory Council
Bethel Island Municipal Advisory Council
Byron Municipal Advisory Council
Commission for Women
Contra Costa County Fire Protection District Fire Advisory Commission*
Contra Costa County Planning Commission*
Council on Homelessness
County Service Area P-2A (Blackhawk Police Services) Citizens Advisory Committee
County Service Area P-2B Citizens Advisory Committee (Alamo Police Services Advisory Committee)
County Service Area P-5 (Roundhill) Citizens Advisory Committee
County Service Area P-6 (Discovery Bay Zones) Citizen Advisory Committee
County Service Area R-10 (Rodeo) Citizens Advisory Committee
Countywide Bicycle Advisory Committee
Crockett-Carquinez Fire Protection District Advisory Fire Commission
Diablo Municipal Advisory Council
East Richmond Heights Municipal Advisory Council
Economic Opportunity Council
El Sobrante Municipal Advisory Council
Emergency Medical Care Committee
Equal Employment Opportunity Advisory Council
Family & Children's Trust Committee
Fish & Wildlife Committee
Hazardous Materials Commission
Historical Landmarks Advisory Committee
Integrated Pest Management Advisory Committee
Iron Horse Corridor Management Program Advisory Committee
Juvenile Justice Coordinating Council
Keller Canyon Mitigation Fund Review Committee
Kensington Municipal Advisory Council
Knightsen Town Advisory Council
Library Commission
Local Planning and Advisory Council for Early Care and Education (LPC)
Managed Care Commission

Mental Health Commission
North Richmond Municipal Advisory Council
Pacheco Municipal Advisory Council
Public Law Library Board of Trustees
Racial Justice Oversight Body
Rodeo Municipal Advisory Council
Sustainability Commission
Treasury Oversight Committee*

Last Updated: January 7, 2020

*Interviews for the Contra Costa County Fire Protection District Fire Advisory Commission, Planning Commission and Treasury Oversight Committee will always be conducted by a Board Committee.

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 01/07/2020 by the following vote:

AYE: **John Gioia**
Candace Andersen
Diane Burgis
Karen Mitchoff
Federal D. Glover

NO: **ABSENT:** **ABSTAIN:** **RECUSE:** **Resolution No. 2020/2**

IN THE MATTER OF ADOPTING POLICY GOVERNING APPOINTMENTS TO INDEPENDENT BOARDS, COMMITTEES, AND COMMISSIONS, AND SPECIAL DISTRICTS

WHEREAS, the Board of Supervisors makes appointments to independent bodies not governed by the Board of Supervisors; and WHEREAS the Board of Supervisors wishes to encourage participation of interested citizens in decisions affecting residents of this County;

NOW, THEREFORE, BE IT RESOLVED that the following procedures governing appointments to independent special districts, boards, commissions, and committees that are not governed by the Board of Supervisors (hereafter collectively referred to as "independent bodies") are adopted:

I. APPLICATION A. The independent bodies to which this Resolution applies are listed on Exhibit A, "Independent and Quasi-Independent Bodies" attached hereto.

II. LOCAL APPOINTMENTS LIST A. In accordance with the Maddy Local Appointive List Act of 1975 (Government Code section 54970 et seq.), the Board of Supervisors (hereafter "Board") will include in the Local Appointments List prepared by December 31st of each year, a list of all regular and ongoing independent bodies that have members appointed by the Board.

1. The Local Appointments List will be made available at the following locations: a) in a conspicuous place at the Office of the Clerk of the Board; and b) on the Contra Costa County website.

2. The Local Appointments List will include a) a list of all appointive terms that will expire during the next calendar year; b) a list of all boards, commissions and committees whose members serve at the pleasure of the Board; c) the name of the incumbent, if any; d) the date of appointment for each filled seat; e) the necessary qualifications for service in each seat; f) the date on which the term for the seat expires, if any.

III. APPOINTMENT PROCEDURE A. The Board makes appointments to two distinct types of seats on independent bodies, Supervisorial District Seats and At Large/ Countywide Seats. The following process will be followed for appointments to these two types of seats:

Type 1: Supervisorial District Seats Applications may be delivered to either the Clerk of the Board or to the District Supervisor's office. Applications received by a Supervisor's office are to be sent to the Clerk of the Board, and a copy is to be retained by the Supervisor's office. The Clerk of the Board will ensure that the Supervisor has a copy of all applications originally filed with the Clerk of the Board.

