CITY COUNCIL
Albert Vallecillo, Mayor
Bill Biasi, Mayor Pro-Tempore
Councilmembers: Richard Casavecchia,
Jesse Loren, and Carol Scianna

REGULAR CITY COUNCIL MEETING

City Hall, Council Chamber
318 First Street, Winters, CA 95695
January 20, 2026
6:30 PM

Meeting Information
Winters City Council meetings are conducted in person at City Hall Council Chambers accessible via the Abbey St. side entrance. As a courtesy, and technology permitting, members of the public may continue to participate virtually. However, the City cannot guarantee that the public's access to teleconferencing technology will be uninterrupted, and technical difficulties may occur from time to time. Unless required by the Brown Act, City Council meetings will continue despite technical difficulties for participants using the teleconferencing option.

Zoom: +16699006833 US Meeting ID: 850 2319 7139

Passcode: 405995

https://us02web.zoom.us/j/85023197139?pwd=U2xRNUg1U0V6T1ZqUlBGTlVZRlJjdz09

If you are joining the meeting via Zoom and wish to make a comment on an item, press the "raise a hand" button. If you are joining the meeting by phone, press *9 to indicate a desire to make a comment. The chair will call you by name or phone number when it is your turn to comment. Speakers will be limited to 3:00 minutes.

If you choose not to observe the City Council meeting but wish to make a comment on a specific agenda item, please submit your comment via email by 5:00 p.m. on the Monday prior to the City Council meeting. Please submit your comment to the City Clerk at cityclerk@cityofwinters.org. All public comments submitted to the City Clerk will be summarized and read into record but will not be read verbatim due to time limitations.

General Information: If you have questions about this agenda please call the City Clerk's office at 530-794-6702. View City Council meetings, obtain agendas and agenda packets on the internet: http://www.cityofwinters.org/city-council-meetings. City Council agenda packets and any attachments to the agenda that are not available online may be viewed at the City Clerk's Office at City Hall - 318 First Street.

Assistance: In compliance with the Americans with Disabilities Act, if you need special assistance, a disability-related modification or accommodation, agenda materials in an

alternative format, or auxiliary aids to participate in this meeting, please contact the Office of the City Clerk at 530-794-6702 or cityclerk@cityofwinters.org as soon as possible. Providing at least 72 hours notice will help ensure that reasonable arrangements can be made.

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF THE AGENDA
The Mayor and Council may change the order of the Agenda or request discussion of a Consent Item.

1. SPECIAL PRESENTATIONS

A. Proclamation Recognizing the Winters High School Football Team for Winning the State Championship
Proclamation - Winters Highschool Football.docx
B. Proclamation Recognizing Sgt. Albert Ramos
Proclamation for Sgt. Albert Ramos.docx
C. Presentation of the Hexavalent Chromium- 6 Implementation Plan Update to City Council
Hexavalent Chromium- 6 Implementation Plan.pptx

2. PUBLIC COMMENT (Items not on the agenda)
This time is reserved for members of the public to address the City Council on items that are not on the Agenda and are within the subject matter jurisdiction of the City Council. Comments are limited to 3 minutes. Comments for items on the Open Session agenda will be taken when the item is called in Open Session. City Council is prohibited by law from taking any action on matters discussed that are not on the agenda, and no adverse conclusions should be drawn if the City Council does not respond to public comment at this time.

3. CONSENT CALENDAR
All items listed under the Consent Calendar are considered and acted upon by one Motion.
Anyone may request an item be removed for separate consideration.

A. Minutes of the Special City Council Meeting Held on November 24, 2025
Special City Council Minutes November 24, 2025.docx
B. Minutes of the Regular City Council Meeting held on December 16, 2025
City Council Minutes 12.16.2025.docx
C. Professional Services Agreement with PublicWorks1 for the Asset & Data Tracking Services
Staff Report - Professional Services Agreement PublicWorks1.doc
Attachment 1 - Resolution 2026-04 Agreement with PublicWorks1.docx
Attachment 2 - Contract Agreement/Scope of Services.docx
Attachment 3 - Scope of Services.pdf
D. Resolution 2026-03 Approving a Claim of Transportation Development Act Funding from the Sacramento Area Council of Governments (SACOG) for $632,440.

Staff Report - Transportation Development Act Funding
Attachment 1 - Resolution 2026-03 Transportation Development Act Funding.docx
Attachment 2 - TDA Claim Form 2025-26.docx

E. City Council consideration of adopting Resolution No. 2026-02 authorizing the City Manager to execute a contract for construction with Public Restroom Company, in the amount of $195,980, for the fabrication, permitting, delivery, and installation of a prefab restroom facility at 3 Oaks Park (phase 3).
Staff Report - 3 Oaks Park Prefab Restroom Award.docx
Attachment 1 - Resolution 2026-02 3 Oaks Park Prefab Restroom.docx
Exhibit A - Location Map.docx
Exhibit B - Restroom Information.pdf
Attachment 2 - Park Restroom Contract.docx

F. Appointment of Winters Planning Commission Members
Staff Report - Appointing Members to the Planning Commission.docx
Attachment 1 - Planning commission Roster.pdf

G. A Resolution of the City Council to receive and file the Fiscal Year 2024-2025 Impact Fee Annual Report as required by California Government Code Section 66000 et seq
Staff Report - Annual Impact Fee.docx
Attachment 1 - Resolution 2026-01 Annual Impact Fee 2024-2025.docx
Attachment 2 - Impact Fee Annual Report 2024-2025.docx

H. Proclamation recognizing Ramon Altamirano for his Service to the Winters Planning Commission
Proclamation recognizing Ramon Altamirano

4. PUBLIC HEARINGS

5. DISCUSSION ITEMS

A. Presentation and Update of 2025 Homeless Outreach Efforts
Staff Report - Homeless outreach update and discussion.doc

B. Consideration of Support for California Senate Bill 417 and Assembly Bill 736 - 2026 Housing Bond Measures

Staff Report - Housing Bond Act.doc
Attachment 1 - SB417 The Affordable Housing Bond Act of 2026.pdf
Attachment 2 - AB736 The Affordable Housing Bond Act of 2026.pdf

6. CITY MANAGER'S REPORT

A. Distribution of Brown Act to Elected / Appointed Officials pursuant to new Brown Act requirements
2026 Brown Act Guide.pdf

7. COUNCIL COMMENTS-IDEAS, QUESTIONS, AB1234 REPORTS

This item is for information only and is not eligible for action at this time.

ADJOURNMENT

I declare under penalty of perjury that the foregoing agenda for the regular meeting of the Winters City Council was posted on the public bulletin board at City Hall, 318 First Street and posted to the City of Winters website at cityofwinters.org.

_____

Zorina Treat, Deputy City Clerk

A PROCLAMATION OF THE CITY COUNCIL OF THE CITY OF WINTERS HONORING THE WINTERS HIGH SCHOOL WARRIORS FOOTBALL TEAM FOR ITS 2025 CIF STATE CHAMPIONSHIP VICTORY AND ITS 2024 REGIONAL CHAMPIONSHIP

WHEREAS, on December 13, 2025, the Winters High School Warriors Football Team achieved the extraordinary accomplishment of winning the California Interscholastic Federation (CIF) Division 6-AA State Football Championship with a 14-1 overall record after capturing their second straight Northern Section Championship; and

WHEREAS, in 2024, the football team also had success winning the Northern Section Championship and making the school's first appearance in the CIF State Regional Championship game with a 12-1 overall record; and

WHEREAS, the Warriors demonstrated exceptional skill, determination, and teamwork in defeating Morse High School by a score of 28-7, bringing home the first CIF State Bowl Championship in Winters High School history; and

WHEREAS, this historic victory represents the culmination of countless hours of dedication, discipline, and hard work by the student-athletes who committed themselves to excellence both on the field and in the classroom; and

WHEREAS, the coaching staff provided outstanding leadership, guidance, and mentorship, instilling in these young athletes the values of perseverance, sportsmanship, and community pride; and

WHEREAS, the parents, families, and guardians of these student-athletes provided unwavering support, encouragement, and sacrifice throughout the season, ensuring their children had every opportunity to succeed; and

WHEREAS, this championship has brought tremendous pride and recognition to Winters High School, the City of Winters, and the entire community, showcasing the exceptional quality of our local schools and youth programs; and

WHEREAS, the Warriors' success serves as an inspiration to all young people in our community, demonstrating that with dedication, teamwork, and community support, extraordinary achievements are possible;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Winters does hereby recognize and honor the Winters High School Warriors Football Team, their

coaches, the student-athletes, and their families for this outstanding achievement and for representing our community with distinction, honor, and excellence.

BE IT FURTHER RESOLVED that this accomplishment will be forever remembered as a defining moment in Winters High School athletics and in the proud history of our community.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Winters hereby

PASSED AND ADOPTED, this _____ Day of _____, 2025.

Council Member Richard Casavecchia

Council Member Jesse Loren

Council Member Carol Scianna

Mayor Pro Tem Bill Biassi

Mayor Albert Vallecillo

A PROCLAMATION OF THE CITY COUNCIL OF THE CITY OF WINTERS RECOGNIZING SGT. ALBERT RAMOS

WHEREAS, Alberto Camacho Ramos was hired as a Police Officer with the City of Winters Police Department on August 4, 1997; promoted to Police Corporal in 2004; promoted to Police Sergeant in 2016; and honorably retired on December 31, 2025; and,

WHEREAS, during his 28-year career, Sgt. Ramos was recognized as the Officer of the Year in 1998; served as Youth Resource Services Officer, Detective, Field Training Officer, FTO SAC, ABLE Instructor, Terrorism Liaison Officer Coordinator, Volunteer Coordinator, and Officer Wellness Coordinator, among many other ancillary assignments; and,

WHEREAS, Sgt. Ramos continued his professional development and education, earning an Associate of Arts in Criminal Justice in 2004 and a Bachelor of Arts in Criminal Justice in 2020; and,

WHEREAS, Sgt. Ramos was raised in Winters, graduated from Winters High School in 1989, and subsequently raised his family in Winters, underpinning his unwavering commitment to the community of Winters; and,

WHEREAS, Sgt. Ramos continuously demonstrated the honesty, humor and compassion by which he lives his day-to-day life and served as an example to his subordinates and peers through the highest degree of character, integrity, and service.

NOW, THEREFORE, we, the Winters City Council, on behalf of the citizens of Winters, do hereby recognize and thank Sgt. Albert Ramos for his selfless service to the community of Winters.

PASSED AND ADOPTED, this 20th Day of January , 2026.

Council Member Richard Casavecchia

Council Member Jesse Loren

Council Member Carol Scianna

Mayor Pro Tem Bill Biassi

Mayor Albert Vallecillo

Kennedy Jenks

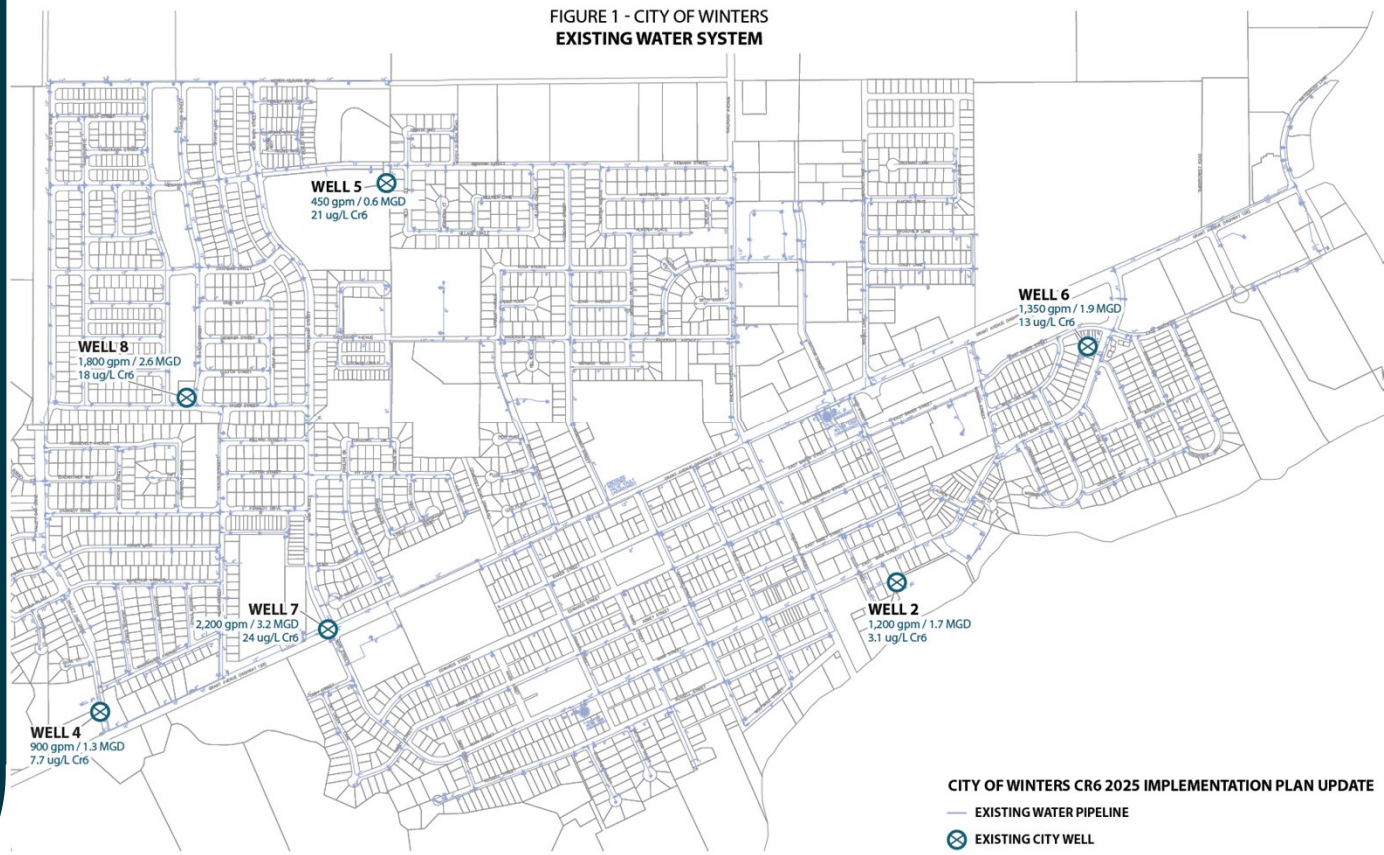
City of Winters Cr6 Implementation Plan Update- Council Meeting

January 20, 2026

Agenda

- Introductions
- Background
  - 2016 Plan
  - 2025 Update to 2016 Plan
- Overview of Alternatives
  - Treatment Alternatives
  - Short Term (Phase 1)
  - Preliminary Long Term (Phase 2)
- Near Term Actions
  - Well 8 IX Treatment
  - Other (Irrigation, Well 9 exploration)

Background


FIGURE 1 - CITY OF WINTERS
EXISTING WATER SYSTEM
WELL 5
450 gpm / 0.6 MGD
21 ug/L Cr6
WELL 6
1,350 gpm / 1.9 MGD
13 ug/L Cr6
WELL 8
1,800 gpm / 2.6 MGD
18 ug/L Cr6
WELL 7
2,200 gpm / 3.2 MGD
24 ug/L Cr6
WELL 2
1,200 gpm / 1.7 MGD
3.1 ug/L Cr6
WELL 4
900 gpm / 1.3 MGD
7.7 ug/L Cr6
CITY OF WINTERS CR6 2025 IMPLEMENTATION PLAN UPDATE
EXISTING WATER PIPELINE
EXISTING CITY WELL

2016 Cr6 Implementation Plan

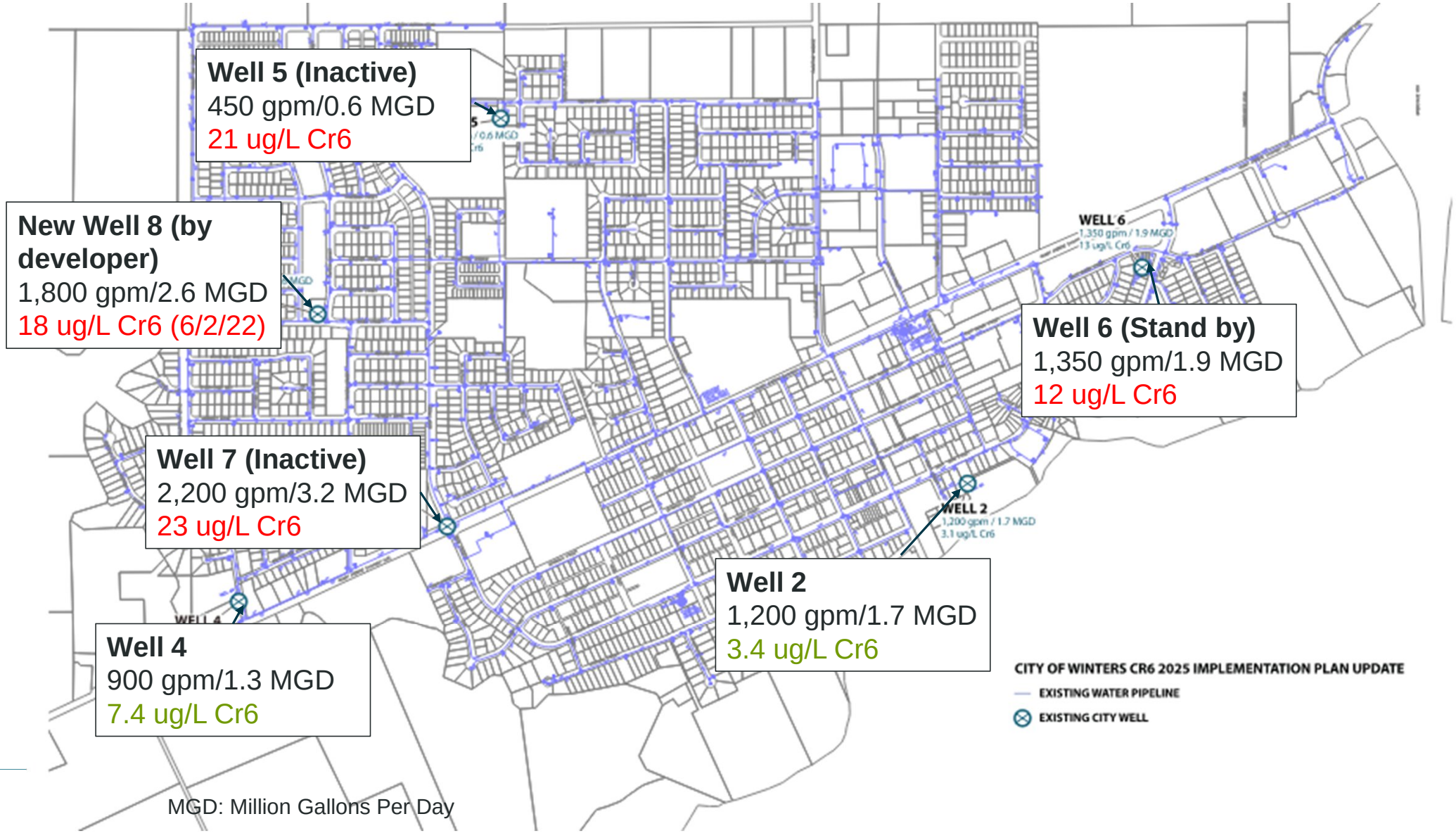
- 2014 Cr6 Maximum Contaminant Level (MCL) drinking water standard compliance by 10 ug/L by **1 July 2020**
- Cr6 Implementation Plan Included:
  - project development process
  - alternatives considered
  - basis for selecting a preferred project through currently planned build-out in 2036
- The City did not move forward with the project since the 2014 Cr6 MCL was rescinded in 2017

2025 Cr6 Implementation Plan Update – draft 12/30/25

- Cr6 MCL compliance of 10 µg/L by **1 October 2027**
- Wells 5, 6, and 7 exceed MCL
- City demands updated based on 2025 population projections to 2070 (25,000 people)
- No longer considering non-potable irrigation upgrades because of a lack of grant funding and cost and maintenance of more infrastructure

Well	Well Capacity (gpm)	Average Cr6 Concentration 2024-2025 (µg/L)	Below Cr6 MCL (10 µg/L)
Well 2	1,200	3.4	Yes
Well 4	900	7.4	Yes
Well 5	450	21	No
Well 6	1,350	12	No
Well 7	2,200	23	No

Note:
gpm = gallons per minute



MGD: Million Gallons Per Day

Alternatives in Draft Cr6 Compliance Plan

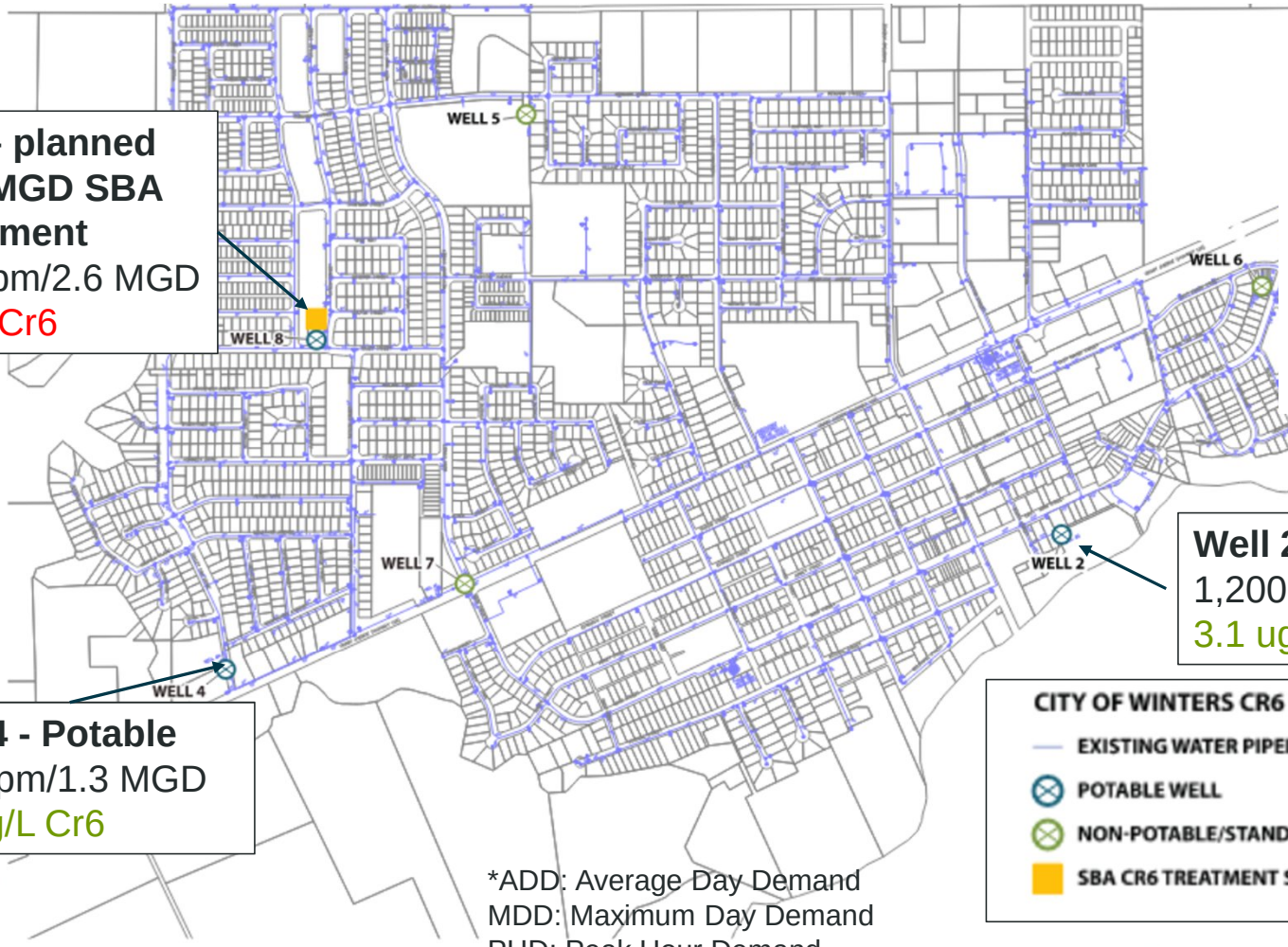
Hexavalent Chromium Treatment Alternatives Summary

DDW has 3 Best Available Technologies (BAT) approved for Cr (VI) treatment

1. Reduction, Coagulation, Filtration (RCF) which requires
   a) Chemicals for **reduction and coagulation** (e.g. stannous chloride, ferrous sulfate, ferrous chloride, etc) and **filtration** to remove the particles
   b) More complex, need for higher licensing, suitable for higher flows because of larger footprint and has treatment residual disposal
2. Reverse Osmosis which is more expensive and has brine residual for disposal
3. **Proposed:** Ion Exchange (I-X) which is the simplest of treatment technologies and suitable for wellhead applications
   a) Vendor can remove and dispose of treatment residuals

Phase 1 Solution- Achieve Compliance by 1 October 2027

Well 8 – planned for 2.3 MGD SBA IX Treatment
1,800 gpm/2.6 MGD
18 ug/L Cr6



2027 Estimated Demands

- ADD*= 1.3 MGD (Well 2 only)
- MDD*= 3.0 MGD (Wells 2 and 4)
- PHD*= 4.5 MGD (Wells 2, 4 and portion of Well 8)
- MDD + 4.3 MGD **Fire flow** =7.3 MGD
  - 5.6 MGD (from Wells 2,4,8) + **Untreated** Well 6 (standby):portion of 1.9 MGD

Well 2 - Potable
1,200 gpm/1.7 MGD
3.1 ug/L Cr6

Well 4 - Potable
900 gpm/1.3 MGD
7.7 ug/L Cr6

CITY OF WINTERS CR6 2025 IMPLEMENTATION PLAN UPDATE

- EXISTING WATER PIPELINE
- POTABLE WELL
- NON-POTABLE/STANDBY WELL
- SBA CR6 TREATMENT SYSTEM

*ADD: Average Day Demand
MDD: Maximum Day Demand
PHD: Peak Hour Demand

Phase 1: Well 8 Treatment –Planning-level Cost Estimate

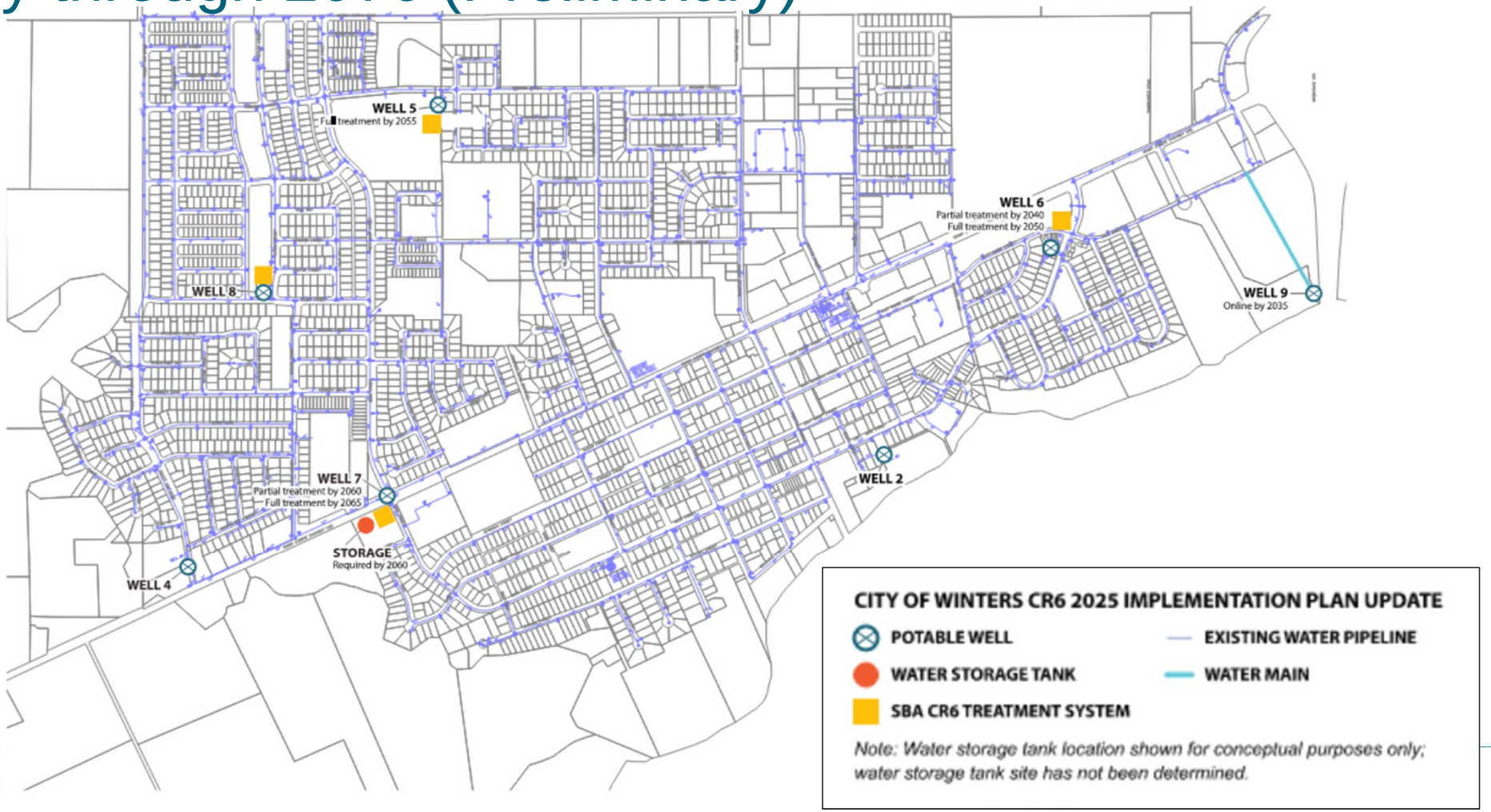
Table 15: Phase 1 Capital Costs (2025$ in millions)

Component	Cost ($M in 2025 dollars)
Well 8 Cr6 Treatment[1,2]	$5.2
Estimated Construction Cost	**$5.2**
Construction Markups	$3.8
Estimated Bid Cost	**$9.0**
Soft Costs	$2.7
Estimated Project Cost	**$11.7**
Project Cost Range[3]	$5.9 to $23.5

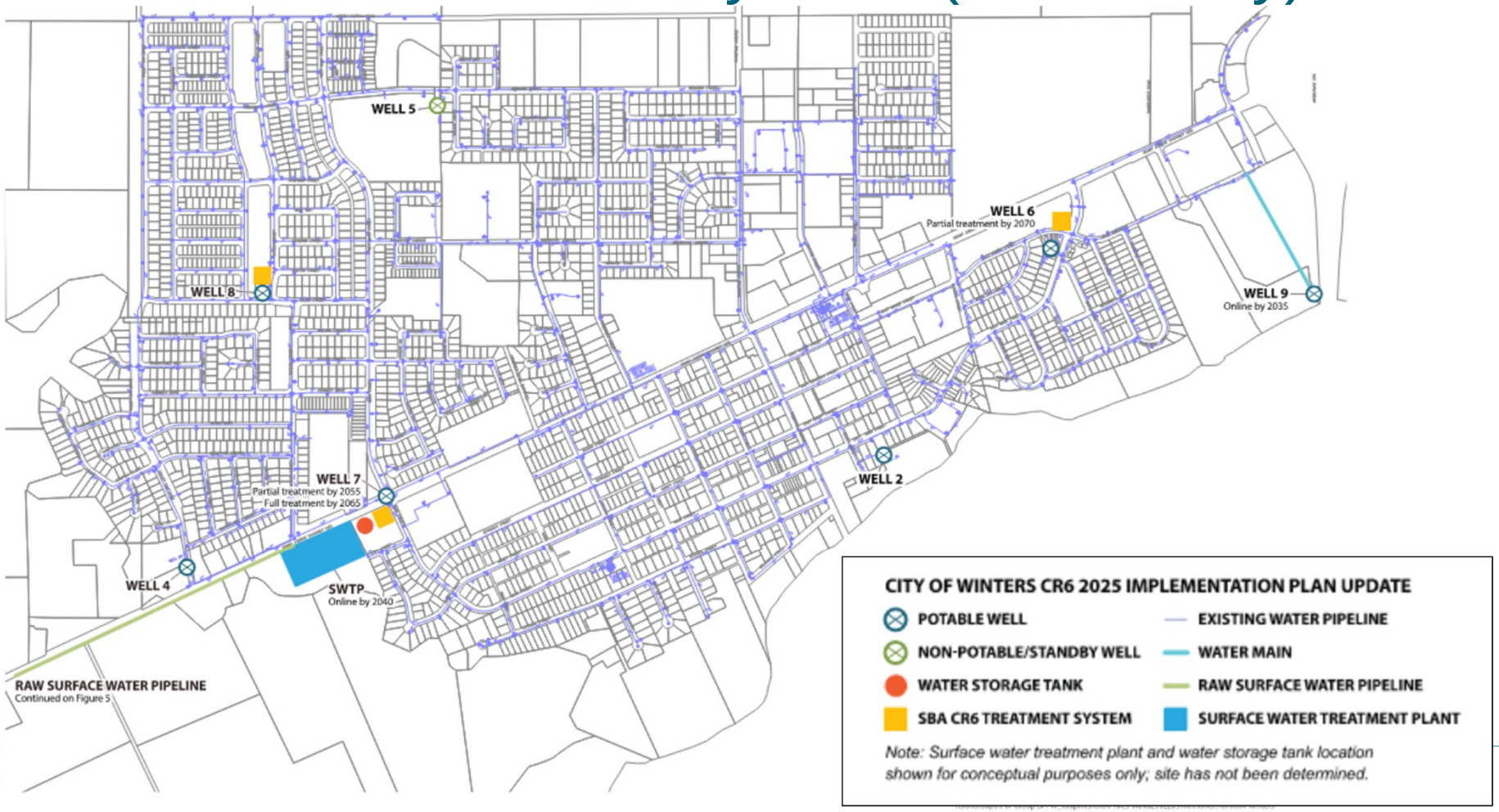
Notes:

1. SBA regenerative resin is assumed for the treatment.
2. Since Well 8 is already planned to be equipped and operational by 2027, cost for well equipping is excluded.
3. Costs were developed at a concept level of design with anticipated range of accuracy of -50 to +100%.

Phase 2, Alternative 1: Remain on Groundwater-Only Supply through 2070 (Preliminary)



Phase 2, Alternative 2: Supplement Groundwater with Surface Water Infrastructure by 2070 (Preliminary)

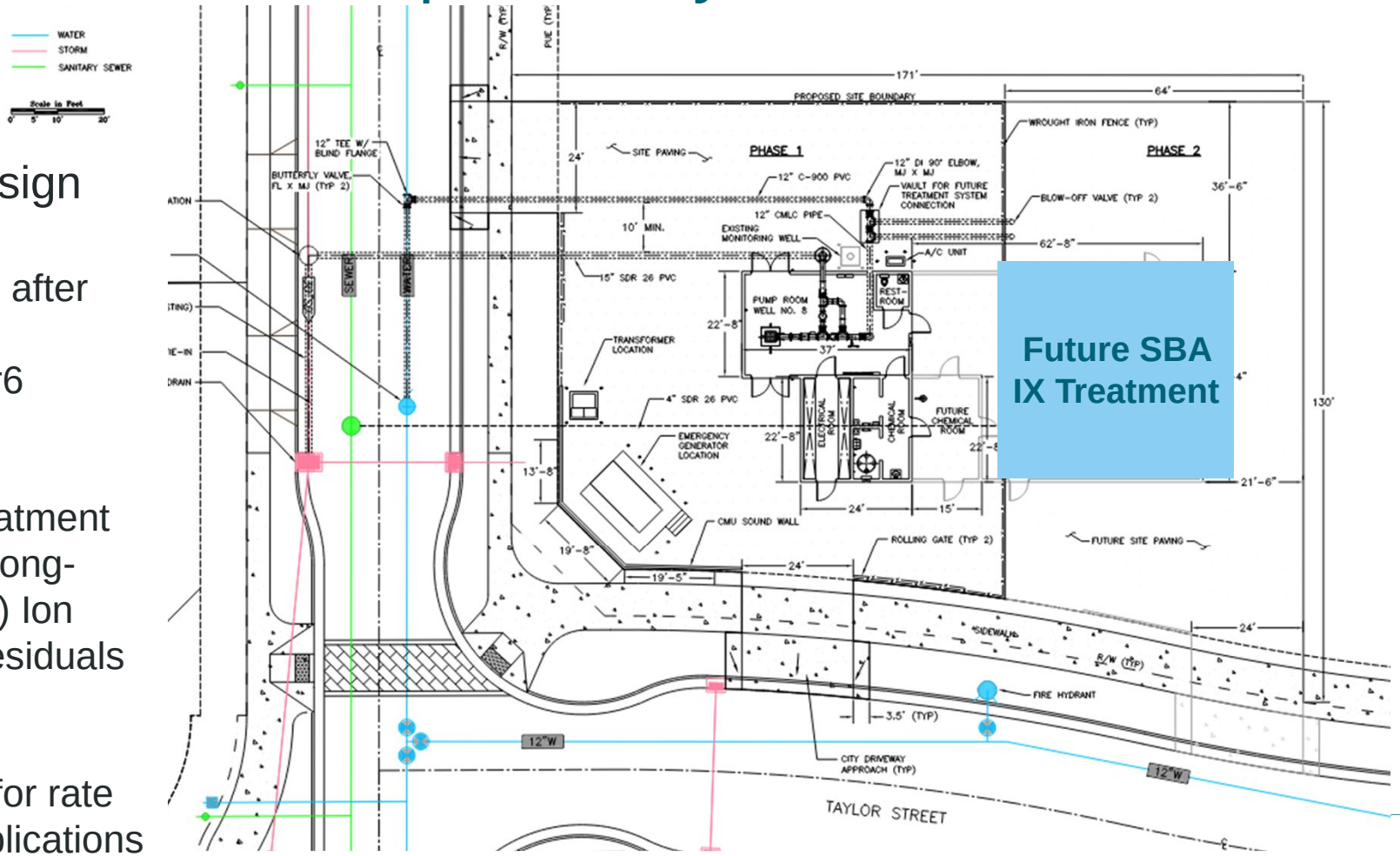


Near Term Actions

Well 8 Treatment for Compliance by 1 October 2027

2026: Treatment Design should:

- Confirm well flow rate after equipping
- Conduct additional Cr6 sampling
- Initiate Pre Design to:
  - Site layout for treatment method (likely Strong-Base Anion (SBA) Ion Exchange) and residuals removal
  - Construction and operations costs for rate study/funding applications



Other Near-Term (1-5 years) Actions

- 2026: Explore Funding options
  - Drinking Water SRF -Safe and Affordable Funding for Equity and Resilience Program (SAFER)
  - Proposition 4 Drinking Water
  - California Infrastructure and Economic Development Bank (I-Bank)
- **By 1 October 2027**: Construct and Commission Well 8 Treatment pending DDW approval
- Use **untreated** water from Well 6 for fire flow events
  - Follow by flushing system with potable water from Wells 2 and 4, disinfection and sampling
  - **2026 Action:** Confirm plan with DDW
- Ongoing: Regularly monitor Cr6 levels in all wells, especially those for potable supply and Monitor water demands
- Explore new Well 9 near Putah Creek

Other Actions

- Consider dedicated irrigation of up to 2.2 MGD by Wells 5 and/or 7 (non-potable) to reduce demand on potable system
  - Requires additional pipelines
- Emergency Connections for rapid deployment of trailer-mounted wellhead treatment
  - Enhanced preparedness if there are any changes in water quality in the wells serving the potable system
  - **Action**: Evaluate need for emergency connections for wellhead treatment

Questions/Discussion

Minutes of the Special Council Meeting held on November 24, 2025

CALL TO ORDER

Mayor Albert Vallecillo called the meeting to order at 3:01 PM

ROLL CALL

Present: Council Members Richard Casavecchia, Jesse Loren (arrived 3:21 PM), Carol Scianna, Mayor Pro Tem Biasi, Mayor Albert Vallecillo

Absent: None

Staff: Assistant City Attorney Joanna Gin, Director of Administrative Services Cathy Matthews, Deputy City Clerk Zorina Treat

CLOSED SESSION

The Council recessed to closed session AT 3:03 PM, and members of the public were dismissed.

No reportable action was taken

DISCUSSION ITEMS

A. Approve Revised Pay Schedule Consistent with 2 CCR 570.5

No public comments were received.

Assistant Legal Counsel Joanna Gin introduced the item.

Motion made by Mayor Pro Tem Biasi, seconded by Council Member Scianna to approve revised pay schedule consistent with 2 CCR 570.5. The motion carried by the following vote:

AYES: Council Members Richard Casavecchia, Carol Scianna, Mayor Pro Tem Biasi, Mayor Albert Vallecillo
NOES: Council Member Loren
ABSENT: None

B. Approve Pay Schedule Effective November 1, 2024, Consistent with 2 CCR 570.5

No public comments were received.

Motion made by Council Member Casavecchia, seconded by Mayor Pro Tem Biasi, to approve pay schedule effective November 1, 2024, consistent with 2 CCR 570.5 The motion carried by the following vote:

AYES: Council Members Richard Casavecchia, Carol Scianna, Mayor Pro Tem Biasi, Mayor Albert Vallecillo
NOES: Council Member Loren
ABSENT: None

ADJOURNMENT
The meeting adjourned at 3:31 PM

_____
Albert Vallecillo, MAYOR

ATTEST:

_____
Zorina Treat, Deputy City Clerk

Minutes of the Regular Council Meeting Held on December 16, 2025

Mayor Albert Vallecillo called the meeting to order at 6:30 PM

Present: Council Members Richard Casavecchia, Jesse Loren, Carol Scianna, Mayor Pro Tem Bill Biasi, Mayor Albert Vallecillo

Absent: None

Staff: Interim City Manager Joe Gorton, Assistant City Attorney Brian Hughes, Police Chief John Miller, Fire Chief Jack Synder, Contract Building Official Kale Graham, Deputy City Clerk Zorina Treat.

PLEDGE OF ALLEGIANCE

Brian Hughes led the Pledge of Allegiance

APPROVAL OF THE AGENDA

Motion by Council Member Loren, seconded by Council Member Casavecchia, to approve the agenda as presented. The motion carried by the following vote:

AYES: Council Members Richard Casavecchia, Jesse Loren, Carol Scianna, Mayor Pro Tem Bill Biasi, Mayor Albert Vallecillo

NOES: None

ABSENT: None

SPECIAL PRESENTATIONS

None

PUBLIC COMMENT (Items not on the agenda)

Kate Laddish provided public comment.

CONSENT CALENDAR

3.A. Minutes of the Regular City Council meeting held on November 18, 2025

3.B. Warrant Register and Payment of Claims for the Month of July 2025

Motion by Council Member Jesse Loren, seconded by Council Member Carol Scianna to approve the Consent Calendar as amended. The motion carried by the following vote:

AYES: Council Members Richard Casavecchia, Jesse Loren, Carol Scianna, Mayor Pro Tem Bill Biasi, Mayor Albert Vallecillo

NOES: None
ABSENT: None

PUBLIC HEARINGS

None

DISCUSSION ITEMS

5.A.

Council Approval of the Initial Study with Mitigated Negative Declaration Grant Avenue/State Route 128/Russell Boulevard Bike and Pedestrian Improvements Project

Paul Gervacio of Psomas Engineering presented an overview of the I-505/Russell Boulevard Bike and Pedestrian Improvements Project, outlining project alternatives, public engagement, funding status, and next steps.

Kate Laddish provided public comment.

Motion by Council Member Loren, seconded by Council Member Casavecchia to adopt Resolution 2025-68 as amended to include the following: a) Council's expressed desire for alternative two to be the final design, and b) confirming Sections 4 and 5 of the draft Resolution be included. The motion carried by the following vote:

AYES: Council Members Richard Casavecchia, Jesse Loren, Carol Scianna, Mayor Pro Tem Bill Biasi, Mayor Albert Vallecillo
NOES: None
ABSENT: None

CITY MANAGER'S REPORT

City Manager Jeremy Craig reported that the Fire Department is conducting a strategic planning process and will be distributing a community survey to gather input on service needs and priorities.

COUNCIL COMMENTS-IDEAS, QUESTIONS, AB1234 REPORTS

Council directed staff to bring back future agenda items related to projects, policies, and funding opportunities as discussed.

Verbal updates were provided by Council Members.

ADJOURNMENT

The meeting adjourned in memory of Germaine Hupe at 7:34 PM

CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Councilmembers

DATE: January 20, 2025

FROM: Eric Lucero, Public Works Director of Operations & Maintenance

THROUGH: Jeremy Craig, City Manager

SUBJECT: Resolution 2026-04 Approving a Professional Services Agreement with PublicWorks1 for the Asset & Data Tracking Services Project in the Not to Exceed Amount Of $26,000.

RECOMMENDATION:

Adopt Resolution 2026-04 Approving a Professional Services Agreement with PublicWorks1 for the Asset & Data Tracking Services Project in the Not to Exceed Amount Of $26,000.

BACKGROUND:

Each year, City staff creates a list of streets that need repair and submits it to the state to request funding for road improvements. This money helps pay for repaving roads or applying a protective seal coating that extends pavement life. These projects also include upgrading wheelchair-accessible curb ramps in the work areas. To determine which streets need the most attention, the City hires a contractor every four to five years to inspect all city roads. During this inspection, the contractor collects information about street conditions and maps the locations of sewer covers, storm drain covers, water valves, and street signs.

DISCUSSION:

The City would like to hire PublicWorks1 to conduct this assessment. We've worked with this company before because their system connects directly with our Iworqs Software, which we already use to track maintenance requests and work orders. Using PublicWorks1 means the street assessment data will automatically integrate with our existing GIS mapping system, making it easier for staff to access and use the information.

FISCAL IMPACT:
The total cost for this contract is not to exceed $26,000.00
Fund 221-57311-660. Reimbursed by SB1 RMRA

ATTACHMENTS:
1. Resolution 2026-04
2. Contract agreement/Scope of Services
3. Scope of Services

RESOLUTION. 2026-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WINTERS APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH PUBLICWORKS1, IN THE AMOUNT OF $26,000 FOR THE ASSET & DATA TRACKING PROJECT NO. 007-25

WHEREAS, every four to five years the Public Works Department uses an outside agency to do an assessment of all the city owned streets; and

WHEREAS, each year the Public Works Department puts together a street rehab project list that must be submitted to the state for funding by July 1; and

WHEREAS, the Public Works Department will use that list to put together a street rehab project based on the most recent assessment; and

WHEREAS, these rehab projects will also address updating the ADA curb cuts for compliance; and

WHEREAS, the Public Works Department has used PublicWorks1 for this process in the past because they are affiliated with Iworq software which is our software that we use for our workorder system; and

WHEREAS, their street assessment will collect data for street conditions, map out all the sewer and storm drain manholes, valve boxes and street signs; and

WHEREAS, all their data will integrate with our current program with GIS mapping.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Winters as follows:

1. The City Council has considered the full record before it, which may include but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.

2. The City Council hereby approves a Professional Service Agreement with PublicWorks1, in the amount of $26,000, and authorizes the City Manager to execute the agreement and related documents in forms approved by the City Attorney.