Type 2: At Large/Countywide Seats Applications are sent to the Clerk of the Board. The Clerk of the Board will distribute the applications to the appropriate interviewer. When an independent body conducts interviews, the body's recommendation will be provided to a Board Committee for further review. In all cases, the Board Committee decides which applicants to nominate for full Board action.

A Board Committee or an individual Supervisor may select a screening committee to assist in interviewing the applicants for appointment. A membership subcommittee of an independent body may serve this purpose.

B. An unscheduled vacancy occurs when an appointee leaves or becomes ineligible for his/her seat before his/her term expires. Unscheduled vacancies in seats on independent bodies which are appointed by the Board will be listed on the Board's agenda within 20 days after the vacancy occurs. The Board will declare the positions vacant and instruct the Clerk of the Board to post the unscheduled vacancies. The Clerk of the Board will create and post the unscheduled vacancy notice within one business day of being instructed to do so by the Board. The notice will be placed at the following locations: 1) in a conspicuous place at the Office of the Clerk of the Board; and 2) on the Contra Costa County website. Additional outreach may be implemented by the Supervisorial District offices and/or the independent body. Pursuant to Government Code §54974(a), the Board will not make a final appointment for a minimum of ten working days after the Clerk has posted the unscheduled vacancy notice. If the Board finds an emergency exists, it may fill the unscheduled vacancy immediately, but the appointee will only serve on an acting basis until the final appointment is made.

C. Except where federal, State, or County statutes or regulations dictate otherwise, or in exceptional circumstances, the following applicants generally should not be appointed:

1. An applicant who has a family member already serving on the same independent body; 2. An applicant who would be repeatedly required to recuse himself from the body's business due to a conflict of interest. 3. An applicant with any of the conflicts of interest listed in Resolution 2011/55.

D. Board of Supervisors representatives on independent bodies serve at the pleasure of the Board and may be removed during their terms of office by a majority vote of the Board at its pleasure, provided such action is consistent with conditions imposed by law.

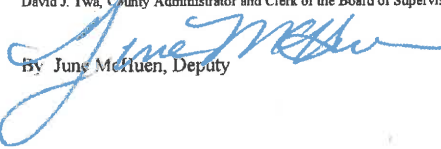
IV. This Resolution supersedes Resolution 2011/498 in its entirety.

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

Contact: Emlyn Struthers, 925-335-1919

ATTESTED: January 7, 2020

David J. Twa, County Administrator and Clerk of the Board of Supervisors


By June McHuen, Deputy

cc:

RESOLUTION NO. 2020/2
EXHIBIT A

List of Applicable Independent or Quasi-Independent Bodies

A. Decision-Making Bodies

Airport Land Use Commission
Alamo-Lafayette Cemetery District Board of Directors
Assessment Appeals Board
Byron-Brentwood-Knightsen Union Cemetery District Board of Trustees
Contra Costa County Employees' Retirement Association (CCCERA)*
East Contra Costa Fire Protection District Board of Directors
First 5 Contra Costa Children and Families Commission
Housing Authority Board of Commissioners
Merit Board
Mosquito & Vector Control District Board of Trustees (Contra Costa County)
Resource Conservation District Board of Directors (Contra Costa County)
Tri-Delta Transit Authority Board of Directors
Western Contra Costa Transit Authority Board of Directors
Workforce Development Board (Contra Costa County)

B. Advisory to independent bodies

Affordable Housing Finance Committee
Contra Costa Transportation Authority (CCTA) Citizen Advisory Committee
County Connection Citizens Advisory Committee
Countywide Redevelopment Successor Agency Oversight Board*
East Bay Regional Park District Park Advisory Committee
In-Home Supportive Service Public Authority Advisory Committee
Contra Costa Solid Waste Local Enforcement Agency (LEA) Independent Hearing Panel
North Richmond Waste and Recovery Mitigation Fee Committee
Regional Measure 3 (RM3) Independent Oversight Committee*

Last Updated: January 7, 2020

*Interviews for the following will always be conducted by a Board Committee:

- Contra Costa County Employees' Retirement Association (CCCERA),
- Countywide Redevelopment Successor Agency Oversight Board, and
- Regional Measure 3 Independent Oversight Committee.