DULY AND REGULARLY ADOPTED this 20th day of January 2025, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

CITY OF WINTERS

_____
Alberto Vallecillo, Mayor

ATTEST:

_____
Jeremy Craig, City Clerk

CITY OF WINTERS

AGREEMENT FOR ASSET & DATA TRACKING SERVICES

Project #007-25

1. PARTIES AND DATE.

This Agreement for Street Assessment ("Agreement") is made and entered into December 11, 2025 ("Effective Date") by and between the City of Winters, a California municipal corporation, with its principal place of business at 318 1st St., Winters, CA 95694 ("City") and PublicWorks1, a partnership, with its principal place of business at 1125 West 400 North, Suite 102, Logan UT, 84321 ("Contractor"). City and Contractor are sometimes individually referred to herein as "Party" and collectively as "Parties." ·

2. RECITALS.

2.1 Contractor.

Contractor desires to perform and assume responsibility for the provision of certain Asset & Data Tracking services of municipal streets required by City on the terms and conditions set forth in this Agreement. Contractor represents that it is experienced in providing Asset & Data Tracking services of municipal streets to public clients, is licensed in the State of California, and is familiar with the plans of City.

2.2 Project.

City desires to engage Contractor to render such services for the Data & Tracking Services project ("Project") as set forth in this Agreement.

3. TERMS.

3.1 Scope of Services and Term.

3.1.1 General Scope of Services. Contractor promises and agrees to furnish to City all labor, materials, tools, equipment, services, and incidental and customary work necessary to fully and adequately supply the services and advice on various issues affecting the decisions of City regarding the Project and on other programs and matters affecting City ("Services"). The Services are more particularly described in Exhibit "A" attached hereto and incorporated herein by reference. All Services shall be subject to, and performed in accordance with, this Agreement, the exhibits attached hereto and incorporated herein by reference, and all applicable local, state and federal laws, rules and regulations.

3.1.2 Term. The term of this Agreement shall begin from the Effective Date and continue for one year, unless earlier terminated as provided herein ("Term"). Contractor shall complete the Services within the term of this Agreement and shall meet any other established schedules and deadlines. Upon mutual agreement, the Parties shall have the option to extend this Agreement on the same terms and conditions for an additional period of one year.

3.2 Responsibilities of Contractor.

3.2.1 Control and Payment of Subordinates; Independent Contractor. The Services shall be performed by Contractor or under its supervision. Contractor will determine the means, methods and details of performing the Services subject to the requirements of this Agreement. City retains Contractor on an independent contractor basis and not as an employee of City. Contractor retains the right to perform similar or different services for others during the term of this Agreement. Any additional personnel performing the Services under this Agreement on behalf of Contractor shall also not be employees of City and shall at all times be under Contractor's exclusive direction and control. Contractor shall pay all wages, salaries, and other amounts due such personnel in connection with their performance of Services under this Agreement and as required by law. Contractor shall be responsible for all reports and obligations respecting such additional personnel, including, but not limited to: social security taxes, income tax withholding, unemployment insurance, disability insurance, and workers' compensation insurance.

3.2.2 Performance of Services. Contractor shall perform the Services expeditiously, within the Term. Contractor represents that it has the skilled personnel required to perform the Services in conformance with such conditions. City shall respond to Contractor's submittals in a timely manner. Upon request of City, Contractor shall provide a detailed schedule of anticipated performance for providing the Services.

3.2.3 Conformance to Applicable Requirements. All work prepared by Contractor shall be subject to the approval of City.

3.2.4 Substitution of Key Personnel. Contractor has represented to City that certain key personnel will perform and coordinate the Services under this Agreement. Should one or more of such personnel become unavailable, Contractor may substitute other personnel of at least equal competence and experience upon written approval of City. In the event that City and Contractor cannot agree as to the substitution of key personnel, City shall be entitled to terminate this Agreement for cause. As discussed below, any personnel who fail or refuse to perform the Services in a manner acceptable to City, or who are determined by City to be uncooperative, incompetent, a threat to the adequate or timely completion of the Project or a threat to the safety of persons or property, shall be promptly removed from the Project by Contractor at the request of City. The key personnel for performance of this Agreement are as follows: **Garyn Perrett**.

3.2.5 City's Representative. City hereby designates **Eric Lucero, Public Works Director of Operations & Maintenance**, or his or her designee, to act as its representative for the performance of this Agreement ("City's Representative"). City's Representative shall have the power to act on behalf of City for all purposes under this Agreement. Contractor shall not accept direction or orders from any person other than City's Representative or his or her designee.

3.2.6 Contractor's Representative. Contractor hereby designates **Garyn Perrett** or his or her designee, to act as its representative for the performance of this Agreement ("Contractor's Representative"). Contractor's Representative shall have full authority to represent and act on behalf of Contractor for all purposes under this Agreement. Contractor's Representative shall supervise and direct the Services, using his or her best skill and attention, and shall be responsible for all means, methods,

techniques, sequences and procedures and for the satisfactory coordination of all portions of the Services under this Agreement.

3.2.7 Coordination of Services. Contractor agrees to work closely with City staff in the performance of Services and shall be available to City's staff, contractors and other staff at all reasonable times.

3.2.8 Standard of Care; Performance of Employees. Contractor shall perform all Services under this Agreement in a skillful and competent manner, consistent with the standards generally recognized as being employed by contractors in the same discipline in the State of California. Contractor represents and maintains that it is skilled in the calling necessary to perform the Services. Contractor warrants that all employees and subcontractors shall have sufficient skill and experience to perform the Services assigned to them. Finally, Contractor represents that it, its employees and subcontractors have all licenses, permits, qualifications and approvals of whatever nature that are legally required to perform the Services, including any required business license, and that such licenses and approvals shall be maintained throughout the term of this Agreement. As provided for in the indemnification provisions of this Agreement, Contractor shall perform, at its own cost and expense and without reimbursement from City, any services necessary to correct errors or omissions which are caused by Contractor's failure to comply with the standard of care provided for herein, and shall be fully responsible to City for all damages and other liabilities provided for in the indemnification provisions of this Agreement arising from the Contractor's errors and omissions. Any employee of Contractor or its subcontractors who is determined by City to be uncooperative, incompetent, a threat to the adequate or timely completion of the Project, a threat to the safety of persons or property, or any employee who fails or refuses to perform the Services in a manner acceptable to City, shall be promptly removed from the Project by Contractor and shall not be re-employed to perform any of the Services or to work on the Project.

3.2.9 Laws and Regulations. Contractor shall keep itself fully informed of and in compliance with all local, state and federal laws, rules and regulations in any manner affecting the performance of the Project or the Services, including all Cal/OSHA requirements, and shall give all notices required by law. Contractor shall be liable for all violations of such laws and regulations in connection with Services. If Contractor performs any work knowing it to be contrary to such laws, rules and regulations and without giving written notice to City, Contractor shall be solely responsible for all costs arising therefrom. Contractor shall defend, indemnify and hold City, its officials, officers, employees and agents, free and harmless, pursuant to the indemnification provisions of this Agreement, from any claim or liability arising out of any failure or alleged failure to comply with such laws, rules or regulations.

3.2.10 Insurance.

(a) Time for Compliance. Contractor shall, at its expense, procure and maintain for the duration of the Agreement insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the Agreement by the Contractor, its agents, representatives, employees or subcontractors. Contractor shall not commence work under this Agreement until it has provided evidence satisfactory to City that it has secured all insurance required under this section. In addition, Contractor shall not allow any subcontractor to commence work on any subcontract until it has provided evidence satisfactory to City that the subcontractor has secured all insurance required under this section. Types of Required Coverages. As a condition precedent to the

effectiveness of this Agreement for work to be performed hereunder and without limiting the indemnity provisions of the Agreement, Contractor in partial performance of its obligations under such Agreement, shall procure and maintain in full force and effect during the term of the Agreement, the following policies of insurance.

(i) Commercial General Liability: Commercial General Liability Insurance which affords coverage at least as broad as the latest version of the Insurance Services Office "occurrence" form CG 0001, with minimum limits of at least $1,000,000 per occurrence. Defense costs shall be paid in addition to the limits. The policy shall contain no endorsements or provisions limiting coverage for (1) products and completed operations; (2) contractual liability; (3) third party action over claims; or (4) cross liability exclusion for claims or suits by one insured against another.

(ii) Automobile Liability Insurance: Automobile Liability Insurance with coverage at least as broad as the latest version of Insurance Services Office Form CA 0001 covering "Any Auto" (Symbol I) with minimum limits of $1,000,000 each accident.

(iii) Workers' Compensation and Employer's Liability: Workers' Compensation Insurance, as required by the State of California and Employer's Liability Insurance with a limit of not less than $1,000,000 per accident for bodily injury and disease.

If coverage is written on a claims-made basis, the retroactive date shall precede the effective date of the initial Agreement and continuous coverage will be maintained or an extended reporting period will be exercised for a period of at least three (3) years from termination or expiration of this Agreement.

(c) Endorsements.

(i) The policy or policies of insurance required by Section 3.2.10(b) (i) Commercial General Liability and (ii) Automobile Liability Insurance shall be endorsed to provide the following:

(1) Additional Insured: City, its officials, officers, employees and agents shall be additional insureds with regard to liability and defense of suits or claims arising out of the performance of the Agreement. Endorsements shall be issued on a combination of ISO CG 20 10 and CG 20 37 or exact equivalents. Additional Insured Endorsements shall not (1) be restricted to "ongoing operations"; (2) exclude "contractual liability"; (3) restrict coverage to "sole" liability of Contractor; or (4) contain any other exclusions contrary to the Agreement.

(2) Primary Insurance and Non-Contributing Insurance: This insurance shall be primary and any other insurance, deductible, or self-insurance maintained by the City, its officials, officers, employees and agents shall not contribute with this primary insurance.

(3) Severability: In the event of one insured, whether named or additional, incurs liability to any other of the insureds, whether named or additional, the policy shall cover the insured against whom claim is or may be made in the same manner as if separate policies had been issued to each insured, except that the limits of insurance shall not be increased thereby.

(4) Cancellation: The policy shall not be canceled, or the coverage suspended, voided, reduced or allowed to expire until thirty (30) days' prior written notice of cancellation has been served upon City except ten (10) days' prior written notice shall be allowed for non-payment of premium.

(5) Waiver of Subrogation: A waiver of subrogation stating that the insurer waives all rights of subrogation against the City, its officials, officers, employees and agents.

(6) Duties: Any failure by the named insured to comply with reporting provisions of the policy or breaches or violations of warranties shall not affect coverage provided to the City, its officials, officers, employees and agents.

(7) Applicability: That the coverage provided therein shall apply to the obligations assumed by Contractor under the indemnity provisions of the Agreement, unless the policy or policies contain a blanket form of contractual liability coverage.

(ii) The policy or policies of insurance required by Section 3.2.10(b) (iii) Workers' Compensation shall be endorsed, as follows:

(1) Waiver of Subrogation: A waiver of subrogation stating that the insurer waives all rights of subrogation against the City, its officials, officers, employees and agents.

(2) Cancellation: The policy shall not be canceled, or the coverage suspended, voided, reduced or allowed to expire until thirty (30) days' prior written notice of cancellation has been served upon City except ten (10) days' prior

written notice shall be allowed for non-payment of premium.

(d) Deductible. Any deductible or self-insured retention must be approved in writing by City and shall protect the City, its officials, officers, employees and agents in the same manner and to the same extent as they would have been protected had the policy or policies not contained a deductible or self-insured retention.

(e) Evidence of Insurance. Contractor, concurrently with the execution of the Agreement, and as a condition precedent to the effectiveness thereof, shall deliver either certified copies of the required policies, or original certificates and endorsements on forms approved by City. The certificates and endorsements for each insurance policy shall be signed by a person authorized by that insurer to bind coverage on its behalf. At least fifteen (15) days prior to the expiration of any such policy, evidence of insurance showing that such insurance coverage has been renewed or extended shall be filed with City. If such coverage is cancelled or reduced, Contractor shall, within ten (10) days after receipt of written notice of such cancellation or reduction of coverage, file with City evidence of insurance showing that the required insurance has been reinstated or has been provided through another insurance company or companies.

(f) Failure to Maintain Coverage. Contractor agrees to suspend and cease all operations hereunder during such period of time as the required insurance coverage is not in effect and evidence of insurance has not been furnished to City. City shall have the right to withhold any payment due Contractor until Contractor has fully complied with the insurance provisions of this Agreement.

In the event that Contractor's operations are suspended for failure to maintain required insurance coverage, Contractor shall not be entitled to an extension of time for completion of the work because of production lost during suspension.

(g) Acceptability of Insurers. Each such policy shall be from a company or companies with a current A.M. Best's rating of no less than A-:VII and authorized to do business in the State of California, or otherwise allowed to place insurance through surplus line brokers under applicable provisions of the California Insurance Code or any federal law.

(h) Insurance for Subcontractors. Contractor shall be responsible for causing subcontractors to purchase the appropriate insurance in compliance with the terms of this Agreement, including adding City as an Additional Insured to the subcontractor's policies.

3.2.11 Safety. Contractor shall execute and maintain its work so as to avoid injury or damage to any person or property. In carrying out its Services, Contractor shall at all times be in compliance with all applicable local, state and federal laws, rules and regulations, and shall exercise all necessary precautions for the safety of employees appropriate to the nature of the work and the conditions under which the work is to be performed. Safety precautions as applicable shall include, but shall not be limited to: (A) adequate life protection and life-saving equipment and procedures; (B) instructions in accident prevention for all employees and subcontractors, such as safe walkways, scaffolds, fall protection ladders, bridges, gang planks, confined space procedures, trenching and shoring, equipment and other safety devices, equipment and wearing apparel as are necessary or lawfully required to prevent

accidents or injuries; and (C) adequate facilities for the proper inspection and maintenance of all safety measures.

3.3 Fees and Payments.

3.3.1 Compensation. Contractor shall receive compensation, including authorized reimbursements, for all Services rendered under this Agreement at the rates set forth in Exhibit "A". The total compensation shall not exceed Twenty Six Thousand Dollars ($26,000) without written approval of the City Manager. Extra Work may be authorized, as described below, and if authorized, will be compensated at the rates and manner set forth in this Agreement.

3.3.2 Payment of Compensation. Contractor shall submit to City an itemized statement which indicates work completed and hours of Services rendered by Contractor. The statement shall describe the amount of Services and supplies provided since the initial commencement date, or since the start of the subsequent billing periods, as appropriate, through the date of the statement. City shall, within 45 days of receiving such statement, review the statement and pay all approved charges thereon.

3.3.3 Reimbursement for Expenses. Contractor shall not be reimbursed for any expenses unless authorized in writing by City.

3.3.4 Extra Work. At any time during the term of this Agreement, City may request that Contractor perform Extra Work. As used herein, "Extra Work" means any work which is determined by City to be necessary for the proper completion of the Project, but which the parties did not reasonably anticipate would be necessary at the execution of this Agreement. Contractor shall not perform, nor be compensated for, Extra Work without written authorization from City's Representative.

3.3.5 California Labor Code Requirements

(a) Contractor is aware of the requirements of California Labor Code Sections 1720 et seq. and 1770 et seq., which require the payment of prevailing wage rates and the performance of other requirements on certain "public works" and "maintenance" projects ("Prevailing Wage Laws"). If the Services are being performed as part of an applicable "public works" or "maintenance" project, as defined by the Prevailing Wage Laws, and if the total compensation is $1,000 or more, Contractor agrees to fully comply with such Prevailing Wage Laws. Contractor shall defend, indemnify and hold the City, its officials, officers, employees and agents free and harmless from any claims, liabilities, costs; penalties or interest arising out of any failure or alleged failure to comply with the Prevailing Wage Laws. It shall be mandatory upon the Contractor and all subcontractors to comply with all California Labor Code provisions, which include but are not limited to prevailing wages (Labor Code Sections 1771, 1774 and 1775), employment of apprentices (Labor Code Section 1777.5), certified payroll records (Labor Code Sections 1771.4 and 1776), hours of labor (Labor Code Sections 1813 and 1815) and debarment of contractors and subcontractors (Labor Code Section 1777.1). The requirement to submit certified payroll records directly to the Labor Commissioner under Labor Code section 1771.4 shall not apply to work performed on a public works project that is exempt pursuant to the small project exemption specified in Labor Code Section 1771.4.

(b) If the Services are being performed as part of an applicable "public works" or "maintenance" project, then pursuant to Labor Code Sections 1725.5 and 1771.1, the Contractor and all subcontractors performing such Services must be registered with the Department of Industrial

Relations. Contractor shall maintain registration for the duration of the Project and require the same of any subcontractors, as applicable. Notwithstanding the foregoing, the contractor registration requirements mandated by Labor Code Sections 1725.5 and 1771.1 shall not apply to work performed on a public works project that is exempt pursuant to the small project exemption specified in Labor Code Sections 1725.5 and 1771.1.

(c) This Agreement may also be subject to compliance monitoring and enforcement by the Department of Industrial Relations. It shall be Contractor's sole responsibility to comply with all applicable registration and labor compliance requirements. Any stop orders issued by the Department of Industrial Relations against Contractor or any subcontractor that affect Contractor's performance of Services, including any delay, shall be Contractor's sole responsibility. Any delay arising out of or resulting from such stop orders shall be considered Contractor caused delay and shall not be compensable by the City. Contractor shall defend, indemnify and hold the City, its officials, officers, employees and agents free and harmless from any claim or liability arising out of stop orders issued by the Department of Industrial Relations against Contractor or any subcontractor.

3.4 Accounting Records.

3.4.1 Maintenance and Inspection. Contractor shall maintain complete and accurate records with respect to all costs and expenses incurred and fees charged under this Agreement. All such records shall be clearly identifiable. Contractor shall allow a representative of City during normal business hours to examine, audit, and make transcripts or copies of such records and any other documents created pursuant to this Agreement. Contractor shall allow inspection of all work, data, documents, proceedings, and activities related to the Agreement for a period of three (3) years from the date of final payment under this Agreement.

3.5 General Provisions.

3.5.1 Termination of Agreement.

(a) Grounds for Termination. City may, by written notice to Contractor, terminate the whole or any part of this Agreement at any time and without cause by giving written notice to Contractor of such termination, and specifying the effective date thereof, at least seven (7) days before the effective date of such termination. Upon termination, Contractor shall be compensated only for those services which have been fully and adequately rendered to City through the effective date of the termination, and Contractor shall be entitled to no further compensation. Contractor may not terminate this Agreement except for cause.

(b) Effect of Termination. If this Agreement is terminated as provided herein, City may require Contractor to provide all finished or unfinished documents and data, and other information of any kind prepared by Contractor in connection with the performance of Services under this Agreement. Contractor shall be required to provide such document and other information within fifteen (15) days of the request.

(c) Additional Services. In the event this Agreement is terminated in whole or in part as provided herein, City may procure, upon such terms and in such manner as it may determine appropriate, services similar to those terminated.

3.5.2 Delivery of Notices. All notices permitted or required under this Agreement shall be given to the respective parties at the following address, or at such other address as the respective parties may provide in writing for this purpose:

Contractor:	PublicWorks1 1125 West 400 North, Suite 102 Logan, UT, 84321 Attn: Garyn Perrett
City:	City of Winters 318 1st St. Winters, CA 95694 Attn: Jeremy Craig, City Manager

Such notice shall be deemed made when personally delivered or when mailed, forty-eight (48) hours after deposit in the U.S. Mail, first class postage prepaid and addressed to the party at its applicable address. Actual notice shall be deemed adequate notice on the date actual notice occurred, regardless of the method of service.

3.5.3 Cooperation: Further Acts. The Parties shall fully cooperate with one another and shall take any additional acts or sign any additional documents as may be necessary, appropriate or convenient to attain the purposes of this Agreement.

3.5.4 Attorneys' Fees. If either party commences an action against the other party, either legal, administrative or otherwise, arising out of or in connection with this Agreement, the prevailing party in such litigation shall be entitled to have and recover from the losing party reasonable attorneys' fees and all costs of such action.

3.5.5 Indemnification. To the fullest extent permitted by law, Contractor shall defend, indemnify and hold City, its officials, officers, employees, volunteers and agents free and harmless from any and all claims, demands, causes of action, costs, expenses, liability, loss, damage or injury, in law or equity, to property or persons, including wrongful death, in any manner arising out of or incident to any alleged negligent acts, omissions or willful misconduct of Contractor, its officials, officers, employees, agents, subcontractors and subcontractors arising out of or in connection with the performance of the Services, the Project or this Agreement, including without limitation the payment of all consequential damages, attorneys' fees and other related costs and expenses. Contractor shall defend, at Contractor's own cost, expense and risk, any and all such aforesaid suits, actions or other legal proceedings of every kind that may be brought or instituted against City, its officials, officers, employees, agents or volunteers. Contractor shall pay and satisfy any judgment, award or decree that may be rendered against City or its officials, officers, employees, agents or volunteers, in any such suit, action or other legal proceeding. Contractor shall reimburse City and its officials, officers, employees, agents and/or volunteers, for any and all legal expenses and costs, including reasonable attorneys' fees, incurred by each of them in connection therewith or in enforcing the indemnity herein provided. Contractor's obligation to indemnify shall not be restricted to insurance proceeds, if any, received by City or its officials, officers, employees, agents or volunteers. This Section 3.5.5 shall survive any expiration or termination of this Agreement.

3.5.6 Entire Agreement. This Agreement contains the entire Agreement of the Parties with respect to the subject matter hereof, and supersedes all prior negotiations, understandings or agreements. This Agreement may only be supplemented, amended or modified by a writing signed by both Parties.

3.5.7 Governing Law. This Agreement shall be governed by the laws of the State of California. Venue shall be in Yolo County.

3.5.8 Time of Essence. Time is of the essence for each and every provision of this Agreement.

3.5.9 City's Right to Employ Other Contractors. City reserves the right to employ other Contractors in connection with this Project.

3.5.10 Successors and Assigns. This Agreement shall be binding on the successors and assigns of the Parties.

3.5.11 Assignment or Transfer. Contractor shall not assign, hypothecate, or transfer, either directly or by operation of law, this Agreement or any interest herein without the prior written consent of City. Any attempt to do so shall be null and void, and any assignees, hypothecates or transferees shall acquire no right or interest by reason of such attempted assignment, hypothecation or transfer.

3.5.12 Construction; References; Captions. Since the Parties or their agents have participated fully in the preparation of this Agreement, the language of this Agreement shall be construed simply, according to its fair meaning, and not strictly for or against any Party. Any term referencing time, days or period for performance shall be deemed calendar days and not workdays. All references to Contractor include all personnel, employees, agents, and subcontractors of Contractor, except as otherwise specified in this Agreement. All references to City include its elected officials, officers, employees, agents, and volunteers except as otherwise specified in this Agreement. The captions of the various articles and paragraphs are for convenience and ease of reference only, and do not define, limit, augment, or describe the scope, content, or intent of this Agreement.

3.5.13 Amendment; Modification. No supplement, modification, or amendment of this Agreement shall be binding unless executed in writing and signed by both Parties.

3.5.14 Waiver. No waiver of any default shall constitute a waiver of any other default or breach, whether of the same or other covenant or condition. No waiver, benefit, privilege, or service voluntarily given or performed by a Party shall give the other Party any contractual rights by custom, estoppel, or otherwise.

3.5.15 No Third-Party Beneficiaries. There are no intended third-party beneficiaries of any right or obligation assumed by the Parties.

3.5.16 Invalidity; Severability. If any portion of this Agreement is declared invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect.

3.5.17 Prohibited Interests. Contractor maintains and warrants that it has not employed nor retained any company or person, other than a bona fide employee working solely for Contractor, to solicit or secure this Agreement. Further, Contractor warrants that it has not paid, nor has it agreed to pay any company or person, other than a bona fide employee working solely for Contractor, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. For breach or violation of this warranty, City shall have the right to rescind this Agreement without liability. For the term of this Agreement, no member, officer or employee of City, during the term of his or her service with City, shall have any direct interest in this Agreement, or obtain any present or anticipated material benefit arising therefrom.

3.5.18 Equal Opportunity Employment. Contractor represents that it is an equal opportunity employer, and it shall not discriminate against any subcontractor, employee or applicant for employment because of race, religion, color, national origin, handicap, ancestry, sex or age. Such non-discrimination shall include, but not be limited to, all activities related to initial employment, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff or termination. Contractor shall also comply with all relevant provisions of any minority business enterprise program, affirmative action plan or other related programs or guidelines currently in effect or hereinafter enacted.

3.5.19 Labor Certification. By its signature hereunder, Contractor certifies that it is aware of the provisions of Section 3700 of the California Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the provisions of the Labor Code and agrees to comply with such provisions before commencing the performance of the Services.

3.5.20 Authority to Enter Agreement. Contractor has all requisite power and authority to conduct its business and to execute, deliver, and perform the Agreement. Each Party warrants that the individuals who have signed this Agreement have the legal power, right, and authority to make this Agreement and bind each respective Party.

3.5.21 Counterparts. This Agreement may be signed in counterparts, each of which shall constitute an original.

3.5.22 Employment Adverse to City. Contractor shall notify City, and shall obtain City's written consent, prior to accepting work to assist with or participate in a third-party lawsuit or other legal or administrative proceeding against City during the term of this Agreement.

3.5.23 Conflict of Employment. Employment by Contractor of personnel currently on the payroll of City shall not be permitted in the performance of this Agreement, even though such employment may occur outside of the employee's regular working hours or on weekends, holidays or vacation time. Further, the employment by Contractor of personnel who have been on City's payroll within one year prior to the date of execution of this Agreement, where this employment is caused by and or dependent upon Contractor securing this or related Agreements with City, is prohibited.

3.5.24 Survival. All rights and obligations hereunder that by their nature are to continue after any expiration or termination of this Agreement, including, but not limited to, the indemnification and confidentiality obligations, and the obligations related to receipt of subpoenas or court orders, shall survive any such expiration or termination.

3.5.25 Subcontracting. Contractor shall not subcontract any portion of the work required by this Agreement, except as expressly stated herein, without prior written approval of City. Subcontracts, if any, shall contain a provision making them subject to all provisions stipulated in this Agreement.

3.5.26 Confidentiality and Use of Data.

(a) Confidentiality and Use of Information. Contractor understands and agrees that, in the performance of Services under this Agreement or in the contemplation thereof, Contractor may have access to confidential information or other materials exempt from public disclosure, and that such information may contain sensitive or confidential data, the disclosure of which to third parties may be damaging to City ("Confidential Information") or any third party. Contractor shall not, either during or after the term, disclose to any third party any Confidential Information without the prior written consent of City. If City gives Contractor written authorization to make any such disclosure, Contractor shall do so only within the limits and to the extent of that authorization. Contractor will maintain strict confidentiality of all City information and Confidential Information received in connection with this Agreement. Contractor may use such information only as authorized by the City or as required by law.

(b) Ownership of Data and Deliverables. City will own all right, title and interest in City data, which includes the City's information that is collected, used, processed, stored, or generated as a result of the City's use of the Contractor's services, provided by this Agreement. Contractor shall not access City user accounts or City's data, except (1) in response to service or technical issues, (2) as required by the express terms of this Agreement, or (3) at the City's written request. Unless otherwise agreed in writing signed by parties, all deliverables shall belong exclusively to City.

(c) Data Protection. Protection of personal privacy and City's Confidential Information shall be an integral part of the business activities of Contractor to ensure there is no inappropriate or unauthorized access or use of City's Confidential Information at any time. To this end, Contractor shall safeguard the confidentiality, integrity, and availability of City's Confidential Information and comply with the following conditions:

(i) Contractor shall implement and maintain appropriate administrative, technical, and organizational security measures to safeguard against unauthorized access, disclosure, or theft of City's Confidential Information. Such security measures shall be in accordance with recognized industry practice.

(ii) All City data provided to Contractor in the performance of this Agreement shall become and remain property of City.

(iii) Contractor shall not use any information collected in connection with the Services provided for any purpose other than fulfilling the Services without the City's express written consent.

(d) Residual Rights of Contractor. Contractor is free to use its general professional skills and expertise and to employ any generalized ideas, concepts, or skills that do not disclose City information or deliverables.

(e) Data Breach Notification: Contractor shall inform the City of any confirmed breach of City's Confidential Information within the possession or control of Contractor.

(i) Incident Response: Contractor may need to communicate with outside parties regarding a data breach, which may include contacting law enforcement, fielding media inquiries, and seeking external expertise as mutually agreed upon, defined by law or contained in the contract. Discussing data breaches with City should be handled on an urgent as-needed basis, as part of Contractor's communication and mitigation processes as mutually agreed upon, defined by law or contained in the contract.

(ii) Data Breach Reporting Requirements: Contractor shall report a confirmed breach of City's Confidential Information to the appropriate City representative in accordance with applicable law, and take such actions as may be necessary to preserve forensic evidence and return the City's system to standard operability. If so required, Contractor will provide notice in accordance with applicable federal or State data breach notification laws.

(iii) Contractor shall (1) cooperate with the City as reasonably requested by City to investigate and resolve the breach of City's Confidential Information, (2) promptly implement necessary remedial measures, if necessary, and (3) document responsive actions taken related to the breach of City's Confidential Information, including any post-incident review of events and actions taken to make changes in business practices in providing the Services, if necessary.

(iv) Unless otherwise stipulated, if a breach of City's Confidential Information is a direct result of Contractor's breach of its contractual obligation to encrypt personal data or otherwise prevent its release, Contractor shall bear the costs associated with (1) the investigation and resolution of the breach of City's Confidential Information; (2) notifications to individuals, regulators, or others required by state law.

(v) Notification of Legal Requests: Contractor shall contact City upon receipt of any electronic discovery, litigation holds, discovery searches, and expert testimonies related to City's data under this Agreement, which in any way might reasonably require access to the City's data. Contractor shall not respond to subpoenas, service of process, and other legal requests related to City without first notifying City, unless prohibited by law from providing such notice.

SIGNATURES ON FOLLOWING PAGE

Signature Page for Agreement

for ASSET & DATA TRACKING SERVICES

IN WITNESS WHEREOF, the Parties have entered into this Agreement as of the 11th day of December 2025.

CITY OF WINTERS

_____
Jeremy Craig
City Manager

_____
Date

Approved as to form:

_____
Ethan Walsh, City Attorney

_____
Date

_____
Attest:

_____
Jeremy Craig, City Clerk

_____
Date

PUBLICWORKS1 INC.

_____
Garyn Perrett

_____
Date

_____
Signature

_____
Company Name

_____
Title

_____
Date

Winters Business License No./Exp. Date:

_____

EXHIBIT “A”

SCOPE OF SERVICES

PublicWorks1 Price Proposal

Winters	Centerline Miles: 30
318 First Street Winters, CA 95694	Prepared by: Hunter Adams and Joel Perkins

Service & Travel Fees

PublicWorks1 Services	Package Price	Billing
Data Collection and Asset Conversion Package includes: -Trimble MX7 Image Collection -Data Conversion -Presented/Delivered Data Shapefile for the following assets: -Sign	~~$25,000~~ $21,500	One-Time
Pavement Condition Assessment -Pavement Condition Assessment using distress severity and extent -A pavement distress identification based on remaining service life (RSL), and the SHRP distress (alligator, transverse, edge, patching and potholes, longitudinal) -A condition for each segment, and a network pavement condition distribution is part of the deliverable. -A recommended treatment for each pavement segment -A complete data set entered the iWorQ Pavement Management application (Purchase of the software is required) -The information and data required for budgeting and planning is part of the deliverable	Included	One-Time
Travel Fees	$4,500	One-Time
Services Total (This amount will be invoiced once)	~~$30,500~~ $26,000	One-Time Total

NOTES & SERVICE(S) DESCRIPTION

I. Invoice for the Service(s) will be sent out the day work on this project starts.

II. *This Agreement has been provided at the Customer's request and is valid until 12/31/2025.*

III. *Discounts on this agreement are contingent on this agreement and the associated iWorQ Systems Software renewal are signed/executed on/or before 12/31/2025.*

IV. This Contract cannot be used to compete with other companies.

CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Councilmembers

DATE:January 20, 2026

FROM: Cathy Mathews, Director of Administrative Services

SUBJECT: Resolution 2026-03 for Claim of Transportation Development Act Funding

RECOMMENDATION:
Adopt Resolution 2026-03 approving a claim for Transportation Development Act funding from the Sacramento Area Council of Governments (SACOG).

BACKGROUND:
Each year, the City of Winters receives funding from SACOG from the Local Transportation Fund (LTF) and from the State Transit Assistance Fund (STA) for local transportation needs. To receive funding, the City of Winters must file a claim with SACOG each year.

All the STA funds and a portion of the LTF funds received are used to pay for the public transportation services provided by the Yolo County Transportation District (YCTD) to the Winters community. YCTD prepares a budget each year for the cost of the transportation services to be provided to the City of Winters, and any LTF funds not used for transportation services may be used for certain street and road expenditures.

DISCUSSION:
The total LTF and STA allocation for 2025-26 is $632,440, of which $228,619 will be expended for public transportation services provided by YCTD, $16,654 will be expended for SACOG planning expenses, and the balance of $387,167 available to be used for street and road work.

FISCAL IMPACT:
1. Funding for public transportation provided by the Yolo County Transportation District in the amount of $228,619 for the period of July 1, 2025, to June 30, 2026.

2. Funds of $387,167 to combine with the Road Maintenance and Rehabilitation Account (RMRA provided by SB1) for street maintenance as proposed by the Public Works department.

ATTACHMENT:

1. Resolution 2026-03
2. TDA Claim Form

Resolution No. 2026-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WINTERS FOR THE CLAIM OF TRANSPORTATION DEVELOPMENT ACT FUNDING FROM THE SACRAMENTO AREA COUNCIL OF GOVERNMENTS

WHEREAS, Section 99260 of the Public Utilities Code requires a local agency to file an estimated claim of transportation needs for each fiscal year; and

WHEREAS, the Sacramento Area Council of Governments (SACOG) is designated as the Transportation Planning Agency for the City of Winters to receive such claims for approval; and

WHEREAS, SACOG has adopted finding of apportionment of Local Transportation Funds and State Assistance Funds for Fiscal Year 2025-2026; and

WHEREAS, surplus funds may be used for certain street and road expenditures.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Winters that the Fiscal Year 2025-2026 Annual Project and Expenditure Plan and the Fiscal Year 2025-2026 Transportation Development Act Claim included as Attachment A, be hereby approved and that the City Manager and/or his designee be authorized to execute the attached claims and forward to SACOG.

DULY AND REGULARLY ADOPTED this 20th day of January 2026 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

CITY OF WINTERS

_____
Albert Vallecillo, Mayor

ATTEST:

_____
Jeremy Craig, City Clerk



TRANSPORTATION

DEVELOPMENT ACT

CLAIM PACKET

Sacramento Area Council of Governments
1415 L Street. Suite 300
Sacramento, CA 95814

TRANSPORTATION DEVELOPMENT ACT
CLAIM CHECKLIST

Please check the following, items as being either included with the attached TDA claim package or are on file at SACOG.

Item	Claimant	Attached	On file
• TDA-1 Annual Transportation Development Claim	All claimants	☐	N/A
• TDA-2 Project and Expenditure Plan (for the fiscal year of this claim and the prior fiscal year)	All claimants	☐	N/A
• TDA-3 Status of Previously Approved Projects	All claimants	☐	N/A
• TDA-4 Statement of Conformance	All claimants	☐	N/A
• TDA-5 TDA Claim Certification	All claimants	☐	N/A
• Resolution by governing body that authorized the claim	All claimants	☐	N/A
If Claimant is a Transit Agency or Jurisdiction is Contracting for Transit Service			
• CHP Safety Compliance Report (Completed within the past 13 months)	Claimants for transit service	☐	☐
• Adopted or proposed budget for the fiscal year of the claim	Claimants for transit service	☐	☐
• Signed copy of transit service contract	Claimants for transit service	☐	☐
• Area wide transfer agreement, resolution	Claimants that allow inter-system transfers	☐	☐
• Information establishing eligibility under efficiency criteria – STA Operator Qualifying Criteria calculation based on Section 99314.6	Claimants for revenue-based STA funds	☐	☐
• Certification that claim is consistent with Capital Improvement Program	Claimants for bike/ped facilities	☐	☐
• Compliance with PUC Sec. 99155 & 99155.5	Claimants for transit service	☐	☐
• Copy of Ten Year Capital & Operations Program	Claimants for transit service	☐	☐

TDA-1

TRANSPORTATION DEVELOPMENT ACT CLAIM

TO: Sacramento Area Council of Governments
1415 L Street, Suite 300
Sacramento, CA 95814

FROM: Claimant City of Winters
Address 318 First Street
City Winters, CA Zip Code 95694
Contact Person Shery Reyes, Senior Accountant
Phone 530-794-5704 Email shery.enos@cityofwinters.org

The above claimant hereby requests, in accordance with authority granted under the Transportation Development Act and applicable rules and regulations adopted by the Sacramento Area Council of Governments (SACOG), that its request for funding be approved as follows:

LTF $554,832 (FY2025/2026)
_____ (FY___/___)
_____ (FY___/___)

STA $77,608 (FY2025/2026)
_____ (FY___/___)

STA-SGR _____ (FY___/___)
_____ (FY___/___)

(Specify STA and/or STA-SGR)

Submitted By Cathy Mathews
Title Director of Administrative Services
Date_____

TDA-2

ANNUAL PROJECT AND EXPENDITURE PLAN

	Claimant: City of Winters								**Fiscal Year: 2025-26**	
Project Title and TDA Article Number		**SOURCES OF FUNDING**								
	TDA LTF	TDA STA	TDA STA-SGR	Transit Fares	Measure A	Road Fund	Developer Fees/Const. Tax	Federal/ State	Other	**TOTAL**
Article 8 Section 99400(C) Yolo Bus Operations	151,011	77,608								228,619
Article 8 Section 99400 (a) Street and Roads	387,167									387,167
SACOG Planning	16,654									16,654
TOTAL REQUEST	$554,832	$77,608	$	$	$	$	$	$	$	$632,440

TDA-3
STATUS OF PREVIOUSLY APPROVED PROJECTS

Instructions: Describe the status of all prior fiscal year TDA claim projects and any projects from previous years, which are still active.

- Include both operating and capital projects
- Approved amounts should he as specified in TDA claims approved by SACOG
- Expenditures should be to date
- Project status should be either "Complete" or "Active"

Fiscal Year	Project Title	Amount Approved	Expenditures	Project Status
18-19	Streets and Roads Roundabout	$139,315	139,315	complete
19-20	Streets and Roads	388,957	388,957	Complete
20-21	Bus Service	$104,940	$104,940	Complete
20-21	Streets and Roads	$347,026	$347,026	Complete
21-22	Bus Service	$127,810	$127,810	Complete
21-22	Streets and Roads	$342,353	$342,353	Complete
22-23	Bus Service	$156,000	$156,000	Complete
22-23	Streets and Roads	$437,664	$220,520	Active
23-24	Bus Service	$180,958	$180,958	Complete
23-24	Streets and Roads	$427,733	$0	Active
24-25	Bus Service	$174,892	$131,169	Active
24-25	Streets and Roads	$388,857	$0	Active
TOTAL		$3,216,505	$2,139,048	

TDA-4
STATEMENT OF CONFORMANCE

Form TDA-4 must be completed and signed by the Administrative Office of the submitting claimant.

The City of Winters hereby certifies that the Transportation Development Act claim for fiscal year(s) 2025-2026 in the amount of $ 554,832 (LTF), $ 77,608 (STA) and $ 0 (STA-SGR) for a total of $ 632,440 conforms to the requirements of the Transportation Development Act and applicable rules and regulations. (See Attachment A for listing of conformance requirements)

Certified by Chief Financial Officer Cathy Mathews
Title Director of Administrative Services
Date _____

TDA-5

TDA Claim Certification Form

I, Cathy Mathews, Chief Finance Officer for the City of Winters, do hereby attest, as required under the California Code of Regulations, Title 21, Division 3, Chapter 2, Section 6632, to the reasonableness and accuracy of the following:

(a) The attached budget or proposed budget for FY 2025/2026.

(b) The attached certification by the Department of the California Highway Patrol verifying that N/A is in compliance with Section 1808.1 of the Vehicle Code, as required in Public Utilities Code Section 99251.

(c) The estimated amount of FY 2025/2026 maximum eligibility for moneys from the local transportation fund and the state assistance fund, as defined in Section 6634, is $ 632,440 .

_____

(Signature) Chief Financial Officer

City of Winters

(Agency Name)

_____

(Date)

ATTACHMENT A
CONFORMANCE - TDA CLAIMANTS
Standard Assurances

1) 180-Day Certified Fiscal Audit *(Applies to all claims; SACOG administers fiscal audits for all operators in the region, with the exception of the Sacramento Regional Transit District)* -Assurance that the claimant has submitted a satisfactory independent fiscal audit, with required certification, to SACOG and to the State Controller not more than 180 days after the end of the prior fiscal year (Sections 99245 and 6664).

2) 90-Day Annual State Controller Report (*Applies to all transit claims)* – Assurance that claimant has submitted this report to the State Controller in conformance with the uniform system of accounts and record not more than 90 days after the end of the prior fiscal year (110 days for electronically submissions) (Section 99243). Claimant should also supply a copy of the State Controller report (SCR) to SACOG no more than 120 days after the end of the prior fiscal year.

3) Use of Federal Funds (*Applies to all Article 4 claims)* –

- Claimant filing a claim for TDA funds for capital intensive projects pursuant to Section 99268.7 certifies that is has made every effort to obtain federal funding for any project which is funded pursuant to Section 99268.7.

- Claimant qualifying for funds pursuant to Section 99268.1 and tiling a claim for TDA funds in excess of the amount allowed by Section 99268 certifies that such funds are required in order to obtain maximum federal operating funds in the year such funds are claimed pursuant to Section 6633.1.

4) Elderly/Disabled (*Applies to all transit claims*) – That the transit operator is question is in compliance with Section 99155 pertaining to reduced transit fares for elderly and disabled persons and Section 99155.5 pertaining to dial-a-ride and paratransit services.

5) Farebox Recovery Ratio Requirements (*Applies to all transit claims*) – Claimant filing a claim for LTF or STA funds certifies that it will maintain for the project that ratio of fare revenues and local support to operating cost required under Sections 99268 (including all subparts), 99270.1, 99270.2, 99270.6, and under the "Farebox Requirements for Urbanized and Non-Urbanized Service' adopted by the SACOG Board of Directors on March 18, 1982, whichever is appropriate.

Exceptions:

6) 50% Expenditure Limitation (*Applies only to claims for LTF*) – Claimant certifies that it

was in compliance with Section 99268 certifying that it (the claim) will not exceed 50% of the amount required to meet operating, maintenance, capital and debt service costs of the transit system after deduction of approved federal grants and STA funds estimated to be received for the system. (A claimant can received up to 100% of capital costs for grade-separated mass transit projects under Section 99268 and 99281, for capital intensive transit-related projects under Section 99268.7. and for extension of services under Section 6619.1 and 6633.8)

7) Extension of Services (*Applies only to LTF claims*) - Claimant who received an allocation of LTF funds for extension of service pursuant to Section 99268.8 certifies that it will file a report of these services pursuant to Section 6633.8(b) within 90 days after close of the fiscal year in which that allocation was granted.

8) Retirement System (*Applies only to LTF claims*) - Claimant certifies that (1) the current cost of its retirement system is fully funded with respect to the officers and employees of its public transportation system; or (2) the operator is implementing a plan approved by SACOG which will fully find the retirement system for such officers and employees within 40 years; or (3) the operator has a private pension plan which sets aside and invests, on a current bases, funds sufficient to provide for the payment of future pension benefits and which is fully compliant with the requirements stated in Section 99272 and 99273.

9) Maximum Use of Local Transportation Funds *(Applies only to Sacramento Regional Transit District STA claim)* - That the operator is receiving the maximum allowable amount from the Local Transportation Fund.

10) Part-Time Employees *(Applies only to claims for STA)* - Claimant certifies that it is not precluded by any contract entered into on or after June 28, 1979 from employing part-time drivers or contracting with common carriers of persons operating under a franchise or license. Claimant further certifies that no person who was a full-time employee on June 28, 1979 shall have his/her employment terminated or his/her regular hours of employment, excluding overtime, reduced as a result of it employing part-time drivers or contracting with such common carriers.

11) Conformance with the Metropolitan (Regional) Transportation Plan *(Applies only to claims for STA)* - Claimant certifies that all of the purposes for claim expenditures are in conformance with the current Short Range Transit Plan, which is an appendix to the Metropolitan (Regional) Transportation Plan.

12) Full Use of Federal Funds *(Applies only to STA claims)* - Claimant certifies that it is making full use of federal funds available under the Urban Mass Transportation Act of 1964, as amended.

13) Implementation of Productivity Improvements *(Applies only to STA claims)* - Claimant certifies that the operator has made a reasonable effort to implement the productivity improvements recommended pursuant to Section 99244.

CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Councilmembers

DATE: January 20, 2026

THROUGH: Jeremy Craig, City Manager

FROM: Alan Mitchell, Contract City Engineer

SUBJECT: Award – 3 Oaks Park Prefab Restroom

RECOMMENDATION:
Adopt Resolution No. 2026-02 authorizing the City Manager to execute a contract for construction with Public Restroom Company, in the amount of $195,980, for the fabrication, permitting, delivery, and installation of a prefab restroom facility at 3 Oaks Park, and authorize the Public Works Director to approve change orders up to 5% of the award amount, or $9,799, for a total not to exceed amount of $205,779.

BACKGROUND:
The Fiscal Year 2025/26 Capital Improvement Budget includes funds for a new prefab restroom at 3 Oaks Park. The restroom will be situated along the south side of Chapman St., between Taylor St. and Scotty Wy. (Exhibit A) and will serve the entire 3 Oaks Park.

In mid-November, solicitation for bids were distributed for City of Winters – 3 Oaks Park Pre Fab Restroom. Bids for the project were received by the City Clerk at 2:00 pm on December 16, 2025, for the prefab restroom. One responsive bid was received, from Public Restroom Company.

The Notice to Bidders for the restroom was sent to several industry contractors, plan houses, and advertised in the Winters Express and on the City's website.

DISCUSSION:
Staff reviewed the bid and are recommending the City award a construction contract (Exhibit B) to the lowest responsive and responsible bidder, which is Public Restroom Company out of Minden NV, in the amount of $195,980 for the fabrication, permitting,

delivery, and installation of a prefab restroom facility at 3 Oaks Park.

City staff and the Contract City Engineer have worked with Public Restroom Company on previous prefab restroom projects and have found that they are a quality company to work with that provides a high-quality product that will meet or exceed the City's expectations.

The chosen restroom is shown on Exhibit B and is comprised of a Block/Stucco building with 2 Toilets, 2 Sinks, Accessible Restroom, Drinking Fountains, and Bottle Filler.
.
The fabrication and delivery of the restroom for 3 Oaks Park can proceed. A plan for the 3 Oaks Park Phase 3 park improvements has commenced with staff working with Meritage Homes and Roach & Campbell Landscape Architects. That project will be bid separately. Installation of the new restroom is slated for Fall 2026.

FISCAL IMPACT:

The FY 2025-26 CIP Budget includes funding for the 3 Oaks Park Prefab Restroom, in the amount of $250,000 out of Fund 413 – Park and Recreation Impact. Approval of change orders will be based on either a city-directed change or a change in conditions not known during the bid period. The balance of funds will be used by staff to extend water and sewer to the site and prepare the pad for the new restroom.

ATTACHMENT(S):

1. Resolution No. 2026-02
2. Exhibit A – Location Map
3. Exhibit B – Restroom Information
4. Construction Contract

RESOLUTION 2026-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WINTERS AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR CONSTRUCTION WITH PUBLIC RESTROOM COMPANY, IN THE AMOUNT OF $195,980, FOR THE FABRICATION, PERMITTING, DELIVERY, AND INSTALLATION OF A PREFAB RESTROOM FACILITY AT 3 OAKS PARK, AND AUTHORIZE THE PUBLIC WORKS DIRECTOR TO APPROVAL CHANGE ORDERS UP TO 5% OF THE AWARD AMOUNT, OR $9,799.

WHEREAS, the Fiscal Year 2025/26 Capital Planning Budget includes funds for a Restroom at 3 Oaks Park; and

WHEREAS, the City Engineer prepared a bid package for the fabrication, permitting, delivery, and installation of a prefab restroom facility at 3 Oaks Park; and

WHEREAS, an invitation to bid was duly advertised, responsive bids for the project were received from Public Restroom Company, by the City Clerk at 2:00 pm on December 16, 2025, and was then opened and read; and

WHEREAS, Public Restroom Company was determined to be a responsible bidder submitting the lowest responsive bid in the amount of $195,980.00 for the prefab restroom facility; and

WHEREAS, the City of Winters chooses to award a contract to Public Restroom Company for the 3 Oaks Park Prefab Restroom in the amount of $195,980.00; and

WHEREAS, the City of Winters reserves a 5% contingency for change orders required from city-directed changes or changed conditions not know at bid time; and

WHEREAS, the project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA, primarily Class 3 (New Construction of Small Structures).

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Winters does hereby authorize the City Manager to execute a contract for construction with Public Restroom Company, in the amount of $195,980.00, for the fabrication, permitting, delivery, and installation of a prefab restroom facility at 3 Oaks Park

PASSED AND ADOPTED by the City Council, City of Winters, the 20th day of January 2026 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Albert Vallecillo, Mayor

ATTEST:

_____

Jeremy Craig, City Clerk

EXHIBIT "A"
3 OAKS PARK PREFAB RESTROOM



Site Location Map

baseMOD™
PUBLIC RESTROOM COMPANY

baseMOD-022-DF-BF

2 Toilets | 2 Sinks | ADA Accessible Restroom with Drinking Fountains + Bottle Filler

BUILDING OVERVIEW

Building Footprint (L x W): 19' 4" x 8' 8"

Construction Type: MVR

- Wood framed walls above cap beam and wood framed rafters

Exterior Block Type: 4" CMU block, Split Face

Wall Height: 7' 4"

Cap Beam: Steel tube, painted

Above Cap Beam: FRC lap siding, painted

Fascia: 14/16 gauge formed galvanized steel

Roof Style: Gable with 4/12 pitch, 8" overhang

Roof Material: 26 ga, standing seam metal

Vents: 3/16" stainless steel woven wire mesh

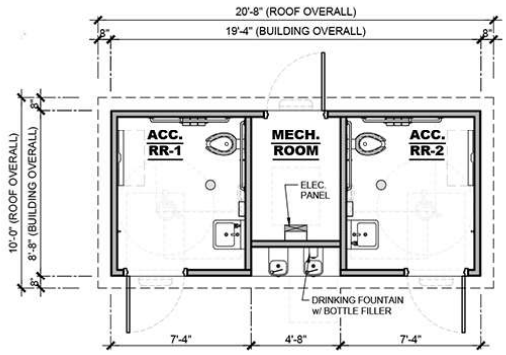
Floors:

- **Restrooms:** Polymer floor coating system with skid resistant additive and flakes
- **Utility Chase:** Polymer floor coating system with skid resistant additive and flakes

Ceiling: Fiber cement board with texture

Interior Block Type: 4" CMU block, Precision





Alcove: 4" CMU block, Precision + Drinking Fountains and Bottle Filler

PLUMBING & ELECTRICAL

- Stainless steel toilets with manual lever flush (2)
- Stainless steel sinks with metered faucets (2)
- Fastaire hand dryers (2)
- Copper water piping
- Valve Combo with pressure reducing valve (PRV)
- Tankless, electric water heater with tempered water to all lavatories
- Hose bibb provided in Utility Chase
- LED Lighting Package
  - LED interior restroom light (2)
    **Interior lighting is controlled by occupancy sensor*
  - Waterproof LED interior chase light (1)
  - Dark sky compliant LED exterior light (3)
    **Exterior lighting is controlled by a photo cell*
- GFCI outlet (1) in chase and bypass switches (2)
- 100 amp 20 circuit electrical panel, Single Phase (120/240 volts), Plug-on breakers

OTHER BUILDING COMPONENTS

- 14 Gauge, hollow metal door with continuous hinge
- Deadbolt: Schlage B600 series
- "Z" door pull plate with Microshield™ (exterior only)
- Antimicrobial door pulls (interior only)
- Baby changing stations (2) inside restrooms
- Hat and coat hooks inside restrooms
- Door closer and thresholds for restrooms only
- Chase: Door sweep, threshold, and crash chain
- Restroom signage at both entrances
- Toilet paper holder, 3-roll size (2)

EXHIBIT "C"
3 OAKS PARK PREFAB RESTROOM

00 52 13 – CONTRACT

This CONTRACT, No. _____ is made and entered into this 20th day of January 2026, by and between City of Winters, sometimes hereinafter called "City," and Public Restroom Company, sometimes hereinafter called "Contractor."

WITNESSETH: That the parties hereto have mutually covenanted and agreed, and by these presents do covenant and agree with each other as follows:

a. **SCOPE OF WORK.** The Contractor shall perform all Work within the time stipulated in the Contract, and shall provide all labor, materials, equipment, tools, utility services, and transportation to complete all of the Work required in strict compliance with the Contract Documents as specified in Article 5, below, for the following Project:

3 OAKS PARK PREFAB RESTROOM

The Contractor and its surety shall be liable to the City for any damages arising as a result of the Contractor's failure to comply with this obligation.

b. **TIME FOR COMPLETION.** Time is of the essence in the performance of the Work. The Work shall be commenced on the date stated in the City's Notice to Proceed. The Contractor shall complete all Work required by the Contract Documents within 270 CALENDAR DAYS from the commencement date stated in the Notice to Proceed. By its signature hereunder, Contractor agrees the time for completion set forth above is adequate and reasonable to complete the Work.

c. **CONTRACT PRICE.** The City shall pay to the Contractor as full compensation for the performance of the Contract, subject to any additions or deductions as provided in the Contract Documents, and including all applicable taxes and costs, the sum of ONE-HUNDRED NINETY-FIVE THOUSAND NINE-HUNDRED-EIGHTY Dollars ($195,980.00). Payment shall be made as set forth in the General Conditions.

d. **LIQUIDATED DAMAGES.** In accordance with Government Code section 53069.85, it is agreed that the Contractor will pay the City the sum set forth in Section 00 73 13, Article 1.11 for each and every calendar day of delay beyond the time prescribed in the Contract Documents for finishing the Work, as Liquidated Damages and not as a penalty or forfeiture. In the event this is not paid, the Contractor agrees the City may deduct that amount from any money due or that may become due the Contractor under the Contract. This Article does not exclude recovery of other damages specified in the Contract Documents.

e. **COMPONENT PARTS OF THE CONTRACT.** The "Contract Documents" include the following:

Notice Inviting Bids
Instructions to Bidders
Bid Form
Bid Bond
Designation of Subcontractors
Information Required of Bidders
Non-Collusion Declaration Form
Iran Contracting Act Certification
Public Works Contractor Registration Certification

Performance Bond
Payment (Labor and Materials) Bond
General Conditions
Special Conditions
Addenda
Applicable Local Agency Standards and Specifications, as last revised
Approved and fully executed change orders
Any other documents contained in or incorporated into the Contract

The Contractor shall complete the Work in strict accordance with all the Contract Documents.

All the Contract Documents are intended to be complementary. Work required by one of the Contract Documents and not by others shall be done as if required by all. This Contract shall supersede any prior agreement of the parties.

f. **PROVISIONS REQUIRED BY LAW AND CONTRACTOR COMPLIANCE.** Each and every provision of law required to be included in these Contract Documents shall be deemed to be included in these Contract Documents. The Contractor shall comply with all requirements of applicable federal, state and local laws, rules and regulations, including, but not limited to, the provisions of the California Labor Code and California Public Contract Code which are applicable to this Work.

g. **INDEMNIFICATION.** The Contractor shall provide indemnification and defense as set forth in the General Conditions.

h. **PREVAILING WAGES.** The Contractor shall be required to pay the prevailing rate of wages in accordance with the Labor Code which such rates shall be made available at the City's Administrative Office or may be obtained online at http://www.dir.ca.gov and which must be posted at the job site.

[REMAINDER OF PAGE LEFT INTENTIONALLY BLANK]

IN WITNESS WHEREOF, this Contract has been duly executed by the above-named parties, on the day and year above written.

CITY OF WINTERS

By: _____
JEREMY CRAIG
CITY MANAGER

PUBLIC RESTROOM COMPANY

By: _____

Its: _____

Printed Name: _____

ATTEST:

By: _____
City Clerk

(CONTRACTOR'S SIGNATURE MUST BE NOTARIZED AND CORPORATE SEAL AFFIXED, IF APPLICABLE)

END OF CONTRACT

CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Councilmembers

DATE: January 20, 2026

FROM: Jeremy Craig, City Manager

SUBJECT: Appointment of Winters Planning Commission Members

RECOMMENDATION:

Staff recommends that the City Council receive the Planning Commission Interview and Selection Committee's recommendation for the appointment of

- Lucrecia Sandoval
- Brad Lopez

to the two current vacant commission positions with terms ending 7/1/2029.

BACKGROUND:

Interviews were conducted for two vacant positions, with terms expiring on 7/1/2029 and 7/1/2027, respectively. For continuity purposes, it is recommended that both candidates be appointed to 7/1/2029 terms.

The City Clerk's office received six applications for serving on the planning commission. The selection committee, consisting of Council Members Jesse Loren and Richard Cassavecchia, interviewed those applicants. They reviewed the submitted Applications of Interest, held interviews, and are coming before Council tonight with their recommendation. Since the positions are vacant, the term of appointment will begin immediately.

DISCUSSION:

The two recommended appointments are to fill two current vacant commission terms, which will expire on 7/1/2029 and 7/1/2027, respectively. For continuity, it is recommended that both candidates be appointed to a 7/1/2029 term, leaving three commissioners expiring in 2027 and four expiring in 2029.

Application Statements – Each candidate provided a statement of why they were interested in serving on the commission and how their background can contribute to the commission. Here are those summaries:

Lucrecia Sandoval:

I have experience with comprehending and tracking regulations as a result of working as a human resource coordinator with a nonprofit, as well as working at San Jose State University. I have successfully learned and understood the mission and goals of the individuals I support as an Executive Assistant, ensuring their time is well spent and that they are advised and prepared for each meeting/ interaction. I am interested in helping the city of Winters achieve its goals and vision for this community's future.

Brad Lopez:

My family and I have proudly called Winters home for over 35 years. I've dedicated more than three decades to serving our community through the Winters Fire Department, Winters Volunteer Firefighters Association, Winters Rotary, and my final three years as Fire Chief from 2019 to 2022. I hold a Bachelor's Degree in Fire Science Administration and bring extensive experience in emergency management and organizational leadership. Currently, I serve as Fire Chief for a Bay Area city and as an Adjunct Professor of Fire Technology at Solano Community College. I remain deeply invested in the future of Winters and am eager to contribute to the development of a sustainable and thriving community as a Planning Commissioner.

FISCAL IMPACT:
None

ATTACHMENT:
1. Proposed Planning Commission Roster

City of Winters
Planning Commission Roster
(1/20/2026)

Name	Term
Lisa Baker, Chair	7/1/2029
Judith Arce, Vice Chair	7/1/2029
Gregory Contreras	7/1/2027
Eric Dye	1/1/2027
Matt Stone	1/1/2027
Brad Lopez (proposed)	7/1/2029
Lucrecia Sandoval (proposed)	7/1/2029

CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Councilmembers

DATE: January 20, 2026

THROUGH: Jeremy Craig, City Manager

FROM: Cathy Mathews, Director of Administrative Services

SUBJECT: Resolution 2026-01, A Resolution of the City Council to receive and file the Fiscal Year 2024-2025 Impact Fee Report and Make Certain Findings as required by California Government Code Section 66000 et seq.

RECOMMENDATION:

The City Council adopt Resolution 2026-01, A Resolution of the City Council to receive and file the Fiscal Year 2024-2025 Impact Fee Annual Report as required by California Government Code Section 66000 et seq.

BACKGROUND:

California Government Code Sections 66000 et.seq., requires any local agency that imposes development impact fees to prepare an annual and a five-year report providing specific information about development impact fees. City of Winters' five-year report was received by Council on December 21, 2021, with Resolution 2021-89. The annual report for fiscal year end 2024-2025 is before you tonight for review.

Development Impact Fees are charged by the City of Winters in connection with the approval of development projects. The purpose of the fees is to defray all or a portion of the cost of public facilities related to development projects. The legal requirements for enactment of a Development Impact Fee Program are set forth in California Government Code Sections 66000-66025 (The "Mitigation Fee Act"), the bulk of which was adopted as 1987's AB1600 and thus commonly referred to as "AB1600 Requirements."

The City of Winters currently administers 9 Development Impact Fees, accounted for in individual funds:

- Water Impact Fee
- Sewer Impact Fee
- Transportation (Street) Impact Fee
- Parks Impact Fee
- Public Safety (Police) Impact Fee
- Fire Impact Fee
- General Facilities Impact Fee
- Monitoring Fee
- Storm Drainage (Flood Overlay) Impact Fee

California Government Code 66006(b)(2) requires the City prepare and make available to the public the Development Impact Fee Report within 180 days after the last day of the fiscal year. The City Council is required to review the annual report at a regularly schedule public meeting not less than 15 days after the information was made available to the public. The report was posted to the City of Winters website, on the Finance tab, December 27, 2025. You can access the report here: https://www.cityofwinters.org/documentcenter/view/1544 .

FISCAL IMPACT:
None at this time

ATTACHMENTS

1. **Development Impact Fees Annual Report (AB1600 Report) for Fiscal Year Ended June 30, 2025.**
2. **Resolution 2026-01**

RESOLUTION 2026-01

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WINTERS TO RECEIVE AND FILE THE FISCAL YEAR 2024-2025 IMPACT FEE REPORT AND MAKE CERTAIN FINDINGS AS REQUIRED BY CALIFORNIA GOVERNMENT CODE SECTION 66000 et seq.

WHEREAS, the Mitigation Fee Act, Government Code Section 66000 et seq., authorizes the City of Winters ("City") to impose, collect, and expend mitigation fees to offset the impacts of development within the City; and

WHEREAS, on June 4, 2024, the City Council approved Resolution 2024-42 adopting the City of Winters Development Impact Fee schedule applicable to new development projects; and

WHEREAS, the City has made available to the public within one hundred and eighty (180) days following the last day of the fiscal year the annual accounting and information required by Government Code Section 66006(b)(1) ("Annual Report") and Five Year Reporting required by Government Code Section 66001 with respect to the development impact fees ; and

WHEREAS, Government Code section 66001(d)(1) requires the City to make certain findings every fifth fiscal year following the first deposit into the account or fund, and every five years thereafter, regarding any unexpended funds remaining; and

WHEREAS, California Government Code Section 66006(b)(2) requires that the City of Winters review the information made available to the public at a regularly scheduled public meeting not less than 15 days after the information is made available to the public; and

WHEREAS, this report was filed with the City Clerk's office and available for public review on December 27, 2025; and

WHEREAS, the City held a duly noticed, regularly scheduled public meeting on January 20, 2026 at which written reporting was received regarding the Annual Report and the Five Year Report information; and

WHEREAS, the City wishes to review and approve the Annual Report required by the Mitigation Fee Act under the annual information disclosure requirements of Government Code Section 66006(b) and the Five Year Report pursuant to Government Code Section 66001(d).

NOW THEREFORE, the City Council of the City of Winters hereby finds, determines, and resolves as follows:

Section 1. The City Council has considered the full record before it, which may include but is not limited to such things as the staff report, information by staff and the public, and other materials and evidence submitted or provided to it. That the City Council does hereby find and

determine that the foregoing recitals and determinations are true and correct and are incorporated herein by reference.

Section 2. That the City Council of the City of Winters at a public meeting has reviewed the following information pursuant to California Government Code Section 66006(b)(1), as is required by California Code Section 66006(b)(2) and finds that the Annual Report describes and includes:

A. A brief description of the type of fee in the account or fund;
B. The amount of the fee;
C. The beginning and ending balance of the account or fund;
D. The amount of fees collected and the interest earned;
E. An identification of each public improvement on which fees were expended and the amount of the expenditure of each improvement, including the total percentage of the cost of the public improvement that was funded with fees;
F. An identification of an approximate date by which the construction of the public improvement will commence if the local agency determines that sufficient funds have been collected to complete financing on an incomplete public improvement, as identified in Government Code Section 66001(a)(2), and the public improvement remains incomplete;
G. The amount of refunds made pursuant to Government Code Section 66001(e) and any allocations pursuant to Section 66001(f).

Section 3 That the City Council of the City of Winters at a public meeting, pursuant to California Government Code Section 66001(d)(1) and finds that the Five Year Report makes findings for unexpended funds, including;

1. Identifying the purpose for which the fund is to be put;
2. Demonstrating a reasonable relationship between the fee and the purpose for which it is charged;
3. Identifying all sources and amounts of funding anticipated to complete financing incomplete improvements; and
4. Designating the approximate dates on which the funding is expected to be deposited into the appropriate account or fund for incomplete improvements.

Section 4 That the City Council of the City of Winters hereby determines that all reportable fee, collections and expenditures have been received, deposited, invested and expended in compliance with the relevant sections of the California Government Code and all other applicable laws for the fiscal year 2020-2021.

Section 5 That the City Council of the City of Winters hereby determines that no refunds and allocation of reportable fees, as required by California Government Code Section 66001, are deemed payable at this time.

Section 6 That the City Council of the City of Winters hereby determines that the City is in compliance with California Government Code Section 66000, et seq., relative to

receipt, deposit, investment, expenditure or refund of reportable fees received and expended relative to City Facilities for new development for the fiscal year 2024-2025.

Section 7 That the City Council of the City of Winters hereby approves a resolution to receive and file the Fiscal Year 2024-2025 Development Impact Fee report and Five-Year Report (2020-2021 to 2024/2025) and make certain findings, as required by California Government Code Section 66000 et seq.

PASSED AND ADOPTED by the City Council, City of Winters, this 20th day of January 2025 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

_____
Albert Vallecillo, MAYOR

ATTEST:

_____
Jeremy Craig, CITY CLERK

City of Winters

DEVELOPMENT IMPACT FEE ANNUAL REPORT

Fiscal Year 2024-2025

Development Impact Fee Background

The Mitigation Fee Act, Government Code §§66000 *et seq.* (the "Act"), governs the establishment and administration of development impact fees paid by development projects which defray all or a portion of the cost of public facilities related to those projects. Fees must be separately accounted for and used for the specific purpose for which they are imposed. The City's adopted development impact fees are listed in the attached exhibits. The expenditure of collected fees are generally authorized through the annual Capital Projects Budget and Capital Improvement Program.

Annual and Five-Year Development Impact Fee Reporting Requirements

The Act requires that the City prepare an annual report on all its development impact fees after the end of each fiscal year. Government Code section 66006(b)(2) requires the annual report to be reviewed by the City Council at its next regular meeting not less than 15 days after the report is made available to the public. This Fiscal Year 2024-2025 annual report ("Report") was made available to the public on the City of Winters website on December 12, 2025, posted at City Hall in the City Clerk's office.

Excluded from this Report are developer fees which are not subject to the reporting requirements of the Act. For example, the City collects the following fees pursuant to the City's zoning powers rather than pursuant to the Act: in-lieu housing fees and public art in-lieu fees. Water capacity fees and wastewater capacity fees also are not development impact fees as defined in Sections 66006 and 66001 of the Act.

The City Council is also required to adopt by resolution certain findings for any fund accounts which contain unexpended funds as of the fifth fiscal year following the first deposit into those funds and every five years thereafter. (Gov't. Code §66001(d).) The affected accounts are noted in Exhibit E to this report.

TABLE OF CONTENTS

SECTION A: DESCRIPTION OF IMPACT FEES
A brief description of each development impact fee, its purpose, and its authorizing legislation (Gov't. Code §66006(b)(1)(A).)

SECTION B: STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
Summary of the July 1, 2024 beginning balance, annual fee revenue collected, interest earned, returned unused funds from projects and loan repayments, identification of fees expended on public improvements, and the ending balance as of June 30, 2025, for each fee (Gov't. Code §66006(b)(1)(C)-(E).)

SECTION C: IMPACT FEE SCHEDULES FOR 2024-2025
Identifies the schedule for each development impact fee in effect for Fiscal Year 2024/2025. (Gov't.
Code §66006(b)(1)(B).)

SECTION D: **INTERFUND LOANS**
Identifies interfund loans, transfers, refunds, or reallocation of funds in lieu of refunds in Fiscal Year 2024/2025 (Gov't. Code §66006(b)(1)(G)-(H)).

SECTION E: IDENTIFIED PROJECTS AND FINDINGS
Documents required findings: identifying the purpose to which the fee is to be put, demonstrating a reasonable relationship between the fee and the purpose for which it is charged, identifying sources and amounts of funding anticipated to complete financing in incomplete improvements, and designating the approximate dates on which this funding is expected to be available (Gov't. Code§66001(d)).

SECTION A: DESCRIPTION OF IMPACT FEES

- Water Development Impact Fee
    - Purpose: To fund development's share of City of Winters water resource, treatment, and distribution infrastructure costs.
    - Use of Funds: To construct improvements that will adequately provide water to development properties.
- Sewer Development Impact Fee
    - Purpose: To fund new development's share of City Wastewater (Sewer) collection, treatment, and disposal of effluent infrastructure costs.
    - Use of Funds: To construct improvements that will adequately convey and treat wastewater for property development.
- Transportation Development Impact Fee
    - Purpose: To provide for transportation facilities to accommodate the increase in traffic generated by new development.
    - Use of Funds: To construct transportation facilities that will accommodate the increased traffic generated by new development.
- Parks Development Impact Fee
    - Purpose: To fund new development's portion of park infrastructure costs.
    - Use of Funds: To construct park facilities that benefit all new residents and employees.
- Public Safety-Police Development Impact Fee
    - Purpose-The purpose of the fee is to purchase new equipment required to provide services related to new development
    - Use of Funds: To provide public safety service to the new population because of development.
- Fire Development Impact Fee
    - Purpose: To fund new development's share of fire protection facilities and equipment costs.
    - Use of Funds: To construct facilities and buy equipment that will provide fire protection for new development.
- General Facilities Development Impact Fee
    - Purpose: To fund new facilities and remodel existing facilities that will serve new development.
    - Use of Funds: To build new, and remodel existing, facilities that will serve new development.
- Monitoring Fees Development Impact Fee

    - Purpose: To fund new development's share of expended planning costs related to the General Plan.
    - Use of Funds: To reimburse planning costs already expended on development of the 1992 General Plan, for which new development through 2036 benefits from
- General Storm Drain Impact Fee
    - To fund new developer's share of drainage & flood impacts.
    - Use of Funds: To construct detention basins, Levees, Culverts, bridges, and other drainage & flood mitigation measures.

SECTION B: STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE

Statement of Revenues, Expenditures and Changes in Fund Balance

For the Year Ended June 30, 2025, Unaudited

FUND	Water	Sewer	Transportation	Parks	Public Safety	Fire	General	Monitoring	Flood
Development Impact Fees	134,391	103,691	100,196	64,494	46,729	76,256	79,134	5,123	363,548
Interest Earnings	53,168	40,809	11,244	32,481	16,249	42,970	46,829	-	10,255
Total Revenues and Transfers In	**187,559**	**144,500**	**111,440**	**96,975**	**62,979**	**119,227**	**125,962**	**5,123**	**373,803**
Cost Allocations	2,405	262	251	13,034	268	285	410	-	-
Capital Outlay/Contractual Services	5,000	-	-	18,318	5,180	14,493	-	-	-
Transfers Out	-	-	-	-	-	-	-	-	-
Remodel Business & Finance Ofc/ADA	-	-	-	21,100	-	-	180,000	-	-
Winters Senior Center	-	-	-	278,182	-	-	-	-	-
2023 Ford Interceptor	-	-	-	-	-	-	-	-	-
RIMS Software & Data Conversion	-	-	-	-	-	-	-	-	-
Fire Truck	-	-	-	-	-	-	-	-	-
Total Expenditures	**7,405**	**262**	**251**	**330,633**	**5,449**	**14,778**	**180,410**	**-**	**-**
REVENUES OVER (UNDER) EXPENDITURES	**180,154**	**144,238**	**111,189**	**(233,659)**	**57,530**	**104,448**	**(54,448)**	**5,123**	**373,803**
Fund Balance, Beginning of Year	2,502,481	1,698,957	2,020,449	1,384,556	416,101	1,528,042	1,726,111	31,163	457,388
Fund Balance, End of Year	2,682,635	1,843,195	2,131,638	1,150,898	473,631	1,632,490	1,671,663	36,285	831,190

SECTION B: Continued

FUND LEVEL Statement of Revenues, Expenditures, Changes in Fund Balance and 5 Year Revenue Test Using FIFO Method.

For the Fiscal Years Ended:

- June 30, 2025, Unaudited
- June 30, 2024, Unaudited
- June 30, 2023
- June 30, 2022
- June 30, 2021

WATER IMPACT FEE	FY 20/21	FY 21/22	FY 22/23	FY 23/24	FY 24/25
Revenues:					
Development Impact Fees	268,617	257,630	277,638	866,273	134,391
Interest Earnings	2,656	4,483	24,307	45,986	53,168
Reimbursements/Refunds	-	-	443	-	
Total Revenues and Transfers In	271,273	262,113	302,388	912,259	187,559
Expenditures:					
Cost Allocations	254	302	288	1,047	2,405
Capital Outlay/Contractual Services	25,483	8,344	96,976	20,811	5,000
Transfers Out					
Total Expenditures	25,737	8,646	97,264	21,858	7,405
Over/Under	245,536	253,467	205,124	890,401	180,154
Fund Balance, Beginning of Year	907,951	1,153,488	1,406,011	1,612,080	2,502,481
Fund Balance, End of Year	1,153,488	1,406,011	1,612,080	2,502,481	2,682,635
Change in Fund	**245,537**	**252,523**	**206,069**	**890,401**	**180,154**
Five Year Revenue Test Using First in First Out Method					
Available Revenue Current Year	271,273	262,113	302,388	912,259	187,559
Available Revenue - 2 year old funds	286,729	271,273	262,113	302,388	912,259
Available Revenue - 3 year old funds	80,213	286,729	271,273	262,113	302,388
Available Revenue - 4 year old funds	8,050	80,213	286,729	271,273	262,113
Available Revenue - 5 year old funds	29,523	8,050	80,213	286,729	271,273
Greater than 5 Prior Fiscal Years	477,700	497,633	409,364	467,719	747,042
Total Revenue Available	**1,153,488**	**1,406,011**	**1,612,080**	**2,502,481**	**2,682,635**

SECTION B: Continued

FUND LEVEL Statement of Revenues, Expenditures, Changes in Fund Balance and 5 Year Revenue Test Using FIFO Method.

For the Fiscal Years Ended:

- June 30, 2025, Unaudited
- June 30, 2024, Unaudited
- June 30, 2023
- June 30, 2022
- June 30, 2021

SEWER IMPACT FEE	FY 20/21	FY 21/22	FY 22/23	FY 23/24	FY 24/25
Revenues:					
Development Impact Fees	306,825	291,564	319,430	659,755	103,691
Interest Earnings	553	4,332	17,045	35,450	40,809
Reimbursements/Refunds					
Total Revenues and Transfers In	307,378	295,895	336,475	695,205	144,500
Expenditures:					
Cost Allocations	145	196	180	216	262
Capital Outlay/Contractual Services		50,587	75,949	7,795	
Transfers Out		664,369			
Total Expenditures	145	715,152	76,129	8,011	262
Over/Under	307,233	(419,256)	260,346	687,194	144,238
Fund Balance, Beginning of Year	863,440	1,170,673	749,584	1,011,763	1,698,957
Fund Balance, End of Year	1,170,673	749,584	1,011,763	1,698,957	1,843,195
Change in Fund	**307,233**	**(421,089)**	**262,179**	**687,194**	**144,238**
Available Revenue Current Year	307,378	295,895	336,475	695,205	144,500
Available Revenue - 2 year old funds	315,427	307,378	295,895	336,475	695,205
Available Revenue - 3 year old funds	163,917	146,310	307,378	295,895	336,475
Available Revenue - 4 year old funds	50,589	-	72,014	307,378	295,895
Available Revenue - 5 year old funds	260,912	-	-	64,003	307,378
Greater than 5 Prior Fiscal Years	72,450	-	-	-	63,741
Total Revenue Available	**1,170,673**	**749,584**	**1,011,763**	**1,698,957**	**1,843,195**

SECTION B: Continued

FUND LEVEL Statement of Revenues, Expenditures, Changes in Fund Balance and 5 Year Revenue Test Using FIFO Method.

For the Fiscal Years Ended:

- June 30, 2025, Unaudited
- June 30, 2024, Unaudited
- June 30, 2023
- June 30, 2022
- June 30, 2021

TRANSPORTATION IMPACT FEE	FY 20/21	FY 21/22	FY 22/23	FY 23/24	FY 24/25
Revenues:					
Development Impact Fees	321,167	316,058	314,258	671,870	100,196
Interest Earnings	712	6,856	(751)	9,725	11,244
Total Revenues and Transfers In	321,879	322,914	313,506	681,595	111,440
Expenditures:					
Cost Allocations	169	212	192	207	251
Capital Outlay/Contractual Services	-				
Transfers Out					
Total Expenditures	169	212	192	207	251
Over/Under	321,710	322,702	313,314	681,388	111,189
Fund Balance, Beginning of Year	381,334	703,044	1,019,655	1,339,061	2,020,449
Fund Balance, End of Year	703,044	1,019,655	1,339,061	2,020,449	2,131,638
Change in Fund	**321,710**	**316,611**	**319,406**	**681,388**	**111,189**
Available Revenue Current Year	321,879	322,914	313,506	681,595	111,440
Available Revenue - 2 year old funds	291,612	321,879	322,914	313,506	681,595
Available Revenue - 3 year old funds	52,708	291,612	321,879	322,914	313,506
Available Revenue - 4 year old funds	8,646	52,708	291,612	321,879	322,914
Available Revenue - 5 year old funds	28,199	8,646	52,708	291,612	321,879
Greater than 5 Prior Fiscal Years	(0)	21,896	36,441	88,942	380,304
Total Revenue Available	**703,044**	**1,019,655**	**1,339,061**	**2,020,449**	**2,131,638**

SECTION B: Continued

FUND LEVEL Statement of Revenues, Expenditures, Changes in Fund Balance and 5 Year Revenue Test Using FIFO Method.

For the Fiscal Years Ended:

- June 30, 2025, Unaudited
- June 30, 2024, Unaudited
- June 30, 2023
- June 30, 2022
- June 30, 2021

PARK IMPACT FEE	FY 20/21	FY 21/22	FY 22/23	FY 23/24	FY 24/25
Revenues:					
Development Impact Fees	245,853	204,642	29,301	428,646	64,494
Transfers In	-				
Interest Earnings	1,156	2,131	15,427	28,094	32,481
Total Revenues and Transfers In	247,009	206,773	44,727	456,739	96,975
Expenditures:					
Cost Allocations	183	227	216	5,907	13,034
Capital Outlay/Contractual Services				6,992	39,418
Winters Senior Center				78,095	278,182
Total Expenditures	183	227	216	90,994	330,633
Over/Under	246,826	206,546	44,511	365,746	(233,659)
Fund Balance, Beginning of Year	520,927	767,753	974,299	1,018,811	1,384,556
Fund Balance, End of Year	767,753	974,299	1,018,811	1,384,556	1,150,898
Change in Fund	**246,826**	**206,546**	**44,511**	**365,746**	**(233,659)**
Five Year Revenue Test Using First in First Out Method					
Available Revenue Current Year	247,009	206,773	44,727	456,739	96,975
Available Revenue - 2 year old funds	407,979	247,009	206,773	44,727	456,739
Available Revenue - 3 year old funds	112,765	407,979	247,009	206,773	44,727
Available Revenue - 4 year old funds	-	112,538	407,979	247,009	206,773
Available Revenue - 5 year old funds	-	-	112,322	407,979	247,009
Greater than 5 Prior Fiscal Years	-	-	-	21,329	98,674
Total Revenue Available	**767,753**	**974,299**	**1,018,811**	**1,384,556**	**1,150,898**

SECTION B: Continued

FUND LEVEL Statement of Revenues, Expenditures, Changes in Fund Balance and 5 Year Revenue Test Using FIFO Method.

For the Fiscal Years Ended:

- June 30, 2025, Unaudited
- June 30, 2024, Unaudited
- June 30, 2023
- June 30, 2022
- June 30, 2021

PUBLIC SAFETY IMPACT FEE	FY 20/21	FY 21/22	FY 22/23	FY 23/24	FY 24/25
Revenues:					
Development Impact Fees	98,668	91,218	65,062	188,752	46,729
Transfers In	-				
Interest Earnings	1,557	2,282	6,598	14,054	16,249
Total Revenues and Transfers In	100,225	93,501	71,660	202,806	62,979
Expenditures:					
Cost Allocations	162	201	192	222	268
Capital Outlay/Contractual Services	-		46,567	4,762	5,180
2023 Ford Interceptor	-			55,513	
RIMS Software & Data Conversion				319,373	
Total Expenditures	162	201	46,759	379,870	5,449
Over/Under	100,063	93,300	24,901	(177,064)	57,530
Fund Balance, Beginning of Year	374,902	474,965	567,144	593,165	416,101
Fund Balance, End of Year	474,965	567,144	593,165	416,101	473,631
Change in Fund	**100,063**	**92,179**	**26,021**	**(177,064)**	**57,530**
Available Revenue Current Year	100,225	93,501	71,660	202,806	62,979
Available Revenue - 2 year old funds	99,520	100,225	93,501	71,660	202,806
Available Revenue - 3 year old funds	29,779	99,520	100,225	93,501	71,660
Available Revenue - 4 year old funds	9,797	29,779	99,520	48,135	93,501
Available Revenue - 5 year old funds	20,321	9,797	29,779	-	42,686
Greater than 5 Prior Fiscal Years	215,323	234,323	198,481	-	-
Total Revenue Available	**474,965**	**567,144**	**593,165**	**416,101**	**473,631**

SECTION B: Continued

FUND LEVEL Statement of Revenues, Expenditures, Changes in Fund Balance and 5 Year Revenue Test Using FIFO Method.

For the Fiscal Years Ended:

- June 30, 2025, Unaudited
- June 30, 2024, Unaudited
- June 30, 2023
- June 30, 2022
- June 30, 2021

FIRE IMPACT FEE	FY 20/21	FY 21/22	FY 22/23	FY 23/24	FY 24/25
Revenues:					
Development Impact Fees	199,704	199,810	130,001	404,147	76,256
Transfers In	-		793		
Interest Earnings	2,063	5,135	18,124	37,166	42,970
Total Revenues and Transfers In	201,767	204,945	148,918	441,313	119,227
Expenditures:					
Cost Allocations	172	213	204	235	285
Capital Outlay/Contractual Services	-	88,853	65,932		14,493
Transfers Out	-				
Fire Truck				58,166	
Total Expenditures	172	89,066	66,136	58,401	14,778
Over/Under	201,595	115,878	82,783	382,912	104,448
Fund Balance, Beginning of Year	744,873	946,468	1,060,063	1,145,129	1,528,042
Fund Balance, End of Year	946,468	1,060,063	1,145,129	1,528,042	1,632,490
Change in Fund	**201,595**	**113,595**	**85,067**	**382,912**	**104,448**
Five Year Revenue Test Using First in First Out Method					
Available Revenue Current Year	201,767	204,945	148,918	441,313	119,227
Available Revenue - 2 year old funds	204,645	201,767	204,945	148,918	441,313
Available Revenue - 3 year old funds	75,014	204,645	201,767	204,945	148,918
Available Revenue - 4 year old funds	39,376	75,014	204,645	201,767	204,945
Available Revenue - 5 year old funds	69,312	39,376	75,014	204,645	201,767
Greater than 5 Prior Fiscal Years	356,354	334,316	309,840	326,453	516,320
Total Revenue Available	**946,468**	**1,060,063**	**1,145,129**	**1,528,042**	**1,632,490**

SECTION B: Continued

FUND LEVEL Statement of Revenues, Expenditures, Changes in Fund Balance and 5 Year Revenue Test Using FIFO Method.

For the Fiscal Years Ended:

- June 30, 2025, Unaudited
- June 30, 2024, Unaudited
- June 30, 2023
- June 30, 2022
- June 30, 2021

GENERAL FACILITIES IMPACT FEE	FY 20/21	FY 21/22	FY 22/23	FY 23/24	FY 24/25
Revenues:					
Development Impact Fees	257,089	154,473	123,409	316,400	79,134
Transfers In	-				
Interest Earnings	2,499	7,165	18,210	40,503	46,829
Total Revenues and Transfers In	259,588	161,638	141,619	356,904	125,962
Expenditures:					
Cost Allocations	4,451	5,538	4,392	6,309	410
Capital Outlay/Contractual Services	54,592	(22,048)	-	8,047	
Transfers Out	-				
Remodel Business & Finance Ofc/ADA					180,000
Total Expenditures	59,043	(16,510)	4,392	14,356	180,410
Over/Under	200,545	178,148	137,227	342,548	(54,448)
Fund Balance, Beginning of Year	867,645	1,068,189	1,242,306	1,383,563	1,726,111
Fund Balance, End of Year	1,068,189	1,242,306	1,383,563	1,726,111	1,671,663
Change in Fund	**200,544**	**174,117**	**141,257**	**342,548**	**(54,448)**
Five Year Revenue Test Using First in First Out Method					
Available Revenue Current Year	259,588	161,638	141,619	356,904	125,962
Available Revenue - 2 year old funds	178,070	259,588	161,638	141,619	356,904
Available Revenue - 3 year old funds	102,427	178,070	259,588	161,638	141,619
Available Revenue - 4 year old funds	30,541	102,427	178,070	259,588	161,638
Available Revenue - 5 year old funds	98,507	30,541	102,427	178,070	259,588
Greater than 5 Prior Fiscal Years	399,056	510,042	540,221	628,293	625,952
Total Revenue Available	**1,068,189**	**1,242,306**	**1,383,563**	**1,726,111**	**1,671,663**

SECTION B: Continued

FUND LEVEL Statement of Revenues, Expenditures, Changes in Fund Balance and 5 Year Revenue Test Using FIFO Method.

For the Fiscal Years Ended:

- June 30, 2025, Unaudited
- June 30, 2024, Unaudited
- June 30, 2023
- June 30, 2022
- June 30, 2021

MONITORING IMPACT FEE	FY 20/21	FY 21/22	FY 22/23	FY 23/24	FY 24/25
Revenues:					
Development Impact Fees	15,167	13,986	6,458	31,163	5,123
Planning Fees	-		152		
Interest Earnings	-	1,433	(1,433)		
Total Revenues and Transfers In	15,167	15,419	5,176	31,163	5,123
Expenditures:					
Cost Allocations	-				
Capital Outlay/Contractual Services	-				
Transfers Out	15,148	9,527	11,069		
Remodel Business & Finance Ofc/ADA					
Total Expenditures	15,148	9,527	11,069	-	-
Over/Under	19	5,892	(5,892)	31,163	5,123
Fund Balance, Beginning of Year	(19)	-	4,459	(0)	31,163
Fund Balance, End of Year	-	4,459	(0)	31,163	36,285
Change in Fund	**19**	**4,459**	**(4,459)**	**31,163**	**5,123**
Five Year Revenue Test Using First in First Out Method					
Available Revenue Current Year	-	4,459	-	31,163	5,123
Available Revenue - 2 year old funds	-	-		-	31,163
Available Revenue - 3 year old funds	-	-	-	-	-
Available Revenue - 4 year old funds	-	-	-	-	-
Available Revenue - 5 year old funds	-	-	-	-	-
Greater than 5 Prior Fiscal Years	-	-	-	(0)	(1)
Total Revenue Available	**-**	**4,459**	**-**	**31,163**	**36,285**

SECTION B: Continued

FUND LEVEL Statement of Revenues, Expenditures, Changes in Fund Balance and 5 Year Revenue Test Using FIFO Method.

For the Fiscal Years Ended:

- June 30, 2025, Unaudited
- June 30, 2024, Unaudited
- June 30, 2023
- June 30, 2022
- June 30, 2021

DRAINAGE (FLOOD) IMPACT FEE	FY 20/21	FY 21/22	FY 22/23	FY 23/24	FY 24/25
Revenues:					
Development Impact Fees	-		70,016		363,548
Transfers In	-				
Interest Earnings	1,159	753	4,871	8,870	10,255
Total Revenues and Transfers In	1,159	753	74,887	8,870	373,803
Expenditures:					
Cost Allocations	-				
Capital Outlay/Contractual Services	13,560	4,202	898		
Transfers Out	-				
Total Expenditures	13,560	4,202	898	-	-
Over/Under	(12,401)	(3,449)	73,989	8,870	373,803
Fund Balance, Beginning of Year	390,378	377,977	374,528	448,518	457,388
Fund Balance, End of Year	377,977	374,528	448,518	457,388	831,190
Change in Fund	**(12,401)**	**(3,449)**	**73,989**	**8,870**	**373,803**
Five Year Revenue Test Using First in First Out Method					
Available Revenue Current Year	1,159	-	-	-	-
Available Revenue - 2 year old funds	204,188	1,159	-	-	-
Available Revenue - 3 year old funds	5,200	204,188	1,159	-	-
Available Revenue - 4 year old funds	3,281	5,200	204,188	1,159	-
Available Revenue - 5 year old funds	1,725	3,281	5,200	204,188	1,159
Greater than 5 Prior Fiscal Years	162,424	160,699	237,970	252,040	830,031
Total Revenue Available	**377,977**	**374,528**	**448,518**	**457,388**	**831,190**

SECTION C: IMPACT FEE SCHEDULE FOR 2024-2025

Residential Fee per Unit						
	RR	R1	R2	R3	R4	
	Rual	Low Density	Medium Density	Medium High Density	High Density	Accessory Dwelling
Water	5,410.26	5,410.26	4,426.57	3,442.89	2,951.05	1,782.93
Sewer	3,954.01	3,954.01	3,404.84	2,745.84	2,416.34	1,459.88
Transportation	3,806.36	3,806.36	3,806.36	2,659.12	2,659.12	case by case
Parks	7,365.03	7,365.03	6,444.40	5,984.09	5,523.77	3,337.28
Public Safety	1,178.38	1,178.38	1,031.07	957.43	883.77	533.94
Fire	2,385.02	2,385.02	2,086.89	1,937.82	1,788.77	1,080.72
General	1,995.51	1,995.51	1,746.06	1,621.35	1,496.63	904.21
Monitoring Fee	188.98	188.98	165.36	153.55	141.74	85.64
Total per unit	26,283.55	26,283.55	23,111.56	19,502.09	17,861.19	9,184.59

	Non-Residential Fee per Building Square Foot						Per Room
	Neighborhood Commercial	Highway Service Commercial	Central Business District	Office	Light Industrial	Heavy Industrial	Hotel
Water	1.38	1.38	1.38	1.77	1.28	1.28	2,262.47
Sewer	1.32	1.32	1.32	1.49	1.35	1.43	1,759.90
Transportation	4.70	5.16	2.19	0.99	0.61	0.33	603.30
Parks	3.52	3.52	6.17	4.93	1.76	1.46	410.99
Public Safety	0.57	0.57	0.98	0.79	0.28	0.23	65.75
Fire	1.14	1.14	1.99	1.60	0.57	0.48	133.09
General	0.96	0.96	1.67	1.33	0.48	0.38	111.34
Monitoring Fee	0.08	0.08	0.16	0.12	0.05	0.03	10.55
Total per unit	13.66	14.13	15.86	13.02	6.38	5.63	5,357.40

SECTION C: CONTINUED

Residential Flood/Drainage Fee per Net Acre					
	RR	R1	R2	R3	R4
Flood Zone	Rual	Low Density	Medium Density	Medium High Density	High Density
1	$52,568	$57,684	$67,705		$67,716
2	$0	$58,973	$69,216	$69,229	$69,229
3	$0	$69,798		$81,937	$81,937
4	$0				
5a	$0	$46,253			
5b	$0				
6	$0				

	Non-Residential Flood/Drainage Fee per Net Acre						
	B-2	C-1	C-H	C-2	O-F	M-1	M-2
Flood Zone	Business Park	Neighborhood Commercial	Highway Service Commercial	Central Business District	Office	Light Industrial	Heavy Industrial
1		$73,468					
2							
3		$88,896				$82,948	$82,948
4						$89,956	
5a		$58,908					
5b			$62,282				
6	$43,194	$44,750					

SECTION D: **INTERFUND LOANS**

There were no Interfund Loans, Refunds, or Reallocation of Funds in Fiscal Year 2024/2025.

REFUND OF DEVELOPMENT IMPACT FEES

At this time, all fees being collected pursuant to the Development Impact Fee program have been earmarked for current or future capital projects necessary to maintain the current levels of services within existing service areas to serve new development.

SECTION E: IDENTIFIED PROJECTS AND FINDINGS

DEVELOPMENT IMPACT FEE PROJECTS IDENTIFICATION

The Development Impact Fee projects table illustrates the reporting requirements defined by California Government Code Section 66006(b):

- An identification of each public improvement on which fees were expended, including the percentage of the cost of the public improvement that will be funded with fees.
- An identification of an approximate date by which the construction of the public improvement will commence if the local agency determines that sufficient funds have been collected to complete the financing on an incomplete public improvement.

Project Name	Project Status	Estimated Completion	Estimated Project Cost	2024-2025 Outlay	Est. % funded with Fees
Water Impact Fee (417)					
Vehicles	Not started	2027	$ 140,000		62%
Maintenance Equipment	Not started	2038	$ 148,000		100%
Water System Master Plan Update	Active	2026	$ 142,000		57%
Urban Water Management Plan	Not started	2028	$ 90,000		100%
Water Wells	Not started	2036	$ 10,000,000		100%
Chromium-6 Compliance	in review	2027	$ 43,000,000		30%
Water Mains	Active	2027	$ 1,340,000		100%
Total Water Impact Fee			**$ 54,860,000**		
Sewer Impact Fee (418)					
Vehicles	Not started	2036	$ 500,000		50%
Wastewater Master Plan Update	Not started	2027	$ 125,000		100%
Railroad /East Abbey to Main Street Relief Sewer	Not started	2032	$ 329,940		100%
Option 1A Improvements	Not started	2030	$ 6,051,000		100%
Total Sewer Impact Fee			**$ 7,005,940**		
Transportation Impact Fee (411)					
Taffic Signal at Grant Ave and East Main St	Not started	2040	$ 2,014,625		100%
Traffic SignaL at Grant Ave and I-505 Southbound	Not started	2040	2,386,750		100%
Roundabout at Grant Ave and Morgan Street	Not started	2028	2,282,000		100%
2 to 4 Lane Widening	Not started	2040	1,799,120		100%
Total Transportation Impact Fee			**$ 8,482,495**		
Park Impact Fee (413)					
Three Oaks Park Restroom	Active	2026	$ 275,000		100%
Three Oaks Phase III	in review	2027	$ 1,800,000		23%
Community Center Patio Improvements	Active	2026	$ 320,000		100%
Sports Park	Not started	2036	$ 15,000,000		51%
Community Center / Sr. Center	pending review	2028	$ 6,500,000	$ 330,633	20%
Total Park Impact Fee			**$ 23,895,000**		
Public Safety [Police] Impact Fee (414)					
Vehicle	Not started	2029	$ 95,000		100%
Police Officer Outfitting	Not started	2029	$ 60,000		100%
Total Public Safety Impact Fee			**$ 155,000**		
Fire Impact Fee (415)					
Type I Engine and Equipment	Not started	2028	625,000		100%
Type III Engine and Equipment	Not started	2028	435,000		100%
Type VI Engine and Equipment	Not started	2028	120,000		100%
Command Vehicles (3)	Not started	2030	225,000		100%
Rescue Squad Vehicle and Equipment	Not started	2028	345,000	14,778	100%
Fire Prevention Vehicles and Equipment (2)	Not started	2036	100,000		100%
Training Tower Conex Systems Facility	Not started	2030	$ 395,000		100%
Property, Infrastructure and Utility for Training	Not started	2030	100,000		100%
Utility Pickup	Not started	2036	45,000		100%
SCBA Air Pack and Spare Bottles (25)	Not started	2026	175,000		100%
Total Fire Impact Fee			**$ 2,565,000**		
General Facilities Impact Fee (416)					
Corporation Yard Relocation	Not started		$ 3,273,339		100%
Remodel Finance Offices/ADA	Active	2027	845,246	180,000	70%
Total General Facilities Impact Fee			**$ 4,118,585**		
Monitoring Fee (495)					
1992 General Plan Deficit	Active	Ongoing	$ 278,015		100%
Total Monitoring Fee			**$ 278,015**		
Flood (Drainage) Fee (419)					
Detention Basins, Levees, Culverts,	Not started	pending	$ 19,538,037		100%
Total Flood Fee			**$ 19,538,037**		
Total Project Funding			**$ 136,541,507**		

A PROCLAMATION OF THE CITY COUNCIL OF THE CITY OF WINTERS RECOGNIZING RAMON ALTAMIRANO FOR HIS SERVICE TO THE WINTERS PLANNING COMMISSION

WHEREAS, Ramon Altamirano has served with distinction on the City of Winters Planning Commission for eight years, demonstrating unwavering dedication to the thoughtful development and preservation of our community; and

WHEREAS, Ramon Altamirano has brought valuable insight, careful consideration, and sound judgment to each project presented before the Planning Commission, ensuring that development decisions reflect the best interests of Winters residents; and

WHEREAS, through countless hours of preparation, study, and deliberation, Ramon Altamirano has contributed to shaping the future of our city with wisdom and foresight, balancing growth with the preservation of Winters' unique character; and

WHEREAS, Ramon Altamirano's thoughtful approach to planning matters has fostered informed discussions and collaborative decision-making, earning the respect of fellow commissioners, city staff, developers, and community members alike; and

WHEREAS, Ramon Altamirano's service exemplifies the spirit of civic engagement and volunteer leadership that strengthens our community and ensures responsive local government; and

WHEREAS, the City of Winters has greatly benefited from Ramon Altamirano's expertise, professionalism, and commitment to excellence in public service;

NOW, THEREFORE, we, the Winters City Council, on behalf of the citizens of Winters, do hereby recognize and thank Ramon Altamirano for his selfless service to the community of Winters.

PASSED AND ADOPTED, this 20th Day of January, 2026.

Council Member Richard Casavecchia

Council Member Jesse Loren

Council Member Carol Scianna

Mayor Pro Tem Bill Biassi

Mayor Albert Vallecillo

CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Councilmembers
DATE: January 20, 2026
FROM: Jeremy Craig, City Manager
SUBJECT: Presentation and Update of 2025 Homeless Outreach Efforts

RECOMMENDATION:

Discussion only. No formal action requested.

BACKGROUND:

Throughout 2025, the City of Winters has continued efforts to address the needs of the unhoused population in our community. These efforts have involved coordinated work across multiple city departments, including Police, Fire, and Public Works. Each department has played a critical role in providing outreach, services, and resources to individuals experiencing homelessness while also addressing community concerns related to public health, safety, and quality of life.

This staff presentation provides the City Council with a comprehensive update on the activities, challenges, and outcomes of the past year's homeless outreach initiatives.

DISCUSSION:

Staff from the Police Department, Fire Department, and Public Works Department will provide a joint presentation detailing the efforts expended in 2025 regarding the City's unhoused population. The presentation will cover:

- Outreach and engagement activities conducted throughout the year
- Services provided and referrals made to partner agencies
- Public safety and public health responses

- Infrastructure and maintenance challenges related to encampments
- Partnerships with county and regional service providers
- Data and outcomes from 2025 efforts

Following the presentation, the City Council will have the opportunity to discuss the impacts of current approaches and explore any new or different strategies they wish to pursue in 2026. This discussion will help guide staff in planning future homeless outreach efforts and determining resource allocation for the coming year.

FISCAL IMPACT:

Unknown and dependent upon any new direction provided by the City Council.

ATTACHMENTS:

None

CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Councilmembers

DATE:January 20, 2026

FROM: Jeremy Craig, City Manager

SUBJECT: Consideration of Support for California Senate Bill 417 and Assembly Bill 736 - 2026 Housing Bond Measures

RECOMMENDATION:
Staff recommends that the City Council discuss and consider expressing support for Senate Bill 417 and Assembly Bill 736, companion legislation authorizing a ballot measure for $10 billion in housing bonds, and direct staff accordingly based on Council direction.

BACKGROUND:
Senate Bill 417 and Assembly Bill 736 are companion bills introduced in the 2026 California legislative session that would place a $10 billion housing bond measure before voters. These bills attempt to address California's ongoing housing crisis, which continues to affect communities of all sizes, including Winters.

California faces a significant shortage of affordable housing across all income levels. Rising construction costs, limited financing options for affordable housing development, and insufficient state resources have constrained local jurisdictions' ability to address housing needs identified in their Housing Elements.

DISCUSSION:
Purpose and Need for Housing Bonds

The proposed housing bonds would provide critical funding to address California's housing shortage and affordability crisis. Key justifications for the bonds include:

- **Affordable Housing Gap**: California needs an estimated 2.5 million additional housing units, with particular shortages in the workforce and affordable housing

categories
- **Local Funding Constraints**: Many jurisdictions lack sufficient local resources to incentivize or support affordable housing development
- **Economic Impact**: Housing shortages affect workforce recruitment and retention, limiting economic growth in communities like Winters

Proposed Use of Bond Funds

The $10 billion in bond proceeds would be allocated across multiple housing programs, including:

- **Affordable Housing Development**: Funding for the construction and preservation of affordable rental housing for low- and moderate-income families
- **Homeownership Programs**: Down payment assistance and first-time homebuyer programs
- **Supportive Housing**: Housing with services for homeless individuals and special needs populations
- **Infrastructure**: Water, sewer, and infrastructure improvements necessary to support housing development
- **Farmworker Housing**: Specific allocations for agricultural worker housing, relevant to Winters' agricultural community

Bond Repayment

The bonds would be general obligation bonds repaid through the state's General Fund over approximately 30-35 years. No new revenue is proposed, so the bonds would need to be serviced with existing state revenues. The estimated annual debt service would be approximately $500 million.

Considerations for Winters

Supporting this legislation could benefit Winters by:

- Creating potential funding sources for affordable housing projects identified in the City's Housing Element
- Supporting workforce housing to aid local businesses and agricultural employers
- Demonstrating the City's commitment to addressing regional housing challenges
- Positioning Winters to compete for state housing funds if the measure passes

Potential Direction to Staff

Staff recommends that the City Council discuss and consider expressing support for Senate Bill 417 and Assembly Bill 736 and direct staff accordingly. Potential Council actions include:

1. Express support for the legislation through a formal letter from the Mayor
2. Direct staff to communicate support to the City's legislative advocates and state

representatives
3. Provide an alternative direction for staff
4. Take no action at this time

FISCAL IMPACT:

There is no direct fiscal impact to the city from expressing support for this legislation. If the bond measure is approved by voters and Winters subsequently applies for and receives bond funding, future staff reports would detail any local matching requirements or fiscal implications.

ATTACHMENT:

1. Current Text – SB 417
2. Current Text – AB736

SB-417 The Affordable Housing Bond Act of 2026. (2025-2026)

As Amends the Law Today

SECTION 1. *Part 16.1 (commencing with Section 54050) is added to Division 31 of the Health and Safety Code, to read:*

PART 16.1. Affordable Housing Bond Act of 2026

CHAPTER 1. General Provisions

54050. *This part shall be known, and may be cited, as the Affordable Housing Bond Act of 2026.*

54051. *This part shall only become operative upon adoption by the voters at the June 2, 2026, statewide general election.*

54052. *For purposes of this part, "fund" means the Affordable Housing Bond Act Trust Fund of 2026 created pursuant to Section 54054.*

CHAPTER 2. Affordable Housing Bond Act Trust Fund of 2026 and Program

54054. *(a) The Affordable Housing Bond Act Trust Fund of 2026 is hereby created within the State Treasury. It is the intent of the Legislature that the proceeds of bonds, exclusive of refunding bonds issued pursuant to Section 54076, be deposited in the fund and used to fund affordable rental housing and home ownership programs.*

(b) The proceeds of bonds issued and sold pursuant to this part for the purposes specified in this chapter shall be allocated in the following manner:

(1) Five billion two hundred fifty million dollars ($5,250,000,000), to be deposited in the Housing Rehabilitation Loan Fund established pursuant to Section 50661 to be used for the Multifamily Housing Program authorized by Chapter 6.7 (commencing with Section 50675) of Part 2 and the Infill Infrastructure Grant Program of 2019 established by Section 53559. At least 10 percent of assisted units in each development receiving these funds shall be affordable to extremely low income households.

(2) One billion seven hundred fifty million dollars ($1,750,000,000), to be deposited in the Housing Rehabilitation Loan Fund established pursuant to Section 50661 to be used for supportive housing, as described in Section 50675.14, pursuant to the Multifamily Housing Program authorized by Chapter 6.7 (commencing with Section 50675) of Part 2. The department shall offer capitalized operating subsidy reserves for supportive housing units in developments receiving these funds.

(3) Eight hundred million dollars ($800,000,000), to be appropriated by the Legislature, to the program commonly known as the Portfolio Reinvestment Program established pursuant to Chapter 5.5 (commencing with Section 50606) of Part 2.

(4) Five hundred million dollars ($500,000,000), to be appropriated by the Legislature, to a program, to be administered by the Department of Housing and Community Development, to fund the acquisition and rehabilitation of unrestricted housing units and attach long-term affordability restrictions on the housing units, while safeguarding against the displacement of current residents, and to rehabilitate housing that has been significantly damaged or eliminated by a federally recognized natural disaster. It is the intent of the Legislature that the specific criteria establishing eligibility for, and use of, the funds shall be established in statute.

(5) Two hundred million dollars ($200,000,000), to be appropriated by the Legislature, to wildfire prevention and mitigation, wildfire displacement assistance, and acceleration of construction of affordable housing in rental markets impacted by wildfires.

(6) One billion dollars ($1,000,000,000), to be appropriated by the Legislature, to provide home ownership opportunities through the following programs:

(A) The CalHome Program established pursuant to Chapter 6 (commencing with Section 50650) of Part 2.

(B) The home purchase assistance program established pursuant to Chapter 6.8 (commencing with Section 51341) of Part 3.

(7) Two hundred fifty million dollars ($250,000,000), to be appropriated by the Legislature, to the Joe Serna, Jr. Farmworker Housing Grant Program established pursuant to Chapter 3.2 (commencing with Section 50515.2) of Part 2.

(8) Two hundred fifty million dollars ($250,000,000), to be appropriated by the Legislature, to the Tribal Housing Grant Program Trust Fund established pursuant to Section 50651.1.

54056. *(a) The Legislature may, from time to time, amend any law related to programs to which funds are, or have been, allocated pursuant to this chapter for the purposes of improving the efficiency and effectiveness of those programs or to further the goals of those programs.*

(b) The Legislature may amend this chapter in order to reallocate the proceeds of bonds issued and sold pursuant to this part among the programs to which funds are to be allocated pursuant to this chapter as necessary to effectively promote the development of affordable housing in this state.

(c) The Department of Housing and Community Development may disburse any funds made available to housing development projects pursuant to this chapter during the construction period.

CHAPTER 3. Fiscal Provisions

54060. *Bonds in the total amount of ten billion dollars ($10,000,000,000), exclusive of refunding bonds issued pursuant to Section 54076, or so much thereof as is necessary as determined by the committee, are hereby authorized to be issued and sold for carrying out the purposes expressed in this part and to reimburse the General Obligation Bond Expense Revolving Fund pursuant to Section 16724.5 of the Government Code. All bonds herein authorized that have been duly issued, sold, and delivered as provided herein shall constitute valid and binding general obligations of the state, and the full faith and credit of the state is hereby pledged for the punctual payment of both principal of, and interest on, those bonds when due.*

54062. *The bonds authorized by this part shall be prepared, executed, issued, sold, paid, and redeemed as provided in the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), except subdivisions (a) and (b) of Section 16727 of the Government Code, and all of the provisions of that law as amended from time to time apply to the bonds and to this part, except as provided in Section 54078, and are hereby incorporated in this part as though set forth in full in this part.*

54064. *(a) Solely for the purpose of authorizing the issuance and sale, pursuant to the State General Obligation Bond Law, of the bonds authorized by this part, the committee is continued in existence. For the purposes of this part, the Housing Finance Committee is "the committee" as that term is used in the State General Obligation Bond Law.*

(b) For the purposes of the State General Obligation Bond Law, the Department of Housing and Community Development is designated the "board" for programs administered by the department, and the California Housing Finance Agency is the "board" for programs administered by the agency.

54066. *Upon request of the board stating that funds are needed for purposes of this part, the committee shall determine whether or not it is necessary or desirable to issue bonds, and, if so, the amount of bonds to be issued and sold. Successive issues of bonds may be authorized and sold to carry out those actions progressively, and are not required to be sold at any one time. Bonds may bear interest subject to federal income tax.*

54068. *There shall be collected annually, in the same manner and at the same time as other state revenue is collected, a sum of money in addition to the ordinary revenues of the state, sufficient to pay the principal of, and interest on, the bonds each year. It is the duty of all officers charged by law with any duty in regard to the collections of state revenues to do or perform each and every act that is necessary to collect that additional sum.*

54070. *Notwithstanding Section 13340 of the Government Code, there is hereby continuously appropriated from the General Fund in the State Treasury, for the purposes of this part, an amount that will equal the total of both of the following:*

(a) The sum annually necessary to pay the principal of, and interest on, bonds issued and sold pursuant to this part, as the principal and interest become due and payable.

(b) The sum that is necessary to carry out Section 54074, appropriated without regard to fiscal years.

54072. *The board may request the Pooled Money Investment Board to make a loan from the Pooled Money Investment Account, in accordance with Section 16312 of the Government Code, for purposes of this part. The amount of the request shall not exceed the amount of the unsold bonds that the committee has, by resolution, authorized to be sold, excluding any refunding bonds authorized pursuant to Section 54076, for purposes of this part, less any amount loaned pursuant to this section and not yet repaid and any amount withdrawn from the General Fund pursuant to Section 54074 and not yet returned to the General Fund. The board shall execute any documents as required by the Pooled Money Investment Board to obtain and repay the loan. Any amount loaned shall be deposited in the fund to be allocated in accordance with this part.*

54074. *For purposes of carrying out this part, the Director of Finance may, by executive order, authorize the withdrawal from the General Fund of an amount or amounts not to exceed the amount of the unsold bonds that the committee has, by resolution, authorized to be sold, excluding any refunding bonds authorized pursuant to Section 54076, for purposes of this part, less any amount loaned pursuant to Section 54072 and not yet repaid and any amount withdrawn from the General Fund pursuant to this section and not yet returned to the General Fund. Any amounts withdrawn shall be deposited in the fund to be allocated in accordance with this part. Any moneys made available under this section shall be returned to the General Fund, plus the interest that the amounts would have earned in the Pooled Money Investment Account, from moneys received from the sale of bonds that would otherwise be deposited in that fund.*

54076. *The bonds may be refunded in accordance with Article 6 (commencing with Section 16780) of Chapter 4 of Part 3 of Division 4 of Title 2 of the Government Code. Approval by the electors of this act shall constitute approval of any refunding bonds issued to refund bonds issued pursuant to this part, including any prior issued refunding bonds. A bond refunded with the proceeds of a refunding bond as authorized by this section may be legally defeased to the extent permitted by law in the manner and to the extent set forth in the resolution, as amended from time to time, authorizing that refunded bond.*

54078. *Notwithstanding any provisions in the State General Obligation Bond Law, the maturity date of bonds authorized by this part shall not be later than 35 years from the date of each bond. The maturity of each series shall be calculated from the date of issuance of each bond.*

54080. *The Legislature hereby finds and declares that, inasmuch as the proceeds from the sale of bonds authorized by this part are not "proceeds of taxes" as that term is used in Article XIII B of the California Constitution, the disbursement of these proceeds is not subject to the limitations imposed by that article.*

54082. *Notwithstanding any provision of the State General Obligation Bond Law with regard to the proceeds from the sale of bonds authorized by this part that are subject to investment under Article 4 (commencing with Section 16470) of Chapter 3 of Part 2 of Division 4 of Title 2 of the Government Code, the Treasurer may maintain a separate account for investment earnings, may order the payment of those earnings to comply with any rebate requirement applicable under federal law, and may otherwise direct the use and investment of those proceeds so as to maintain the tax-exempt status of tax-exempt bonds and to obtain any other advantage under federal law on behalf of the funds of this state.*

54084. *(a) Subject to subdivision (b), all moneys derived from premiums and accrued interest on bonds sold pursuant to this part shall be transferred to the General Fund as a credit to expenditures for bond interest.*

(b) Amounts derived from premiums may be reserved and used to pay the costs of bond issuance before transfer to the General Fund.

SEC. 2. *Section 1 of this act shall become operative upon the adoption by the voters of the Affordable Housing Bond Act of 2026.*

SEC. 3. *Section 1 of this act shall be submitted to the voters at the June 2, 2026, statewide primary election, in accordance with provisions of the Government Code and the Elections Code governing the submission of a statewide measure to the voters.*

SEC. 4. *This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:*

In order to maximize the time available for the analysis and preparation of the proposed issuance of bonds pursuant to this act, it is necessary that this act take effect immediately.

AB-736 The Affordable Housing Bond Act of 2026. (2025-2026)

As Amends the Law Today

SECTION 1. *Part 16.1 (commencing with Section 54050) is added to Division 31 of the Health and Safety Code, to read:*

PART 16.1. Affordable Housing Bond Act of 2026

CHAPTER 1. General Provisions

54050. *This part shall be known as the Affordable Housing Bond Act of 2026.*

54051. *This part shall only become operative upon adoption by the voters at the June 2, 2026, statewide primary election.*

54052. *For purposes of this part, "fund" means the Affordable Housing Bond Act Trust Fund of 2026 created pursuant to Section 54054.*

CHAPTER 2. Affordable Housing Bond Act Trust Fund of 2026 and Program

54054. *(a) The Affordable Housing Bond Act Trust Fund of 2026 is hereby created within the State Treasury. It is the intent of the Legislature that the proceeds of bonds, exclusive of refunding bonds issued pursuant to Section 54076, be deposited in the fund and used to fund affordable rental housing and home ownership programs.*

(b) The proceeds of bonds issued and sold pursuant to this part for the purposes specified in this chapter shall be allocated in the following manner:

(1) Five billion dollars ($5,000,000,000), to be deposited in the Housing Rehabilitation Loan Fund established pursuant to Section 50661 to be used for the Multifamily Housing Program authorized by Chapter 6.7 (commencing with Section 50675) of Part 2. At least 10 percent of assisted units in each development receiving these funds shall be affordable to extremely low income households.

(2) One billion seven hundred million dollars ($1,700,000,000), to be deposited in the Housing Rehabilitation Loan Fund established pursuant to Section 50661 to be used for supportive housing, as described in Section 50675.14, pursuant to the Multifamily Housing Program authorized by Chapter 6.7 (commencing with Section 50675) of Part 2. The department shall offer capitalized operating subsidy reserves for supportive housing units in developments receiving these funds.

(3) Eight hundred million dollars ($800,000,000), to be appropriated by the Legislature, to the program commonly known as the Portfolio Reinvestment Program established pursuant to Chapter 5.5 (commencing with Section 50606) of Part 2.

(4) Five hundred million dollars ($500,000,000), to be appropriated by the Legislature, to a program, to be administered by the Department of Housing and Community Development, to fund the acquisition and rehabilitation of unrestricted housing units and attach long-term affordability restrictions on the housing units, while safeguarding against the displacement of current residents. It is the intent of the Legislature that the specific criteria establishing eligibility for, and use of, the funds shall be established in statute.

(5) One billion dollars ($1,000,000,000), to be appropriated by the Legislature, to provide home ownership opportunities through the following programs:

(A) The CalHome Program established pursuant to Chapter 6 (commencing with Section 50650) of Part 2.

(B) The home purchase assistance program established pursuant to Chapter 6.8 (commencing with Section 51341) of Part 3.

(6) Three hundred fifty million dollars ($350,000,000), to be appropriated by the Legislature, to the Joe Serna, Jr. Farmworker Housing Grant Program pursuant to Chapter 3.2 (commencing with Section 50515.2) of Part 2.

(7) Two hundred fifty million dollars ($250,000,000), to be appropriated by the Legislature, to a dedicated, flexible, and comprehensive state program designed for, and in consultation with, tribes, that shall be administered by the Department of Housing and Community Development, to finance housing and housing-related activities that will enable tribes to rebuild and reconstitute their communities. It is the intent of the Legislature that the specific criteria establishing eligibility for and use of the funds shall be established in statute.

(8) Four hundred million dollars ($400,000,000) for the Infill Infrastructure Grant Program of 2019 established pursuant to Section 53559 of the Health and Safety Code.

54056. *(a) The Legislature may, from time to time, amend any law related to programs to which funds are, or have been, allocated pursuant to this chapter for the purposes of improving the efficiency and effectiveness of those programs or to further the goals of those programs.*

(b) The Legislature may amend this chapter in order to reallocate the proceeds of bonds issued and sold pursuant to this part among the programs to which funds are to be allocated pursuant to this chapter as necessary to effectively promote the development of affordable housing in this state.

(c) The Department of Housing and Community Development may disburse any funds made available to housing development projects pursuant to this chapter during the construction period.

CHAPTER 3. Fiscal Provisions

54060. *Bonds in the total amount of ten billion dollars ($10,000,000,000), exclusive of refunding bonds issued pursuant to Section 54076, or so much thereof as is necessary as determined by the committee, are hereby authorized to be issued and sold for carrying out the purposes expressed in this part and to reimburse the General Obligation Bond Expense Revolving Fund pursuant to Section 16724.5 of the Government Code. All bonds herein authorized that have been duly issued, sold, and delivered as provided herein shall constitute valid and binding general obligations of the state, and the full faith and credit of the state is hereby pledged for the punctual payment of both principal of, and interest on, those bonds when due.*

54062. *The bonds authorized by this part shall be prepared, executed, issued, sold, paid, and redeemed as provided in the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), except subdivisions (a) and (b) of Section 16727 of the Government Code, and all of the provisions of that law as amended from time to time apply to the bonds and to this part, except as provided in Section 54078, and are hereby incorporated in this part as though set forth in full in this part.*

54064. *(a) Solely for the purpose of authorizing the issuance and sale, pursuant to the State General Obligation Bond Law, of the bonds authorized by this part, the committee is continued in existence. For the purposes of this part, the Housing Finance Committee is "the committee" as that term is used in the State General Obligation Bond Law.*

(b) For the purposes of the State General Obligation Bond Law, the Department of Housing and Community Development is designated the "board" for programs administered by the department, and the California Housing Finance Agency is the "board" for programs administered by the agency.

54066. *Upon request of the board stating that funds are needed for purposes of this part, the committee shall determine whether or not it is necessary or desirable to issue bonds, and, if so, the amount of bonds to be issued and sold. Successive issues of bonds may be authorized and sold to carry out those actions progressively, and are not required to be sold at any one time. Bonds may bear interest subject to federal income tax.*

54068. *There shall be collected annually, in the same manner and at the same time as other state revenue is collected, a sum of money in addition to the ordinary revenues of the state, sufficient to pay the principal of, and interest on, the bonds each year. It is the duty of all officers charged by law with any duty in regard to the collections of state revenues to do or perform each and every act that is necessary to collect that additional sum.*

54070. *Notwithstanding Section 13340 of the Government Code, there is hereby continuously appropriated from the General Fund in the State Treasury, for the purposes of this part, an amount that will equal the total of both of the following:*

(a) The sum annually necessary to pay the principal of, and interest on, bonds issued and sold pursuant to this part, as the principal and interest become due and payable.

(b) The sum that is necessary to carry out Section 54074, appropriated without regard to fiscal years.

54072. *The board may request the Pooled Money Investment Board to make a loan from the Pooled Money Investment Account, in accordance with Section 16312 of the Government Code, for purposes of this part. The amount of the request shall not exceed the amount of the unsold bonds that the committee has, by resolution, authorized to be sold, excluding any refunding bonds authorized pursuant to Section 54076, for purposes of this part, less any amount loaned pursuant to this section and not yet repaid and any amount withdrawn from the General Fund pursuant to Section 54074 and not yet returned to the General Fund. The board shall execute any documents as required by the Pooled Money Investment Board to obtain and repay the loan. Any amount loaned shall be deposited in the fund to be allocated in accordance with this part.*

54074. *For purposes of carrying out this part, the Director of Finance may, by executive order, authorize the withdrawal from the General Fund of an amount or amounts not to exceed the amount of the unsold bonds that the committee has, by resolution, authorized to be sold, excluding any refunding bonds authorized pursuant to Section 54076, for purposes of this part, less any amount loaned pursuant to Section 54072 and not yet repaid and any amount withdrawn from the General Fund pursuant to this section and not yet returned to the General Fund. Any amounts withdrawn shall be deposited in the fund to be allocated in accordance with this part. Any moneys made available under this section shall be returned to the General Fund, plus the interest that the amounts would have earned in the Pooled Money Investment Account, from moneys received from the sale of bonds that would otherwise be deposited in that fund.*

54076. *The bonds may be refunded in accordance with Article 6 (commencing with Section 16780) of Chapter 4 of Part 3 of Division 4 of Title 2 of the Government Code. Approval by the electors of this act shall constitute approval of any refunding bonds issued to refund bonds issued pursuant to this part, including any prior issued refunding bonds. A bond refunded with the proceeds of a refunding bond as authorized by this section may be legally defeased to the extent permitted by law in the manner and to the extent set forth in the resolution, as amended from time to time, authorizing that refunded bond.*

54078. *Notwithstanding any provisions in the State General Obligation Bond Law, the maturity date of bonds authorized by this part shall not be later than 35 years from the date of each bond. The maturity of each series shall be calculated from the date of issuance of each bond.*

54080. *The Legislature hereby finds and declares that, inasmuch as the proceeds from the sale of bonds authorized by this part are not "proceeds of taxes" as that term is used in Article XIII B of the California Constitution, the disbursement of these proceeds is not subject to the limitations imposed by that article.*

54082. *Notwithstanding any provision of the State General Obligation Bond Law with regard to the proceeds from the sale of bonds authorized by this part that are subject to investment under Article 4 (commencing with Section 16470) of Chapter 3 of Part 2 of Division 4 of Title 2 of the Government Code, the Treasurer may maintain a separate account for investment earnings, may order the payment of those earnings to comply with any rebate requirement applicable under federal law, and may otherwise direct the use and investment of those proceeds so as to maintain the tax-exempt status of tax-exempt bonds and to obtain any other advantage under federal law on behalf of the funds of this state.*

54084. *(a) Subject to subdivision (b), all moneys derived from premiums and accrued interest on bonds sold pursuant to this part shall be transferred to the General Fund as a credit to expenditures for bond interest.*

(b) Amounts derived from premiums may be reserved and used to pay the costs of bond issuance before transfer to the General Fund.

SEC. 2. *Section 1 of this act shall become operative upon the adoption by the voters of the Affordable Housing Bond Act of 2026.*

SEC. 3. *Section 1 of this act shall be submitted to the voters at the June 2, 2026, statewide primary election, in accordance with provisions of the Government Code and the Elections Code governing the submission of a statewide measure to the voters.*

SEC. 4. *This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:*

In order to maximize the time available for the analysis and preparation of the proposed issuance of bonds pursuant to this act, it is necessary that this act take effect immediately.

2026 BROWN ACT

If you would like to receive additional copies of this handout or would like more information on BBK Brown Act trainings, please contact marketing@bbklaw.com.



BBK
BEST BEST & KRIEGER LLP
ATTORNEYS AT LAW

Disclaimer: This handout is not intended as legal advice. Additional facts, facts specific to your situation or future developments may affect subjects contained herein. Seek the advice of an attorney before acting or relying upon any information herein.

This Publication is distributed by the Open Government & Ethics Group

2026 – THE BROWN ACT[1]

(As amended by Senate Bill 707)
(New language highlighted; repealed language removed)

Page

POLICY STATEMENT 6

§54950. Declaration, Intent; Sovereignty 6

COVERAGE OF THE BROWN ACT 6

§ 54950.5. Title of Act 6

§ 54951. Local Agency, Definition 6

§ 54952. Legislative Body, Definition 6

§ 54952.1. Newly Elected Members 8

§ 54952.2. Meeting, Definition 8

§ 54952.3. Meetings; Simultaneous 10

§ 54952.6. Action Taken, Definition 11

§ 54952.7. Copies of Chapter to Members of Legislative Body of Local Agencies 11

OPEN MEETINGS AND RELATED REQUIREMENTS – AGENDAS AND PUBLIC HEARINGS 11

§ 54953. Meetings to be Open and Public; Attendance 11

§ 54953.1. Testimony of Members Before Grand Jury 15

§ 54953.2. Protections and Prohibitions Under the Americans with Disabilities Act of 1990 15

§ 54953.3. Conditions to Attendance 15

§ 54953.4. Public Access; Legislative Findings and Declarations; Opportunities for Public To Attend Via Two-Way Telephonic Service or Two-Way Audiovisual Platform; Translation and Interpretation; Public Outreach 15

[1] This Publication only contains sections of the Ralph M. Brown Act that are operative as of January 1, 2026.

©2026 BEST BEST & KRIEGER LLP

§ 54953.5. Right to Record Proceedings; Retention of Recordings 23

§ 54953.6. Right to Broadcast Proceedings 23

§ 54953.7. Access to Meetings Beyond Minimal Standards 23

§ 54953.8. Legislative Body of Local Agency; Use of Alternative Teleconferencing Provisions for Notice and Public Participation 23

54953.8.1. Health Authority; Use of Teleconferencing 27

54953.8.2. State of Emergency or Local Emergency; Use of Teleconferencing 28

54953.8.3. Remote Participation by Member of Legislative Body; In Person Quorum Requirement; Just Cause 29

54953.8.4. Eligible Neighborhood Council; Use of Teleconferencing 31

54953.8.5. Eligible Community College Student Organization; Use of Teleconferencing 33

54953.8.6. Eligible Subsidiary Body; Use of Teleconferencing 36

54953.8.7. Eligible Multijurisdictional Body; Use of Teleconferencing 39

§ 54954. Rules for Conduct of Business; Time and Place for Holding Regular Meetings 41

§ 54954.1. Mailed Notice of Meetings, On Request Therefor: Charge 43

§ 54954.2. Agenda; Posting; Action or Discussion on Other Matters 43

§ 54954.3. Opportunity for Public to Address Legislative Body; Regulations ... 48

§ 54954.4. Reimbursement for Costs 49

§ 54954.5. Closed Session Item Descriptions 50

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE 52

§ 54954.6. Public Hearing Required Prior to Adoption of New Or Increased Taxes Or Assessments 54

§ 54955. Adjournment of Meetings 59

§ 54955.1. Continuance of Meeting to Subsequent Meeting 60

§ 54956. Special Meetings; Call; Notice 60

©2026 BEST BEST & KRIEGER LLP

§ 54956.5. Emergency Meetings in Emergency Situations 61

§ 54956.6. Fees 63

EXCEPTIONS TO THE OPEN MEETING REQUIREMENT - TOPICS FOR CLOSED SESSION 63

§ 54956.7. Closed Sessions, License Applications; Rehabilitated Criminals 63

§ 54956.75. Audit by the State Auditor's Office; Closed Meeting to Discuss Response 64

§ 54956.8. Real Property Transactions; Closed Meeting With Negotiator 64

§ 54956.81. Closed Sessions; Specific Pension Fund Investments 65

§ 54956.86. Closed Sessions, Legislative Body of Private Corporations; Federally Protected Information 65

§ 54956.87. Records of Certain Health Plans; Meetings on Health Plan Trade Secrets 65

§ 54956.9. Pending Litigation; Closed Session; Abrogation of Privilege 67

§ 54956.95. Closed Sessions; Joint Powers Insurance Authorities 69

§ 54956.96. Closed Session; Joint Powers Agencies 70

§ 54956.97. Public Bank; Governing Board or Committee of Governing Board; Closed Session. 72

§ 54956.98. Public Bank; Policy or Bylaw; Information From a Closed Session Considered Confidential 72

§ 54957. Closed Sessions; Discussion of Employee/Independent Contractor; Exclusion of Witnesses 74

§ 54957.1. Closed Sessions; Public Report of Decisions 76

§ 54957.2. Minute Book Record of Closed Sessions; Inspection 78

ENFORCEMENT REQUIREMENTS 79

§ 54957.5. Agendas and Other Writings Distributed for Discussion or Consideration at Public Meetings; Public Records; Inspection; Closed Sessions 79

©2026 BEST BEST & KRIEGER LLP

§ 54957.6. Closed Sessions; Salaries, Legislative Body of Local Agencies; Salaries, Salary Schedules or Fringe Benefits; Mandatory Subjects 81

§ 54957.7. Closed Sessions; Statement of Reasons and Legal Authority; Scope of Coverage; Notice..... 82

§ 54957.8. Closed Sessions; Legislative Body Of Multijurisdictional Law Enforcement Agency..... 83

§ 54957.9. Authorization to Clear Room Where Meeting Willfully Interrupted, Etc. 83

§ 54957.10. Closed Sessions; Employee Application for Early Withdrawal of Funds in Deferred Compensation Plan; Financial Hardship 84

§ 54957.95. Open Meetings: Orderly Conduct..... 84

54957.96. Member of Public Participating in Meeting via Two-Way Telephonic Service or Two-Way Audiovisual Platform; Authority for Removal or Limitation of Participation 85

§ 54958. Application of Chapter 85

§ 54959. Criminal Penalty..... 85

§ 54960. Actions to Stop or Prevent Violations or Determine Applicability of Chapter..... 86

§ 54960.1. Unlawful Action by Legislative Body; Action for Mandamus or Injunction; Prerequisites..... 87

§ 54960.2. Requirements for Filing of Actions; Cease and Desist 90

§ 54960.5. Costs and Attorney Fees..... 93

§ 54961. Meetings Places; Discriminatory Admission Policies; Accessibility ... 93

§ 54962. Closed Session by Legislative Body Prohibited..... 94

§ 54963. Closed Sessions: Confidential Information..... 94

©2026 BEST BEST & KRIEGER LLP

2026 THE RALPH M. BROWN ACT
(Government Code Sections 54950 - 54963)

POLICY STATEMENT

§54950. Declaration, Intent; Sovereignty

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.

COVERAGE OF THE BROWN ACT

§ 54950.5. Title of Act

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

§ 54951. Local Agency, Definition

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.

§ 54952. Legislative Body, Definition

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, decision-making or advisory, created by charter, 2 ordinance,

©2026 BEST BEST & KRIEGER LLP

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.

©2026 BEST BEST & KRIEGER LLP

§ 54952.1. Newly Elected Members

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 3 this chapter and shall be treated for purposes of enforcement of this chapter as if he or she has already assumed office.

§ 54952.2. Meeting, Definition

(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

©2026 BEST BEST & KRIEGER LLP

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

©2026 BEST BEST & KRIEGER LLP

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 5 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.

§ 54952.3. Meetings; Simultaneous

(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

©2026 BEST BEST & KRIEGER LLP

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 6 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.

§ 54952.6. Action Taken, Definition

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.

§ 54952.7. Copies of Chapter to Members of Legislative Body of Local Agencies

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.

OPEN MEETINGS AND RELATED REQUIREMENTS – AGENDAS AND PUBLIC HEARINGS

§ 54953. Meetings to be Open and Public; Attendance

(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.

©2026 BEST BEST & KRIEGER LLP

(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 7 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.

©2026 BEST BEST & KRIEGER LLP

(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

©2026 BEST BEST & KRIEGER LLP

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.

©2026 BEST BEST & KRIEGER LLP

§ 54953.1. Testimony of Members Before Grand Jury

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.

§ 54953.2. Protections and Prohibitions Under the Americans with Disabilities Act of 1990

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.

§ 54953.3. Conditions to Attendance

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.

§ 54953.4. Public Access; Legislative Findings and Declarations; Opportunities for Public To Attend Via Two-Way Telephonic Service or Two-Way Audiovisual Platform; Translation and Interpretation; Public Outreach

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.

©2026 BEST BEST & KRIEGER LLP

(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.

©2026 BEST BEST & KRIEGER LLP

(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

©2026 BEST BEST & KRIEGER LLP

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.

©2026 BEST BEST & KRIEGER LLP

(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.

(i) 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.

©2026 BEST BEST & KRIEGER LLP

(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:

©2026 BEST BEST & KRIEGER LLP

(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."

(A) 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.

©2026 BEST BEST & KRIEGER LLP

(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.

©2026 BEST BEST & KRIEGER LLP

§ 54953.5. Right to Record Proceedings; Retention of Recordings

(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 (Chapter 3.5 (commencing with Section 6250) of Division 7 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. Right to Broadcast Proceedings

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 17 broadcast cannot be accomplished without noise, illumination, or obstruction of view that would constitute a persistent disruption of the proceedings.

§ 54953.7. Access to Meetings Beyond Minimal Standards

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

§ 54953.8. Legislative Body of Local Agency; Use of Alternative Teleconferencing Provisions for Notice and Public Participation

(a) The legislative body of a local agency may use teleconferencing as authorized by subdivision (b) of Section 54953 without complying with the requirements

©2026 BEST BEST & KRIEGER LLP

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.

©2026 BEST BEST & KRIEGER LLP

(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

©2026 BEST BEST & KRIEGER LLP

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),

©2026 BEST BEST & KRIEGER LLP

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.

54953.8.1. Health Authority; Use of Teleconferencing

(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,

©2026 BEST BEST & KRIEGER LLP

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. State of Emergency or Local Emergency; Use of Teleconferencing

(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.

©2026 BEST BEST & KRIEGER LLP

(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).

54953.8.3. Remote Participation by Member of Legislative Body; In Person Quorum Requirement; Just Cause

(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.

©2026 BEST BEST & KRIEGER LLP

(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.

©2026 BEST BEST & KRIEGER LLP

(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.

54953.8.4. Eligible Neighborhood Council; Use of Teleconferencing

(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.

©2026 BEST BEST & KRIEGER LLP

(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.

©2026 BEST BEST & KRIEGER LLP

(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.

54953.8.5. Eligible Community College Student Organization; Use of Teleconferencing

(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

©2026 BEST BEST & KRIEGER LLP

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,”

©2026 BEST BEST & KRIEGER LLP

"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.

(i) 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.

©2026 BEST BEST & KRIEGER LLP

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

54953.8.6. Eligible Subsidiary Body; Use of Teleconferencing

(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

©2026 BEST BEST & KRIEGER LLP

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.

©2026 BEST BEST & KRIEGER LLP

(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.

©2026 BEST BEST & KRIEGER LLP

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

54953.8.7. Eligible Multijurisdictional Body; Use of Teleconferencing

(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).

©2026 BEST BEST & KRIEGER LLP

(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.

©2026 BEST BEST & KRIEGER LLP

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

§ 54954. Rules for Conduct of Business; Time and Place for Holding Regular Meetings

(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

©2026 BEST BEST & KRIEGER LLP

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 non-adversarial 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.

©2026 BEST BEST & KRIEGER LLP

(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.

§ 54954.1. Mailed Notice of Meetings, On Request Therefor: Charge

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 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.

§ 54954.2. Agenda; Posting; Action or Discussion on Other Matters

(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

©2026 BEST BEST & KRIEGER LLP

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 Web site, the following provisions shall apply:

(A) An online posting of an agenda shall be posted on the primary Internet Web site homepage 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:

©2026 BEST BEST & KRIEGER LLP

(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 Web site 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 Web site homepage 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 Web site 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.

©2026 BEST BEST & KRIEGER LLP

(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:

(i) "Integrated agenda management platform" means an Internet Web site 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.

(ii) "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 his or her 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.

©2026 BEST BEST & KRIEGER LLP

(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 26 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 Web site, 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.

©2026 BEST BEST & KRIEGER LLP

§ 54954.3. Opportunity for Public to Address Legislative Body; Regulations

(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 27 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

©2026 BEST BEST & KRIEGER LLP

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.

§ 54954.4. Reimbursement for Costs

(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

©2026 BEST BEST & KRIEGER LLP

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.

§ 54954.5. Closed Session Item Descriptions

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:

©2026 BEST BEST & KRIEGER LLP

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)

©2026 BEST BEST & KRIEGER LLP

(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:

©2026 BEST BEST & KRIEGER LLP

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)

©2026 BEST BEST & KRIEGER LLP

(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

§ 54954.6. Public Hearing Required Prior to Adoption of New Or Increased Taxes Or Assessments

(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.

©2026 BEST BEST & KRIEGER LLP

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

©2026 BEST BEST & KRIEGER LLP

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,

©2026 BEST BEST & KRIEGER LLP

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.

©2026 BEST BEST & KRIEGER LLP

(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 decision-making process.

©2026 BEST BEST & KRIEGER LLP

(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. Adjournment of Meetings

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

©2026 BEST BEST & KRIEGER LLP

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.

§ 54955.1. Continuance of Meeting to Subsequent Meeting

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 re-continued 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.

§ 54956. Special Meetings; Call; Notice

(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.

©2026 BEST BEST & KRIEGER LLP

(1) 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.

(c) For purposes of subdivision (a), the requirement that the agenda be posted on the local agency's Internet Web site, 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.

§ 54956.5. Emergency Meetings in Emergency Situations

(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.

©2026 BEST BEST & KRIEGER LLP

(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

©2026 BEST BEST & KRIEGER LLP

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.

§ 54956.6. Fees

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.

EXCEPTIONS TO THE OPEN MEETING REQUIREMENT - TOPICS FOR CLOSED SESSION

§ 54956.7. Closed Sessions, License Applications; Rehabilitated Criminals

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

©2026 BEST BEST & KRIEGER LLP

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.

§ 54956.75. Audit by the State Auditor's Office; Closed Meeting to Discuss Response

(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.

§ 54956.8. Real Property Transactions; Closed Meeting With Negotiator

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.

©2026 BEST BEST & KRIEGER LLP

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.

§ 54956.81. Closed Sessions; Specific Pension Fund Investments

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.

§ 54956.86. Closed Sessions, Legislative Body of Private Corporations; Federally Protected Information

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 42 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.

§ 54956.87. Records of Certain Health Plans; Meetings on Health Plan Trade Secrets

(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

©2026 BEST BEST & KRIEGER LLP

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.

©2026 BEST BEST & KRIEGER LLP

(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.

§ 54956.9. Pending Litigation; Closed Session; Abrogation of Privilege

(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.

©2026 BEST BEST & KRIEGER LLP

(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 45 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

©2026 BEST BEST & KRIEGER LLP

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 (Chapter 3.5 (commencing with Section 6250) of Division 7 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.

§ 54956.95. Closed Sessions; Joint Powers Insurance Authorities

(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

©2026 BEST BEST & KRIEGER LLP

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.

§ 54956.96. Closed Session; Joint Powers Agencies

(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 member 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 member local agency for purposes of obtaining advice on whether the matter has direct financial or liability implications for that member local agency.

(B) Other members of the legislative body of the local agency present in a closed session of that member local agency.

(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

©2026 BEST BEST & KRIEGER LLP

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

©2026 BEST BEST & KRIEGER LLP

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, 2025, and as of that date is repealed.

§ 54956.97. Public Bank; Governing Board or Committee of Governing Board; Closed Session.

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.

§ 54956.98. Public Bank; Policy or Bylaw; Information From a Closed Session Considered Confidential

(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.

©2026 BEST BEST & KRIEGER LLP

(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).

©2026 BEST BEST & KRIEGER LLP

§ 54957. Closed Sessions; Discussion of Employee/Independent Contractor; Exclusion of Witnesses

(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.

©2026 BEST BEST & KRIEGER LLP

(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 51 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.

(1) 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.

(2) 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.

(3) 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.

©2026 BEST BEST & KRIEGER LLP

§ 54957.1. Closed Sessions; Public Report of Decisions

(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:

©2026 BEST BEST & KRIEGER LLP

(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.

©2026 BEST BEST & KRIEGER LLP

(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 54 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.

§ 54957.2. Minute Book Record of Closed Sessions; Inspection

(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

©2026 BEST BEST & KRIEGER LLP

to this section is not a public record subject to inspection pursuant to the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 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. Such 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).

ENFORCEMENT REQUIREMENTS

§ 54957.5. Agendas and Other Writings Distributed for Discussion or Consideration at Public Meetings; Public Records; Inspection; Closed Sessions

(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:

©2026 BEST BEST & KRIEGER LLP

(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

©2026 BEST BEST & KRIEGER LLP

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.) of Division 7 of Title 1). This 57 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.

§ 54957.6. Closed Sessions; Salaries, Legislative Body of Local Agencies; Salaries, Salary Schedules or Fringe Benefits; Mandatory Subjects

(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.

©2026 BEST BEST & KRIEGER LLP

(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.

§ 54957.7. Closed Sessions; Statement of Reasons and Legal Authority; Scope of Coverage; Notice

(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.

©2026 BEST BEST & KRIEGER LLP

(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.

§ 54957.8. Closed Sessions; Legislative Body Of Multijurisdictional Law Enforcement Agency

(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.

§ 54957.9. Authorization to Clear Room Where Meeting Willfully Interrupted, Etc.

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

©2026 BEST BEST & KRIEGER LLP

pursuant to this section. Nothing in this section shall prohibit the legislative body from establishing a procedure for readmitting an individual or individuals not responsible for willfully disturbing the orderly conduct of the meeting.

§ 54957.10. Closed Sessions; Employee Application for Early Withdrawal of Funds in Deferred Compensation Plan; Financial Hardship

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.

§ 54957.95. Open Meetings: Orderly Conduct.

(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 60 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.

©2026 BEST BEST & KRIEGER LLP

(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.

54957.96. Member of Public Participating in Meeting via Two-Way Telephonic Service or Two-Way Audiovisual Platform; Authority for Removal or Limitation of Participation

(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.

§ 54958. Application of Chapter

The provisions of this chapter shall apply to the legislative body of every local agency notwithstanding the conflicting provisions of any other state law.

§ 54959. Criminal Penalty

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

©2026 BEST BEST & KRIEGER LLP

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.

§ 54960. Actions to Stop or Prevent Violations or Determine Applicability of Chapter

(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 61 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

©2026 BEST BEST & KRIEGER LLP

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.

§ 54960.1. Unlawful Action by Legislative Body; Action for Mandamus or Injunction; Prerequisites

(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

©2026 BEST BEST & KRIEGER LLP

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.

63

(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:

©2026 BEST BEST & KRIEGER LLP

(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 64 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.

©2026 BEST BEST & KRIEGER LLP

§ 54960.2. Requirements for Filing of Actions; Cease and Desist

(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 65 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

©2026 BEST BEST & KRIEGER LLP

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

©2026 BEST BEST & KRIEGER LLP

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 67 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

©2026 BEST BEST & KRIEGER LLP

pursuant to subdivision (a) of Section 54960, without regard to the procedural requirements of this section.

§ 54960.5. Costs and Attorney Fees

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.

§ 54961. Meetings Places; Discriminatory Admission Policies; Accessibility

(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.

©2026 BEST BEST & KRIEGER LLP

§ 54962. Closed Session by Legislative Body Prohibited

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.

§ 54963. Closed Sessions: Confidential Information

(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 grand jury.

(d) Disciplinary action pursuant to paragraph (2) of subdivision (c) shall require that the employee in question has either received training as to the requirements of this section or otherwise has been given notice of the requirements of this section.

©2026 BEST BEST & KRIEGER LLP

(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.

©2026 BEST BEST & KRIEGER LLP